



HERITAGE NEW ZEALAND
POUHERE TAONGA



NATIONAL ASSESSMENT RMA POLICIES AND PLANS

– HERITAGE PROVISIONS

December 2018

NATIONAL ASSESSMENT RMA POLICIES AND PLANS – HERITAGE PROVISIONS

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COVER: Hydro Grand Hotel, Timaru, former Category 2, NZ Heritage List number 2502, demolished on 18 November 2017 after a long period of neglect.

COVER IMAGE COURTESY OF M J ADAMSON, FLICKR.COM, 2017

SUMMARY OF KEY FINDINGS – CHANGES SINCE JUNE 2015

The protection of historic heritage from inappropriate subdivision, use and development is a matter of national importance under section 6 of the Resource Management Act 1991 (RMA). This recognises the important contribution historic heritage makes to people's sense of place and identity, and preserving our heritage for future generations. The New Zealand Heritage List/ Rārangī Kōrero (NZ Heritage List) recognises our most significant heritage places. While List entry demonstrates heritage significance and enables owners to apply to local and national heritage funds, it does not provide any protection for the place. Identifying and providing for historic heritage through the district planning process is a key mechanism for conserving and protecting this irreplaceable resource.

Heritage New Zealand Pouhere Taonga (Heritage New Zealand) surveys the recognition and protection of historic heritage in RMA plans and policy statements every two to three years. This assessment measures progress against Heritage New Zealand key performance indicators (KPIs) and recommended standards, both plan quality and the uptake of Heritage New Zealand advocacy and advice. These standards are summarised in Appendix 1. The assessment also looks at complementary measures such as national instruments and protection under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPT Act) and other legislation, and specific management regimes. The key results are summarised in Appendix 2.

Risks to historic heritage

The Canterbury earthquake sequence of 2010–2012, the Seddon earthquake of 2013 and the Kaikōura earthquake of 2016 have highlighted the risk to New Zealand's heritage from seismic activity. The Canterbury earthquake sequence particularly demonstrates the potentially devastating effect of a catastrophic event on historic heritage. Of 173 NZ Heritage List buildings demolished since 2009, 138 resulted from earthquake damage. An increasing number of heritage buildings are being identified as earthquake-prone under the Building Act 2004. Amendments to the Building Act (see section 2.2) setting out risk-based timeframes for the assessment and strengthening of earthquake-prone

buildings aim to improve their safety. The new requirements may increase the pressure on some owners and result in demolitions of heritage buildings, particularly in regional centres.

The other key threats to historic heritage structures are development, neglect and fire, and these are often interrelated. Twenty-eight NZ Heritage List entries have been demolished since 2009 due to development pressure and/or neglect. This continues to be a major threat, both in urban areas where the demand for land is high and in provincial areas with low economic return on commercial buildings. Another seven NZ Heritage List buildings have been demolished due to fire since 2009, including two in 2018. Since 2006, fewer than seven Listed buildings have been demolished each year for reasons other than earthquake damage. The loss of scheduled but un-Listed items is expected to be much higher than this.

Plan changes since June 2015

This 2018 national assessment (*2018 Assessment*) of the heritage provisions in policy statements and plans made under the RMA focuses on changes since the previous assessment in June 2015 (*the 2015 Assessment*). Table 1 summarises the changes to RMA documents from 1 July 2015 to 18 July 2018 (the assessment period) that contain provisions relevant to the identification or conservation of historic heritage. Section 2 itemises these amended plans and policy statements and the date each document was notified or became operative.

Councils notifying proposed new district or unitary plans during the review period include Dunedin City, Queenstown Lakes District, Waikato District South Taranaki District and Marlborough District (the proposed Marlborough Environment Plan). Auckland Council notified a proposed plan change to add items to the heritage schedule.

Table 1: New RMA policy statements, plans and heritage-related changes to plans between June 2015 and July 2018

Plan type	Number of proposed plans or plan changes notified	Number of proposed plans or plan changes made operative
Regional plans and policy statements	5	4
District plans and unitary plans	7	14

The performance expectations of Heritage New Zealand for district plan heritage provisions

Heritage New Zealand advocates for provisions in RMA plans and policy documents that facilitate the conservation of historic heritage. The *Heritage New Zealand Pouhere Taonga Statement of Performance Expectations 2018-2019* (the *2018 SPE*) sets out the expectation that district plans will meet minimum standards (KPIs) for the protection of historic heritage. Table 2 lists these KPIs and the results of the current and previous three assessments. Only four plans meet all four of the KPIs, and another four meet three KPIs but do not have all NZ Heritage List items in the plan schedule.

The number of items in the NZ Heritage List/Rārangī Kōrero (NZ Heritage List entries) and plan schedules has only increased slightly since the *2015 Assessment*. Despite large increases in the number of heritage items on RMA plan schedules, the proportion of plans containing all properties entered on the NZ Heritage List has remained at around one-third.¹ Plan provisions for the demolition of scheduled built heritage and provision of incentives for heritage conservation continue to improve, but provisions to protect Māori heritage from destruction remain unsatisfactory.² There has been a slight decrease in the number of district plans that make adequate provision for the protection of sites of cultural significance; 77% of plans fail to meet Heritage New Zealand standards.

Table 2: Percentage of district plans that meet Heritage New Zealand defined standards

Performance standard	2011	2013	2015	2018
A heritage schedule that contains all NZ Heritage List entries	21%	32%	34%	33%
Demolition of scheduled heritage as a non-complying activity for at least higher-ranked items	43%	56%	67%	72%
Destruction of scheduled Māori heritage as a non-complying activity for at least higher-ranked items	9%	17%	25%	23%
Regulatory incentives for retention of heritage	28%	32%	49%	59%

Identification of historic heritage

The NZ Heritage List includes 5,732 entries of cultural and historical significance. Only one-third of plans have all NZ Heritage List properties on the schedule as at July 2018; 43 district plans (67%) do not. This is one plan fewer than the *2015 Assessment* (66%).³ Eighty-eight percent of individual entries on the NZ Heritage List are scheduled in plans, with 96% of Category 1 historic places scheduled and an improvement in scheduling of sites of significance to Māori to 83%.

Despite losses of heritage from earthquake damage and other factors (discussed above), there has been a steady increase nationally from 11,576 scheduled heritage items in 2013 to 13,984 in 2018.⁴ The most recent increases reflect revisions to the Auckland, Waikato and Dunedin plan schedules, and a reassessment to ensure that all scheduled historic heritage sites protected by rules are included in the count. A further 8,700 archaeological sites are included in the archaeological schedule and protected with at least a basic rule. These figures exclude schedules of archaeological sites and heritage places that are identified in plans for information only, not protected by rules, or with no controls on demolition.

¹ Note that the number of plans assessed decreased from 75 to 64 between the 2013 and the 2015 Assessment periods due to the amalgamation of the Auckland councils, so pre-2015 figures are not strictly comparable with the 2015 and 2018 Assessments.

² NZ Heritage List entries are historic places, historic areas, wāhi tapu, wāhi tūpuna and wāhi tapu areas entered on the NZ Heritage List/Rārangī Kōrero.

³ In 2013, 23 out of 75 district plans included all NZ Heritage List entries and 49 did not; in 2015, 22 out of 64 district plans included all NZ Heritage List entries and 42 did not. The Proposed Auckland Unitary Plan amalgamated several district plans into one. See footnote 1.

⁴ Scheduled sites include historic places and areas, places and areas of significance to Māori (including significant archaeological sites), that are protected by appropriate objectives, policies and rules. Schedules of solely archaeological sites protected by basic rules are counted separately.

Table 3: Number of historical and cultural heritage items scheduled in RMA plans and protected by rules (excluding archaeological schedules)

Date of assessment	November 2008	May 2011	May 2013	May 2015	July 2018
Scheduled heritage items	10,886	11,454	11,576	13,127	13,984

Conservation of historic heritage

Heritage New Zealand KPIs for district plan quality relate to protecting scheduled historic heritage, in particular sites of significance to Māori, from demolition or destruction through suitable rules. As shown in Table 2, the *2018 Assessment* found that 72% of plans regulate the demolition of scheduled heritage items as a non-complying activity for at least higher-ranked items.⁵ This is an improvement on the 67% of plans meeting the Heritage New Zealand standard in the *2015 Assessment*.

However, the *2018 Assessment* shows that there is an overall lower standard of regulation nationwide for Māori heritage in comparison with scheduled built heritage and there has been no improvement. This remains a critical deficiency in many district plans, with three-quarters of plans making inadequate provision for the protection of sites of significance to Māori. Only 15 plans (23%) regulate destruction of Māori heritage as a non-complying activity – a decrease from the *2015 Assessment* where 25% of plans met the standard. This compares with 46 plans that regulate the demolition of historic buildings (at least for higher-ranked items) as a non-complying activity. Of particular concern is that seven plans have no rules governing the destruction of Māori heritage.

Incentives

There has been a steady increase in the number of councils providing regulatory and non-regulatory incentives for conservation of historic heritage as local authorities review plans and heritage chapters. More than half of district plans now have incentives, as shown in Table 2, including incentive funding provided for through RMA plan policies and given effect to via long-term plans under the Local Government Act 2002. Only one of the new plans proposed during the *2018 Assessment* period did not contain incentives.

The types of incentives include:

- exemptions from district plan provisions for parking and service areas, outdoor areas and minimum floor areas for urban heritage buildings
- promoting public awareness of historic heritage values
- rates relief resource consent fee waivers, and heritage grant funds.

Overall plan quality

Information on plan quality is limited by the lack of systematic surveying and monitoring by local authorities. Most plans, especially those most recently reviewed, have an adequate alignment between issues (if stated), objectives, policies and rules. There is also general alignment between Regional Policy Statement (RPS) provisions and district plan provisions. However, the effectiveness of some plans is compromised by weak objectives and policies that do not support the rules, or vice versa.

More than half of the district plan schedules do not have assessment criteria for including places on the schedule. Five plans have historic heritage schedules that are not backed up with rules, or the rules are inadequate.

Plan rules are assessed against the recommended standards set out in Appendix 1. In general, plans are making adequate provision for the repair and maintenance of historic heritage, although some lack criteria for assessment and others have unhelpful definitions. Currently, 63% of plans do not make specific provisions to facilitate safety-related modifications, although this is improving

⁵ Higher-ranked items are those identified in plan heritage schedules as 'Category A', 'Category 1' or equivalent.

as more plans are reviewed. An increasing number of plans are providing for additions and alterations as a restricted discretionary activity although two recently proposed plans included discretionary activity rules, which could hamper the adaptive reuse of heritage buildings.

While all plans have general subdivision rules, two recently proposed plans did not contain specific subdivision rules for historic heritage, and two more had a restricted discretionary activity rule. Heritage New Zealand recommends that the subdivision of land containing historic heritage be a discretionary or non-complying activity. Only half of the most recent plans and proposed plans had the recommended non-complying rule for relocation of historic heritage. While some of these plans made good provision for historic areas or precincts, most do not have specific rules to address risks to historic areas.

Eight plans have not been reviewed within the last 10 years, and five of these councils have not initiated plan reviews. These older plans have critical deficiencies in several or all of the areas assessed:

- Clutha District Plan (operative 1998)
- Central Hawke's Bay District Plan (operative 2003, rolling review of district plan initiated)
- Grey (operative 2005), Buller (operative 2000) and Westland (operative 2002) District Plans (requirement for a combined West Coast District Plan signalled)⁶
- Mackenzie District Plan (operative 2004, heritage chapter revised 2007, review commenced)
- Upper Hutt District Plan (operative 2004)
- Nelson Resource Management Plan (operative 2004, new draft unitary plan released).

⁶ In September 2018, the Local Government Commission recommended that a combined district plan be prepared covering the West Coast region. An Order in Council will be required to implement this recommendation, and no timeframes have been given for preparing a combined plan, www.lgc.govt.nz

1. BACKGROUND AND SCOPE

1.1 PURPOSE OF THE 2018 ASSESSMENT

The protection of historic heritage from inappropriate subdivision, use and development is a matter of national importance under section 6 of the RMA. This recognises the valuable contribution historic heritage makes to people's sense of place and identity, and the importance of preserving our heritage for future generations. The only national direction under the RMA on the protection of historic heritage is in Policy 17 of the *New Zealand Coastal Policy Statement (NZCPS)*, covering the coastal environment (see section 2.1).⁷ In the absence of a comprehensive national instrument, Heritage New Zealand advocates for a framework of objectives and policies in RPSs, given effect to by objectives, policies and rules in regional and district plans.

This *2018 Assessment* reviews the adequacy of provisions for heritage identification and protection in RMA plans and policy statements. Provisions are assessed against the standards set out in the *SPE 2018* and Heritage New Zealand's best practice *Sustainable Management of Historic Heritage (SMHH)* guidance series.⁸ The findings and standards in the *2018 Assessment* may assist local authorities to improve provisions for the conservation of historic heritage.

The *2018 Assessment* is Heritage New Zealand's fifth national assessment. It provides an update to previous national assessments carried out by Heritage New Zealand in 2009, 2011, 2013 and 2015. Recommendations made in the *2015 Assessment* are discussed in Appendix 3. The *2018 Assessment* focuses on changes to heritage provisions in RMA plans between 1 July 2015 and 18 July 2018.⁹

1.2 KEY PERFORMANCE INDICATORS

The *SPE 2018* establishes strategic priorities including building support for heritage and prioritising advocacy, focusing on educating, promoting, advising and regulating. The *SPE 2018* sets out three classes of outcomes and key outputs for heritage places:

- Mātauranga/Knowledge: Capture heritage information
- Pena Pena Taonga/Conservation: Actively support heritage owners
- Hohonga/Engagement: Celebrate heritage with communities.

A key contribution to these outputs is working with local authorities to provide for the recognition and protection of historic heritage in RMA plans and policy statements, and to provide incentives to owners to conserve historic heritage.

Heritage New Zealand uses the following indicators to measure improvements in RMA plan quality. These are set out on page 8 of the *SPE 2018*:

- a heritage schedule that contains all NZ Heritage List entries
- demolition of scheduled heritage as a non-complying activity for at least higher-ranked items
- destruction of scheduled Māori heritage as a non-complying activity for at least higher-ranked items
- regulatory incentives for retention of heritage.

Other indicators used in this assessment are based on the *SMHH guidelines* on RMA plan quality, and are summarised in Appendix 1.¹⁰

The indicators used in this *2018 Assessment* provide information on the *SPE 2018 output framework of Identify, Conserve, and Support*; they also are a partial analysis based on the **Pressure, State, Response** (PSR) model often used for environmental monitoring.¹¹

The PSR framework assumes that **pressures** on a resource have an **impact** on the **state** or condition of the resource, and

⁷ www.doc.govt.nz/about-us/science-publications/conservation-publications/marine-and-coastal/new-zealand-coastal-policy-statement/policy-statement-and-guidance/

⁸ Heritage New Zealand *Statement of Performance Expectations, 2018-2019*; NZHPT, *SMHH* guidance series, <http://www.heritage.org.nz/resources/sustainable-management-guides>

⁹ The July 2018 cut-off date was selected so that the review could include the Proposed Waikato District Plan notified on 18 July 2018.

¹⁰ NZHPT, *SMHH* guidance, www.heritage.org.nz

¹¹ NZHPT, *SMHH* Guide No. 5, 'State of the Environment Reporting and Monitoring', August 2007. A variation of the PSR model is the DPSIR model, which looks at Drivers, Pressures, States, Impact and Response.

this prompts a **response** from responsible agencies, owners or the public. In turn, basic sectoral or environmental trends are **drivers** of these pressures. For example, a long-term trend of population growth and increasing urbanisation is a **driver** for the **pressure** on the resource, i.e. increasing demand for land for housing and commerce. If unchecked, this demand could result in the demolition or destruction of the historic heritage resource, a significant **impact** on the **state** of the resource. The **response** of local authorities may be to survey and identify local historic heritage and introduce RMA plan rules to protect the most significant historic heritage from development pressure, or provide incentives and non-regulatory measures to encourage the conservation and adaptive re-use of historic heritage.

Drivers and pressures can be described qualitatively, and regulatory responses assessed both qualitatively and quantitatively, but information on the state of the historic heritage resource is sparse. Heritage New Zealand undertakes regular condition surveys of properties it manages, but is not resourced at this time to do condition surveys of the wider heritage resource.¹²

Pressures

Pressures and drivers resulting in impacts on the historic heritage resource include:

- direct physical risks such as earthquake, fire and natural hazards
- increasing community and government concern about the safety of heritage buildings and increasing regulation
- owner concerns about the requirements for and cost of seismic strengthening
- changes in owner and user requirements for heritage places
- population changes and intensification of population in urban centres driving demand for land and resulting in government policies on making land available for development
- economic drivers leading to pressure to redevelop sites, or lack of economic viability of maintaining a place
- cumulative effects of loss of individual heritage items from an area.

Heritage New Zealand does not collect information that could form a basis for directly monitoring the pressures on historic heritage. Instead, the *2018 Assessment* uses the demolition of NZ Heritage List entries as a secondary proxy measure of the pressure on heritage resources.

State

The state of the historic heritage resource could be measured as the number of historic heritage items and the condition of items. Section 35(2)(a) of the RMA requires local authorities to monitor

the state of the environment to the extent needed to carry out its functions (see section 8.1). Few have specifically monitored the condition of historic heritage and Heritage New Zealand is not resourced to do this nationally. The number of historic heritage items scheduled in plans is an imprecise indicator, as it assumes that local authorities are equally resourced and motivated to schedule a representative sample of historic heritage items in plans and are using consistent criteria to determine heritage significance. As discussed in section 4.4, approaches used by local authorities to identify historic heritage vary widely. In the absence of information on the condition or 'state' of scheduled historic heritage, the number of scheduled sites is a proxy indicator for the state of the resource.

Response

Ideally, responses address the impact that the pressures have on the state of the historic heritage resource. As outlined above, the key pressures currently affecting historic heritage are neglect, development, fire and earthquake. National policy responses to risks can also be pressures. For example, earthquake strengthening requirements and costs could drive the demolition of historic heritage. The development and adaption of historic heritage places and sites can result in the reduction of heritage values. Responses such as the number of plans with a certain type of heritage protection rule are easier to quantify and establish a time-series for than pressure and state indicators.

The response indicators used in this assessment measure the protection of historic heritage from key threats. Incentives to conserve historic heritage also demonstrate a response to these threats.

Indicators used in the 2018 Assessment

Table 4 sets out the indicators used in the *2018 Assessment* to assess:

- initiatives to **identify** and **protect** historic heritage and **support** owners
- the **response to pressures** on the historic heritage resource and the **state** of the resource.

¹² See *SPE 2018*, p. 10.

Table 4: Indicator framework for historic heritage

Key performance indicator	Second tier indicator	SPE 2018 category	PSR category
Plans with all Listed items scheduled		Identify	Proxy for state
	Number of listed heritage items not scheduled	Identify	Proxy for state
	Number and distribution of scheduled heritage items	Identify	Proxy for state
	Criteria for scheduling	Identify	Proxy for state
Non-complying rule to protect heritage places from demolition		Protect	Response
	Suitable rules to protect heritage places, e.g. relocation, earthworks, subdivision, signage	Protect	Response
	Suitably enabling rules to foster the survival and use of heritage places, e.g. repair, safety alterations, adaptive reuse	Protect Support	Response
	Appropriate rules for historic areas	Protect	Response
Non-complying rule to protect sites of significance to Māori from destruction		Protect Support	Response
	Suitable rules to protect heritage places and sites of significance to Māori, e.g. earthworks, subdivision and rules appropriate to wāhi tapu areas and Maori built heritage	Protect Support	Response
Incentives		Support	Response
Other indicators:			
	Demolitions minimised	Protect	Impact Proxy for pressure and state
	Covenants	Protect Support	Response
	Other protection measures	Protect	Response
	Legislation and government funding initiatives	Protect Support	Proxy for pressure Response

1.3 SCOPE OF THE ASSESSMENT

This review focuses on the identification and protection of historic heritage under the RMA. The scope of the *2018 Assessment* is limited to:

- **the most recent version of district plans** – the assessment is limited to the proposed or operative district plan, whichever is the most recent, and focuses on plans that have been proposed or made operative since the *2015 Assessment*¹³
- **plan changes** – the assessment includes recent plan changes that modify heritage rules, including for archaeological and cultural sites, or heritage schedules notified or made operative since the *2015 Assessment*
- **heritage rules** – the assessment selected core heritage rules for assessment. It has not attempted to assess all heritage-related rules such as general zone provisions, resource consent information requirements, financial contributions or designation provisions.

Archaeological sites are regulated under the HNZPT Act; an archaeological authority is required to modify or destroy any archaeological site. The *2018 Assessment* also includes significant archaeological sites that have been evaluated, specifically identified on plan schedules and protected by appropriate rules.

The *2018 Assessment* does not assess provisions for notable trees. Although some of the notable trees that are scheduled and protected in district plans have historic heritage values, this is beyond the scope of this assessment.

This assessment is a snapshot as at July 2018. The proposed plans and plan changes assessed in this report are generally not yet operative and may be subject to change as a result of submissions, hearings, decisions and appeals.

¹³ Heritage provisions of plans have legal effect once a proposed new plan or plan change is notified.

2. LEGISLATIVE CHANGES, NATIONAL POLICY INITIATIVES AND HERITAGE PROTECTION MECHANISMS

2.1 LEGISLATIVE CHANGES AND NATIONAL POLICY INITIATIVES UNDER THE RMA

Legislation

The Resource Legislation Amendment Act 2017 introduced a number of changes to the RMA, including:

- enhanced Māori participation in resource management processes, including new Mana Whakahono ā Rohe: Iwi participation arrangements
- “the management of significant risks from natural hazards” is a new matter of national importance in section 6 of the RMA
- councils have new functions to ensure that there is sufficient residential and business development capacity to meet expected demand
- the default status for subdivision activity is now ‘permitted’ unless regulated by a plan rule
- councils have 10 days to process resource consent applications for district land use activities that have ‘controlled’ status
- regulations may preclude notification of resource consent applications for certain activities, or limit who may be considered ‘affected’
- councils may use a collaborative planning process or request approval from the Minister for the Environment to use a streamlined planning process
- councils may use limited notification for plan changes, if all directly affected parties can be identified
- regulations may prohibit or remove rules that duplicate or overlap with other legislation.

While changes to enhance Māori participation may address some of the issues with protection of Māori heritage, other changes may reduce the opportunity for Heritage New Zealand and the community to have input into decisions affecting historic heritage.

National Planning Standards

A new national instrument, the National Planning Standards (the Standards), was also introduced as part of the 2017 amendments to the RMA. The Standards seek to help achieve the purpose of the RMA. They will:

- set out requirements for the structure, format or content of RMA policy statements and plans to address any matter that the Minister for the Environment considers:
 - requires national consistency
 - is required to support the implementation of a national environmental standard, a national policy statement, an NZCPS, or regulations made under the RMA.¹⁴

The first set of Standards, released for consultation in June 2018, must be gazetted by 18 April 2019 and will provide:

- a structure and form for plans, including references to relevant national policy statements, national environmental standards (NESs), and regulations made under the RMA
- definitions
- requirements for the electronic functionality and accessibility of plans and mapping
- spatial planning tools
- a zone framework
- standardised measurement methods.¹⁵

A likely impact of the proposals for National Planning Standards is the low number of plans that were proposed during the assessment period. Six proposed plans were notified during this three-year assessment period compared with 12 in the previous two-year period. Councils may have been waiting to see what the Standards will require to ensure that when they notify new plans or plan changes that these will align with national direction.

¹⁴ Ministry for the Environment. 2017. *Introduction to the National Planning Standards*. Wellington: MfE, May 2017.

¹⁵ Ministry for the Environment. 2018. *Draft National Planning Standards Consultation Document*. Wellington: MfE, June 2018.

National Policy Statements

The *New Zealand Coastal Policy Statement 2010 (NZCPS)* is a national instrument under the RMA, issued by the Minister for the Environment and the Minister of Conservation. Policy 17 sets out a policy framework for the management and protection of historic heritage in the coastal environment. In 2017, the Department of Conservation (DOC) reviewed the NZCPS. The review found that the NZCPS “reinforced rather than led” implementation of good historic heritage management practices and that a “lack of information on historic heritage in the marine environment is constraining the use of a strategic approach in regional coastal plans”.¹⁶ DOC has developed guidance, in conjunction with Heritage New Zealand, on implementing the heritage provisions of the NZCPS.¹⁷

The *National Policy Statement on Urban Development Capacity 2016 (NPS-UDC)* came into force in December 2016. The NPS-UDC directs local authorities in their RMA plans to:

- provide sufficient urban development capacity to support housing and business growth
- put greater emphasis on enabling change and development when making decisions about urban development
- ensure that planning processes facilitate urban development.

The NPS-UDC was developed by the Ministry for the Environment and the Ministry of Business, Innovation and Employment. It applies different policies to particular local authorities based on whether their district or region includes a high- or medium-growth urban area.¹⁸

National Environmental Standards

The NES for Plantation Forestry came into force on 1 May 2018. The adverse effects of plantation forestry on historic heritage continue to be managed by the relevant regional or district plan.

The NES for Telecommunications Facilities (NESTF) 2016 came into effect on 1 January 2017, replacing the NES for Telecommunications Facilities 2008. The 2016 NESTF continue to defer many controls on activities that affect historic heritage to district plan rules. The NESTF regulate a great range of telecommunications infrastructure including:

- antennas on buildings (above a permitted height in residential areas)
- small-cell units on existing structures
- new poles and antennas in rural areas.

2.2 LEGISLATIVE CHANGES AND NATIONAL POLICY INITIATIVES RELATING TO RISKS TO HISTORIC HERITAGE

The Building (Earthquake-prone Buildings) Amendment Act 2016 introduced significant changes to the Building Act 2004 specifying how earthquake-prone buildings are identified and managed. The Building Act now divides New Zealand into three areas of seismic risk and sets timeframes for identifying and taking action to strengthen or remove earthquake-prone buildings. In areas of high seismic risk councils must identify earthquake-prone buildings within specified timeframes. The timeframes to strengthen or demolish earthquake-prone buildings are shorter in high-risk regions, and for priority buildings.¹⁹ These requirements are discussed in more detail in section 8.5.

Following the Kaikōura earthquake in 2016, new regulations required owners of unreinforced masonry buildings in affected areas to strengthen building facades, parapets and canopies that may endanger occupants or the public. The February 2018 deadline was softened, allowing building owners who have taken reasonable steps to address risks to public safety until August 2018 to complete the work.²⁰ Government funding is available for up to 50% of the cost of this strengthening, with a funding cap related to the size of the building.²¹

The Heritage EQUIP Earthquake upgrade incentive programme, administered by the Ministry for Culture and Heritage, was established in August 2016. This initiative provides funding to strengthen privately-owned earthquake-prone heritage buildings. Grants are available for small seismic strengthening projects focusing on addressing specific parts of a building as well as for large-scale strengthening of earthquake-prone buildings.²² This fund complements the existing National Heritage Protection Incentive Fund administered by Heritage New Zealand, which funds a wide variety of heritage conservation projects including seismic strengthening.²³

In 2015, a new Civil Defence and Emergency Management Plan and accompanying Guide took effect. This reflects changes to the legislative basis of Heritage New Zealand’s advisory role in a declared national or local civil defence emergency.²⁴

¹⁶ Department of Conservation. 2017. *Review of the Effect of the NZCPS 2010 on RMA Decision Making: Overview and Key Findings*, Wellington: DOC, June 2017, www.doc.govt.nz/globalassets/documents/conservation/marine-and-coastal/coastal-management/review-of-effect-of-nzcps-2010-on-rma-part-one.pdf, accessed 18 September 2018.

¹⁷ www.doc.govt.nz/about-us/science-publications/conservation-publications/marine-and-coastal/new-zealand-coastal-policy-statement/policy-statement-and-guidance/

¹⁸ Ministry for the Environment and Ministry of Business, Innovation and Employment. 2016. *Introductory Guide to the National Policy Statement on Urban Development Capacity 2016*. Wellington: MfE and MBIE, November 2016. www.mfe.govt.nz

¹⁹ www.building.govt.nz

²⁰ www.building.govt.nz/managing-buildings/unreinforced-masonry/

²¹ www.building.govt.nz/managing-buildings/unreinforced-masonry/options-secure-urm-parapets-and-facades/#jumpto-funding-support

²² <https://heritageequip.govt.nz/>

²³ <http://www.heritage.org.nz/protecting-heritage/national-heritage-preservation-incentive-fund>

²⁴ The National Civil Defence Emergency Management Plan Order 2015 came into force on 1 December 2015, www.legislation.govt.nz



Figure 1: Government House (Former), Auckland (List # 105, Category 1)

PHOTO: PHIL BRAITHWAITE FLICKR 2013

2.3 HERITAGE PROTECTION MECHANISMS

Heritage orders

Under the RMA, a heritage order is a provision in a district plan to protect the heritage values of a particular place or structure. The 2017 Resource Management Amendment Act introduced changes to heritage orders so that heritage protection authorities that are body corporates may not give notice for a heritage order over private land. The changes also allow the Minister for the Environment to transfer responsibility for a heritage order to another heritage protection authority.

Heritage orders have not been used often, and no new heritage orders have been put in place since the *2015 Assessment*. There were 18 heritage orders in place at July 2018 where Heritage New Zealand is the Heritage Protection Authority, and at least 10 local authority heritage orders, five of these for Listed buildings.²⁵

Heritage covenants

Heritage covenants are agreements between owners and Heritage New Zealand to provide for the protection, conservation and maintenance of a heritage place, and are registered on the title of the land.²⁶ Many of the covenants have been issued as a consequence of owners receiving grants from the Heritage New Zealand National Heritage Preservation Incentive Fund or via heritage assessments undertaken by Heritage New Zealand when Crown land is disposed of.²⁷ For example, several of the covenants signed in 2017 and 2018 arose from the transfer of properties from the Ministry of Education to tertiary educational institutions.

Figure 2 shows the number of sites protected each year by covenants and Figure 3 the type of sites protected by covenants. A single covenant can protect several sites. For example, a group of archaeological sites together may make up a site of exceptional heritage significance and be covered by a single covenant. In 2013, a group of archaeological sites in Taranaki showing evidence of occupation and defensive structures were protected by a covenant and in 2016 a group of sites at Long Bay showing evidence of early occupation were protected by a covenant.

²⁵ Two heritage orders that were in progress have now been withdrawn (September 2018) as the places have been scheduled and protected with rules.

²⁶ Sections 39 and 40, HNZPT Act.

²⁷ When Crown land is disposed of (sold or transferred to an agency that is not part of the core public sector) Heritage New Zealand assesses the heritage values of the land and makes recommendations for the protection of significant historic heritage.

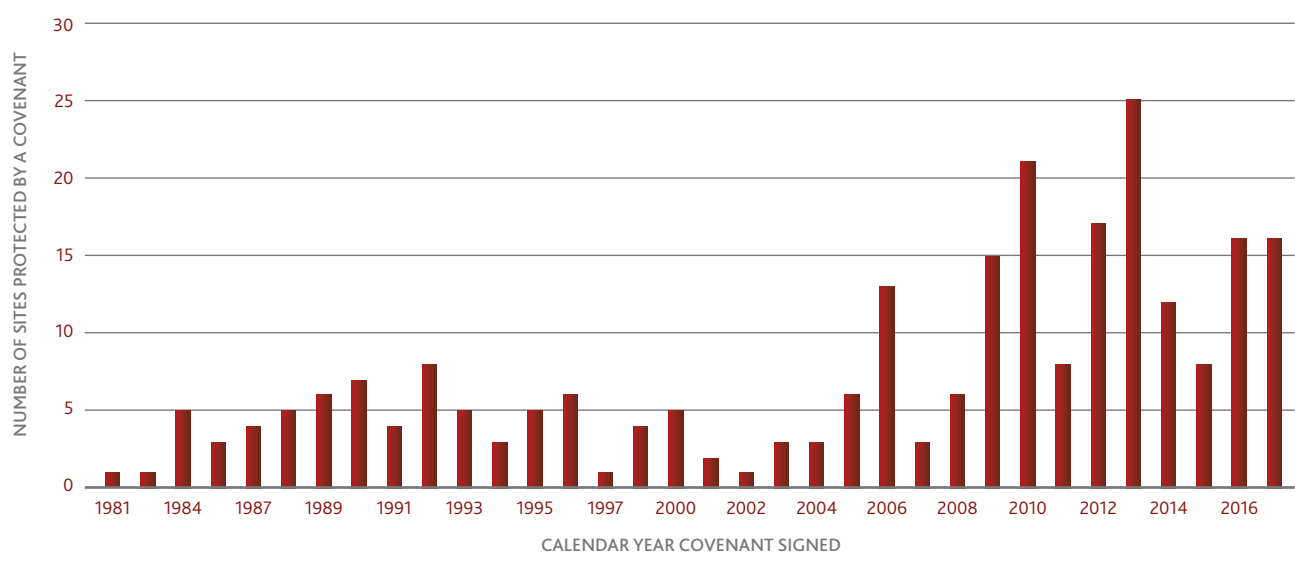


Figure 2: Sites protected by heritage covenants, by calendar year covenant signed

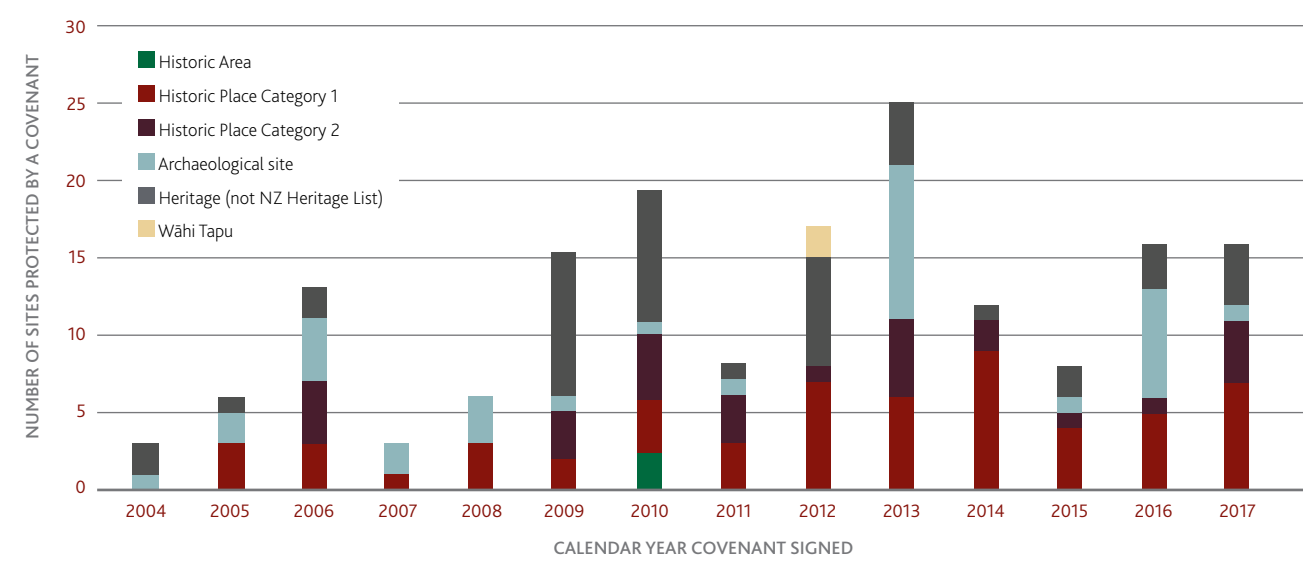


Figure 3: Sites protected by covenants, by heritage status

Declaration of archaeological sites

The HNZPT Act provides a mechanism for declaring a post-1900 site of archaeological significance to be an 'archaeological site'. A declared archaeological site is subjected to the same management regime as pre-1900 sites (i.e. an archaeological authority is required to modify or destroy a declared archaeological site). To date seven archaeological sites have been declared, the most recent being the Norwegian Whaling Base at Rakiura/Stewart Island and the wreck of the *Ventnor* in the 2015 Assessment period.²⁸

Other protection mechanisms for historic heritage

A degree of protection is afforded to historic heritage through legislation other than the HNZPT Act. There is no central repository for information about mechanisms such as covenants that protect heritage properties through legislation such as the RMA, the Crown Pastoral Land Act 1998, the Reserves Act 1977, the Conservation Act 1987, or the Queen Elizabeth the Second National Trust Act 1977 (QEII).

Heritage New Zealand records show that historic heritage is identified or protected by mechanisms including site-specific legislation, statutory acknowledgement areas, iwi management plans and QEII covenants. The most common protection is reserve status under the Reserves Act, primarily historic reserves and recreation reserves, but also local purpose and government purpose reserves, a small number of scenic reserves and one nature reserve. Some places have reserve status arising from other legislation, such as Māori reserves, lighthouse reserves, and some have other types of covenant. Some heritage items are active working infrastructure, such as bridges and lighthouses, and are managed by the responsible agency.

Some places are actively managed for their heritage values. DOC actively manages 589 sites out of 13,000 protected heritage sites.²⁹ DOC has completed heritage assessment reports for 346 of the 589 actively-conserved historic places and for 1,125 other heritage assets.³⁰ Heritage New Zealand manages a property portfolio of 43 properties, many of which are open to the public. The condition of these properties is reported annually, and the latest survey showed that 80% are in good or very good condition and a further 15% in moderate condition.³¹



Figure 4: Ruatuna, Category 1, List # 7, managed by Heritage New Zealand

PHOTO: GRANT SHEEHAN FOR HERITAGE NEW ZEALAND, 2017

²⁸ www.heritage.org.nz/protecting-heritage/archaeology/declaration

²⁹ *Department of Conservation Annual Report 2017*. Wellington: DOC, p. 23.

³⁰ *DOC Annual Report 2017*, p. 24.

³¹ *Heritage New Zealand Pouhere Taonga Annual Report Pūrongo ā Tau for the Year Ended 30 June 2018*. Wellington: Heritage New Zealand, p. 22.

3. DISTRICT AND REGIONAL PLANNING INITIATIVES SINCE THE 2015 ASSESSMENT

3.1 REGIONAL POLICY STATEMENTS AND PLANS

An RPS gives an overview of the region's resource management issues and provides policies and methods to achieve the integrated management of the natural and physical resources of the region.³² Regional and district plans must give effect to the RPS. Heritage in the coastal marine area is addressed through regional coastal plans, giving effect to both the NZCPS and the RPS.

During the 2018 Assessment period, three new RPSs have become operative in the Southland, Northland and Waikato regions. No new RPSs were proposed. The West Coast and Otago Regional Councils both notified proposed RPSs during the previous review period; these plans have not yet been made operative. The Otago and Waikato RPSs are discussed further in section 8.2.

During the current assessment period, the Northland and Greater Wellington Regional Councils notified proposed regional plans. Environment Southland notified its Water and Land Plan and the Canterbury Land and Water Regional Plan became operative. The West Coast Regional Council and Taranaki Regional Council also proposed new regional coastal plans.

Table 5 lists the proposed RPSs and regional plans that were notified during the assessment period and Table 6 lists those that became operative.

Table 5: Regional plans proposed between July 2015 and July 2018

Regional council	Type of plan review or change	Date proposed
Environment Southland	New regional plan (water and land)	4 June 2016
Greater Wellington Regional Council	New regional plan	31 July 2015
West Coast Regional Council	New regional plan (coastal)	25 January 2016
Taranaki Regional Council	New regional plan (coastal)	23 February 2018
Northland Regional Council	New regional plan	6 September 2017

Table 6: Regional plans and RPSs operative between July 2015 and July 2018

Regional council	Type of plan review or change	Date operative
Canterbury Land and Water Regional Plan	New regional plan (land and water)	1 February 2017
Environment Southland	New RPS	9 October 2017
Northland Regional Council	New RPS	14 June 2018
Waikato Regional Council	New RPS	20 May 2016

³² Section 59, RMA.

3.2 DISTRICT AND UNITARY PLANS

Five proposed new district plans (including the proposed Marlborough Environment Plan, which combines the district's RPS, regional plans and district plan) were notified between July 2015 and July 2018, as set out in Table 7. Auckland Council also notified two plan changes to its Historic Heritage Schedule, and the Queenstown Lakes District Council notified two relevant plan changes as part of a rolling plan review. This is considerably fewer than the 12 proposed new plans and plan changes assessed in the 2015 Assessment, possibly because local authorities are waiting to see what the first National Planning Standards will require. The status of all district plans at July 2018 is summarised in Appendix 4.

Table 7: New plans or plan changes notified between July 2015 and July 2018

Territorial/unitary authority	Type of plan review or change	Date proposed
Dunedin City	New plan	26 September 2015
Marlborough District Council	New plan (district plan component assessed)	9 June 2016
Ōpōtiki District	New plan	20 September 2016
South Taranaki District	New plan	15 August 2015
Waikato District	New plan	18 July 2018
Auckland Council	Plan change 7 – Additions to Schedule 14.1 Historic Heritage	16 November 2017
	Plan change 10 – Historic Heritage Schedule (errors, anomalies and information update)	25 January 2018
Queenstown Lakes District	Plan change Historic Heritage	26 August 2015
	Plan change Earthworks	23 November 2017

Fourteen plans or plan changes were made operative or operative in part during the review period, as shown in Table 8. The Auckland Unitary Plan became operative in part on 15 November 2016. Additional provisions have since been made operative, although a number remain under appeal including provisions relating to heritage and special character, pre-1944 buildings and historic heritage schedules.

Table 8: New plans or plan changes that became operative between July 2015 and July 2018

Territorial/unitary authority	Type of plan review or change	Date operative
Auckland Council	New plan	15 November 2016 (in part)
Chatham Islands	New plan	31 January 2018
Christchurch City	New plan	19 December 2017
Hamilton City	New plan	18 October 2017
Hurunui District	New plan	21 June 2018
Rotorua District	New plan	10 July 2016
South Waikato District	New plan	1 July 2015
Southland District	New plan	22 January 2018
Waipa District	New plan	14 August 2017
Whakatane District	New plan	21 June 2017
New Plymouth District	Plan change – Waahi Taonga/Sites of Significance to Maori and Archaeological Sites	19 December 2016
Tasman District	Plan change – Heritage and protected tree schedules	28 November 2015
Whanganui District	Plan change – Archaeological sites	5 September 2016
Whangarei District	Plan change – Built heritage	28 September 2016

The number of new proposed plans or plan changes affecting historic heritage was significantly less than in the previous review period. This may be because, as mentioned in section 2.1, local authorities were waiting for information on the requirements of the draft National Planning Standards before notifying new plans or plan changes.

The councils listed below have initiated plan reviews or released draft district plans.³³ In several cases, the review provides the opportunity to correct critical deficiencies in the operative plan that are identified throughout this report. The proposed versions, once notified, will be reviewed in the next assessment:

- Central Hawke's Bay (rolling review of district plan initiated)
- Far North District (full review of district plan initiated)
- Kaikōura District (rolling review of district plan initiated)
- Nelson City (draft unitary plan released)
- New Plymouth District (draft district plan released)
- Porirua City (full review of district plan initiated)
- Timaru District (full review of district plan initiated)
- Waimakariri District (full review of district plan initiated)
- Selwyn District Council (full review of district plan initiated)
- Mackenzie District Council (full review of district plan initiated).

³³ Also, in September 2018, the Local Government Commission recommended that a combined district plan be produced by the West Coast territorial authorities. An Order in Council will be needed to give effect to this recommendation, www.lgc.govt.nz/the-reorganisation-process/final-proposal-for-a-combined-west-coast-district-plan/. No timeframes have been given for the preparation of a proposed plan.

4. IDENTIFYING HISTORIC HERITAGE

KEY RESULTS:

- Only one-third of district plans (21) identify all NZ Heritage List entries in their schedules, down one from the *2015 Assessment*. A further 28% have between one and three NZ Heritage List entries not scheduled
- The overall percentage of NZ Heritage List entries scheduled and protected in plans has increased slightly from 87% to 88% since the *2015 Assessment*
- 96% of Category 1 historic places are included in plan schedules; 16 of the 44 Category 1 places not scheduled are protected by other means
- The number of historical and cultural sites and areas scheduled and protected in plans continues to increase each assessment period, despite the removal of items demolished following the Canterbury earthquake sequence, and is currently just under 14,000. This is an increase of around 750 since the *2015 Assessment*
- Another 8,700 archaeological sites are identified in plans and protected by at least a basic rule.

4.1 IDENTIFYING NZ HERITAGE LIST ENTRIES IN RMA PLAN SCHEDULES

Heritage New Zealand advocates for the identification in RMA plan heritage schedules of historic heritage entered on the NZ Heritage List, and protection with appropriate rules. NZ Heritage List entries include historic places, historic areas, wāhi tūpuna, wāhi tapu and wāhi tapu areas, as set out in the HNZPT Act. This is one of the four overarching KPIs used to assess the quality of RMA plan provisions for heritage and the effectiveness of Heritage New Zealand's input into RMA planning processes, as set out in the *SPE 2018*.³⁴

4.2 HOW MANY NZ HERITAGE LIST ENTRIES ARE IDENTIFIED ON PLAN SCHEDULES?

There were 5,732 historic heritage places and areas separately entered on the NZ Heritage List as at July 2018. Also, 1,231 places are identified as being "within a historic area" but are not individually entered on the NZ Heritage List. The standard expects the historic area itself to be scheduled, but does not anticipate that these sites would necessarily be individually identified on plan schedules. In some cases significant sites within a historic area are separately scheduled, but scheduling individual sites only makes it more difficult to develop plan rules to address risks to the area as a whole.

Of the 5,732 individual NZ Heritage List entries, 5,067 (88%) are scheduled in district or regional plans under the RMA. This compares with 5,005 (87%) NZ Heritage List entries scheduled at the *2015 Assessment*. Table 9 gives a breakdown of the NZ Heritage List entries included in plan schedules.

Heritage New Zealand KPI for assessing plan quality: *District plan provisions include a heritage schedule that contains all properties entered on the NZ Heritage List.*

34 SPE 2018.

Table 9: NZ Heritage List entries not scheduled in plans

Category	Total entered on NZ Heritage List	Number of NZ Heritage List entries scheduled in plans	Percentage of NZ Heritage List entries scheduled	Number of NZ Heritage List entries not scheduled ³⁵
Total individual NZ Heritage List sites/areas ³⁶	5,732	5,067	88%	673 (631)
Breakdown by List category:				
<i>Category 1 historic places</i>	1,017	973	96%	44 (20)
<i>Wāhi tapu, wāhi tūpuna and wāhi tapu areas</i>	183	152	83%	30 (21)
<i>Category 2</i>	4,402	3,825	87%	577 (569)
<i>Historic areas</i>	130	109	84%	21 (21)

The majority of Category 1 historic places are scheduled in plans or are protected by another mechanism. The regional distribution of Category 1 places is shown in Figure 5. There are also four Category 1 places on the Chatham Islands (not shown). Of the 1,017 Category 1 places entered on the NZ Heritage List, 44 (4%) are not currently scheduled in the appropriate district or regional plan. Twenty-four of these places were Listed after the most recent proposed district plan was notified, so have not yet been added to the plan. Nine, or around one-third of these places, are already protected by a mechanism outside the RMA plan process, either covenants, reserve status or special legislation. Only three of the 10 Category 1 historic places newly entered onto the List since the 2015 review are not yet scheduled in plans.

Twenty Category 1 places (2%) were Listed before the plan was made but are not yet scheduled. Seven of these are protected outside of the RMA plan process. Protection mechanisms include heritage covenants, reserve status or active management by DOC. Some of the remaining 13 have not been scheduled because of owner unease, and at least one has been extensively modified or relocated since being entered on the NZ Heritage List, and may require a review of the List status. These findings are very similar to the 2015 Assessment.

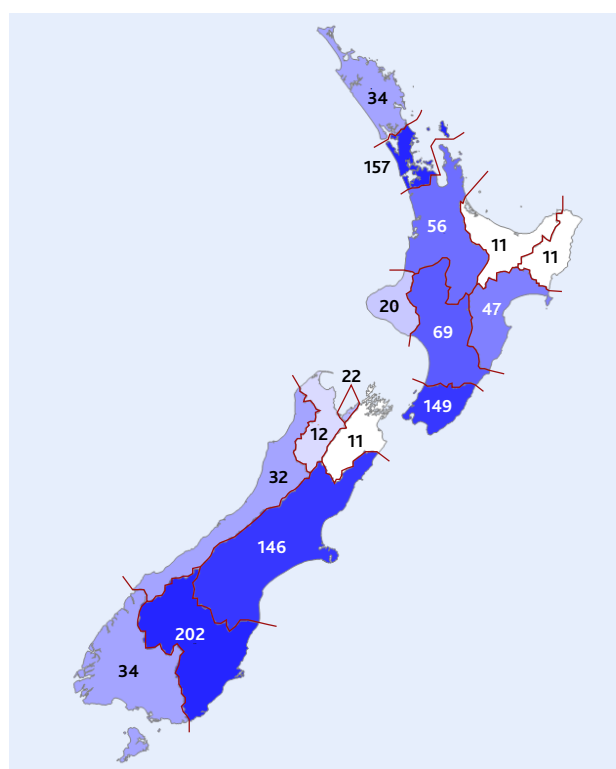


Figure 5: Regional distribution of Category 1 historic places

³⁵ The number in brackets is the number of NZ Heritage List entries that were entered onto the List before the proposed plan was prepared, and would be expected to be scheduled, i.e. excluding items where there has not yet been an opportunity to schedule the new NZ Heritage List entry.

³⁶ Excluding sites only entered on the NZ Heritage List as "included in historic area".

The percentage of NZ Heritage List wāhi tapu, wāhi tūpuna and wāhi tapu areas that are identified in plan schedules and protected with plan rules has increased from 75% in the 2015 Assessment to 84%. However, as discussed in section 6.2, many of the rules do not provide protection targeted to the type of site.

There are approximately 1,000 archaeological sites on the NZ Heritage List and around one-quarter of these are not in plan schedules, or are itemised in 'information only' appendices or shown on overlays. For example, 62 NZ Heritage Listed archaeological sites are not scheduled in the proposed Thames-Coromandel District Plan. Identifying and protecting the most significant archaeological sites in plans is recommended in Heritage New Zealand guidance. Modification or destruction of archaeological sites is regulated through the archaeological authority process under the HNZPT Act, so the consequence of not scheduling these sites is not as great as failing to schedule non-archaeological sites.

Heritage New Zealand works with local authorities to ensure that all NZ Heritage List places and areas, particularly Category 1 historic places and sites of significance to Māori, are included in plan schedules at the next plan change or review.

4.3 HOW MANY DISTRICT PLANS INCLUDE ALL NZ HERITAGE LIST ENTRIES IN HERITAGE SCHEDULES?

Despite the high number of NZ Heritage List entries scheduled in plans, only one-third of district plans schedule all NZ Heritage List entries. Table 10 shows the breakdown of district plans with some or all NZ Heritage List entries scheduled. The KPI analysis excludes heritage places that were entered onto the NZ Heritage List after the most recent version of the plan was proposed or finalised. It also excludes around 300 Category 2 Listed archaeological sites that are not included in plan schedules.

During the 2015 Assessment, the number of district plans reduced to 64 because of the amalgamation of the Auckland region district plans into a single plan, so percentage figures are now used in the analysis. Even so, the three earlier assessments are not strictly comparable with the 2015 and 2018 Assessments.

There is a slight decrease in the percentage of plans recognising all NZ Heritage List entries since the 2015 Assessment, as the number of plans with all NZ Heritage List entries scheduled decreased from 22 to 21. While one-third of plan schedules include all NZ Heritage List entries, a further 28% have only a small number (between one and three) of NZ Heritage List entries not scheduled.

Table 10: Proportion of NZ Heritage List entries in RMA district plan heritage schedules at July 2018

	2008	2011	2013	2015	2018
Number of district plans with all NZ Heritage List entries scheduled³⁷	11 (15%)	16 (22%)	24 (32%)	22 (34%)	21 (33%)
Number of district plans with at least one NZ Heritage List entry not scheduled	63 (85%)	58 (78%)	50 (68%)	42 (66%)	43 (67%)
Number of district plans with between one and three NZ Heritage List entries not scheduled				18 (28%)	18 (28%)
Number of district plans with four or more NZ Heritage List entries not scheduled				24 (38%)	25 (39%)
Number of plans in place	74	74	74	64	64

³⁷ Note that due to the consolidation of Auckland region local authorities into a single local authority (hence the reduction in the number of plans assessed), the number of plans with all NZ Heritage List entries scheduled in 2008, 2011 and 2013 is not directly comparable with the two most recent assessments.

Local authorities with high numbers of NZ Heritage List entries that were not scheduled in their district plans include Gisborne and Waitaki Districts and Christchurch City. Some of the NZ Heritage List items not included in heritage schedules may be within heritage precincts, special character areas or areas protected for outstanding landscape values.

As discussed above, in many cases, the NZ Heritage List entries not protected in plans are archaeological or cultural sites; these may currently be included in 'information only' schedules. The Thames-Coromandel and the Hauraki Gulf Islands district plans have high numbers of Listed Category 2 archaeological sites that are not scheduled. Heritage New Zealand will continue to work with local authorities to promote scheduling of all NZ Heritage List entries during heritage schedule reviews. It is not clear if the provision for limited notification provisions for plan changes introduced by the Resource Legislation Amendment Act in 2017 will make it easier for local authorities to keep plan heritage schedules up to date.

Heritage New Zealand works with councils and owners to improve owner acceptance of scheduling. Heritage New Zealand advisors work closely with owners and provide advice both on heritage conservation and on the implications of Listing and plan scheduling. Heritage New Zealand recognised the need to monitor this activity by introducing an organisational KPI in the 2016-17 year to track advice given to owners. Currently this KPI covers conservation advice and advice related to resource consents, and on average staff give this type of advice to owners on 580 proposals per year, as well as more general advice to owners. Also, Heritage New Zealand staff work with government agencies disposing of heritage assets to encourage Listing and plan scheduling. Staff also provide archaeological advice to owners. Heritage New Zealand advises owners when submitting proposals for adding Listed places to plan heritage schedules and works with owners who oppose plan scheduling.

4.4 HOW MANY HISTORIC HERITAGE ITEMS ARE IDENTIFIED IN PLAN SCHEDULES?

Plan schedules are arranged in a variety of ways which makes it difficult to arrive at a definitive breakdown. Some plans have a single schedule of heritage items, some identify historic precincts (with or without identifying individual contributing heritage items). Some have separate schedules of sites of significance to Māori, and may have separate wāhi tapu areas schedules. Archaeological sites may be included in Māori heritage schedules, or conversely archaeological schedules may contain sites of significance to Māori. Some plans have lower order heritage or archaeological schedules that are not protected by rules.

The 2018 *Assessment* count of scheduled heritage includes the following types of scheduled heritage items specifically identified in a plan schedule and protected by appropriate plan rules:

- historic buildings, other structures and sites
- historic areas and precincts and wāhi tapu areas (individual items within these scheduled areas or precincts are not counted separately)
- Māori heritage sites
- archaeological sites with identified heritage significance and contained within historical or cultural heritage schedules.

Schedules of archaeological sites protected by specific rules such as subdivision and earthworks rules are reported separately.

The following items identified in plan schedules for information only are not included in the assessment:

- schedules of heritage items that are not protected by rules, or not requiring a resource consent for demolition
- archaeological schedules that do not identify heritage values, and overlays provided for information only.

The 2018 *Assessment* provides a snapshot of scheduled heritage items at July 2018. The number of scheduled sites changes regularly as a result of plan change notifications, decisions and appeals. Because of the time and expense of plan changes to update heritage schedules, demolished or destroyed heritage places or items relocated out of a district are often not removed from the district plan until some time after the event.

The number of scheduled heritage items may not be a true reflection of the heritage resource of a district, as discussed in section 1.2. For example, places with heritage significance may be excluded from plan schedules because of owner opposition. Smaller local authorities may not have the resources to survey, assess and add places of local or regional significance that are not entered on the NZ Heritage List, so simply schedule the NZ Heritage List entries. For example, the proposed Ōpōtiki plan schedule contains all NZ Heritage List items, but currently contains

no other heritage items. The Horowhenua, Clutha, Grey, Taupō and Timaru district plans have no or few sites scheduled beyond Listed sites.

As indicated in Table 11 and Figure 6, there are currently 13,984 heritage places or areas scheduled in RMA plans and protected by appropriate rules. In addition, around 8,700 archaeological sites are identified in schedules and protected by at least a basic rule. There has been an increase of 757 scheduled heritage places and areas since July 2015, despite the small number of proposed new plans and heritage schedules during the assessment period. The increase largely results from new heritage schedules in district plans, and ensuring that the count includes all historic heritage sites that are adequately protected by rules, and excluding schedules not protected by rules. The major changes from the 2015 count of scheduled, protected sites include:

- the addition of historic heritage items to plan schedules (and protection by appropriate rules) as a result of a plan change or review, e.g. Waikato District proposed new plan, Auckland Council additions to the heritage schedule
- Auckland Council bringing the archaeological schedule into the main heritage schedule with appropriate rules
- a recount of plan schedules to ensure that:
 - all sites that are adequately protected by rules, including archaeological sites, are included, e.g. Otorohanga District Plan and Tairāwhiti (Gisborne) Resource Management Plan
 - schedules not protected by rules are not included, e.g. Waimate schedule C, where demolition is permitted subject to notification and photographic recording.

Table 11: Number of heritage items scheduled in RMA plans and protected by rules (excluding archaeological schedules)

Date of assessment	November 2008	May 2011	May 2013	May 2015	July 2018
Scheduled heritage items	10,886	11,454	11,576	13,127	13,984
Increase in number of scheduled items		568	122	1,551	757

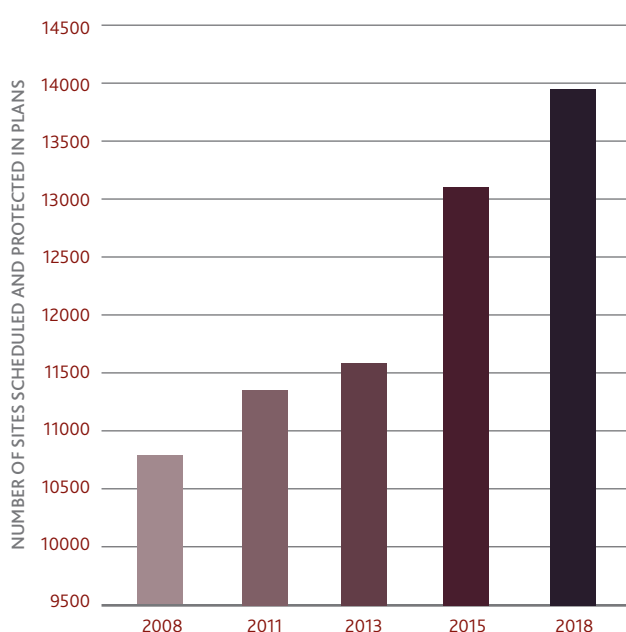


Figure 6: Number of heritage places on RMA plan schedules and protected by rules 2008-2018

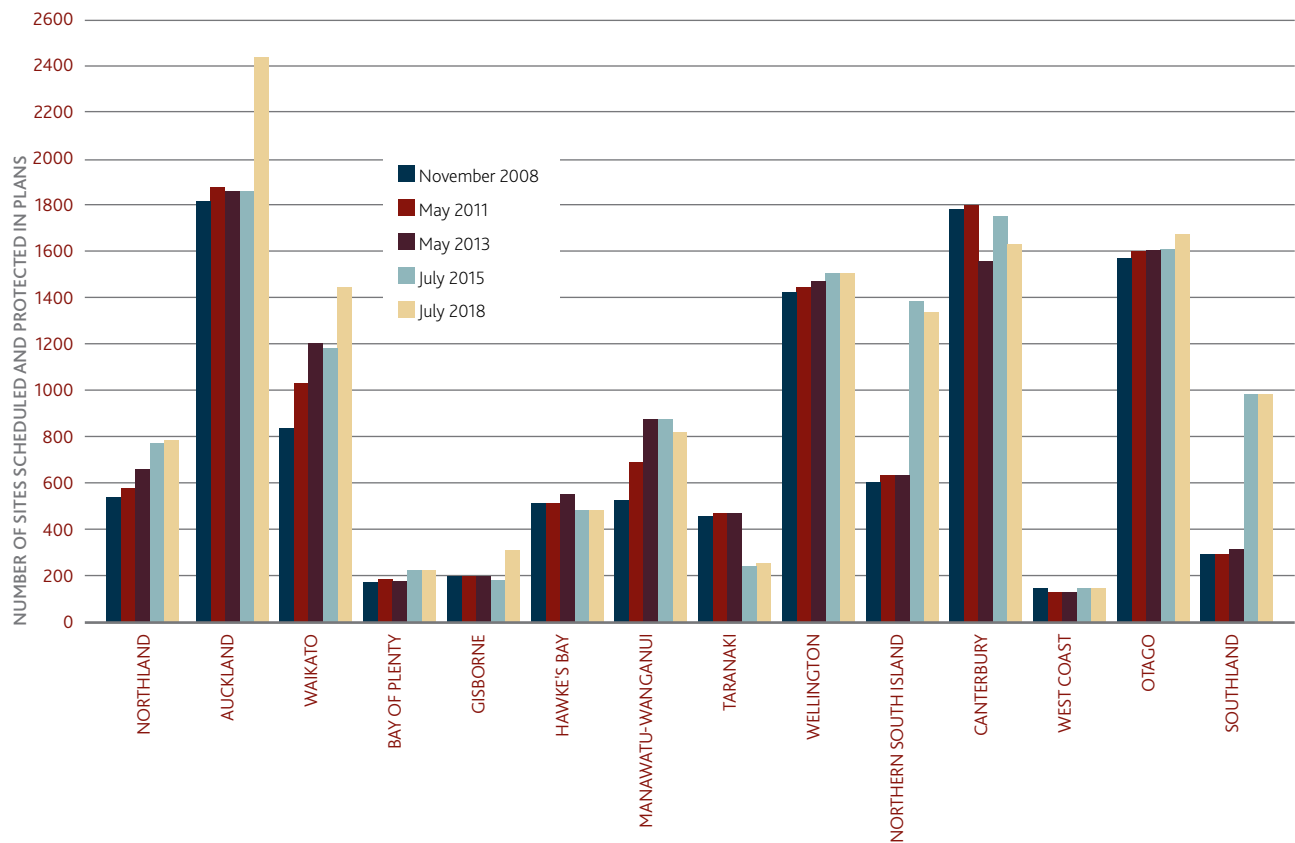


Figure 7: Heritage items scheduled in district or regional plans and protected by rules

Figure 7 shows the geographic distribution of scheduled heritage items. The Auckland, Canterbury, Otago and Wellington regions have the highest numbers of scheduled heritage items, but other than in the Auckland Unitary Plan and subsequent heritage plan change, there have not been large increases in these regions. The region with the next highest total is the Waikato, and the proposed new Waikato District Plan added 74 sites to the heritage schedule.

5. ASSESSING THE RISKS TO HISTORIC HERITAGE

KEY RESULTS:

- Since 2006, there have been fewer than six demolitions of NZ Heritage List items per year, other than demolitions resulting from earthquake damage
- Since 2013, redevelopment has been the main reason given for demolishing heritage places, but the reasons for demolition are often a complex mix of deferred maintenance, anticipated earthquake strengthening costs, and development pressure or lack of an economic use for the place
- Houses and homesteads are at the greatest risk of demolition, followed by municipal, commercial and religious buildings.

5.1 DEMOLITION OF HERITAGE BUILDINGS

The number of historic items that have been destroyed or demolished is an indicator of the impacts on historic heritage of the pressures and drivers discussed in section 1.2. It is a proxy indicator for the risks to historic heritage. The 2018 Assessment examines items entered on the NZ Heritage List that have been demolished and removed from it since 1999. It does not analyse items that have been removed from RMA plan schedules that were not NZ Heritage List entries, nor partial loss of historic heritage values. This figure is expected to be much higher than the number of List entries demolished, especially where district plans have lenient demolition rules for lower-ranked items.

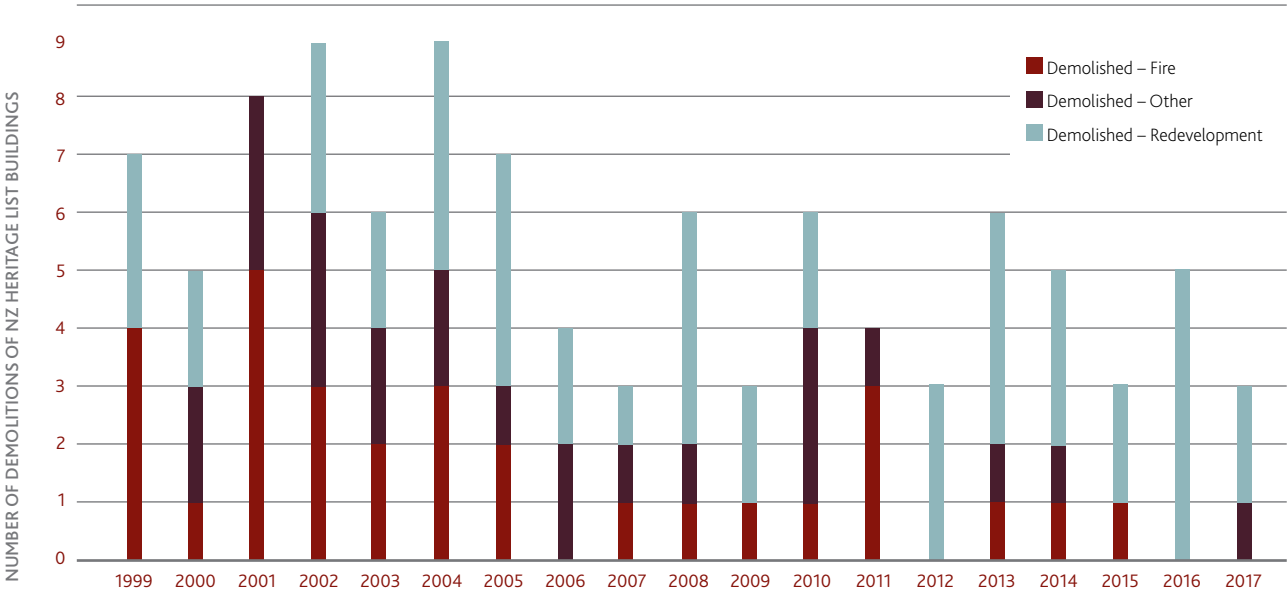


Figure 8: Demolition of historic heritage by driver for demolition (excluding earthquakes) 1999-2017

Figure 8 shows a breakdown of demolitions of NZ Heritage List entries by year and the reason for demolition since 1999, excluding earthquake-related demolitions. As shown in Table 12, the Canterbury earthquake sequence caused a peak of demolitions in 2011, tailing off in 2012 and 2013. Figure 9 shows the type of heritage item destroyed or demolished by event type.

Table 12: Demolition of NZ Heritage List entries by year and reason for demolition

Year	Demolished – earthquake	Demolished – fire	Demolished – other	Demolished – redevelopment	Total
2009		1		2	3
2010	5	1	3	2	11
2011	91	3	1		95
2012	20			3	23
2013	13	1	1	4	19
2014	5	1	1	3	10
2015	2	1		2	5
2016	2			5	7
2017			1	2	3
Total	138	8	7	23	176

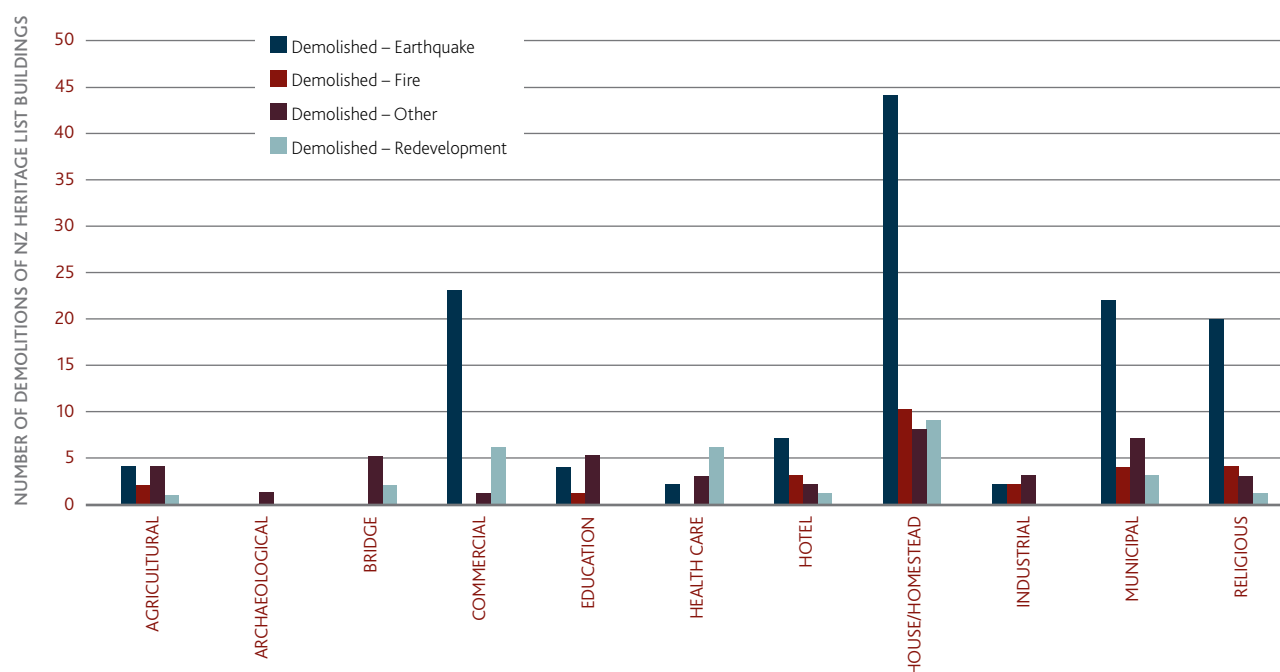


Figure 9: Demolition of NZ Heritage List entries since 1999 by type of use and event type



Figure 10: Earthquake damage to All Saints Church (Anglican) Waiau, Category 2, List # 3690

PHOTO: D MARGETTS, HERITAGE NEW ZEALAND, 2017

5.2 EARTHQUAKES

The Canterbury earthquake sequence (2010-2012) resulted in a large number of damaged heritage buildings. Between 2010 and 2015, 134 NZ Heritage List places, including 28 Category 1 historic places, were demolished as a result of the Canterbury and Kaikōura earthquakes. In the current assessment period, four Listed buildings were demolished as a result of earthquake damage, including one demolition directly related to the Kaikōura earthquakes:

- The Elms Farm Complex (Former), Category 2, demolished 2016 (former List #7693). The Homestead and at least one other building in the complex were demolished as a result of the Kaikōura earthquake in 2016.

Figure 9 shows that the earthquake-related demolitions of NZ Heritage List entries were mainly residential buildings, followed by commercial, municipal and religious buildings or structures. At July 2018, the number of items on the Christchurch heritage schedule had reduced by around 200 built heritage items (from a pre-earthquake total of 930) as a consequence of the Canterbury earthquakes and the associated recovery operation.

The recent amendments to the Building Act discussed above in section 2.2 establish specific timeframes for local authorities to assess potentially earthquake-prone buildings, and for owners to strengthen or demolish them. Timeframes are shorter in higher-risk zones and for priority buildings. Earthquake-prone buildings are those assessed to be less than one-third of the current standard for new buildings. This applies to non-residential buildings, and

residential buildings that are two or more storeys and contain three or more household units. The legislation also establishes a centralised database of earthquake-prone buildings, including information on heritage Listing and scheduling. Also, owners of some unreinforced masonry buildings in areas affected by the Kaikōura earthquake have been required to strengthen façades. This does not seem to have resulted in the demolition of any Listed buildings, but may have precipitated the demolition of at least one scheduled heritage building in Wellington.

The demolition of potentially earthquake-prone heritage buildings due to the anticipated strengthening requirements is difficult to monitor nationally, particularly for heritage buildings not entered on the NZ Heritage List, since Heritage New Zealand may not be informed of this activity. While there has been some demolition of potentially earthquake-prone buildings, overall the demolition of Listed heritage buildings is rare.

However, some heritage building owners may see the new requirements as a threat and may respond by proposing demolition rather than face the costs of strengthening. Since 2009, 23 NZ Heritage List entries have been demolished due to redevelopment and another seven for other reasons, and some of these may have been in anticipation of future strengthening requirements. Earthquake strengthening costs are often cited in consent applications to demolish unreinforced masonry buildings, but are usually only part of the story. Serious neglect, prospects for redevelopment of the site, or lack of an economically viable use to offset strengthening costs also exacerbate the risk of demolition.

5.3 FIRE

Fire remains a serious threat to New Zealand's built heritage, particularly to the numerous wooden buildings on the NZ Heritage List as Category 2 historic places or scheduled in plans. Many of these are in remote locations or suffering neglect. Heritage New Zealand and the NZ Fire Service provide guidance for reducing fire risk for heritage buildings. A guide to fire safety is available from Heritage New Zealand's website.³⁸ Heritage New Zealand is also working with iwi to improve fire safety for marae and other traditional buildings.

Since July 2015, Heritage New Zealand has recorded that the following Listed heritage buildings have been fully or partially destroyed by fire:

- House, Ranfurly Street, Palmerston North, Category 2, damaged by a second suspicious fire on 25 June 2017 following a period of neglect (former List # 1263) (see Figure 11).
- Mt Aurum Homestead and Skippers School Complex (Former) at Skippers, near Queenstown, Category 2, homestead destroyed by suspicious fire on 1 January 2018 (former List # 5176) (see Figure 12)



Figure 11: House, Ranfurly Street, Palmerston North, damaged by suspicious fire in 2017³⁹

PHOTO: PALMERSTON NORTH CITY COUNCIL, N.D.; 28 RANFURLY STREET – HEATHER GLASGOW – PNCC, 19 FEBRUARY 2018, PALMERSTON NORTH LIBRARIES AND COMMUNITY SERVICES; HERITAGE NEW ZEALAND, OCTOBER 2018

³⁸ www.heritage.org.nz

³⁹ www.stuff.co.nz/manawatu-standard/news/95717771/fire-crews-work-on-two-palmerston-north-building-fires-in-early-morning; <https://manawatuheritage.pncc.govt.nz/item/6c7cca20-dda1-4ea3-b08d-bf8f230fe995>



Figure 12: Homestead destroyed by fire 2018 – part of Mt Aurum Homestead and Skippers School Complex (Former)

PHOTO: ANDYKINGSO, 5 DECEMBER 2011, WIKIMEDIA COMMONS

5.4 DEMOLITION BY NEGLECT

Demolition by neglect is the destruction of a heritage place or area through abandonment or lack of maintenance. This issue has been examined by Heritage New Zealand in the *SMHH guidance* series.⁴⁰ Heritage is susceptible to demolition by neglect, through a combination of long-term deferred maintenance and the owner not seeing a productive use for the place. As discussed above, the cost of earthquake strengthening is an exacerbating factor in the decision to demolish.

Financial incentives are used by councils to encourage the upkeep and restoration of historic heritage. Of the 20 plans reviewed for the *2018 Assessment*, 13 were found to have a form of heritage incentive fund, but district plans provide few other management or regulatory responses to demolition by neglect. The Building Act can require an owner to fix a dangerous or insanitary building, or demolish the structure. Owners may see demolition as the only viable option when faced with rectifying years or decades of deferred maintenance.

Resource consents issued for the demolition of heritage buildings often relate to neglect or deferred maintenance issues, particularly if the building is earthquake-prone. Between July 2015 and July 2018, one NZ Heritage List building was demolished partly as a result of neglect:

- Hydro Grand Hotel, Timaru, demolished as an earthquake-prone and dangerous building after 20 years of neglect, November 2017 (see cover photo).

Another instance of combined economic pressures, neglect and earthquake strengthening requirements is the 2017 demolition of Euphrasie House, an earthquake-prone heritage building that was proposed for entry on the NZ Heritage List, but the entry was not progressed. Consent was granted to demolish the scheduled Category B building after a failed appeal to the Environment Court by a local heritage group (see Figure 13).⁴¹

⁴⁰ www.heritage.org.nz

⁴¹ Stuff, 19 April 2017, www.stuff.co.nz/national/91667602/lament-for-euphrasie-house-as-wrecking-balls-unleashed?rm=m, accessed 24 September 2018.



Figure 13: Euphrasie House, Hamilton, nominated as Category 1 but not entered on List, demolished 2017

PHOTO: STEVE PARKER, SPARK-PHOTO FLICKR, 2 APRIL 2017

5.5 DEMOLITION DUE TO DEVELOPMENT PRESSURE

Heritage places often yield to development pressure, due to high demand for the land, or high maintenance costs coupled with the owner not having an economic use for the existing building. As with the demolition of the Hydro Grand Hotel in Timaru, discussed above, this is often compounded by deferred maintenance or concerns about future costs of earthquake strengthening. Places demolished for redevelopment include:

- Akaroa Photography Shop, Category 2, demolished 2017 (former List # 1739)
- Tucker's Building, Ashburton, Category 2, demolished 2016 (former List # 3084)
- Trathen's Building, Nelson, Category 2, demolished July 2016 (former List # 1617) (see Figure 14)
- Dalgety Office Building (Former), Blenheim, Category 2, demolished 2016 (former List # 1511)
- Te Urewera National Park Visitor Centre (Former), Category 1, demolished September 2016 (former List # 9553, not scheduled in district plan).



Figure 14: Trathen's Building, Nelson, Category 2, List # 1617

PHOTO: A DANGERFIELD, HERITAGE NEW ZEALAND, 22 APRIL 2016

6. PROTECTING HISTORIC HERITAGE FROM DEMOLITION AND DESTRUCTION

KEY RESULTS:

- There is ongoing improvement in the protection of built heritage – now 72% of plans meet Heritage New Zealand standard, up from 67% in the 2015 Assessment
- All but one of the plans proposed or made operative since the 2015 Assessment met the demolition standard for built heritage
- There is a small decrease in the number of plans meeting the Heritage New Zealand indicator for Māori heritage – now 23% of plans meet the Heritage New Zealand standard – down from 25% in the 2015 Assessment
- Seven plans have no rule protecting Māori heritage, the same number as in the 2015 Assessment.

6.1 DEMOLITION OF BUILDINGS

Heritage New Zealand KPI standard for assessing plan quality: *Demolition of scheduled historic buildings is a non-complying activity.*⁴²

The activity status of demolition rules in New Zealand's district plans is generally either non-complying or discretionary. Five plans regulate demolition as a prohibited activity for higher-ranked items: Far North, Auckland, Marlborough, South Taranaki and Queenstown-Lakes. At the other end of the scale, in the Central Hawke's Bay District Plan demolition is permitted following a notification process and in the Westland District Plan there are no specific rules for the demolition of scheduled heritage. In the Napier District Plan demolition is a discretionary activity for Groups 1 and 2 and the demolition of scheduled Group 3 items is a permitted activity. Section 8.3 lists other plans with critical rule deficiencies for demolition.

The current status of plan rules for the demolition of scheduled heritage is summarised in Table 13 (those shown in bold meet the Heritage New Zealand standard). Seventy-two percent of district plans meet the standard, compared with 67% in the 2015 Assessment.

⁴² SPE 2018 and NZHPT, SMHH Guide No. 3, 'District Plans', August 2007, p. 31. Heritage New Zealand guidance also notes that prohibited activity status may be also used to protect places of national or international significance. Demolition rules also need to make appropriate provision for earthquake-prone or potentially dangerous heritage buildings.

Table 13: Activity status of district plan rules governing demolition of scheduled heritage

Activity status for demolition of heritage items	Number of plans	Percentage of plans
Prohibited activity for higher-ranked items	5	8%
Non-complying activity	12	19%
Non-complying activity for higher-ranked items	29	45%
Discretionary activity	13	20%
Discretionary activity for higher-ranked items	2	3%
Restricted discretionary activity	1	2%
Permitted activity or no specific rule	2	3%
Total meeting Heritage New Zealand standard	46	72%

The regulation of demolition continues to improve slowly, as shown in Figure 15. The *2018 Assessment* found that 72% of plans regulate the demolition of scheduled heritage items as a non-complying activity for all items or higher-ranked items; a continuation of an upward trend since 2008 (see Table 2). All of the plans proposed or made operative since the *2015 Assessment* met the Heritage New Zealand standard and KPI except for the Chatham Islands, where the demolition of scheduled heritage is a discretionary activity.

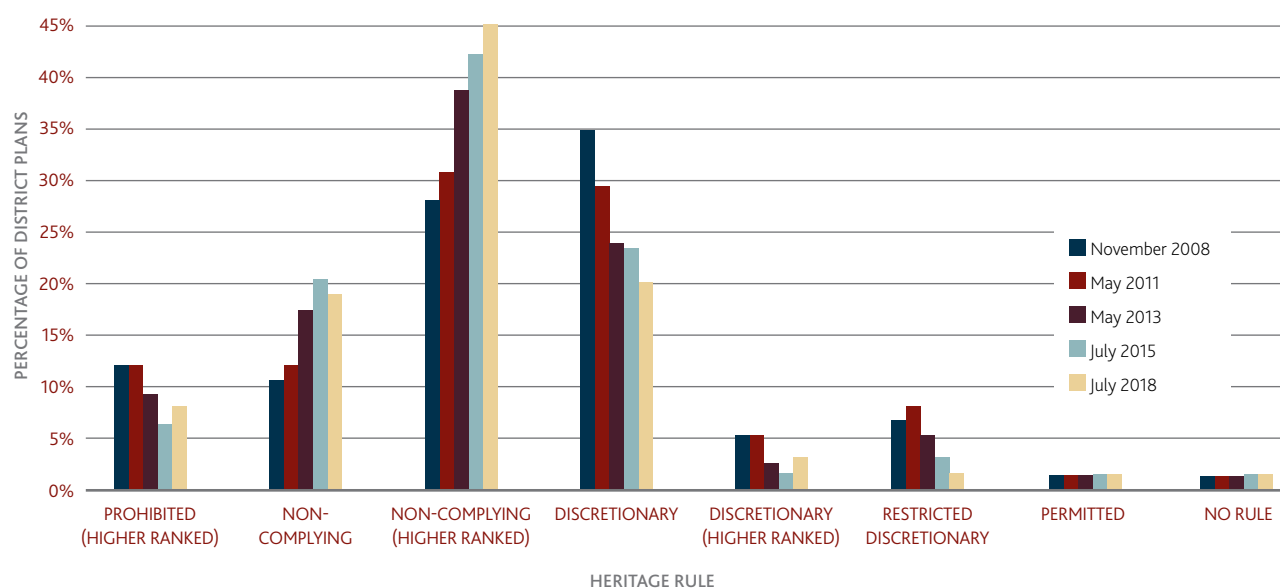


Figure 15: Status of demolition of scheduled heritage in district plan rules

6.2 DESTRUCTION OF SCHEDULED MĀORI HERITAGE

Heritage New Zealand KPI standard for assessing plan quality: *Destruction of scheduled Māori heritage is a non-complying activity.*⁴³

Plans are considered to meet this standard if scheduled Māori heritage is protected by rules with non-complying activity status, at least for higher-ranked items. Table 14 shows the activity status of district plan rules governing the destruction of Māori heritage; the entries in bold meet the Heritage New Zealand standard.

Table 14: Activity status of district plan rules governing the destruction of Māori heritage

Activity status for the destruction of scheduled Māori heritage	Number of plans	Percentage of plans
Prohibited activity for higher-ranked items	1	2%
Non-complying activity	12	19%
Non-complying activity for higher-ranked items	2	3%
Discretionary activity	27	42%
Restricted discretionary activity	13	20%
Permitted after consultation with iwi	2	3%
No specific rule	7	11%
Total meeting Heritage New Zealand standard	15	23%

The 2018 Assessment shows that there is an overall lower standard of regulation nationwide for Māori heritage in comparison with scheduled historic structures. Only 15 plans regulate the destruction of Māori heritage as at least a non-complying activity for higher-ranked items. This compares with 46 plans that regulate the demolition of historic buildings (at least for higher-ranked items) as a non-complying activity. Two district plans require consultation with iwi prior to demolition, but it is not clear if a consent process would be invoked if iwi oppose the proposed activity. Seven district plans (including one that became operative during the assessment period) have no clear rules governing the destruction of Māori heritage:

- Chatham Islands – (operative 2018)
- Grey District – (operative 2005)
- Invercargill City – (proposed 2013)
- Manawatū District – (operative 2002)
- Waitaki District – (operative 2010)

- Whanganui District – (plan change archaeological sites, operative 2016)
- Westland District – (operative 2002).

Good examples do exist, such as the Rotorua District Plan, which includes objectives, policies and complementary rules to protect sites of importance to tangata whenua and that the destruction of scheduled cultural historic heritage is a non-complying activity. This plan also recognises that sites, such as marae, are places of living cultural historic heritage so it provides opportunities for development on Māori land that:

- meet the needs of the landowners
- respect the exercise of kaitiakitanga
- respect the relationship of tangata whenua with the land, water, significant sites and wāhi tapu.

43 NZHPT, SMHH Guide No. 3, 'District Plans', August 2007, pp. 33-37.

This permissive and supportive approach is balanced by consent requirements for major changes. Recognition of marae would enable councils to achieve better outcomes for the long-term sustainability of these important cultural heritage sites, e.g. minimising consent requirements for fire protection, egress and earthquake strengthening (see section 8.5).

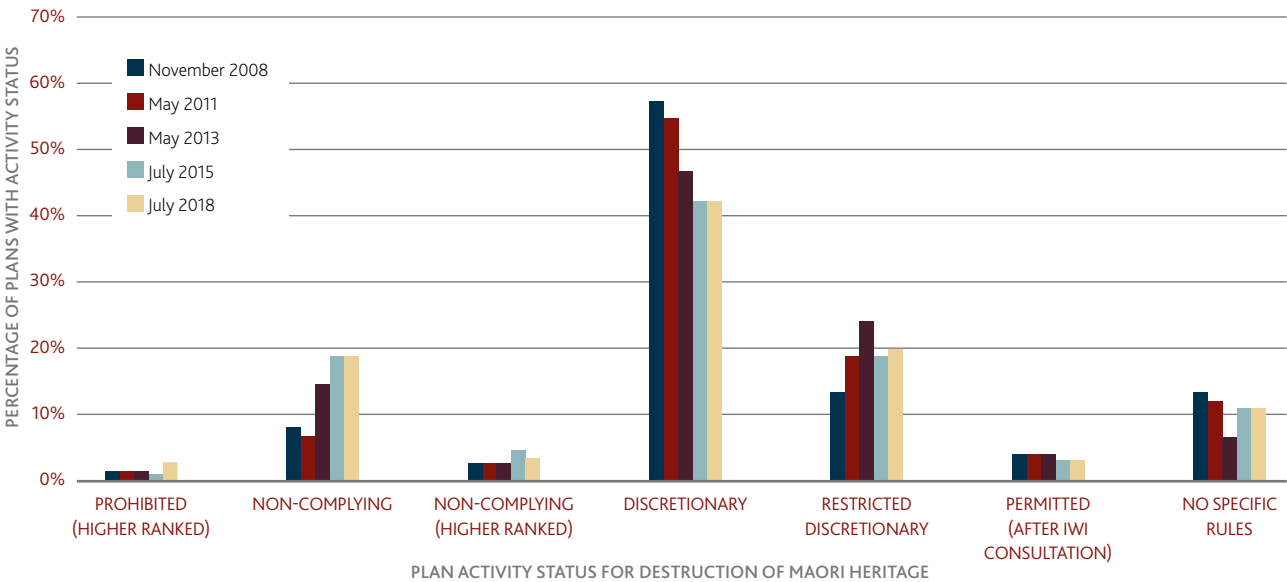


Figure 16: District plan rules governing the destruction of Māori heritage

New Zealand’s system of providing for Māori heritage is still inadequate in most districts; the level of protection of Māori heritage in district plans is clearly unacceptable. While the HNZPT Act regulates modification of pre-1900 archaeological sites, all district plans should schedule sites of significance to Māori and protect these sites with appropriate rules.

There is no reason why scheduled Māori heritage should not have regulatory provisions comparable to scheduled heritage buildings. Rules should take into account the expectations of iwi/hapū, within a framework of identification of issues, and the development of objectives and policies to support the rules. This relies on having good information on the nature and cultural significance of sites. Rules should take account of the risks to these sites.

7. LOCAL GOVERNMENT INCENTIVES FOR THE CONSERVATION OF HISTORIC HERITAGE

KEY RESULTS:

- There is an ongoing improvement in the number of plans providing incentives for the conservation of historic heritage
- 38 (59%) plans now provide incentives, up from 31 (49%) in the 2015 Assessment
- One new plan proposed during the 2018 Assessment period fails to provide incentives.

Heritage New Zealand KPI standard for assessing plan quality: *District plans should include positive regulatory provisions for historic heritage.*⁴⁴

Heritage New Zealand encourages all local authorities to ensure district plans have incentive provisions for historic heritage. As a basic standard, all plans should include provisions that allow flexibility for scheduled heritage items for compliance with standard zone provisions, such as car parking, to ensure the appropriate adaptive reuse of heritage buildings is not discouraged. Heritage New Zealand also encourages local authorities to provide for safety upgrades, such as earthquake strengthening, in a way that takes account of the need to preserve heritage values but reduces regulatory barriers to upgrades, particularly those required by the Building Act.

Heritage New Zealand first prepared a heritage incentives toolkit in August 2010. This toolkit was updated in 2013 and is available on Heritage New Zealand's website as part of the *SMHH* guidance

series. Central government incentives for heritage conservation are discussed in section 2.2. RMA plan objectives and policies on incentives should be complemented by provisions in long term plans for non-regulatory incentives such as heritage incentive funds, rates relief and resource consent waivers that can assist owners of historic heritage.

In November 2011, Heritage New Zealand identified 21 district plans (28%) with some form of heritage incentive provisions. Between 2011 and 2018, the percentage of plans providing incentives for the retention of historic heritage has doubled to nearly 60%, as shown in Table 15. Of the plans proposed during the assessment period only the Ōpōtiki District Plan failed to include incentives.

⁴⁴ Ibid, p. 26.

Table 15: District and unitary plans with regulatory incentives for the retention of historic heritage

Performance standard	2011	2013	2015	2018
Percentage of district plans providing regulatory incentives for retention of heritage	28%	32%	49%	59%
Number of district plans providing regulatory incentives for retention of heritage	21	25	31	38
Number of plans in existence	75	75	64	64

Plan rules regulating earthquake strengthening and other safety upgrades are discussed in section 8.5. Other positive incentive heritage provisions in plans include:

- the Whangarei District has a policy to design and fund initiatives such as information plaques, sign boards, heritage walks or trails, commemorative structures and events
- the operative Rotorua and South Waikato District Plans have subdivision incentives if protecting historic heritage in rural areas
- the operative Waipa District Plan has provisions to relax parking loading and access requirements
- the operative New Plymouth District Plan has policies to waive fees for resource consent applications for the modification of Category A heritage buildings and items, to provide financial assistance through the council's heritage protection fund, and to hold community awards for the protection and/or enhancement of heritage buildings and items
- the proposed Dunedin City District Plan provides for out-of-zone activities to occur in scheduled buildings in certain zones, as well as providing consent fee waivers, rates relief, a heritage incentive fund and heritage re-use awards
- Auckland Unitary Plan: policies to reduce or waive consent fees, provide funding and grants, and provide expert advice
- Whanganui District Council has announced a heritage grants scheme for owners to enhance heritage buildings in the city centre, as part of the Council's Town Centre Regeneration Strategy.⁴⁵

⁴⁵ www.whanganui.govt.nz/our-council/news-media/media-releases/Pages/default.aspx?newsitem=8952, accessed 24 October 2018.

8. OVERALL PLAN EFFECTIVENESS

8.1 MONITORING PLAN EFFECTIVENESS

KEY RESULTS:

- Information on the state of the environment for historical and cultural heritage is limited by lack of systematic surveying and monitoring, even for a relatively well-resourced local authority like Auckland Council
- The only state of the environment report produced during the *2018 Assessment* period that discusses historic heritage was produced by Auckland Council in 2015
- Most recent section 32 reports provided information on heritage plan changes and plan reviews, but only two addressed the protection of significant archaeology.

Heritage New Zealand standard for assessing plan quality: *Local authorities need to monitor the effectiveness of plan provisions relating to historic heritage.*⁴⁶

This section investigates whether existing assessment and monitoring requirements under the RMA can be used to provide consistent information for monitoring the effectiveness of plans. While having robust heritage provisions in district plans is important, it is equally critical to ensure these provisions are having the intended effect.

Section 35 reports present the results of environmental and efficiency and effectiveness monitoring:

- (a) *the state of the whole or any part of the environment of its region or district—*
- (i) *to the extent that is appropriate to enable the local authority to effectively carry out its functions under this Act; and*
 - (i) *in addition, by reference to any indicators or other matters prescribed by regulations made under this Act, and in accordance with the regulations; and*
- (b) *the efficiency and effectiveness of policies, rules, or other methods in its policy statement or its plan...*

Section 35 also requires councils to publish the results of their efficiency and effectiveness monitoring at least every five years. However, like *the 2015 Assessment*, the *2018 Assessment* found that few heritage-related plan effectiveness monitoring reports have been prepared in recent years. Auckland Council released *The Health of Auckland's Natural Environment 2015 – Te Oranga o te Taiao o Tāmaki Makaurā* with a section on historic heritage. The 2015 report gives a breakdown of sites recorded in the Cultural Heritage Inventory and the NZ Heritage List and their distribution, but notes that this is far from a complete record due to the lack of systematic surveys and condition monitoring, and that data is often out of date and sites poorly located. Auckland Council is releasing a new report *Auckland Heritage Counts* in 2018.

⁴⁶ NZHPT, *SMHH Guide No. 5, 'State of the Environment Reporting and Monitoring'*, August 2007, pp. 28-30.

Section 32 of the RMA requires local authorities (for all plan changes and proposed new plans) to assess whether the objectives of the proposal are the most appropriate way to meet the purpose of the RMA. The section 32 report must also examine whether the provisions are the most appropriate way to achieve the objectives and assess options. There is a high degree of compliance with this section of the RMA and the *2015 Assessment* recommended that section 32 reports be investigated to determine whether they could provide information on the effectiveness of plans.

Of the 20 district plans proposed, made operative or subject to changes during the assessment period, 18 had readily available section 32 reports. Thirteen plans did provide some assessment of their operative plan provisions, but the remainder evaluated only the proposed provisions. Matters covered included:

- greater provision for sites of significance to Māori, including observing Tikanga Māori
- improved readability of plans and clarity of provisions
- changes to plan structure to avoid repetition
- updates to align with changes in national policy.

Two reports discussed the management of archaeological sites. Under the RMA councils are responsible for managing land use and for protecting historic heritage (which includes archaeological sites) from inappropriate subdivision, use and development. The matter of regulatory duplication was raised in the section 32 report for the proposed Marlborough Environment Plan. The report recommended discontinuing land use controls to manage archaeological sites as being an unnecessary overlap with the archaeological provisions of the HNZPT Act.⁴⁷ Conversely, the Queenstown Lakes District Council section 32 report noted the importance of making changes to their district plan framework to include protection for archaeological sites.

Heritage New Zealand advocates for assessing the heritage significance of archaeological sites and protection of the most significant with appropriate rules, designed to address the risks to these sites. RMA processes should complement rather than duplicate the archaeological authority process under the HNZPT Act. The identification and protection of archaeological sites in plans is discussed in more detail in section 8.3.

⁴⁷ Modification and destruction of all archaeological sites is regulated under the HNZPT Act 2014. Marlborough District Council, *Marlborough Environment: Plan Section 32 Report, Chapter 10: Heritage Resources and Notable Trees*, <https://www.marlborough.govt.nz/your-council/resource-management-policy-and-plans/proposed-marlborough-environment-plan/section-32-reports>, accessed 14 September 2018, p. 14.

8.2 HISTORIC HERITAGE OBJECTIVES, POLICIES AND PLAN STRUCTURE

KEY RESULTS:

- The recent district plans reviewed generally give effect to the objectives and policies of RPSs, where these are stated clearly
- The effectiveness of some plans is compromised through weak rules, or adequate rules hampered by weak objectives
- Older plans do not take account of the 2003 amendment to the RMA elevating the status of historic heritage to a matter of national importance (RMA, s6).

Heritage New Zealand standard for assessing plan quality: *The district plan should contain objectives and policies for historic heritage.*⁴⁸

District plans give effect to the requirement under the RMA to protect historic heritage from inappropriate subdivision, use and development by:

- identifying the issues affecting historic heritage
- establishing a hierarchy of objectives and policies to address the issues
- implementing these objectives and policies through rules, incentives and other methods.

The *2018 Assessment* investigates the linkages between the objectives and policies in RPSs and district plans and how these guide and are reflected in district plans. This assessment looked at the recently proposed district plans of Dunedin City and Queenstown Lakes District within the Otago region, Ōpōtiki District in the Bay of Plenty, South Taranaki in Taranaki and Waikato District in the Waikato region.

The *2018 Assessment* has identified that district plans contain generally reasonable quality objectives and policies for historic heritage. Nearly all the heritage-related objectives and policies provide for recognition and protection (or conservation) using a variety of terms. Twelve of the 20 plans proposed or made operative or subject to changes during the assessment period also explicitly provided for incentive-based heritage provisions (see section 7). The linkages between RPSs and district plans are discussed below.

Otago

The Otago RPS was proposed in May 2015. Its primary objective in relation to historic heritage is that it is “recognised and contribute[s] to the region’s character and sense of identity”. The policies cover matters including:

- recognising and protecting important sites of cultural significance to Kāi Tahu
- enabling Kāi Tahu relationships with wāhi tūpuna and associated sites
- recognising the values of natural features, landscapes and seascapes
- identifying historic heritage: recognising particular elements as characteristic or important to Otago’s historic heritage
- prioritising the avoidance of adverse effects
- encouraging the integration of historic heritage values into new activities and enabling adaptive reuse or upgrade of historic heritage places and areas where heritage values can be maintained.

The Dunedin City and Queenstown Lakes District Plans both generally align with the Otago RPS, but greater alignment could be achieved if both plans had stronger provisions to protect sites of significance to Māori. The Dunedin District Plan could also be more explicit in its protection of historic landscapes, although it does contain strong policies to promote adaptive re-use that align with the direction provided by the Otago RPS.

48 NZHPT, *SMHH* Guide No. 3, ‘District Plans’, August 2007, p. 5.

Bay of Plenty

The Bay of Plenty RPS was made operative in October 2014. It has two objectives relevant to historic heritage: seeking the protection of historic heritage from inappropriate subdivision, use and development; and the “recognition of and provision for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga”.

The policies include recognising and providing for:

- sites of cultural significance
- avoiding, remedying or mitigating adverse effects on places, sites and areas with significant spiritual or cultural historic heritage value to tangata whenua
- protection of historic heritage from inappropriate subdivision, use and development
- access.

The proposed Ōpōtiki District Plan’s objectives and policies align with those of the Bay of Plenty RPS, except about access. The *NZCPS* includes a policy to enhance walking access to areas or sites of historic or cultural significance where access is important, and to only impose restrictions to protect sites and activities of cultural value or historic heritage. The proposed district plan identifies that public access to many sites of cultural significance may compromise the character or values of the heritage site, but there are no corresponding objectives or policies that provide direction on how this issue should be managed. As discussed elsewhere, the proposed Ōpōtiki District Plan heritage schedule contains only sites entered on the NZ Heritage List, despite a detailed heritage inventory of the district being available. The Bay of Plenty RPS, unlike most other RPSs, does not provide clear direction to district councils to identify and protect historic heritage of local and regional importance.

Taranaki

The Taranaki RPS became operative in 2010 and a review in 2017 determined that no changes were necessary. In addition to providing appropriate direction on the matters of national importance as set out in section 6 of the RMA, the policy statement includes methods that territorial authorities “may wish to consider”. Heritage New Zealand supports the methods, which include:

- providing support, as and when appropriate, surveys, research and investigations identifying historic heritage and landscapes of significant historic and cultural importance
- advocacy and technical advice
- maintaining and regularly updating databases and records of historic heritage.
- promotion of historic heritage.

However, the phrase “may wish to consider” does not provide sufficient direction to territorial authorities.

The South Taranaki District Plan’s objectives and policies align with those of the Taranaki RPS, and are more comprehensive. This District Plan has policies to encourage earthquake strengthening and to consider the value of heritage settings and ensure their values are not unduly compromised by development, policies not included in the RPS.

Waikato

The Waikato RPS became operative in May 2016. The primary objective in relation to historic heritage is that “sites, structures, landscapes, areas or places of historic and cultural heritage are protected, maintained or enhanced in order to retain the identity and integrity of the Waikato region’s and New Zealand’s history and culture”. In addition to providing direction on the matters of national importance as set out in section 6 of the RMA, the Waikato RPS explicitly states that an integrated, collaborative approach will be taken to resource management in the region.

Of note are specific methods to establish a Regional Heritage Forum with representatives of territorial authorities, tangata whenua, Heritage New Zealand and other stakeholders. The role of this forum is to develop and assess options for a framework for the management of historic and cultural heritage through a centralised heritage inventory. The proposed Waikato District Plan includes comprehensive objectives and policies in relation to historic heritage that align generally with those of the Waikato RPS. The Waikato District Council is an active participant the Regional Heritage Forum.

District plan framework

Most district plans have an adequate alignment between objectives, policies, methods and rules. This alignment can fall short when rules are weak in comparison to strong objectives and policies, or vice versa. For example, in the Central Hawke’s Bay District Plan, the heritage objective refers to the conservation and enhancement of heritage values in order to preserve the character and history of the district, but lacks the necessary rules to achieve this objective. Conversely, the non-complying activity status of the demolition of scheduled historic heritage in the proposed Southland District Plan is potentially undermined by Policy HH.5, which recognises relocation or demolition “may be necessary” in certain circumstances. A number of plans include objectives and policies discussing the need to provide for the relationship of Māori to the wāhi tapu and sites of significance, but without the necessary rules to achieve the stated objectives.

A few district plans continue to have serious deficiencies about heritage-related objectives and policies. For example, Westland District Plan has a number of objectives relating to the general environment of Westland, settlements and Māori heritage, but it lacks an explicit objective to identify and protect historic heritage. The West Coast RPS was proposed without containing overarching

objectives and policies for historic heritage. The decisions version, released in August 2018, now includes basic objectives and policies to promote the sustainable management of historic heritage and a policy to identify and manage the effects on cultural landscapes.

While many RMA plans have been reviewed or are in the process of review, objectives and policies in older plans need to be revised in the light of the elevation of historic heritage as a matter of national importance in the 2003 RMA amendment, and the adoption in the RMA of the term 'historic heritage' as opposed to other terms such as 'cultural heritage'. Objectives and policies also need to more explicitly address the various types of historic heritage: places, sites, areas and Māori heritage places and areas. Plans that need updating to take account of this 2003 amendment, and are starting reviews, include:

- Waimakariri (2005) (plan review initiated)
- Timaru (2005) (plan review initiated)
- Mackenzie (2004), Central Hawke's Bay (2003) (rolling review initiated).

The following plans (or the heritage sections) were last reviewed at least 10 years ago, and as at July 2018 had not signalled an intention to do a review:

- Clutha District Plan (1998)
- Upper Hutt (2004)
- Wairoa (2005)
- Matamata Piako (2005)
- Buller (2000), Westland District Plan (2002), Grey (2005).⁴⁹

All the plans proposed during the assessment period have a degree of electronic functionality, with Dunedin City and Waikato District proposing e-plans and the remaining councils providing their district plan as one or more searchable PDFs. Some councils, such as Dunedin City and Timaru District, also have comprehensive electronic maps available clearly identifying scheduled sites and areas.

Making plans available online can make it straightforward to search the plan, by topic or area, and view heritage assessments for places on the heritage schedule, but ease of use is still largely determined by the structure of the plan itself. For example, Heritage New Zealand advocates for a structure that sees heritage provisions housed in a single chapter rather than replicated perhaps with no, or very minor, differences in each zone chapter.

Most RMA plans and policy statements contain a heritage chapter that contains or cross-references historic heritage objectives and policies, and sets out specific rules relating to activities affecting historic heritage. Fewer plans set out specific rules for sites of significance to Māori in a single chapter. Heritage New Zealand strongly recommends grouping provisions for historical and cultural heritage in an integrated chapter or chapters in the plan, and the draft National Planning Standards also recommend this approach. On the other hand, the Waikato District proposed new plan (18 July 2018) continues to disperse heritage-related rules throughout the plan. With increasing improvements in e-plan functionality, this may be resolved by careful cross-referencing so the plan functions for both owners of a specific property and agencies with a national topic-specific focus.

⁴⁹ The West Coast territorial authorities have been directed to produce a combined district plan for the region – see footnotes 6 and 33.

8.3 QUALITY OF HERITAGE SCHEDULES

KEY RESULTS:

- 29 plans do not have adequate assessment criteria for including items on the heritage schedules
- Plans with single heritage schedules with a single set of rules may not give adequate protection to Māori heritage and archaeological sites
- Five plans still have schedules of heritage items not protected by rules
- Recent e-plans have useful links to heritage assessments within the heritage schedules.

Heritage New Zealand standard for assessing plan quality: *The district plan should contain appropriate rules for the protection of historic heritage, including a heritage schedule.*⁵⁰

Heritage schedules should identify specific places that are protected by the rules in the plan and provide information about those places. Schedules should be simple and avoid unnecessary or complex ranking systems. As well as schedules, it is helpful if the sites and areas are identified on planning maps. The more recent e-plans, such as the operative Christchurch District Plan, have useful links within the heritage schedules to heritage assessments of the scheduled places and diagrams showing the setting of the places. Some regional plans only identify historic heritage on the planning maps, not in a schedule, e.g. the proposed Northland Regional Plan. This is sufficient for identifying and locating the places, but limits the amount of information that can be provided on a place and makes it difficult to assess the range of heritage items identified.

A single schedule may not be sufficient, as different rules may be appropriate for built heritage, sites of significance to Māori and archaeological sites. Ideally, plan schedules and corresponding rules should distinguish between the different types of historic heritage, e.g. by having several schedules. The Auckland Unitary Plan has a single main schedule for historic heritage sites that shows whether each site has archaeological values, and whether it is of significance to mana whenua, and separate schedules for areas. Both these approaches allow the rules to be targeted to specific types of historic heritage. Plans with a single mixed schedule and single set of rules may be applying inappropriate or irrelevant rules, e.g. built heritage rules to archaeological sites.

Heritage schedules should be backed up with appropriate rules. Heritage New Zealand discourages the use of schedules of historic places that are for 'information purposes only' and have no protection under the district plan. The following plans still have

schedules of lesser-ranked items that are for information only and not protected by rules, or with grossly inadequate rules that do not contain controls on demolition:

- Hauraki District Plan – 98 scheduled Category C items, no protective rules, photographic record required before demolishing
- Central Hawke's Bay District Plan – 71 Schedule B historic heritage sites with no protective rules (demolition is permitted subject only to notification to Heritage New Zealand and local authority)
- Mackenzie District Plan – 56 Scheduled Group Z items of local significance – demolition is permitted, but anomalously additions and alterations are controlled
- Nelson Resource Management Plan – Scheduled Group C of 71 items, including 20 NZ Heritage List entries, with no protective rules
- Waimate District Plan 91 Scheduled Group C items (including four NZ Heritage List items) – demolition and relocation is a permitted activity subject only to notification and photographic recording, with very limited controls on alterations.

Some plans only provided partial protection for lesser-ranked items. This is discussed in more detail in section 8.6.

As discussed in section 8.1, schedules should also recognise the district's most significant archaeological sites and protect the identified significant features with rules. In some districts there are thousands of known archaeological sites, and it is not necessary to duplicate the requirements of the HNZPT Act by

50 NZHPT, SMHH Guide No. 3, 'District Plans', August 2007, pp. 5, 13-14.

providing additional protection under the RMA except for the most significant sites. However, it is helpful if plans make information available on the location of known archaeological sites through an information overlay, and back this up with an advisory note on the requirements of the HNZPT Act to obtain an archaeological authority if sites are likely to be modified or destroyed.

Heritage schedules should be based on an assessment of the heritage values of the scheduled places, including locally significant places, against a set of assessment criteria. Currently 29 district plans do not have adequate assessment criteria, and some of these simply schedule all the places on the NZ Heritage List. Thirty-one district plans have assessment criteria that are based on the HNZPT Act criteria for entering places onto the NZ Heritage List and five have stand-alone criteria. Of the recently operative plans, only the Chatham Islands Resource Management Plan has no scheduling criteria.

Improvement continues as councils review and update district plan heritage schedules. New heritage schedules have been prepared and inserted into the proposed Waikato, Dunedin, Marlborough, South Taranaki District Plans and the operative Auckland Unitary Plan via proposed new plans or through plan changes. On the other hand, the proposed Ōpōtiki District Plan merely replicates the NZ Heritage List with no local heritage scheduled (see section 8.2). As discussed in section 8.6, the Queenstown Lakes proposed plan does not provide adequate protection for Group 3 items.

Ensuring a plan is regularly updated also involves removing demolished places. Heritage New Zealand has removed historic places that were demolished following the Canterbury earthquake sequence from the NZ Heritage List. These places are remembered on Heritage New Zealand's website, along with other "lost heritage" from around the country.⁵¹ Ashburton District Council and Christchurch City Council have now removed demolished places from their respective heritage schedules. Other local authorities should also ensure that demolished places do not remain on heritage schedules.

⁵¹ www.heritage.org.nz/the-list/lost-heritage

8.4 REPAIR AND MAINTENANCE

KEY RESULTS:

- While most recent plans have permitted activity rules for repair and maintenance, many are hampered by inadequate definitions or rule criteria
- Six plans, including one recently proposed plan, have inadequate or unclear repair and maintenance rules
- Few plans have repair and maintenance rules that are relevant to Māori heritage or archaeological sites.

Heritage New Zealand standard for assessing plan quality: *Repair and maintenance of a scheduled historic building, historic site, including archaeological site, and place and area of importance to Māori is a permitted activity provided the performance standards in the plan are complied with. If the activity does not comply with the performance standards the activity is to be treated as a restricted discretionary activity.⁵² Performance standards for repair and maintenance should ensure that the work involves stabilisation, preservation and conservation.⁵³*

Most district plans contain rules for repairs and maintenance as a permitted activity with appropriate performance standards to ensure that heritage values are taken into account. Guidance is available on repair and maintenance standards in the *SMHH* guidelines.⁵⁴

The quality of repair and maintenance rules for historic heritage is gradually improving as local authorities update their plans. In particular, district plans and plan changes since the *2015 Assessment* have revised repair and maintenance rules, performance standards and definitions, and have generally followed the approach advocated by Heritage New Zealand. All 20 plans reviewed for the *2018 Assessment* had a permitted activity rule for repairs and maintenance. For example, the Christchurch District Plan makes repair and maintenance a permitted activity and provides a detailed definition (essentially a list of assessment criteria) that sets clear boundaries for what is intended to be permitted. It is preferable to include these criteria within the rule rather than as a definition, but the electronic functionality of the newer plans allows direct cross-referencing via a link from the rule.

However, many rules are hampered by poor explanations or definitions of repair and maintenance which adopt technical terminology that are difficult for the public to understand, or by the absence of performance standards. For example, the Western Bay of Plenty District Plan, while referring to Heritage New Zealand guidelines, provides only very broad definitions of repair and maintenance that provide insufficient guidance as to the actual requirements of the permitted activity. The repair and

maintenance rule in the proposed Ōpōtiki District Plan lacks clarity as there is also a controlled activity rule relating for non-structural modification; the distinction between these two activities is unclear.

A small number of district plans still do not have specific rules for repair and maintenance, or the relevant rules are unclear, or restricted to only one aspect such as repainting:

- Central Otago District Plan – while the plan provides for repair and maintenance of the heritage precincts, it does not include an explicit repair and maintenance rule for scheduled heritage items
- Taupō District Plan – the repair and maintenance rule is unclear
- New Plymouth District Plan – the heritage rules applying to repairs and maintenance are unclear – the plan uses the term “restoration or redecoration” without defining these terms
- Western Bay of Plenty District – the heritage rules applying to repairs and maintenance are unclear – the plan uses the terms “maintenance” and “repair” without adequately defining these terms
- Clutha District Plan – provides for “redecoration or restoration” (without defining these terms) as a permitted activity, with an emphasis on “enhancing the character” of heritage items rather than conservation of heritage values through repair and maintenance.

⁵² NZHPT, *SMHH* Guide No. 3, ‘District Plans’, August 2007, p. 31.

⁵³ *Ibid*, p. 42.

⁵⁴ *Ibid*, pp. 41-42

Many repair and maintenance rules are designed to apply to buildings and have little practical application to historic sites, including archaeological sites, historic areas and places, and areas of importance to Māori. There do exist a number of examples of

plan rules that provide good guidance for the different types of historic heritage, including the Gisborne and Selwyn District Plans and the Wairarapa Combined Plan.

8.5 SAFETY ALTERATIONS

KEY RESULTS:

- Nearly two-thirds of plans still do not make specific provisions to facilitate safety improvements to heritage structures, including three recently proposed plans
- There have been small increases in the number of plans with restricted discretionary or controlled rules for safety modifications.

Heritage New Zealand standard for assessing plan quality: *District plan provisions should facilitate and encourage alterations to heritage buildings to improve structural performance, fire safety and physical access while minimising significant loss of heritage values.*

Overview

Improving structural performance (earthquake strengthening), fire safety and physical access all aim to promote improved building safety and can be collectively defined as 'safety alterations'.

As discussed in section 5.2, the Canterbury earthquakes (2010-2012), the Seddon earthquake (2013) and the Kaikōura earthquake (2016) have highlighted the importance of providing for upgrading building safety, particularly earthquake strengthening. New Building Act requirements taking effect from 2017 specifying risk-based timeframes for earthquake strengthening (discussed in section 2.2) make it imperative to address such safety modifications in planning processes, particularly in high-risk regions.

Controls on alterations for improving building safety should be tailored to the heritage significance of the places, and not create regulatory barriers to upgrade projects. A controlled activity status gives the local authority the opportunity to ensure that heritage values are taken into account. For significant safety alterations to NZ Heritage List Category 1 historic places a restricted discretionary activity may be more appropriate. Interior safety modifications are often permitted, and many plans have a hierarchy of controls based on heritage significance and whether the modifications are internal or external.

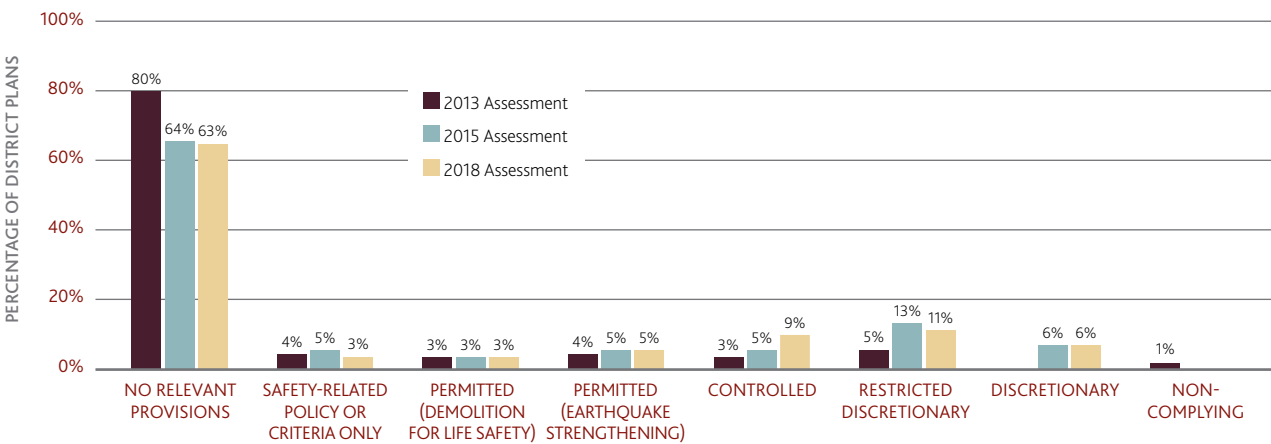


Figure 17: District plan safety-related rules for heritage items
Note: activity status shown is for the most stringent status, either for the highest-ranked items or the exterior/façade of heritage buildings.

Recently modified plans

Two-thirds of district plans still have no explicit provisions relating to heritage building safety or only objectives and policies, as indicated in Figure 17. There has been virtually no change in the number of plans with no specific provisions for earthquake strengthening; the number of plans with no provisions reduced from 41 to 40. This may be because of the low number of proposed new plans during the assessment period.

It is disappointing that three of the six new plans proposed during the *2018 Assessment* period had no specific provisions. In these cases the rule for additions and alterations would apply, and while these provisions may not inhibit safety modifications, they may not be supported by appropriate policies, criteria or matters to be considered. For instance:

- the proposed Ōpōtiki District Plan has a policy to encourage and facilitate earthquake strengthening, but has no corresponding rules to implement this policy
- the proposed Queenstown Lakes District Plan does not contain any specific rules to enable earthquake strengthening or safety alterations
- the proposed Waikato District Plan does not include any specific objectives, policies or rules for safety alterations or earthquake strengthening.

Plans or plan changes proposed within the *2018 Assessment* timeframes that do make provision for safety alterations are:

- the proposed Dunedin City District Plan includes policies enabling earthquake strengthening and makes the activity a controlled activity, with assessment criteria
- the proposed Marlborough Environment Plan includes a policy to have regard to the extent to which modifications to heritage are necessary to ensure structural stability, accessibility, fire egress and sufficient earthquake strengthening when assessing resource consent applications, but internal and external safety alterations are permitted
- the proposed South Taranaki District Plan includes a policy to encourage and facilitate the strengthening of buildings to increase their ability to withstand future earthquakes or other safety risks, and earthquake strengthening or building safety alterations are permitted for Category 2 buildings if internal, controlled if external, and discretionary for Category 1 buildings.

There has been a small increase in the number of plans with a controlled or restricted discretionary status for safety modifications. Eleven of the 20 plans reviewed as part of the

2018 Assessment period made specific provision for earthquake strengthening or safety modifications as permitted, controlled or restricted discretionary.

Several plans that became operative during the *2018 Assessment* period contain provisions to encourage earthquake strengthening – Christchurch City, Hamilton City, Hurunui District, Rotorua District, Tasman District and Whangarei District. The Whakatane District Plan contains a policy, “To enable the strengthening of buildings included in the heritage schedule to increase their ability to withstand the effects of future earthquakes while minimising the significant loss of associated heritage values”. This policy is supported by a controlled activity status for earthquake strengthening with appropriate criteria. On the other hand, Southland District Plan policies relating to the demolition of potentially earthquake-prone buildings do not support the rules.

Provisions for safety modification in operative plans

The primary types of provisions used in operative plans are:

- **safety-related policy or assessment criteria** (but no specific rules) – Gisborne Unitary Plan, for example, includes policies to consider earthquake, fire or other safety risk, and level of earthquake risk to the community, in assessing a resource consent application
- **permitted demolition rule** – if the heritage building has been damaged and demolition is necessary to ensure life safety (Manawatū and Hauraki District Plans)
- **permitted activity rule** – for earthquake strengthening (Hamilton District Plan and proposed Tauranga and Southland district plans)⁵⁵
- **controlled activity rule** – for earthquake strengthening or safety-related works (Hurunui, South Waikato and Whakatane District Plans)
- **restricted discretionary activity rule** – for earthquake strengthening or safety-related work (Auckland Unitary Plan, Horowhenua, Wellington and Porirua District Plans)
- **discretionary activity rule** – for earthquake strengthening of the most significant items, where no conservation plan has been prepared or where alterations will be publicly visible (Taranaki and Whanganui District Plans, Whangarei District Plan)
- **a hierarchy of rules** – for example, the Christchurch City District Plan permits safety alterations to Group 1 sites if required as a result of damage, safety alterations not required as a result of damage are controlled.

⁵⁵ The Hamilton District Plan permitted activity rule relates to earthquake strengthening works that result in no visible change to the exterior of the building. Otherwise, the work is a restricted discretionary activity. This rule is supported by a policy to “Encourage the strengthening of buildings in Schedule 8A to increase their ability to withstand future earthquakes while minimising the significant loss of associated heritage values.”

Heritage New Zealand recommendations for safety alterations

Heritage rules often apply one set of rules to a large number of diverse buildings. Ideally, specific types of buildings should have specific rules. For example, to earthquake strengthen a large public building may involve a number of highly complex heritage-related challenges. Meanwhile, simple works would be required to strengthen a small retail establishment. The South Waikato District Plan (operative July 2015) is an example of a district plan that does provide specific heritage rules for different types of buildings and this approach is encouraged.

Exterior and interior heritage rules influence changes to heritage buildings. It is often the façade of the building that requires strengthening and presents the highest public safety risk. As discussed in section 2.2, owners of some unreinforced masonry buildings in the regions affected by the Kaikōura earthquake have been required to strengthen facades, and owners of buildings on priority transport routes may be asked to remedy safety risks to the public in short timeframes. Heritage rules should therefore not promote rear or interior strengthening while discouraging strengthening front facades. While the visual appearance of strengthening work is a consideration, it should not be the primary determinant of a resource consent activity.

As set out in the *2015 Assessment*, Heritage New Zealand continues to advocate for improved heritage building safety provisions, which will involve:

- making clear provisions for safety alterations, including improving structural performance (earthquake strengthening), fire safety and physical access works. There should be clarity between safety-related alterations as distinct from general additions and alterations
- inclusion of specific heritage building safety-related objectives, policies and assessment criteria
- regulation of heritage safety-related alterations based on the heritage value of the place as either a controlled or restricted discretionary activity
- providing a range of regulatory and non-regulatory incentives.

8.6 ADDITIONS AND ALTERATIONS

KEY RESULTS:

- There are slow improvements in plan provisions to manage the impact of additions and alterations
- 15 plans permit additions and alterations for some classes of heritage, or for interiors, which does not provide an opportunity to consider the effects on heritage values
- Three plans are unclear or have no controls on additions and alterations.

Heritage New Zealand standard for assessing plan quality: *Alterations and additions to a scheduled historic building and within a scheduled historic area is a restricted discretionary activity.*⁵⁶

Conservation of heritage buildings usually requires that they have a productive use, which requires modification and adaption to improve functionality. Most district plans regulate alterations and additions as a restricted discretionary or discretionary activity. Restricted discretion provides a lower regulatory barrier to adaptive reuse.

As shown in Figure 18, there is a general trend in recent plans towards adopting a restricted discretionary activity rule for alterations and additions, and fewer plans with additions and alteration as discretionary. The Christchurch and Dunedin City, and Hurunui, Selwyn, South Taranaki and Whakatane District Plans, have a restricted discretionary rule. The recently proposed Queenstown Lakes District Plan has a rule framework that permits internal alterations to Category 3 places, makes alterations to Category 2 places a restricted discretionary activity, and has a discretionary activity rule for alterations or additions to a Category 1 place. On the other hand, the proposed Ōpōtiki, operative Whangarei District Plans and the proposed Marlborough Environment Plans have a discretionary rule for “modifications” or additions and alterations.

When proposed, the Hurunui District Plan had a rule that made additions and alterations non-complying (Category 1 items) or discretionary (Category 2). Heritage New Zealand sought a change to this rule to avoid discouraging appropriate adaptive re-use and provide greater certainty for consent applicants. The Heritage New Zealand submission was supported by the Hearings Panel and the activity now has a restricted discretionary status in the operative district plan.

Despite an overall improvement, the following plans have critical deficiencies in the treatment of additions and alterations:

- two plans are unclear – the heritage rule in the Buller District Plan is limited to destruction. It is unclear if this rule could apply to alterations and additions. The Nelson Plan is also not clear about how the rules for additions and alterations apply to different categories of heritage items
- Kaipara District Plan – 15 scheduled Group B local heritage significance items – partial demolition is permitted, full demolition or removal is restricted discretionary, no other controls
- Waikato District proposed plan – additions and alterations are permitted provided they are not visible from a public place and there is no damage to or removal of significant features
- additions and alterations to the specified categories of scheduled items are **permitted** in the following plans:
 - Central Hawke’s Bay District Plan – subject to notifying Heritage New Zealand of the work to be carried out
 - Chatham Islands (internal alterations)
 - Grey District Plan – Scheduled Group II items
 - Hamilton City (internal alterations)
 - Kaikōura District Plan – Scheduled Class II items.
 - Mackenzie District Plan – Category Z items
 - Marlborough Resource Management Plans – Scheduled Class B items
 - Nelson Resource Management Plan – scheduled Group C items

⁵⁶ NZHPT, *SMHH Guide No.3, ‘District Plans’*, August 2007, p. 31.

- Queenstown Lakes District Plan – internal alterations to Scheduled Group 3
 - Rotorua and Southland (internal, where only exterior is deemed historic)
 - South Waikato (determined on an individual building/structure basis)
 - Waikato District (defaulting to restricted discretionary)
 - Waipa District (Category C)
 - Western Bay of Plenty (internal – no significant interior)
- additions and alterations to the specified categories of scheduled items are **controlled** in the following plans, meaning that a local authority cannot decline a consent application:
 - Grey District Plan – scheduled Category 2 items
 - Kaikōura District Plan – scheduled Group B items
 - Palmerston North District Plan – external work on scheduled Category 2 item
 - Upper Hutt District Plan – all scheduled items
 - Waimate District Plan – scheduled Category C items
 - Whanganui – scheduled Class C items.

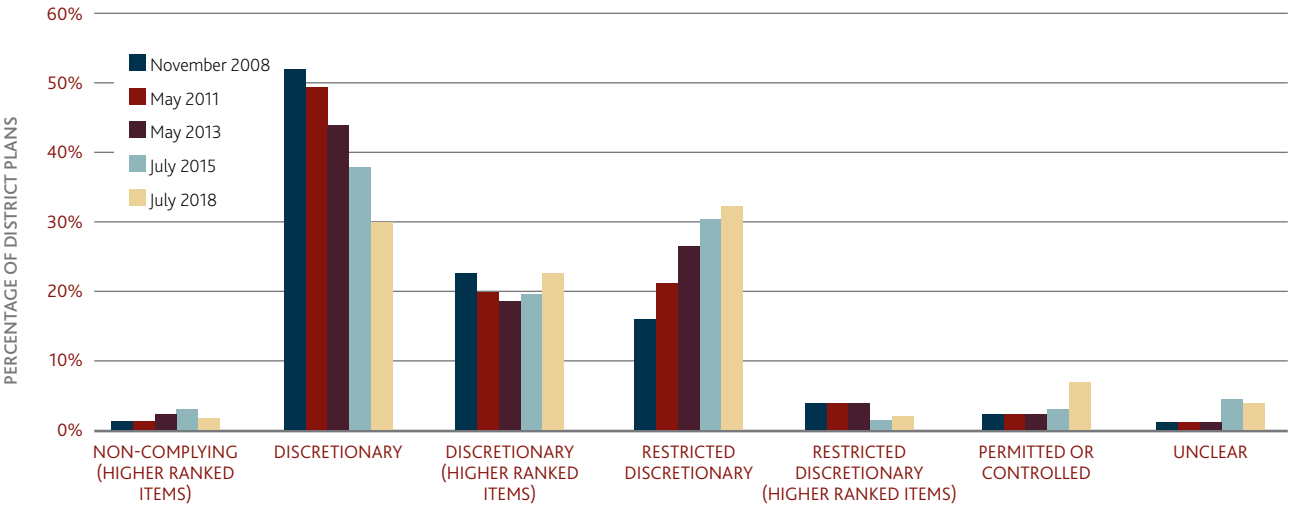


Figure 18: District plan activity status: additions and alterations

8.7 RELOCATION

KEY RESULTS:

- Twelve of 20 recently proposed or operative plans have a non-complying rule for relocation
- Four plans do not have clear rules on relocation and one plan has a permitted activity rule.

Heritage New Zealand standard for assessing plan quality: *Relocation of a scheduled historic building within or beyond the setting or property boundaries is a discretionary activity, or for higher-ranked historic buildings – non-complying.*⁵⁷

Relocation of scheduled historic buildings may result in significant adverse effects and is managed as a restricted discretionary, discretionary or non-complying activity by most district plans in New Zealand.

As in the 2015 Assessment, some local authorities are applying a stringent approach to the relocation of higher-ranked heritage items by making the activity non-complying. Of the 20 plans or plan changes proposed or made operative during the assessment period, all had a specific rule about relocation and 12 make the activity non-complying.

Auckland Council prohibits the relocation of a Category A building beyond its setting as does Queenstown Lakes. The proposed Marlborough Environment Plan also has a prohibited activity rules for the relocation of a Category 1 heritage resource.

The Heritage New Zealand standard does not differentiate between relocation within or beyond property boundaries, but the Auckland Unitary, Christchurch City, Hamilton City and Queenstown Lakes District Plans do make this distinction, making rules for relocation within property boundaries less stringent.

Many district plans do not meet Heritage New Zealand's guidance standard either because the relocation rule is absent, it is unclear, or the plan regulates relocation as a permitted or controlled activity. The following plans do not have clear relocation rules:

- Buller District Plan – the heritage rule is limited to destruction. It is unclear if this rule could apply to relocation. No other general relocation rules were identified in the Buller District Plan
- Westland District Plan – modification of scheduled heritage items is a discretionary activity, but the definition excludes demolition and removal. Consequently, relocation of

scheduled heritage items is not regulated in the plan. Further, no other general relocation rules were identified

- Gore District Plan – regulates excavation beneath, demolition or alteration of any heritage structure as a discretionary activity. It is unclear whether this rule would cover relocation and there are no other general rules controlling relocation
- Matamata-Piako District Plan has a “modification” rule with varying forms of definition.

Several plans fail to adequately regulate the relocation of lower significance heritage items:

- Nelson Resource Management Plan – relocation of scheduled Group C items is not explicitly regulated (see plan for general relocation rules)
- Kaipara, Waimate and Mackenzie District Plans – relocation of scheduled Category B, C or Z items is a permitted activity subject to limited information process
- Central Hawke's Bay District Plan – permits relocation of scheduled heritage buildings where the proponent notifies the council two months prior to the work starting and notifies interested agencies. However, in the general relocation rules the activity is restricted discretionary, with discretion being restricted to the appearance of the building.

Relocation of historic buildings away from the town or district can have a very significant adverse effect on heritage values. Further, local authorities should be careful to ensure that the relocation rule applies to relocation inside and outside the original property boundary. Plans that do not make adequate provision for relocation must be reviewed to include an explicit relocation rule for scheduled heritage items.

⁵⁷ Ibid, pp. 31-35.

8.8 SUBDIVISION

KEY RESULTS:

- Four recent plans have no specific rules for sites containing historic heritage
- Six older plans have a permitted rule for subdivision for sites containing historic heritage, which does not give adequate protection.

Heritage New Zealand standard for assessing plan quality: *The subdivision of land containing or affecting a scheduled historic building, historic site, historic area, or Māori heritage is a discretionary or non-complying activity.*⁵⁸

Subdivision often results in major land use changes, and the potential impacts are recognised in the RMA requirement to protect historic heritage from "inappropriate subdivision, use and development".⁵⁹ Subdivision must be carefully managed and should not compromise the condition or integrity of historic heritage values. It should be designed to protect historic heritage and its setting. 'Historic heritage' includes archaeological sites. In particular, subdivision design should take account of the likelihood of the presence of archaeological sites and avoid these sites. Note that the changes to the RMA discussed in section 2.1 change the default status of subdivision activities to permitted (unless restricted by a rule).

All district plans currently regulate subdivision through general subdivision rules that apply to particular zones or the whole district. Many of these general subdivision rules also have assessment criteria for historic heritage. Heritage New Zealand advocates for explicit subdivision rules that are specific to scheduled heritage items and regulate this activity as a discretionary or non-complying activity.

Recent proposed plans make the following provisions:

- Discretionary – Queenstown Lakes
- Restricted discretionary – Dunedin, South Taranaki, Waikato District (defaulting to either discretionary or non-complying if the conditions of the rule are not met)
- No specific subdivision rule for heritage subdivision (general rules apply) – Marlborough, Ōpōtiki.

Plans that were made operative during the assessment period make the following provisions:

- Non-complying – Whakatane (community and cultural zone, otherwise discretionary)
- Discretionary – Auckland, Hurunui, South Waikato, Southland
- Restricted discretionary – Christchurch, Hamilton
- Controlled (defaulting to restricted discretionary if the conditions of the rule are not met) – Chatham Islands
- No specific rules – Waipa and Rotorua.

Some district plans continue to provide basic protection with a reliance on a permitted (with performance standards) or a controlled activity rule. This level of protection is not sufficient for historic heritage. A number of plans, now more than 10 years old, contain no specific heritage subdivision rules including:

- Clutha District Plan (operative 1998)
- Central Hawke's Bay District Plan (operative 2003)
- Upper Hutt District Plan (operative 2004)
- Buller District Plan (heritage plan change operative 2004)
- Grey District Plan (operative 2005)
- Westland District Plan (operative 2002).

⁵⁸ Ibid, pp. 32-37.

⁵⁹ Section 6(f), RMA.

8.9 HISTORIC AREAS

KEY RESULTS:

- Some recent plans make good provisions for heritage areas or precincts
- Older plans do not identify areas, or do not have suitable rules to address risks to heritage areas.

Heritage New Zealand KPI standard for assessing plan quality: *The rules protect scheduled historic areas in terms of:*

- Repair and maintenance (permitted with performance standards)
- Alterations and additions (restricted discretionary)
- Construction of new buildings (restricted discretionary)
- Additions to non-contributory buildings (restricted discretionary)
- Land disturbance (restricted discretionary)
- Signage (restricted discretionary)
- Subdivision (discretionary)
- Relocation (discretionary)
- Partial demolition (discretionary)
- Demolition (non-complying).⁶⁰

In the urban setting, historic areas may involve significant townscapes and streetscapes. Change in these areas needs to be carefully managed to preserve heritage values. Demolition, relocation or inappropriate additions can undermine the collective integrity of historic areas and landscapes.

The construction of new buildings can compromise historic areas. New buildings should be designed in a manner that is sympathetic to the significance and character of the area.

In the rural setting, historic areas may include complex archaeological and cultural sites associated with extractive industries (i.e. goldmining), pastoral farming and nature conservation. Rural historic areas are threatened by a range of land use changes in the environment. Transport and land use planning needs careful consideration with protection offered by protective zones and overlays.

As with previous assessments, the *2018 Assessment* continues to report historic area protection is not advanced in most district plans in New Zealand. Some of the new district plans do include heritage zoning or area provisions, in particular Dunedin City and Queenstown Lakes District.

The Historic Heritage chapter of the proposed Queenstown Lakes District Plan includes an inventory of precincts and heritage landscapes, a statement of their significance, maps and key features to be protected. The Dunedin City operative plan contains specific rules relating to historic precincts designed to address risks to the heritage values of identified precincts.

60 NZHPT, *SMHH Guide No. 3, 'District Plans'*, August 2007, p. 36.

Of the plans made operative between June 2015 and July 2018, those for Auckland, Hamilton City and Waipa contained good provisions for historic areas. The Akaroa Heritage Area within the jurisdiction of Christchurch City is afforded protection through zone rules. When considering whether or not to grant consent or impose conditions on a consent for an activity within the Akaroa Heritage Area the council must have regard to certain matters including:

- the maintenance or enhancement of heritage values and significance
- impacts on views to or from any heritage item or heritage setting within the heritage area, and whether the visibility of any heritage item from public places will be reduced
- design guidelines and advice
- whether Heritage New Zealand Pouhere Taonga has been consulted and the outcome of that consultation.

Heritage New Zealand advocates, as a minimum requirement, that historic areas entered on the NZ Heritage List are scheduled in district plans with associated protective rules. Around 84% of Listed historic areas are scheduled in plans.

8.10 SUMMARY OF ADEQUACY OF PLAN PROVISIONS

Table 16: Adequacy of rules in proposed plans or plan changes notified since *2015 Assessment*

Territorial authority	New plan or plan change	Repairs and maintenance	Additions and alterations	Safety alterations	Relocation	Subdivision	Historic areas
Heritage New Zealand recommended standard for Group A/Group B or Category I/ Category II scheduled items:		Permitted subject to performance standards or controlled	Restricted discretionary	Controlled or restricted discretionary	Non-complying for most significant heritage	Discretionary	Appropriate rule structure for activities as shown for heritage items
Dunedin City	New plan	Permitted – with deficient performance standards	Restricted discretionary	Controlled	Restricted discretionary	Restricted discretionary	Seventeen precincts identified, but rules tend to be more permissive than recommended
Marlborough District	New plan	Permitted – with performance standards	Discretionary	Permitted – with performance standards	Discretionary Prohibited (Category 1 Heritage Resource)	No specific rule, zone rules apply	Heritage and wāhi tapu areas are included within the definition of 'Heritage Resource', but associated rules are not tailored to historic areas
Ōpōtiki District	New plan	Permitted – no performance standards	Discretionary	As for additions and alterations – no specific rules	Non-complying	No specific rule, zone rules apply	No historic areas identified
Queenstown Lakes District	New plan (notified in stages)	Permitted – with limited performance standards	Permitted (internal alterations – Category 3) Restricted discretionary (external – Category 2 and 3, internal – Category 2) Discretionary (Category 1)	As for additions and alterations – no specific rules	Restricted discretionary (Category 3) Non-complying (Category 2 and Category 1 – within setting) Prohibited (Category 1 – outside of setting)	Discretionary	Five precincts identified and four overlay areas, including historic landscapes are included
South Taranaki District	New plan	Permitted – with detailed definitions rather than performance standards	Restricted discretionary (internal alterations) Discretionary (additions and external alterations)	Permitted (internal – Category 2) Controlled (external – Category 2) Discretionary (Category 1)	Discretionary	Restricted discretionary	No historic areas identified
Waikato District	New plan	Permitted – with limited performance standards Restricted discretionary – if does not meet performance standards	Permitted – provided not visible from public place and no damage to or removal of significant features Restricted discretionary – if does not meet performance standards	As for additions and alterations – no specific rules	Non-complying (Category A) Discretionary (Category B)	Non-complying, Discretionary, Restricted discretionary (depending on zone)	Two historic precincts identified, with associated design guidelines

9. CONCLUSIONS

There were fewer proposed new plans and plan changes in the *2018 Assessment* period compared with previous periods. Local authorities may be waiting for the finalisation of the first set of National Planning Standards. In general, the more recently revised plans contain provisions for the identification and protection of historic heritage that meet Heritage New Zealand's recommended standards. It is disappointing that some recent plans contain one or more key deficiencies.

Only one-third of plans have all NZ Heritage List entries scheduled, a small decrease from the *2015 Assessment*. Another 28% of plans have small numbers of sites not scheduled (between one and three items). The number of heritage sites and areas scheduled and protected in plans continues to increase, and is now around 14,000, with an additional 8,700 archaeological sites identified in plans. However, 29 plans lack assessment criteria for including historic heritage on plan schedules. Many plan schedules do not show the NZ Heritage List numbers for Listed items, depriving plan users of useful information and making it difficult to assess whether all Listed items are scheduled.

Nearly 60% of plans now provide incentives, up from 39% in the *2015 Assessment*. Incentives include relaxation of zone rules such as parking and yard space, and financial incentives such as consent fee waivers, rates relief and incentive grant funds. One of the proposed new plans does not provide incentives.

There is an ongoing improvement in rules protecting built heritage from demolition: 72% of plans now meet the Heritage New Zealand standard, up from 67% in the *2015 Assessment*. However, there has been a small decrease in the plans meeting the Heritage New Zealand standard for destruction of Māori heritage: 23% of plans meet the standard, down from 25% in the *2015 Assessment*. Seven plans have no rule protecting Māori heritage, unchanged from the previous assessment. This lack of protection for significant Māori heritage is unacceptable.

While most of the proposed new plans assessed had a reasonable structure of objectives, policies and rules, three do not make any provision for safety alterations. Nearly two-thirds of plans do not provide objectives, policies and rules designed to facilitate earthquake strengthening. Given the emphasis in government policy and legislation on strengthening unreinforced masonry and other earthquake-prone buildings, this is a critical deficiency.

There is room for considerable improvement in older plans. Older plans are continually mentioned as being inadequate in these assessments, and several still have schedules that are not protected by rules. Eight of these older plans have several critical deficiencies, and five of these councils have not yet initiated plan reviews. It is encouraging to see that 10 local authorities are initiating plan reviews.

APPENDIX 1: SUMMARY OF KEY PERFORMANCE INDICATORS AND STANDARDS FOR ASSESSING PLAN QUALITY

Heritage New Zealand KPIs for assessing plan quality

Identifying NZ Heritage List entries in RMA plan schedules:

District plan provisions include a heritage schedule that contains all properties entered on the NZ Heritage List.

Protecting historic heritage from demolition and destruction:

- *Demolition of scheduled historic buildings is a non-complying activity*
- *Destruction of scheduled Māori heritage is a non-complying activity.*

Local government incentives for the conservation of historic heritage: *District plans should include positive regulatory provisions for historic heritage.*

Heritage New Zealand Standards for assessing plan quality

Monitoring plan effectiveness: *Local authorities need to monitor the effectiveness of plan provisions relating to historic heritage.*

Historic heritage objectives, policies and plan structure: *The district plan should contain objectives and policies for historic heritage.*

Quality of heritage schedules: *The district plan should contain appropriate rules for the protection of historic heritage, including a heritage schedule.*

Repair and maintenance: *Repair and maintenance of a scheduled historic building, historic site, including archaeological site, and place and area of importance to Māori is a permitted activity provided the performance standards in the plan are complied with. If the activity does not comply with the performance standards the activity is to be treated as a restricted discretionary activity. Performance standards for repair and maintenance should ensure that the work involves stabilisation, preservation and conservation.*

Safety alterations: *District plan provisions should facilitate and encourage alterations to heritage buildings to improve structural performance, fire safety and physical access while minimising significant loss of heritage values.*

Additions and alterations: *Alterations and additions to a scheduled historic building and within a scheduled historic area is a restricted discretionary activity.*

Relocation: *Relocation of a scheduled historic building within or beyond the setting or property boundaries is a discretionary activity, or for higher-ranked historic buildings – non-complying.*

Subdivision: *The subdivision of land containing or affecting a scheduled historic building, historic site, historic area, or Māori heritage is a discretionary or non-complying activity.*

Historic areas: *The rules protect scheduled historic areas in terms of:*

- *Repair and maintenance (permitted with performance standards)*
- *Alterations and additions (restricted discretionary)*
- *Construction of new buildings (restricted discretionary)*
- *Additions to non-contributory buildings (restricted discretionary)*
- *Land disturbance (restricted discretionary)*
- *Signage (restricted discretionary)*
- *Subdivision (discretionary)*
- *Relocation (discretionary)*
- *Partial demolition (discretionary)*
- *Demolition (non-complying).*

APPENDIX 2: COMPILATION OF KEY RESULTS OF THE 2018 ASSESSMENT

IDENTIFYING HISTORIC HERITAGE

Key results:

- Only one-third of district plans (21) identify all NZ Heritage List entries in their schedules, down one from the *2015 Assessment*. A further 28% have between one and three NZ Heritage List entries not scheduled
- The overall percentage of NZ Heritage List entries scheduled and protected in plans has increased slightly from 87% to 88% since the *2015 Assessment*
- 96% of Category 1 historic places are included in plan schedules; 16 of the 44 Category 1 places not scheduled are protected by other means
- The number of historical and cultural sites and areas scheduled and protected in plans continues to increase each assessment period, despite the removal of items demolished following the Canterbury earthquake sequence, and is currently just under 14,000. This is an increase of around 750 since the *2015 Assessment*
- Another 8,700 archaeological sites are identified in plans and protected by at least a basic rule.

ASSESSING THE RISKS TO HERITAGE

Key results:

- Since 2006, there have been fewer than six demolitions of NZ Heritage List items per year, other than demolitions resulting from earthquake damage
- Since 2013, redevelopment has been the main reason given for demolishing heritage places, but the reasons for demolition are often a complex mix of deferred maintenance, anticipated earthquake strengthening costs, and development pressure or lack of an economic use for the place
- Houses and homesteads are at the greatest risk of demolition, followed by municipal, commercial and religious buildings.

PROTECTING HERITAGE FROM DEMOLITION AND DESTRUCTION

Key results:

- There is ongoing improvement in the protection of built heritage – now 72% of plans meet Heritage New Zealand standard, up from 67% in the *2015 Assessment*
- All but one of the plans proposed or made operative since the *2015 Assessment* met the demolition standard for built heritage
- There is a small decrease in the number of plans meeting the Heritage New Zealand indicator for Māori heritage – now 23% of plans meet the Heritage New Zealand standard – down from 25% in the *2015 Assessment*
- Seven plans have no rule protecting Māori heritage, the same number as in the *2015 Assessment*.

LOCAL GOVERNMENT INCENTIVES FOR THE CONSERVATION OF HISTORIC HERITAGE

Key results:

- There is an ongoing improvement in the number of plans providing incentives for the conservation of historic heritage
- 38 (59%) plans now provide incentives, up from 31 (49%) in the *2015 Assessment*
- One new plan proposed during the *2018 Assessment* period fails to provide incentives.

PLAN EFFECTIVENESS AND RULES

MONITORING PLAN EFFECTIVENESS

Key results:

- Information on the state of the environment for historical and cultural heritage is limited by lack of systematic surveying and monitoring, even for a relatively well-resourced local authority like Auckland Council
- The only state of the environment report produced during the *2018 Assessment* period that discusses historic heritage was produced by Auckland Council in 2015
- Most recent section 32 reports provided information on heritage plan changes and plan reviews, but only two addressed the protection of significant archaeology.

HISTORIC HERITAGE OBJECTIVES, POLICIES AND STRUCTURE

Key results:

- The recent district plans reviewed generally give effect to the objectives and policies of RPSs, where these are stated clearly
- The effectiveness of some plans is compromised through weak rules, or adequate rules hampered by weak objectives
- Older plans do not take account of the 2003 amendment to the RMA elevating the status of historic heritage to a matter of national importance (RMA, s6).

HERITAGE SCHEDULES

Key results:

- 29 plans do not have adequate assessment criteria for including items on the heritage schedules
- Plans with single heritage schedules with a single set of rules may not give adequate protection to Māori heritage and archaeological sites
- Five plans still have schedules of heritage items not protected by rules
- Recent e-plans have useful links to heritage assessments within the heritage schedules.

REPAIR AND MAINTENANCE

Key results:

- While most recent plans have permitted activity rules for repair and maintenance, many are hampered by inadequate definitions or rule criteria
- Six plans, including one recently proposed plan, have inadequate or unclear repair and maintenance rules
- Few plans have repair and maintenance rules that are relevant to Māori heritage or archaeological sites.

SAFETY ALTERATIONS

Key results:

- Nearly two-thirds of plans still do not make specific provisions to facilitate safety improvements to heritage structures, including three recently proposed plans
- There have been small increases in the number of plans with restricted discretionary or controlled rules for safety modifications.

ADDITIONS AND ALTERATIONS

Key results:

- There are slow improvements in plan provisions to manage the impact of additions and alterations
- 15 plans permit additions and alterations for some classes of heritage, or for interiors, which does not provide an opportunity to consider the effects on heritage values
- Three plans are unclear or have no controls on additions and alterations.

RELOCATION

Key results:

- Twelve of 20 recently proposed or operative plans have a non-complying rule for relocation
- Four plans do not have clear rules on relocation and one plan has a permitted activity rule.

SUBDIVISION

Key results:

- Four recent plans have no specific rules for sites containing historic heritage
- Six older plans have a permitted rule for subdivision for sites containing historic heritage, which does not give adequate protection.

HISTORIC AREAS

Key results:

- Some recent plans make good provisions for heritage areas or precincts
- Older plans do not identify areas, or do not have suitable rules to address risks to heritage areas.

APPENDIX 3: DISCUSSION OF RECOMMENDATIONS FROM THE 2015 ASSESSMENT

Recommendation	Response/Progress
Recommendation 1: For the next review, Heritage New Zealand will collect information on protection afforded to historic heritage through legislation other than the HNZPT Act to provide a fuller picture of protection of New Zealand's historic heritage.	<p>Addressed in section 2.3. A range of protective mechanisms were found including site-specific legislation, reserve status and active management by the Department of Conservation. A few sites are protected as Māori Reserves or are within statutory acknowledgement areas, or itemised in iwi management plans.</p>
Recommendation 2: Heritage New Zealand will work with local authorities to establish why NZ Heritage List entries are not being included in plan schedules and in particular: <ul style="list-style-type: none"> ■ investigate why NZ Heritage List cultural sites are not being identified in plans; and ■ work with councils and owners to improve owner acceptance of scheduling. 	<p>The scheduling of cultural sites is discussed under Recommendation 4.</p> <p>In the 2016/17 financial year, Heritage New Zealand introduced a new KPI addressing advice to owners. Currently this KPI covers conservation advice and advice related to resource consents. Also, Heritage New Zealand staff work with government agencies disposing of heritage assets to encourage Listing and plan scheduling, and with owners submitting in opposition to plan scheduling. Staff also provide archaeological advice to owners.</p>
Recommendation 3: For the next review, Heritage New Zealand will collect information from local authorities on earthquake strengthening of heritage buildings, in particular strengthening work carried out, and demolitions occurring because of the requirement to strengthen heritage buildings.	<p>This recommendation has been overtaken by specific legislation requiring earthquake strengthening within specific timeframes and the establishment of a register of earthquake-prone buildings and their heritage status.</p>
Recommendation 4: Heritage New Zealand will work with local authorities to ensure that Māori heritage is identified in plans and protected through appropriate rules, supported by clear objectives and policies.	<p>Heritage New Zealand has initiated a project to investigate the blocks to scheduling and protecting Māori heritage in regional and district plans. This is an essential first step to being able to advise on designing and gaining acceptance for appropriate plan provisions. This project is ongoing.</p>
Recommendation 5: The next national assessment of RMA plans should investigate whether section 32 reports and other types of review can be used to provide information on the effectiveness of plans.	<p>Discussed in section 8.1. Investigations of section 32 reports produced for recent plan reviews has shown that they do not provide the right type of information for monitoring the effectiveness of the heritage provisions of plans.</p>
Recommendation 6: For the next review, Heritage New Zealand will investigate the linkages between the objectives and policies in RPSs and plans and how these guide and are reflected in district plans.	<p>Discussed in section 8.2. Generally RPS objectives and policies are reflected in plans.</p>
Recommendation 7: Heritage New Zealand will work with councils to facilitate revision of plans to ensure the alterations and additions to all scheduled heritage buildings other than safety modifications (fire protection, earthquake strengthening) are a restricted discretionary activity.	<p>Ongoing – a small increase in the plans with good provisions for additions and alterations.</p>
Recommendation 8: Heritage New Zealand will work with local authorities to ensure that subdivision rules in plans provide adequate protection for historic heritage, particularly archaeology, from inappropriate subdivision.	<p>This is an ongoing activity that is even more critical now that the basis of regulating subdivision has changed, and given that other RMA changes will make having input to council decisions on controlled activities much more difficult.</p>

APPENDIX 4: STATUS OF PLANS AND PLAN CHANGES

Local authority name	Version of plan reviewed
Ashburton District	Plan operative August 2014
Auckland Council	Plan operative in part 16 November 2016, proposed PC 7 and 10
Buller District	Plan operative January 2000 incorporating plan change heritage operative August 2011
Central Hawke's Bay District	Plan operative May 2003
Central Otago District	Plan operative April 2008
Chatham Islands	Plan operative 31 January 2018
Christchurch City	Plan operative 19 December 2017
Clutha District	Plan operative June 1998
Dunedin City	Plan proposed 26 September 2015
Far North District	Plan operative August 2009 incorporating Pahia Mission operative June 2015
Gisborne District	Plan operative December 2009
Gore District	Heritage operative January 2008
Grey District	Plan operative March 2005
Hamilton City	Plan operative 18 October 2017
Hastings District	Proposed plan November 2013
Hauraki District	Plan operative September 2014
Horowhenua District	Plan operative March 2015
Hurunui District	Plan operative 21 June 2018
Hutt City	Heritage chapter operative August 2007
Invercargill City	Plan proposed August 2013
Kaikōura District	Plan operative June 2008
Kaipara District	Plan operative November 2013
Kapiti Coast District	Proposed plan November 2012
Mackenzie District	Plan operative May 2004
Manawātū District	Feilding plan change operative April 2015
Marlborough District	Plan proposed 9 June 2016
Matamata-Piako District	Plan operative July 2005
Napier City	Plan change (including heritage provisions) operative December 2013
Nelson City	Heritage plan change operative August 2010
New Plymouth District	Wāhi tapu and archaeology plan change operative 19 December 2016
Ōpōtiki District	Plan proposed 20 September 2016
Otorohanga District	Plan operative October 2014
Palmerston North City	Heritage plan change proposed March 2014

Local authority name	Version of plan reviewed
Porirua City	Heritage plan change operative March 2014
Queenstown Lakes District	Plan proposed 26 August 2015 (Heritage chapter) and 23 November 2017 (Earthworks chapter)
Rangitikei District	Plan operative October 2013
Rotorua District	Plan operative 10 July 2016
Ruapehu District	Heritage plan change operative December 2014
Selwyn District	Plan operative June 2008
South Taranaki District	Plan proposed 15 August 2015
South Waikato District	Plan operative 1 July 2015
Southland District	Plan operative 22 January 2018
Stratford District	Plan operative February 2014
Tararua District	Plan operative September 2012
Tasman District	Plan change heritage schedule operative 28 November 2015
Taupō District	Plan operative October 2007
Tauranga City	Plan operative September 2013
Thames-Coromandel District	Proposed December 2013
Timaru District	Plan operative March 2005
Upper Hutt City	Plan operative 2004, minor revision March 2011
Waikato District	Plan proposed 18 July 2018
Waimakariri District	Plan operative November 2005
Waimate District	Plan operative February 2014
Waipa District	Plan operative 14 August 2017
Wairarapa Combined Plan (Masterton, Carterton, South Wairarapa)	Plan operative May 2011
Wairoa District	Plan operative June 2005
Waitaki District	Plan change heritage schedule operative June 2013
Waitomo District	Plan operative March 2009
Wellington City	Plan change heritage operative October 2013
Western Bay of Plenty District	Archaeology plan change operative September 2013
Westland District	Plan operative June 2002
Whakatane District	Plan operative 21 June 2017
Whanganui District	Plan change operative 5 September 2016
Whangarei District	Plan change operative 28 September 2016

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