

OFFICER'S REPORT FOR:

Hearing Panel

SUBJECT:

Proposed Waimakariri District Plan:
Taonga o onamata/ Historic Heritage

PREPARED BY:

Bryony Steven, Graduate Planner

REPORT DATED:

21 July 2023

DATE OF HEARING:

Stream 5
21 – 25 August 2023



WAIMAKARIRI
DISTRICT COUNCIL

Executive Summary

1. This report considers submissions received by the District Council in relation to the relevant objective, policies, rules, advice notes, matters of discretion, definitions, schedules, and maps of the Proposed Plan as they apply to the Historic Heritage chapter (HH chapter). The report outlines recommendations in response to the issues that have emerged from these submissions.
2. There were a 103 submission points from 21 original submitters and 49 further submission points from 11 original further submitters addressed within this report. The submissions received were diverse and sought a range of outcomes. The following are considered to be the key issues in contention in the chapter:
 - Requested amendments to the definition of 'Alteration' and Maintenance or repair' and proposed new definitions sought for 'Earthworks within an archaeological site' and 'Recording';
 - Requested amendments to the Introduction to add further detail on archaeological sites, and amendments to provisions to add "archaeological site" and "earthworks within an archaeological site";
 - How the HH chapter links to other relevant chapters and provisions in the PDP;
 - A requested new Strategic Direction to recognise the District's historic heritage;
 - Submissions seeking the addition of "where practicable" and to manage the demolition of category B heritage items in the objective and policies;
 - Clarification of how Council will assist HNZPT and Ngāi Tūāhuriri Rūnanga in HH-P4;
 - Clarification of the relationship between clauses in HH-P6;
 - Amendments seeking provision for infrastructure needs in HH-P7 and HH-R3;
 - A proposed new policy to promote adaptive re-use and a proposed new policy to recognise the values of the District's heritage and landscape;
 - Minor amendments to the wording of HH rule titles to add the words "item" or "any";
 - Proposed amendments to strengthen and improve HH-R1; and
 - Submissions to provide for customer connections and to improve clarity in HH-R3.
 - Submissions seeking items to be added to, deleted from, or amended in HH-SCHED2;
3. This report addresses each of these matters, as well as any other issues raised by submissions.
4. The HH chapter may be subject to a number of consequential amendments arising from submissions to the whole of the Proposed Plan and other chapters.
5. I have recommended some changes to the Proposed Plan provisions to address matters raised in submissions and are summarised below:

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- Amend the introduction to specify “archaeological sites” rather than “sites”, and the addition of a sentence providing more information on archaeological sites under the HNZPTA;
 - Amend the title of HH-P5 from “Adverse effects” to “Manage effects on Historic Heritage”;
 - Amend HH-R1(2) to delete “or” at the end of the clause, and (4) to exempt painting;
 - Amend HH-R3(1) to specify that the rule does not apply to additions to the scheduled building;
 - Minor amendments to the rule titles for HH-R4, HH-R5, HH-R6, HH-R7, HH-R8 and HH-R9;
 - Amend HH-AN4 to replace “should” with “must” and specify “archaeological site” rather than “site”; and
 - Amendments to HH-SCHED2 to delete HH098 from HH-SCHED2, add the former Ohoka Estate lodge (gardener’s residence) as a scheduled item in the Proposed Plan, amend the extent of the setting for HH052 and updated historic heritage record forms for HH093, HH036, HH052.
6. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the Proposed Plan should be amended as set out in **Appendix A** of this report.
7. For the reasons set out in the Section 32AA evaluations included throughout this report, I consider that the proposed objective and provisions, with the recommended amendments, will be the most appropriate means to:
- achieve the purpose of the RMA where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives; and
 - achieve the relevant objectives of the Proposed Plan, in respect to the proposed provisions.

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Interpretation

8. This report utilises a number of abbreviations for brevity as set out in Table 1 and 2 below:

Table 1: Abbreviations

Abbreviation	Means
District Council	Waimakariri District Council / territorial authority
ECan	Environment Canterbury/Canterbury Regional Council
HHRF	Historic Heritage Item Record Form
HNZPTA	Heritage New Zealand Pouhere Taonga Act 2014
HNZPT	Heritage New Zealand Pouhere Taonga
Operative Plan	Operative Waimakariri District Plan
Proposed Plan	Proposed Waimakariri District Plan
NPS	National Planning Standards 2019
RMA	Resource Management Act 1991
RPS	Operative Canterbury Regional Policy Statement
EI	Energy and Infrastructure chapter
EW	Earthworks chapter
HH	Historic Heritage chapter
TRAN	Transport chapter
SASM	Sites and Areas of Significance to Māori chapter
SD	Strategic Directions chapter
SUB	Subdivision chapter

Table 2: Abbreviations of Submitters' Names

Abbreviation	Means
Bellgrove	Bellgrove Rangiora Ltd
Chorus, Spark and Vodafone	Chorus New Zealand Ltd, Spark New Zealand Trading Ltd, and Vodafone New Zealand Ltd / One.NZ
CIAL	Christchurch International Airport Ltd
DoC	Department of Conservation Te Papa Atawhai
ECan	Environment Canterbury / Canterbury Regional Council
Heritage NZ	Heritage New Zealand Pouhere Taonga
KiwiRail	KiwiRail Holdings Limited
Mainpower	Mainpower New Zealand Ltd
RIDL	Rolleston Industrial Developments Limited
Transpower	Transpower New Zealand Ltd
WDC	Waimakariri District Council (including as requiring authority)
WIL	Waimakariri Irrigation Limited

In addition, references to submissions includes further submissions, unless otherwise stated.

1 Introduction

1.1 Purpose

9. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on the Historic Heritage chapter to recommend possible amendments to the Proposed Plan in response to those submissions.
10. This report is prepared under section 42A of the RMA. It considers submissions received by the District Council in relation to the relevant objective, policies, rules, advice notes, matters of discretion, definitions, schedules, and maps as they apply to the HH chapter in the Proposed Plan. The report outlines recommendations in response to the key issues that have emerged from these submissions.
11. This report discusses general issues or topics arising, the original and further submissions received following notification of the Proposed Plan, makes recommendations as to whether or not those submissions should be accepted or rejected, and concludes with a recommendation for changes to the Proposed Plan provisions or maps based on the preceding discussion in the report.
12. The recommendations are informed by the Statement of Evidence provided by Dr Ann McEwan, the memo titled 'Integration between EI Chapters and the rest of the Proposed Plan' by Mr Andrew Maclennan, and the evaluation I have undertaken as the Reporting Officer. In preparing this report I have had regard to recommendations made in the Energy and Infrastructure chapter and recommendations made on SD-O2(1) and (2) in the Strategic Directions S42A Report and in the Strategic Direction right of reply.
13. The HH chapter is subject to an amendment to the Introduction that identifies the chapter as subject to a qualifying matter. HH-SCHED2 is a schedule that lists heritage items. The schedule is proposed as a qualifying matter. These amendments were introduced by Variation 1: Housing Intensification in response to the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. Submissions on HH-SCHED2 as part of the Proposed Plan are addressed within this report. However, any submissions on HH-SCHED2 as a qualifying matter and the explanation within the Introduction will be addressed in the S42A for Variation 1.
14. This report is provided to assist the Hearings Panel in their role as Independent Commissioners. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.

1.2 Author

15. My name is Bryony Annette Steven. My qualifications and experience are set out in **Appendix F** of this report.
16. My role in preparing this report is that of an expert planner.
17. I was not involved in the preparation of the Proposed Plan and did not author the Section 32 Evaluation Report for Historic Heritage. However, I have reviewed this evaluation report in preparing my evidence.

18. Although this is a District Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the 2023 Practice Note issued by the Environment Court. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
19. The scope of my evidence relates to the Historic Heritage chapter and addresses a related submission on Strategic Direction Objective 5. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.
20. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.
21. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

1.3 Supporting Evidence

22. The expert evidence, literature, legal cases or other material which I have used or relied upon in support of the opinions expressed in this report includes the following:
 - Statement of evidence of Dr Ann McEwan, *Principal, Heritage Consultancy Services*; and
 - Memo prepared by Mr Andrew Maclennan on behalf of the Waimakariri District Council and titled '*Integration between EI Chapters and the rest of the Proposed Plan*'.

Note: The memo was prepared to address questions of integration by the Hearings Panel and was tabled at Hearing 4.

1.4 Key Issues in Contention

23. This report addresses 103 submission points from 21 original submitters and 49 further submission points from 11 original further submitters. The submissions received were diverse and sought a range of outcomes; including for example a proposed new definition for 'Earthworks within an archaeological site', a new policy to promote the adaptive re-use of historic heritage, and submissions seeking items to be added to, or deleted from HH-SCHED2-Historic Heritage Items.
24. I consider the following to be the key issues in contention in the chapter:
 - Requested amendments to the definition of 'Alteration' and Maintenance or repair' and proposed new definitions sought for 'Earthworks within an archaeological site' and 'Recording';
 - Requested amendments to the Introduction to add further detail on archaeological sites, and amendments to provisions to add "archaeological site" and "earthworks within an archaeological site";
 - How the HH chapter links to other relevant chapters and provisions in the PDP;
 - A requested new Strategic Direction to recognise the District's historic heritage;

- Submissions seeking the addition of “where practicable” and to manage the demolition of category B heritage items in the objective and policies;
 - Clarification of how Council will assist HNZPT and Ngāi Tūāhuriri Rūnanga in HH-P4;
 - Clarification of the relationship between clauses in HH-P6;
 - Amendments seeking provision for infrastructure needs in HH-P7 and HH-R3;
 - A proposed new policy to promote adaptive re-use and a proposed new policy to recognise the values of the District’s heritage and landscape;
 - Minor amendments to the wording of HH rule titles to add the words “item” or “any”;
 - Proposed amendments to strengthen and improve HH-R1; and
 - Submissions to provide for customer connections and to improve clarity in HH-R3.
 - Submissions seeking items to be added to, deleted from, or amended in HH-SCHED2;
25. I address each of these key issues in this report, as well as any other issues raised by submissions.

1.5 Procedural Matters

26. At the time of writing this report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on this chapter.
27. A further submission was received from PA Dallimore on behalf of Oxford Equity Ltd [FS117]. The further submission supported or opposed the following original submission points addressed within this report:
- Bellgrove Rangiora Ltd [408.14];
 - Concept Services [230.4];
 - Rolleston Industrial Developments Limited [326.210 and 326.218]; and
 - Heritage New Zealand Pouhere Taonga [178.16].
28. I consider the further submission to be seeking changes that are out of scope of what a further submission can seek, as in accordance with clause 8(2) of Schedule 1 of the RMA which states:
- A further submission given under subclause (1) or (1A) must be limited to a matter in support of or in opposition to the relevant submission made under clause 6 or 6A.*
29. In relation to the original submission points addressed within this report, the further submission by Oxford Equity Ltd [FS117] seeks new or additional relief to what the original submissions seek. I consider the issue of scope in this further submission within the relevant sections of this s42A report.
30. Table C 1 in **Appendix C** compares the Oxford Equity Ltd further submission with the original submissions to which it relates. I identify where I consider the further submission is within scope and where I consider the further submission is out of scope.

2 Statutory Considerations

2.1 Resource Management Act 1991

31. The Proposed Plan has been prepared in accordance with the RMA and in particular, the requirements of:

- section 74 Matters to be considered by territorial authority; and
- section 75 Contents of district plans.

32. There are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the Proposed Plan. These documents are discussed in detail within the Section 32 Evaluation Report: Historic Heritage.

2.2 Section 32AA

33. I have undertaken an evaluation of the recommended amendments to provisions since the initial section 32 evaluation was undertaken in accordance with s32AA. Section 32AA states:

32AA Requirements for undertaking and publishing further evaluations

(1) A further evaluation required under this Act—

(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and

(b) must be undertaken in accordance with section 32(1) to (4); and

(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and

(d) must—

(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or

(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.

(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).

34. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to the HH chapter is contained within the assessment of the relief sought in submissions in section 3 of this report, as required by s32AA(1)(d)(ii).

2.3 Trade Competition

35. Trade competition is not considered relevant to the HH chapter provisions of the Proposed Plan.

36. There are no known trade competition issues raised within the submissions.

3 Consideration of Submissions and Further Submissions

3.1 Overview

37. This report responds to a total of 103 submission points from 21 unique submitters. This includes submissions on the HH provisions, five submissions on definitions notified in the Proposed Plan, two new definitions proposed through submissions, one submission point on SD-O5 that is relevant to the matters addressed within this report, and four plan wide submissions by RIDL [326.1, 326.2, and 326.3] and Clampett [284.1].
38. Further submissions were received in support of and in opposition to the original submissions. Some of the further submissions were specific and others were general to the whole submission and did not contain substantive commentary relevant to the original submission points addressed within this report.
39. As outlined in section 1.5 of this report, I consider the further submission by Oxford Equity Ltd [FS117] to be out of scope as it applies to the following original submission points addressed within this report: Bellgrove [408.14], Concept Services [230.4], RIDL [326.210 and 326.218], and Heritage NZ [178.16]. The issue of scope in the Oxford Equity Ltd [FS117] further submission will be discussed alongside the original submission points to which the further submission relates.
40. The provisions that are supported as notified by submissions are not addressed within section 3 of this report and are recommended to be retained as notified in Table B1 in **Appendix B**. These provisions are supported as notified by the following submitters:
- HH-P1 by RIDL [326.208];
 - HH-P2 by RIDL [326.209] and Heritage NZ [178.14];
 - HH-MD1 by Waimakariri Irrigation Limited [210.11], MainPower [249.110], and RIDL [326.225];
 - HH-MD2 by RIDL [326.226];
 - HH-MD3 by RIDL [326.227] and Heritage NZ [178.26];
 - HH-MD4 by RIDL [326.228];
 - HH-MD5 by RIDL [326.229]; and
 - HH-SCHED1 by Heritage NZ [178.27].
41. The HH chapter as notified is supported in general by Waimakariri Irrigation Limited [210.10] and the Rangiora-Ashley Community Board [148.5].
42. The following submissions were received in support, opposition, or seeking amendments to provisions in the HH chapter, and this includes further submissions:
- The definition of 'Alteration' is supported as notified by Heritage NZ [178.1] and an amendment is sought by DoC [419.3]. The definitions of 'Heritage fabric' and 'Heritage setting' are supported as notified by Heritage NZ [178.3 and 178.4]. KiwiRail [373.4] seek an amendment to the definition of 'Maintenance or repair'.

- Heritage NZ [178.2 and 178.5] propose a new definition for 'Earthworks within an archaeological site', and a new definition for 'Recording'.
- Amendments are sought to the Introduction to the chapter by Heritage NZ [178.10, 178.11, 178.12 and 178.13], and Transpower [195.66]. A general submission from MainPower [249.105] is addressed with the Transpower [195.66] submission due to the similarity of the submissions.
- SD-O5 is supported in part by Heritage NZ [178.6] who seek an amendment to provide high level direction for heritage matters. This submission is supported by further submissions from ECan [FS105] and DoC [FS77].
- HH-O1 is supported as notified by MainPower [249.106] and RIDL [326.207]. Concept Services [230.4] seek an amendment and this is opposed in a further submission by Heritage NZ [FS115] and supported in a further submission by Oxford Equity Ltd [FS117].
- HH-P3 is supported as notified by RIDL [326.210]. This submission is opposed in a further submission by Oxford Equity Ltd [FS117].
- HH-P4 is supported as notified by RIDL [326.211], and Heritage NZ [178.15] seek an amendment.
- HH-P5 is supported as notified by RIDL [326.212] and Heritage NZ [178.16]. Heritage NZ [178.16] is opposed in a further submission by Oxford Equity Ltd [FS117]. Concept Services [230.5] seek an amendment and this is opposed in a further submission by Heritage NZ [FS115].
- HH-P6 is supported as notified by RIDL [326.213] and Heritage NZ [178.17]. ECan [316.92] seek clarification of the policy. Two further submissions by Richard and Geoff Spark [FS37] and David Cowley [FS41] oppose the ECan submission, and a further submission from CIAL [FS80] supports the ECan [316.92] submission. These further submissions were made on the entirety of the ECan submission and do not oppose or support the specifics of the ECan [316.92] submission point on HH-P6.
- HH-P7 is supported as notified by Chorus, Spark and Vodafone [62.42], Transpower [195.67], RIDL [326.214] and KiwiRail [373.51]. MainPower [249.107] seek an amendment.
- HH-P8 is supported as notified by RIDL [326.215]. Concept Services [230.6] seek an amendment and is opposed in a further submission by Heritage NZ [FS115].
- Heritage NZ [178.18] and Michael de Hamel [261.2] seek new policies to be added to the chapter.
- HH-R1 is supported as notified by RIDL [326.216]. Heritage NZ [178.19] and Waimakariri District Council [367.22] seek amendments.
- HH-R2 is supported as notified by RIDL [326.217]. Heritage NZ [178.20] seek an amendment.
- HH-R3 is supported as notified by RIDL [326.218]. Chorus, Spark and Vodafone [62.43], Heritage NZ [178.21] and MainPower [249.108] seek amendments. A further submission by Oxford Equity Ltd [FS117] opposes the RIDL [326.218] submission.

- HH-R4 is supported as notified by RIDL [326.219] and Waimakariri District Council [367.52] seek an amendment.
 - HH-R5 is supported as notified by MainPower [249.109] and RIDL [326.220]. Waimakariri District Council [367.53] seek an amendment.
 - HH-R6 is supported as notified by RIDL [326.221]. Waimakariri District Council [367.54] seek an amendment.
 - HH-R7 is supported as notified by RIDL [326.222]. Waimakariri District Council [367.55] seek an amendment.
 - HH-R8 is supported as notified by RIDL [326.223] and Heritage NZ [178.22]. Waimakariri District Council [367.56] seek an amendment.
 - HH-R9 is supported as notified by Heritage NZ [178.23] and RIDL [326.224]. Waimakariri District Council [367.57] seek an amendment.
 - Heritage NZ [178.24] seek an amendment to HH-AN2.
 - Heritage NZ [178.25] seek an amendment to HH-AN4.
 - There were 25 submissions on HH-SCHED2 seeking a variety of outcomes. Ten submitters seek historic heritage items to be added, deleted, or amended on HH-SCHED2. Heritage NZ is the main submitter on HH-SCHED2 and in submission points [178.29-178.33] support the scheduling of several items on HH-SCHED2. Heritage NZ [178.34-178.43] seek several items that are on the Heritage New Zealand Pouhere Taonga (HNZPT) list be scheduled in the Proposed Plan.
 - Further submissions on original submissions on HH-SCHED2 were received from:
 - Oxford Equity Ltd [FS117] and Richard and Geoff Spark [FS37] in support of the Bellgrove [408.14] submission; and
 - Templeton Group [FS81] in opposition to the submissions by Rhonda Mather [95.1] and the Woodend-Sefton Community Board [155.14].
43. The entire submission by RIDL [326] is opposed in a further submission by the Ohoka Residents Association [FS137]. The further submission is noted against every RIDL submission point addressed within this report.
44. An additional four general submission points by Clampett [284.1] and RIDL [326.1, 326.2 and 326.3] seek amendments across the whole of the Proposed Plan and are addressed in this report for how they apply to the HH chapter. The RIDL [326.1, 326.2 and 326.3] submission points received further submissions in opposition from Forest and Bird [FS78], Ohoka Residents Association [FS84], Ohoka Residents Association [FS137]¹, Andrea Marsden [FS119], and Christopher Marsden [FS120].

¹ I advise that the Ohoka Residents Association submitted two further submissions; [FS84] and [FS137]. Further submission 137 was received after the close of further submissions and was accepted by the Hearings Panel Chair.

45. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission(s).
46. There are four notified definitions in the Proposed Plan that are applicable to the HH chapter that are addressed within this report: 'Alteration', 'Heritage fabric', 'Heritage setting', and 'Maintenance or repair'. The definitions of 'Heritage fabric' and 'Heritage setting' are supported as notified by submissions and I therefore recommend the definitions are accepted as notified as shown in **Appendix B**. The definitions of 'Alteration' and 'Maintenance or repair' received submissions seeking amendments and are therefore addressed within this report.

3.1.1 Report Structure

47. Submissions on the HH chapter raised a number of issues which have been assessed based on the provisions to which they relate. I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submission(s) to which they relate.
48. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation on a provisions-based approach, as opposed to a submission by submission approach. I have organised the evaluation in accordance with the layout of the HH chapter in the Proposed Plan as notified.
49. Due to the number of submission points, this evaluation is generic only and may not contain specific recommendations on each submission point, but instead discusses the issues generally. This approach is consistent with Clause 10(2)(a) of Schedule 1 to the RMA. Specific recommendations on each submission / further submission point are contained in **Appendix B**.
50. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. Where I agree with the relief sought and the rationale for that relief, I have noted my agreement, and my recommendation is provided in the summary of submission table in **Appendix B**. Where I have undertaken further evaluation of the relief sought in a submission(s), the evaluation and recommendations are set out in the body of this report. I have provided a marked-up version of the chapter with recommended amendments in response to submissions as **Appendix A**.

3.1.2 Format for Consideration of Submissions

51. For each identified topic, I have considered the submissions that are seeking changes to the Proposed Plan in the following format:
 - Matters raised by submitters;
 - Assessment;
 - Summary of recommendations; and
 - Section 32AA evaluation.
52. The recommended amendments to the HH chapter are set out in **Appendix A** of this report where all text changes are shown in a consolidated manner.
53. I have undertaken s32AA evaluations within section 3 of this report in respect to the recommended amendments in my assessment.

3.2 General Submissions: Whole of HH Chapter

3.2.1 Matters raised by submitters

54. Waimakariri Irrigation Limited (WIL) [210.10] made a general submission point on the whole HH chapter noting WIL's neutrality on the contents of the chapter. WIL seek to retain the chapter as notified "*provided that the operation, maintenance, upgrading and further development of WIL's network is not unnecessarily restricted.*"
55. The Rangiora-Ashley Community Board [148.5] support the HH chapter and considers it is important to protect historic and cultural areas of interest.

3.2.2 Assessment

Waimakariri Irrigation Limited [210.10]

56. I accept WIL's [210.10] general support for the chapter, however I am unable to consider the effect the chapter may have on the private commercial interests of WIL as this could be considered as having regard to trade competition under section 74(3) of the RMA. I consider provisions in the Energy and Infrastructure chapter (EI chapter) will enable the reasonable day to day operations of WIL, for example rule EI-R49 enables as a permitted activity the *maintenance, repair, and upgrade of existing community scale irrigation/stockwater networks*. I recommend the submission by WIL [210.10] be **accepted in part**.

Rangiora-Ashley Community Board [148.5]

57. I concur with the Rangiora-Ashley Community Board [148.5] and recommend their submission is **accepted in part**, subject to recommended amendments made in response to other submissions on the HH chapter.

3.2.3 Summary of recommendations

58. I recommend the submissions by WIL [210.10] and the Rangiora-Ashley Community Board [148.5] be **accepted in part**.
59. I recommend that no change be made to the HH chapter in the Proposed Plan in response to these submissions.

3.3 Proposed Plan Notified Definitions

3.3.1 Definition of 'Alteration'

3.3.1.1 Matters raised by submitters

60. DoC [419.3] support the inclusion of a definition of 'Alteration' but seek the following amendment to the definition:

"in relation to historic heritage, means any modification which impacts on heritage fabric, involving:

- a. permanent modification of, adding of or permanent removal of, heritage fabric which is not decayed or damaged and includes partial demolition of historic heritage;
- b. physical change to the existing surface finish or materials; and
- c. permanent addition of heritage fabric;

but excludes:

- d. maintenance or repair;
- e. heritage investigative and temporary works;
- f. any addition."

61. Heritage NZ [178.1] support the definition of 'Alteration' as notified.

3.3.1.2 Assessment

DoC [419.3] – amend the definition of 'Alteration'

62. The amendment to the definition requested by DoC [419.3] is inaccurate for the definition as clause (c) concerns the addition of any 'fabric' to a heritage item and is not intended to be exclusive to heritage fabric. The permanent addition of any type of 'fabric' (over and above 'heritage fabric') could impact on the heritage fabric of a historic heritage item, and I consider it is therefore appropriate to retain the definition as notified.

63. I recommend the submission by DoC [419.3] to amend the definition of 'Alteration' be **rejected**.

Heritage NZ [178.1] – support the definition of 'Alteration' as notified

64. I concur with the submission by Heritage NZ [178.1] which supports the definition of 'Alteration' as notified. As I recommend no changes are made to the definition, I recommend the submission be **accepted**.

3.3.1.3 Summary of recommendations

65. I recommend the submission by Heritage NZ [178.1] be **accepted**.

66. I recommend the submission by DoC [419.3] be **rejected**.

67. I recommend that no changes be made to the definition of 'Alteration' in the Proposed Plan as a result of these submissions.

3.3.2 Definition of 'Maintenance or repair'

3.3.2.1 Matters raised by submitters

68. KiwiRail [373.4] seek an amendment to the definition of 'Maintenance or repair' as the rail network is critical infrastructure as defined in the plan and therefore the rail network should be included in the definition. KiwiRail seek the definition is amended as follows:

"...in relation to the transport network, the repair, replacement or renewal of the transport network where the works do not alter the character, intensity and scale of the transport network."

3.3.2.2 Assessment

69. KiwiRail [373.4] seek the definition of 'Maintenance or repair' be amended to include the transport network. The definition has been specifically drafted for the HH chapter in the Proposed Plan to provide for the unique maintenance or repair needs of scheduled historic heritage items. The definition is only used in the HH chapter, and I consider the amendment could lead to confusion for readers of the District Plan as to why the transport network is included within a definition specific to historic heritage.

70. Additionally, the Transport chapter (TRAN chapter) provides specific rules for the maintenance, upgrading, replacement and renewal of transport infrastructure. I therefore consider the amendment is unnecessary and I recommend the KiwiRail [373.4] submission be **rejected**.

3.3.2.3 Summary of recommendations

71. I recommend the submission by KiwiRail [373.4] be **rejected**.
72. I recommend that no changes be made to the definition of 'Maintenance or repair' in the Proposed Plan as a result of the submission.

3.4 Proposed New Definitions

3.4.1 Proposed definition of 'Earthworks within an archaeological site'

3.4.1.1 Matters raised by submitters

73. Heritage NZ [178.2] seek the addition of a new definition of 'Earthworks within an archaeological site' as the NPS definition of 'Earthworks' used in the PDP is too narrow when referring to archaeology as "*the HNZPTA 2014 refers to any 'activity that will or may modify or destroy'*". The requested definition is as follows:

"Earthworks within an archaeological site:

means the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); and includes gardening, cultivation, and disturbance of land for the installation of fence posts."

3.4.1.2 Assessment

74. Heritage NZ [178.2] seek the addition of a new definition of 'Earthworks within an archaeological site'. The HH chapter currently uses the NPS definition of 'Earthworks' when reference is made to earthworks within an archaeological site. The NPS definition of 'Earthworks' excludes "*gardening, cultivation, and disturbance of land for the installation of fence posts.*"
75. There are no rules within the HH or Earthworks (EW) chapters to manage archaeological sites as archaeological sites are managed under the Heritage New Zealand Pouhere Taonga Act 2014 ('HNZPTA'). Reference to archaeological sites is made within the policies, matters of discretion and advice notes across the HH, EW and Sites and Areas of Significance to Māori (SASM) chapters. I note that SASM-SCHED1 may include archaeological sites and therefore the rules in the SASM chapter managing earthworks may be applicable.
76. Additionally, I consider that the proposed definition would restrict the practical everyday use of land that is an archaeological site under the HNZPTA definition of archaeological site². For

² Section 6, HNZPTA 2014.

archaeological site means, subject to section 42(3),—

(a) any place in New Zealand, including any building or structure (or part of a building or structure), that—

example, Heritage NZ [178.24] submitted on HH-AN2 seeking the proposed definition apply within the advice note. The implication of adopting the definition in HH-AN2 would mean that any owner of a property associated with human activity pre-1900 who wanted to dig over their vegetable garden or plant a tree would need to obtain an archaeological authority from HNZPT to do so. I consider this would be an undue burden to owners of such properties and it is not justified within the HNZPTA.

77. I recognise that the HNZPTA refers to any “*activity that will or may modify or destroy*”, however there is no direction within the HNZPTA to include the proposed definition.
78. I consider the proposed definition of ‘Earthworks within an archaeological site’ will not support the implementation of provisions in the HH chapter and I consider the definition will unfairly restrict the typical and limited earthworks that owners of pre-1900 properties are able to undertake without the need for an archaeological authority. I recommend the Heritage NZ [178.2] submission be **rejected**.

3.4.1.3 Summary of recommendations

79. I recommend the submission by Heritage NZ [178.2] be **rejected**.
80. I recommend that no changes be made to the HH chapter in the Proposed Plan as a result of the submission.

3.4.2 Proposed definition of ‘Recording’

3.4.2.1 Matters raised by submitters

81. Heritage NZ [178.5] seek the following new definition for ‘Recording’ as Heritage NZ “*consider that many people may not understand what the recording of heritage fabric means or entails*”:

“Recording:

In relation to historic heritage means the capture of information about physical fabric and related aspects of a building or structure. It will generally involve the creation of drawn, written and photographic records, and may also include the collection of samples and loose artefacts. Recording should be both descriptive and analytical, encompassing interpretation of what is being recorded.”

3.4.2.2 Assessment

82. Heritage NZ [178.5] seek a new definition for ‘Recording’ and in their submission on HH-R2 [178.20], seek this definition is linked to the use of the word “recorded”. The term ‘recorded’ has been used in the Introduction, HH-P4, HH-R2 and HH-MD5. The proposed definition is most applicable to the use of the term in HH-R2 *Heritage investigative and temporary works of any historic heritage item listed in HH-SCHED2* which states:

-
- (i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and
- (ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and
- (b) includes a site for which a declaration is made under section 43(1)

"3. any removed heritage fabric (excluding core drilling samples) shall be recorded and stored; and

4. the activity is undertaken in accordance with the design and/or supervision of a heritage professional or architect suitably qualified in heritage investigative and temporary works."

83. The requirement in HH-R2(4) means the recording of removed heritage fabric is to be done under the supervision and / or the design of a suitably qualified heritage professional or architect. It is reasonable to expect that such a professional would understand how to record heritage fabric and would be responsible for doing so.
84. 'Record' also occurs in HH-MD5 which specifically refers to "photographic recording". I consider this is easily understood and does not require a definition to support its implementation.
85. I therefore consider the proposed definition is unnecessary and would not aid in the interpretation and implementation of the Proposed Plan. I recommend the Heritage NZ [178.5] submission be **rejected**.

3.4.2.3 Summary of recommendations

86. I recommend the submission by Heritage NZ [178.5] be **rejected**.
87. I recommend that no changes be made to the HH chapter in the Proposed Plan as a result of the submission.

3.5 Introduction

3.5.1 Matters raised by submitters

88. Heritage NZ [178.10] seek greater detail be provided in the Introduction to the HH chapter regarding archaeological sites and propose the following amendment:

"Statutory responsibility is also held by HNZPT under the HNZPTA. It is unlawful to destroy, damage or modify an archaeological site regardless of whether the site is identified in the District Plan, identified elsewhere or not recorded, without obtaining an archaeological authority from HNZPT. This is also the case regardless of whether the activity is permitted under the District Plan or a resource or building consent has been granted.

An archaeological site is defined in the Heritage New Zealand Pouhere Taonga Act 2014 as any place in New Zealand (including buildings, structures, or shipwrecks) that was associated with pre-1900 human activity, where there is evidence relating to the history of New Zealand that can be investigated using archaeological methods."

89. Heritage NZ [178.11] state that where an archaeological site is referred to as 'site', the definition of 'site' links to the NPS definition for site³. Heritage NZ state this is incorrect in

³ National Planning Standards definition of 'site' (for district plans and the district plan component of combined plans) means:

(a) an area of land comprised in a single record of title under the Land Transfer Act 2017; or
(b) an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or

relation to archaeological sites and could be misleading and recommend the full term 'archaeological site' is always used.

90. Heritage NZ [178.12] state that when earthworks are referred to in the Introduction, the NPS definition is provided which is incorrect in relation to archaeology as it is too narrow. Heritage NZ state that *"the HNZPTA 2014 refers to any 'activity that will or may modify or destroy'"*. Heritage NZ seek that the 'Other potentially relevant District Plan provisions' section in the Introduction is amended to read:
- "Earthworks: addresses earthworks within an archaeological site, in relation to historic heritage and any heritage setting."
91. Heritage NZ [178.13] request the 'Other potentially relevant District Plan provisions' section in the Introduction be amended to read:
- "Any other District wide matter that may affect or relate to the ~~site~~ historic heritage."
92. Transpower [195.66] requests the 'Other potentially relevant District Plan provisions' section in the Introduction be amended to clearly identify relevant infrastructure provisions throughout the Proposed Plan.
93. MainPower [249.105] made a general submission on the HH chapter similar to the Transpower [195.66] submission and I have therefore addressed this alongside the Transpower submission.
94. MainPower [249.105] *"seeks that all relevant historic heritage provisions applicable to the activities of network utility operators be appropriately hyperlinked from the EI Chapter back to the historic heritage chapter."* MainPower consider that this will ensure *"plan users can navigate to the relevant parts of the historic heritage chapter with ease."*

3.5.2 Assessment

Heritage NZ [178.10] – Amend the Introduction

95. Heritage NZ seek greater detail be added to the Introduction to the HH chapter regarding archaeological sites. I consider the amendment sought would provide greater clarity to users of the plan, supporting the interpretation and implementation of the HH provisions.
96. I consider the following part of the Heritage NZ submission [178.10] should be accepted: "This is also the case regardless of whether the activity is permitted under the District Plan or a resource or building consent has been granted."
97. However, I consider the part of the submission seeking to add the HNZPTA definition of archaeological site to the Introduction is unnecessary as the definition of archaeological site is hyperlinked from the term 'archaeological site' wherever it is used in the chapter.
98. I recommend the Heritage NZ [178.10] submission be **accepted in part**.

(c) the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title under the Land Transfer Act 2017 could be issued without further consent of the Council; or
(d) despite paragraphs (a) to (c), in the case of land subdivided under the Unit Titles Act 1972 or the Unit Titles Act 2010 or a cross lease system, is the whole of the land subject to the unit development or cross lease.

Heritage NZ [178.11] - Archaeological site

99. I agree with Heritage NZ [178.11] that where an archaeological site is referred to, the term 'archaeological site' should be used rather than 'site'. I consider this is more accurate and will improve plan interpretation. The sentences I consider this amendment is necessary are in the Introduction (fourth line) and in HH-AN4.
100. I recommend the HH chapter is amended as follows:

"Introduction:

Statutory responsibility is also held by HNZPT under the HNZPTA. It is unlawful to destroy, damage or modify an archaeological site regardless of whether the archaeological site is identified in the District Plan, identified elsewhere or not recorded, without obtaining an archaeological authority from HNZPT."

"HH-AN4

If an archaeological site is discovered, for example when conducting earthworks, work that could affect the archaeological site should be stopped and contact made with HNZPT for advice."

101. I recommend the Heritage NZ [178.11] submission be **accepted**.

Heritage NZ [178.12] - Earthworks within an archaeological site

102. Heritage NZ [178.12] seek amendment to the 'Other potentially relevant District Plan provisions' section in the Introduction of the HH chapter to state: "*Earthworks: addresses earthworks within an archaeological site, in relation to historic heritage and any heritage setting*.'" This submission relates to the Heritage NZ submission [178.2] seeking a new definition of 'Earthworks within an archaeological site'. This submission is addressed above in section 3.4.1 and I have recommended to reject the proposed definition.
103. The sentence to which the proposed definition relates refers to earthworks in relation to historic heritage and heritage settings. In the context of the District Plan, historic heritage, heritage settings, and archaeological sites are not necessarily the same thing, and I consider the amendment as proposed does not recognise this. However, I do consider an amendment to specify that the EW chapter includes provisions for archaeological sites will support the understanding of the relationship between the chapters.
104. I recommend the 'Other potentially relevant District Plan provisions' section is amended to state:
- "Earthworks: addresses earthworks within archaeological sites and in relation to historic heritage and any heritage setting".
105. I consider this amendment clarifies the distinction between archaeological sites, historic heritage, and heritage settings and gives effect to the intent of the Heritage NZ submission. To clarify, the recommended amendment does not propose to accept the definition of 'Earthworks with an archaeological site' as discussed in section 3.4.1 above.
106. I recommend the Heritage NZ [178.12] submission be **accepted in part**.

Heritage NZ [178.13] - Other District Plan provisions

107. Heritage NZ [178.13] seek the 'Other potentially relevant District Plan provisions' section in the Introduction is amended to read: "*Any other District wide matter that may affect or relate to the site historic heritage.*" I do not consider the amendment is correct as this sentence is used as a 'link' for other District-wide chapters. Use of the word 'site' ensures that any other activity that occurs on the site considers the provisions in the HH chapter.
108. I recommend the Heritage NZ [178.13] submission be **rejected**.

Transpower [195.66] - Other District Plan provisions

109. Transpower [195.66] seek to amend the 'Other potentially relevant District Plan provisions' section in the Introduction to "*set out the provisions that apply to infrastructure*". Mainpower [249.105] similarly seek hyperlinks between the EI chapter and relevant HH provisions. I consider the submissions by Transpower and MainPower are seeking cross-references between the HH chapter and the EI chapter, consequently I will refer to cross-references when addressing the submission points.
110. As was signalled in the memo '*Integration between EI Chapters and the rest of the Proposed Plan*' by Mr Andrew MacLennan, the Energy and Infrastructure s42A report will recommend that except where specified, rules in the HH chapter will not apply to the EI chapter. The HH rules that are recommended to continue to apply to the EI chapter are HH-R4, HH-R6, HH-R7, HH-R8 and HH-R9 which concern the relocation and demolition of scheduled historic heritage items.
111. Mr MacLennan recommends cross-referencing between the EI and HH chapters where necessary to ensure this approach is clearly stated within the relevant chapters.
112. I therefore consider the relief requested to the HH chapter by Transpower [195.66] and MainPower [249.105] will be provided for through the recommendations on the EI chapter s42A Report, as signalled in the memo by Mr MacLennan.
113. I recommend the submissions by Transpower [195.66] and MainPower [249.105] on the HH chapter be **rejected**. I note that their relief sought will be provided for through the recommended amendments in the EI s42A Report, and I do not recommend any changes to the chapter in response to their submissions on the HH chapter.

3.5.3 Summary of recommendations

114. I recommend the submission by Heritage NZ [178.11] be **accepted**.
115. I recommend the submission by Heritage NZ [178.10 and 178.12] be **accepted in part**.
116. I recommend the submissions by Heritage NZ [178.13], Transpower [195.66], and MainPower [249.105] be **rejected**.
117. I recommend the following amendments are made to the HH chapter (additions shown in underline and deletions in ~~striketrough~~) and in **Appendix A**:
- Introduction: Statutory responsibility is also held by HNZPT under the HNZPTA. It is unlawful to destroy, damage or modify an archaeological site regardless of whether the archaeologica site is identified in the District Plan, identified elsewhere or not recorded, without obtaining an archaeological authority from HNZPT. This is also the case

regardless of whether the activity is permitted under the District Plan or a resource or building consent has been granted.

- Other potentially relevant District Plan provisions: "Earthworks: addresses earthworks within archaeological sites and in relation to historic heritage and any heritage setting".
- HH-AN4: If an archaeological site is discovered, for example when conducting earthworks, work that could affect the archaeological site should be stopped and contact made with HNZPT for advice.

3.5.4 Section 32AA evaluation

118. In my opinion, the amendments to the Introduction, to the 'Other potentially relevant District Plan provisions', and to HH-AN4 in the HH chapter are more appropriate in achieving the objectives of the Proposed Plan than the notified provisions. In particular, I consider that:

- The amendments will provide more information on the public's obligations in regard to archaeological sites. The amendments also specify 'archaeological sites' rather than 'sites' where necessary which I consider will improve plan interpretation and implementation by limiting consent requirements to sites likely to be affected. Consequently, the amendments are more efficient and effective than the notified provisions in achieving the objectives of the Proposed Plan.
- The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.6 Strategic Direction objectives

3.6.1 Matters raised by submitters

119. Heritage NZ [178.6] support SD-O5 as it relates to Ngāi Tahu mana whenua/Te Ngāi Tūāhuriri Rūnanga. They *"note that the proposed Strategic directions do not include any objectives which promote the identification, recognition and protection of places, landscapes, and features which are significant to Waimakariri's wider character"*.

Further submissions

120. ECan [FS105] support the Heritage NZ [178.6] submission stating *"that high level direction is required for the identification and recognition of places, landscapes, and features which are significant to Waimakariri's character and cultural heritage"*. ECan state that the requested amendment by Heritage NZ is consistent with objectives and policies in the Canterbury Regional Policy Statement (RPS).

121. DoC [FS77] support the Heritage NZ [178.6] submission as *"it is important to promote the preservation of character and cultural heritage"*.

3.6.2 Assessment

122. The Strategic Directions chapter (SD chapter) was drafted to provide the District with strategic direction on those matters that relate to the District as a whole or relate to a number of zones or chapters and that are of strategic importance. Consequently, numerous specific matters of national and District importance are not provided for in a strategic direction objective. In the

drafting of the Proposed Plan, the s32 for Strategic Directions notes that the intention was for there to be no hierarchy between the SD objectives and the other objectives and policies across the plan. Under this approach, I do not consider a SD objective specifically for historic heritage is necessary as the objectives and policies in the HH chapter and other related chapters have equal status with the SD objectives.

123. However, I note that MainPower [249.197] have submitted on the SD chapter requesting that the SD chapter have primacy over the other objectives and policies in the Proposed Plan. I understand from the Council Right of Reply on Strategic Directions to the Hearing Panel that this remains the Council position, and I agree with that position with respect to the HH chapter.
124. If MainPower's submission [249.197] is accepted by the Panel and the strategic directions are amended to have primacy over the other objectives and policies in the Proposed Plan, then I consider a SD objective for historic heritage and cultural matters (including Sites and Areas of Significance to Māori), will be necessary to ensure consistency with Part 2 of the RMA. I note that if MainPower's proposed approach is adopted then new strategic directions for various other chapters will need to be proposed.
125. I recommend the Heritage NZ [178.6] submission be **rejected**.

3.6.3 Summary of recommendations

126. I recommend the submission by Heritage NZ [178.6] be **rejected**.
127. I recommend the further submissions by ECan [FS105] and DoC [FS77] as they relate to the Heritage NZ [178.6] submission point be **rejected**.
128. I recommend that no changes be made to the Strategic Directions chapter in the Proposed Plan as a result of the submission.

3.7 Objectives

3.7.1 HH-O1 Contribution to the District

3.7.1.1 Matters raised by submitters

129. Concept Services [230.4] seek an amendment to HH-O1 to read:
- “HH-O1 Historic heritage and its overall contribution to the identity of the District is recognised, and it is protected and maintained where practicable.”
130. Concept Services state that “*the rules pertaining to relocation are consistent with Policy HH-P6. The requested amendments to Objective HH-O1 ensure that the HH rules and Policy HH-P6 are consistent with Objective HH-O1.*”
131. MainPower [249.106] and RIDL [326.207] support HH-O1 as notified.

Further submissions

132. Heritage NZ [FS115] opposes the Concept Services [230.4] submission point as Heritage NZ *“considers the addition of the words ‘where practicable’ would weaken this objective significantly and raises the question of how ‘where practicable’ is assessed.”*
133. Oxford Equity Ltd [FS117] support the Concept Services submission [230.4] that HH-O1 be amended, and seeks additional amendments to HH-O1 to read:
134. *“Historic heritage and its overall contribution to the identity of the District is recognised, and where appropriate protected and maintained and otherwise manages significant adverse effects on historic heritage.”*
135. The Ohoka Residents Association [FS137] opposes the RIDL [326.207] submission point.

3.7.1.2 Assessment*Concept Services [230.4] – Amend HH-O1*

136. The submission by Concept Services [230.4] seeks to amend HH-O1 to add *“where practicable”* to *“ensure that the HH rules and Policy HH-P6 are consistent with Objective HH-O1.”* I consider the requested amendment to add *“where practicable”* to HH-O1 is contrary to the direction in section 6(f) of the RMA that requires the Council to recognise and provide for *“the protection of historic heritage from inappropriate subdivision, use, and development”*. The amendment is also contrary to objective 13.2.1 and policy 13.3.1 in the RPS.
137. Additionally, the appropriate test is to consider whether the objective gives effect to the RMA and the RPS and then consider whether the policies and rules give effect to the objective. The Concept Services submission suggests that the policies and rules should lead the objective which is incorrect.
138. As highlighted in the further submission by Heritage NZ [FS115], the proposed amendment *“would weaken this objective significantly and raises the question of how ‘where practicable’ is assessed.”*
139. I sought expert advice from Dr McEwan on how the requested amendment may affect the protection of historic heritage in the District. In her Statement of Evidence, Dr McEwan advises that *“inserting the requested phrase into HH-O1 will not, in my opinion, satisfy the meaning and intent of RMA s6(f), nor will it give effect to the Regional Policy Statement (see CRPS Chapter 13)⁴”*.
140. Dr McEwan recommends the submission be rejected as *“it is best practice for Objectives and Policies to closely follow the meaning and intent of RMA s6(f)”⁵*. I concur with Dr McEwan's assessment and recommendation, and the further submission by Heritage NZ [FS115], and recommend the submission by Concept Services [230.4] be **rejected**.

⁴ Dr Ann McEwan Statement of Evidence para 17.

⁵ Dr Ann McEwan Statement of Evidence para 19.

Oxford Equity Ltd [FS117] further submission

141. The further submission by Oxford Equity Ltd [FS117] supports the Concept Services [230.4] submission insofar as the original submission seeks amendments to HH-O1. However, as was stated in section 1.5 of this report, I consider the further submission is out of scope due to the new amendments that are sought to HH-O1.
142. A further submission can only support or oppose an original submission, including the reasons as to why the further submission is in support or opposition. I am therefore only able to consider the further submission's support for the Concept Services [230.4] original submission and I have not considered the amendments sought to HH-O1 in the further submission.

MainPower [249.106] and RIDL [326.207] – Retain as notified.

143. I concur with the submissions by MainPower and RIDL who support HH-O1 as notified. As I recommend no changes be made to HH-O1, I recommend the MainPower [249.106] and RIDL [326.207] submissions be **accepted**.

3.7.1.3 Summary of recommendations

144. I recommend that the submissions by MainPower [249.106] and RIDL [326.207] be **accepted**.
145. I recommend the submission by Concept Services [230.4] be **rejected**.
146. I recommend the further submission by Heritage NZ [FS115] as it relates to the Concept Services [230.4] submission be **accepted**.
147. I recommend the further submissions by the Ohoka Residents Association [FS137] as it relates to the RIDL [326.207] submission, and Oxford Equity Ltd [FS117] as it relates to the Concept Services [230.4] submission be **rejected**.
148. I recommend that no change be made to HH-O1 in the Proposed Plan in response to these submissions.

3.8 Policies**3.8.1 HH-P3 Heritage settings****3.8.1.1 Matters raised by submitters**

149. RIDL [326.210] support HH-P3 as notified.

Further submissions

150. The Ohoka Residents Association [FS137] oppose the RIDL [326.210] submission point.
151. Oxford Equity Ltd [FS117] oppose the RIDL [326.210] submission point and request HH-P3 be amended as follows:

“Recognise and where appropriate maintain the relationship of historic heritage and any associated heritage setting for historic heritage listed in HH-SCHED2 within the context of considering the benefits and needs for subdivision, use and development within the locality of the listing.”

3.8.1.2 Assessment

152. I concur with the submission by RIDL [326.210] which supports HH-P3 as notified. I recommend no changes are made to HH-P3, and I therefore recommend the RIDL [326.210] submission is **accepted**.

Issue of scope in Oxford Equity Ltd [FS117] further submission

153. The RIDL submission is opposed in a further submission by the Ohoka Residents Association [FS137] and Oxford Equity Ltd [FS117].
154. As indicated in section 1.5 of this report, I consider the decision sought in the further submission by Oxford Equity Ltd [FS117] to be out of scope of what a further submission can seek. As previously stated, a further submission can only support or oppose an original submission. The further submission by Oxford Equity Ltd [FS117] seeks considerable new changes to the policy that were not sought in the original submission and I consider is therefore out of scope of what a further submission can seek.
155. I am therefore only able to consider Oxford Equity Ltd's [FS117] opposition to the RIDL [326.210] original submission and I have not considered the amendments sought to HH-P3 within the further submission.

3.8.1.3 Summary of recommendations

156. I recommend the submission by RIDL [326.210] be **accepted**.
157. I recommend the further submissions by the Ohoka Residents Association [FS137] and Oxford Equity Ltd [FS117] as they relate to the RIDL [326.210] submission point be **rejected**.
158. I recommend that no change be made to HH-P3 in the Proposed Plan in response to these submissions.

3.8.2 Policy HH-P4 Archaeological sites

3.8.2.1 Matters raised by submitters

159. Heritage NZ [178.15] support the principle of HH-P4 but "*suggests identifying how Council intends to assist HNZPT and Ngāi Tūāhuriri Rūnanga in managing activities that may modify, disturb, damage or destroy archaeological sites*".
160. HH-P4 is supported as notified by RIDL [326.211]

Further submissions

161. The Ohoka Residents Association [FS137] oppose the RIDL [326.211] submission point.

3.8.2.2 Assessment

Heritage NZ [178.15] – Amend HH-P4

162. The Proposed Plan gives effect to HH-P4 *Archaeological sites* through provisions across the plan including in the SASM, EW and Subdivision (SUB) chapters. There are several policies across different chapters in the Proposed Plan that assist Te Ngāi Tūāhuriri Rūnanga and HNZPT in the protection of archaeological sites. Some of these cross plan provisions include the following:

- SASM-P6 *Archaeological sites* states: “Through the identification of sites and areas of cultural significance to Ngāi Tūāhuriri, assist Te Ngāi Tūāhuriri Rūnanga and HNZPT to protect identified and any unmarked or unrecorded archaeological sites from modification, disturbance, damage and destruction.”
 - SASM-P8 *Engagement with rūnanga* establishes the expectation for engagement with Rūnanga for activities that have the potential to adversely affect identified sites or areas of cultural significance to Ngāi Tūāhuriri. Additionally, SASM-SCHED1 schedules sites and areas of significance to Māori that may include archaeological sites.
 - SUB-P1 *Design and amenity* that enables subdivision that: (4)“recognises and provides for the expression of cultural values of mana whenua and their connections in subdivision design”.
 - EW-P3 *Archaeological sites, and sites and areas of significance to Māori* which states:

Earthworks avoid, remedy or mitigate adverse effects on archaeological sites and sites and areas of significance to Māori, by having regard to:

 1. *the particular cultural or historical values of the site and the extent to which these values may be affected;*
 2. *any consultation with mana whenua, in particular any identified mitigation measures or the incorporation of mātauranga Māori into the scale and extent of the earthworks; and*
 3. *any consultation with HNZPT.*
163. As stated in section 2.5.2 in the S32 Report for Historic Heritage, the HNZPTA “provides explicit protection for archaeological sites, whether listed or unlisted, from modification and destruction.” HH-P4 aligns with the HNZPT authority for the protection of archaeological sites under the HNZPTA and the provisions in the Proposed Plan support this function. Whilst the HH chapter does not schedule archaeological sites, the SASM chapter does schedule sites and areas of significance to Māori that may include archaeological sites.
164. I recommend the submission by Heritage NZ [178.15] is **accepted in part** as I accept their general support for the policy and reject their proposed amendment to HH-P4.
- RIDL [326.11] - Retain as notified*
165. I concur with the submission by RIDL which supports HH-P4 as notified. As I recommend no changes are made to HH-P4, I recommend the RIDL [326.211] submission be **accepted**.
- 3.8.2.3 Summary of recommendations**
166. I recommend the submission by RIDL [326.211] be **accepted**.
167. I recommend the submission by Heritage NZ [178.15] be **accepted in part**.
168. I recommend the further submission by the Ohoka Residents Association [FS137] as it relates to the RIDL [326.211] submission be **rejected**.
169. I recommend that no change be made to HH-P4 in the Proposed Plan in response to these submissions.

3.8.3 HH-P5 Adverse effects**3.8.3.1 Matters raised by submitters**

170. Heritage NZ [178.16] and RIDL [326.212] support HH-P5 as notified.
171. Concept Services [230.5] seek an amendment to HH-P5(3) to read:
“protects, where practicable, identified heritage values from inappropriate...”
172. Concept Services state that the amendment “*will ensure that Policy HH-P5 is consistent with Policy HH-P6 where it is acknowledged that in certain circumstances there may be appropriate alternatives to historic heritage remaining on site. It will also ensure that the Rules are consistent with the policies including Policy HH-P5.*”

Further submissions

173. The Ohoka Residents Association [FS137] oppose the RIDL [326.212] submission point.
174. Heritage NZ [FS115] oppose the Concept Services [230.5] submission point as Heritage NZ consider “*the addition of the words ‘where practicable’ would weaken this policy significantly and raises the question of how ‘where practicable’ is assessed*”.
175. Oxford Equity Ltd [FS117] oppose the Heritage NZ [178.16] submission that HH-P5 be retained as notified. Oxford Equity Ltd seek HH-P5 is amended to state:

“Significant Adverse effects

Manage the significant adverse effects of subdivision, use and development on historic heritage and heritage settings, listed in HH-SCHED2, in a way that:

1.provides for ongoing use and re-use via subdivision and development that is sensitive to identified heritage values”.

176. I note that the tracked changes to HH-P5 in the decision sought in the further submission does not accurately reflect the changes made to HH-P5 in paragraph 20 of the further submission.

3.8.3.2 Assessment

177. The Concept Services [230.5] submission relates to their similar submission on HH-O1 [230.4] discussed above in section 3.7.1. The District Plan is required to give effect to s6(f) of the RMA to protect “*historic heritage from inappropriate subdivision, use, and development*”. I consider the proposed amendment would fail to give effect to the ‘protect’ requirement of s6(f) of the RMA by weakening the policy to consider issues of practicality in applications involving scheduled historic heritage items.
178. The further submission by Heritage NZ [FS115] opposes the proposed amendment as it “*would weaken this policy significantly*” and I concur with this view.
179. The Statement of Evidence prepared by Dr McEwan reiterates the inappropriateness of the proposed amendment within the context of s6(f) of the RMA. Dr McEwan advises that “*given that the phrasing of HH-P5(3) closely follows the wording of RMA s6(f) I also considered*

inappropriate to insert the requested phrase here".⁶ Dr McEwan recommends the Concept Services submission be rejected "on the grounds that it is best practice for Objectives and Policies to closely follow the meaning and intent of RMA s6(f)".⁷

180. Further, Concept Services have not provided any explanation as to why they consider there is inconsistency between HH-P5 and HH-P6. I consider HH-P5 and HH-P6 are consistent and give effect to HH-O1.

181. It is my view, informed by the evidence of Dr McEwan and the information in the further submission by Heritage NZ [FS115], that the submission from Concept Services [230.5] be **rejected**.

Heritage NZ [178.16] and RIDL [326.212] – Retain as notified

182. I concur with the submissions by Heritage NZ [178.16] and RIDL [326.212] who support HH-P5 as notified. I recommend an amendment to the title of HH-P5 in section 3.9.1 in response to the submission by Heritage NZ [178.18]. As a consequence, I recommend the submissions by Heritage NZ [178.16] and RIDL [326.212] be **accepted in part**.

183. As discussed in section 1.5, I consider the further submission by Oxford Equity Ltd [FS117] is out of scope of what a further submission can seek. The original submission by Heritage NZ [178.16] supports HH-P5 as notified and does not seek any amendments to the policy. Whereas the further submission seeks HH-P5 is amended as set out above. I have considered the further submission's opposition to the Heritage NZ [178.16] original submission, however, I have not considered the amendment sought in the further submission as I consider this is out of scope.

3.8.3.3 Summary of recommendations

184. I recommend the submissions by Heritage NZ [178.16] and RIDL [326.212] be **accepted in part**.

185. I recommend the submission by Concept Services [230.5] be **rejected**.

186. I recommend the further submission by Heritage NZ [FS115] as it relates to the Concept Services [230.5] submission be **accepted**.

187. I recommend the further submissions by the Ohoka Residents Association [FS137] as it relates to the RIDL [326.212] submission and Oxford Equity Ltd [FS117] (noting the issue of scope discussed above) as it relates to the Heritage NZ [178.16] submission be **rejected in part**.

188. I recommend that no change be made to HH-P5 in the Proposed Plan in response to these submission points. However, I do recommend a change to HH-P5 in response to the Heritage NZ [178.18] submission point and this is addressed in section 3.9.1 below.

⁶ Dr Ann McEwan Statement of Evidence para 17.

⁷ Dr Ann McEwan Statement of Evidence para 19.

3.8.4 Policy HH-P6 Relocation of significant and highly significant historic heritage

3.8.4.1 Matters raised by submitters

189. ECan [316.92] seek the relationship between HH-P6(1) and HH-P6(3) regarding Category A and Category B historic heritage items is clarified.

190. Heritage NZ [178.17] and RIDL [326.213] support HH-P6 as notified.

Further submissions

191. Richard and Geoff Spark [FS37] and David Cowley [FS41] oppose the ECan [316.92] submission point.

192. CIAL [FS80] support the ECan [316.92] submission point.

193. The Ohoka Residents Association [FS137] oppose the RIDL [326.213] submission point.

3.8.4.2 Assessment

ECan [316.92] – Clarify the relationship between HH-P6(1) and HH-P6(3)

194. I consider ECan [316.92] have misinterpreted HH-P6 as clause (1) provides for the relocation of 'Significant' historic heritage (Category B) items beyond its existing site/ setting where clauses (a) through to (d) are met, and clause (3) avoids the relocation of 'Highly Significant' historic heritage (Category A) items beyond its existing site/ setting. I consider the distinction between 'Significant' and 'Highly Significant' historic heritage items in HH-P6 is clear.

195. The further submissions on the ECan [316.92] submission by CIAL [FS80], Richard and Geoff Spark [FS37], and David Cowley [FS41] do not relate specifically to the ECan [316.92] submission on HH-P6 and I therefore have not considered the content of these further submissions.

Heritage NZ [178.17] and RIDL [326.213] – Retain as notified

196. I concur with the submissions by Heritage NZ [178.17] and RIDL [326.213] who support HH-P6 as notified. As I recommend no changes are made to HH-P6, I recommend the Heritage NZ [178.17] and RIDL [326.213] submissions be **accepted**.

3.8.4.3 Summary of recommendations

197. I recommend the submissions by Heritage NZ [178.17] and RIDL [326.213] be **accepted**.

198. I recommend the submission by ECan [316.92] be **rejected**.

199. I recommend the further submissions by Richard and Geoff Spark [FS37] and David Cowley [FS41] as they relate to the ECan [316.92] original submission be **accepted**.

200. I recommend the further submission by the Ohoka Residents Association [FS137] as it relates to the RIDL [326.213] submission, and the further submission by CIAL [FS80] as it relates to the submission by ECan [316.92] be **rejected**.

201. I recommend that no change be made to HH-P6 in the Proposed Plan in response to these submissions.

3.8.5 Policy HH-P7 Siting of infrastructure

3.8.5.1 Matters raised by submitters

202. MainPower [249.107] request HH-P7 is amended to read:

“Ensure the siting of new infrastructure protects the heritage values of historic heritage listed in HH-SCHED2, taking into account the functional need or operational need for the siting of the infrastructure while also recognising and providing for the maintenance, repair and upgrade of existing infrastructure.”

203. HH-P7 is supported as notified by Chorus, Spark and Vodafone [62.42], Transpower [195.67], RIDL [326.214], and KiwiRail [373.51].

Further submissions

204. The Ohoka Residents Association [FS137] oppose the RIDL [326.214] submission point.

3.8.5.2 Assessment

MainPower [249.107] – Amend HH-P7

205. MainPower [249.107] seek HH-P7 is amended to recognise and provide “*for the maintenance, repair and upgrade of existing infrastructure*”. As previously stated, the memo by Mr MacLennan indicates that the S42A Report for Energy and Infrastructure recommends that except where specified, rules in the HH chapter will not apply to the EI chapter. Consequently, the amendment to HH-P7 will not assist in the implementation of rules in the HH chapter.

206. I note that the requested amendment is already provided for in Policy EI-P1 *Recognising the benefits of, and providing for, energy and infrastructure*, in the EI chapter.

207. I therefore consider the proposed amendment will not support plan implementation or interpretation as it is already provided for in the EI chapter. However, in the event that the Panel do not accept the recommendation of Mr MacLennan, I consider that the policy could provide for the maintenance, repair and upgrade of existing infrastructure provided that heritage values remained protected.

Retain HH-P7 as notified

208. I concur with the submissions by Chorus, Spark, and Vodafone [62.42], Transpower [195.67], RIDL [326.214], and KiwiRail [373.51] who all support HH-P7 as notified. As I recommend no changes are made to HH-P7, I recommend these submissions are **accepted**.

3.8.5.3 Summary of recommendations

209. I recommend the submissions by Chorus, Spark, and Vodafone [62.42], Transpower [195.67], RIDL [326.214], and KiwiRail [373.51] be **accepted**.

210. I recommend the submission by MainPower [249.107] be **rejected**.

211. I recommend the further submission by the Ohoka Residents Association [FS137] as it relates to the RIDL [326.214] submission be **rejected**.

212. I recommend that no changes be made to HH-P7 in the Proposed Plan as a result of these submissions.

3.8.6 HH-P8 Demolition of listed historic heritage

3.8.6.1 Matters raised by submitters

213. Concept Services [230.6] seek an amendment to HH-P8 to read:

“Avoid demolition of ‘Highly Significant’ historic heritage listed in HH-SCHED2 unless; and manage demolition of ‘Significant’ historic heritage, where:”

214. Concept Services state *“the requested amendments are more consistent with Policy HH-P6 and provide for Rules HH-R4 – R9 to be more consistent with (and give better effect to) the objectives and policies around historic heritage, which do provide for relocation or demolition in appropriate circumstances.”* Concept Services also suggest the relief sought could be achieved by providing two policies *“one for Highly Significant historic heritage, and one for Significant historic heritage.”*

215. RIDL [326.215] support HH-P8 as notified.

Further submissions

216. Heritage NZ [FS115] oppose the Concept Services [230.6] submission point as Heritage NZ [FS115] consider *“this amendment would lessen the protection of some scheduled heritage items.”*

217. The Ohoka Residents Association [FS137] oppose the RIDL [326.215] submission point.

3.8.6.2 Assessment

Concept Services [230.6] – Amend HH-P8

218. The submission by Concept Services relates to their other submissions on HH-O1 and HH-P5 addressed above in sections 3.7.1 and 3.8.3. Concept Services seek to make HH-P8 *Demolition of listed historic heritage* consistent with HH-P6 *Relocation of significant and highly significant historic heritage*.

219. As stated in sections 3.7.1 and 3.8.3 in the discussion on the Concept Services submission on HH-O1 and HH-P5, the proposed amendment to HH-P8 would be contrary to s6(f) of the RMA that requires *“the protection of historic heritage from inappropriate subdivision, use, and development”*. As notified, HH-P8 is consistent with the protection direction for historic heritage in the RMA by providing direction to avoid demolition of scheduled historic heritage except where the following conditions are met:

“(1). there is a real and significant risk to life or property that interim measures could not address; or

(2). costs to retain the historic heritage would be unreasonable compared to all reasonable options to restore, repair, adapt, reuse or relocate the historic heritage item; and

(3). options to restore, repair, adapt, reduce the extent of demolition, reuse, or relocate would be insensitive to identified heritage values, recognising the significance category of the historic heritage and its heritage setting.”

220. These conditions recognise situations where demolishing historic heritage items may be appropriate.

221. In her Statement of Evidence, Dr McEwan states that *“the use of the word ‘avoid’ in HH-P8 is consistent with best practice and is ... consistent with the meaning and intent of RMA s6(f). The submitter’s suggested inclusion of the phrase ‘manage demolition’ of B ranked heritage items appears contrary to RMA s6(f), and CRPS Objective 13.2.1 and CRPS Policy 13.3.1”*⁸.
222. Additionally, the rules in the HH chapter manage the demolition of ‘Significant’ Category B items as a discretionary activity in rule HH-R7, and the demolition of ‘Highly Significant’ Category A items as non-complying in HH-R9. I consider these rules already address the intention of the decision sought by Concept Services to HH-P8 by establishing separate activity statuses for ‘Highly Significant’ Category A and ‘Significant’ Category B items.
- RIDL [326.215] – retain HH-P8 as notified*
223. I concur with the submission by RIDL [326.215] which supports HH-P8 as notified. As I recommend no changes are made to HH-P8, I recommend the submission is **accepted**.

3.8.6.3 Summary of recommendations

224. I recommend the submission by RIDL [326.215] be **accepted**.
225. I recommend the submission by Concept Services [230.6] be **rejected**.
226. I recommend the further submission by Heritage NZ [FS115] as it relates to the Concept Services [230.6] submission be **accepted**.
227. I recommend the further submission by the Ohoka Residents Association [FS137] as it relates to the RIDL [326.215] submission be **rejected**.
228. I recommend that no change be made to HH-P8 in the Proposed Plan in response to these submissions.

3.9 Proposed New Policies

3.9.1 Matters raised by submitters

229. Heritage NZ [178.18] support the adaptive reuse of historic heritage as *“such development has potential to elongate the life of a heritage item, which may otherwise be unviable.”* Heritage NZ state that adaptive reuse is not promoted in the Proposed Plan and request Council include a policy *“encouraging and enabling the use, development, and adaptive re-use of scheduled heritage items.”*
230. Michael de Hamel [261.2] seeks the following new policy to make the plan more enabling *“with respect to the protection and enhancement of the privately-owned heritage, cultural and landscape values”* in the District and to refer to s36AAB(1) in the RMA:

HH-P9 Recognise the historic and contemporary values of heritage and landscape in the District and:

1. facilitate opportunities to provide information about these values
2. provide opportunities for these values to be recognised
3. manage earthworks involving disturbance of soils in Heritage sites through the

⁸ Dr Ann McEwan Statement of Evidence para 18.

implementation of a Heritage New Zealand Pouhere Taonga authorised accidental discovery protocol and opportunity for cultural monitoring;

4. assist with the maintenance, restoration or enhancement of Heritage items

5. where an application is for an activity which will protect or enhance heritage, landscape or environmental values the Council will give consideration under Section 36AAB of the Act for a remission of any part of any charge that would otherwise be payable.

(Note: I have added numbering into Mr de Hamel's proposed policy for greater clarity)

3.9.2 Assessment

Heritage NZ [178.18] – Adaptive reuse policy

231. Heritage NZ [178.18] are correct in identifying there is no stand-alone policy to provide for the adaptive re-use of scheduled heritage items. However, HH-P5 *Adverse effects* seeks to manage effects of subdivision, use and development on scheduled heritage in a way that (1) “provides for ongoing use and re-use that is sensitive to identified heritage values”. I therefore consider that the re-use of historic heritage items is already provided for within the HH chapter policy framework.

232. I consider this submission by Heritage NZ highlights an issue with the title of HH-P5 *Adverse effects*. The policy manages all effects on historic heritage not just adverse effects, and the clauses in the policy are positively worded e.g. “provides”, “enables”, “protects” and “conserves”. The title of the policy suggests the policy would be focused on avoiding adverse effects and would use words such as “avoid”, however this is not the case.

233. I consider an amendment to the title of HH-P5 would provide greater clarity as to the intention of the policy and would support the interpretation of the whole of the policy framework. I recommend the title of HH-P5 is amended to state: “Manage effects on Historic Heritage”.

234. I recommend the Heritage NZ [178.18] submission be **accepted in part**.

Michael de Hamel [261.2] – Heritage and landscape values policy

235. Mr de Hamel's submission thoughtfully considers the importance of historic heritage items to the District's sense of identity. I agree with Mr de Hamel [261.2] that owners of historic heritage properties can experience a greater financial burden than other rate/ tax payers, as they also carry the cost of maintaining the heritage item. Mr de Hamel proposes a new policy for the HH chapter to make the Proposed Plan more enabling with respect to “privately-owned heritage, cultural and landscape values”. Mr de Hamel specifically identifies SASM-P4 as an enabling policy in the plan, and also identifies s36AAB(1) of the RMA as enabling Council to remit charges on resource consent applications.

236. I consider several of the clauses proposed in the policy are already provided for in the chapter, specifically:

2. provide opportunities for these values to be recognised;

3. manage earthworks involving disturbance of soils in Heritage sites through the implementation of a Heritage New Zealand Pouhere Taonga authorised accidental discovery protocol and opportunity for cultural monitoring;

4. assist with the maintenance, restoration or enhancement of Heritage items

237. The values of historic heritage items are recognised by their inclusion on HH-SCHED2 and the reports for each scheduled item are available to view and download from a link in HH-SCHED2 in the Proposed Plan. Additionally, there are resources that sit outside of the Proposed Plan that support the recognition of the District's heritage values such as 'Landmarks' that is a partnership between Waimakariri District Council, the Rangiora and Districts Early Records Society, and the Kaiapoi District Historical Society⁹.
238. Earthworks within heritage sites are managed in the Earthworks chapter including through EW-P1 *Enabling earthworks* that enables earthworks where they (2): "*avoid, remedy or mitigate any adverse effects on any sites or areas identified as ONL, ONF, SAL, Coastal Environment Overlay, SNA, sites and areas of significance to Māori, Natural Open Space Zone, surface freshwater bodies and their margins, or any notable tree, historic heritage or heritage setting*".
239. Both HH-AN2 and EW-AN1 identify that if any activity associated with a project, including earthworks, may modify, damage or destroy an archaeological site, then an authority from HNZPT must be obtained for the work to proceed lawfully, and that there are potential penalties for unauthorised site damage under the HNZPTA.
240. EW-AN3 identifies the Accidental Discovery Protocol that applies where an archaeological site is located during earthworks.
- SASM-P4 – Enabling policy*
241. Mr de Hamel identifies SASM-P4 *Ngā tūranga tūpuna* as a provision that is enabling rather than prescriptive and seeks a similar approach to be taken to the HH chapter. There are specific requirements for Māori under the RMA that the Council must consider in the Proposed Plan. The Section 32 Evaluation Report for Sites and Areas of Significance to Māori details the national and regional direction for Māori.
242. Of specific importance is Section 6(e) of the RMA that requires Council to recognise and provide for "*the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga*". This direction is specific and detailed.
243. The Section 32 Historic Heritage Evaluation Report identifies sections 6(e) and (f) of the RMA as the matters of national importance relevant to the HH chapter. Section 6(f) requires Council to recognise and provide for "*the protection of historic heritage from inappropriate subdivision, use, and development*". There is further national and regional direction for historic heritage as detailed in the Section 32 Historic Heritage Evaluation Report.
244. The national and regional direction for Historic Heritage is to *protect* [emphasis added] historic heritage from inappropriate subdivision, use and development in line with s6(f) of the RMA. In comparison, the requirements for Council to provide for Māori and their culture and traditions are to be in line with s6(e) of the RMA. This relationship is guided through consultation with the relevant local rūnanga and/or Māori entities on national, regional and local planning documents (and other methods). This direction is to enable Māori to identify

⁹ <https://landmarks.waimakariri.govt.nz/about-us>

how s6(e) of the RMA can be given effect to in local, regional and national planning documents.

245. In consideration of the RMA direction for historic heritage compared to the direction for Māori, I consider an approach in the HH chapter similar to SASM-P4 to be out of line with the RMA direction.

Section 36AAB(1) of the RMA

246. Mr de Hamel identifies section 36AAB(1) of the RMA as permitting the Council to “remit charges for applications which may have a positive effect on Heritage and Landscape values” and seeks the following clause be included in his proposed policy:

5. where an application is for an activity which will protect or enhance heritage, landscape or environmental values the Council will give consideration under Section 36AAB of the Act for a remission of any part of any charge that would otherwise be payable.

247. Section 36AAB(1) of the RMA permits Council to remit charges payable in s36 of the RMA. Section 36(1)(b) of the RMA relates to any charges payable “in relation to the receiving, processing, and granting of resource consents”. It is at the discretion of Council to determine whether or not resource consent fees ought to be waived and the proposed policy could fetter the decision making functions of the Council, who already have the discretion to waive fees for any reason (including where a proposal enhances heritage, landscape or environmental outcomes).
248. Additionally, I note that the Council does provide financial assistance to owners of scheduled heritage items through the Waimakariri Heritage Contestable Fund which was established to “encourage and assist with work that benefits the heritage values”¹⁰ of scheduled items. This fund sits outside of the Proposed Plan and any owner of a scheduled heritage property is able to apply to the fund.
249. I recommend the submission by Michael de Hamel [261.2] be **rejected**.

3.9.3 Summary of recommendations

250. I recommend the submission by Heritage NZ [178.18] be **accepted in part**.
251. I recommend the submission by Michael de Hamel [261.2] be **rejected**.
252. I recommend a change be made to HH-P5 of the Proposed Plan as shown below (additions shown in underline and deletions shown in ~~striketrough~~) and in **Appendix A**:

HH-P5 ~~Adverse-Manage~~ effects on Historic Heritage

3.9.4 Section 32AA evaluation

253. In my opinion, the amendment to HH-P5 is more appropriate in achieving the objectives of the Proposed Plan than the notified provisions as it will more accurately reflect the intention of the policy. Consequently, I consider the changes will improve plan interpretation and implementation and will be more efficient and effective than the notified provisions in

¹⁰ <https://www.waimakariri.govt.nz/planning/district-plan/heritage-buildings-and-historic-sites>
Accessed 16/05/2023

achieving the objectives of the Proposed Plan. The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions.

3.10 Rules

3.10.1 Rule HH-R1 Maintenance or repair of any historic heritage item listed in HH-SCHED2

3.10.1.1 Matters raised by submitters

254. Heritage NZ [178.19] support HH-R1 but “consider that any area where heritage fabric has been removed should be made weather tight in all cases” and seek HH-R1(2) is amended to remove the word “or” at the end of the clause.
255. WDC [367.22] seek HH-R1(4) is amended “to remove the requirement for the design and/or supervision of a heritage professional or architect suitably qualified in heritage maintenance or repair, when undertaking painting of any historic heritage item.” WDC [367.22] also note “any assessment of paint colour needs to consider the definition of maintenance and repair within the Proposed District Plan, requiring that painting retains the finishes and characteristics of the heritage building.”
256. WDC [367.22] seek HH-R1(4) is amended to state:
- “4. any activity other than painting is undertaken in accordance with the design and/or supervision of a heritage professional or architect suitably qualified in heritage maintenance or repair.”
257. RIDL [326.216] support HH-R1 as notified.

Further submissions

258. The Ohoka Residents Association [FS137] oppose the RIDL [326.216] submission point.

3.10.1.2 Assessment

Heritage NZ [178.19] – Amend

259. I agree with Heritage NZ [178.19] that HH-R1(2) should be amended to delete “or” at the end of the clause as the current drafting of the rule could result in damage to the scheduled item and the proposed amendment would enhance protection of scheduled historic heritage.
260. I recommend the submission by Heritage NZ [178.19] be **accepted**.

WDC [367.22] – Amend

261. I agree with the WDC [367.22] submission that seeks to amend HH-R1(4) to exempt painting of a scheduled item from being undertaken under the supervision/ design of a heritage professional or architect. As notified, HH-R1(4) places an unreasonable financial burden on owners of scheduled heritage items to undertake the basic maintenance of painting. The maintenance of scheduled items is the responsibility of the owners and painting can be necessary for the protection and longevity of historic heritage. In the interest of fairness, undue financial burden should not be imposed on the owners of scheduled historic heritage to paint their properties.
262. I recommend the submission by WDC [367.22] be **accepted**.

RIDL [326.216] – Retain as notified

263. I recommend the RIDL [326.216] submission point be **accepted in part**, noting that HH-R1 is recommended to be amended in response to the submissions by Heritage NZ [178.19] and WDC [367.22].

3.10.1.3 Summary of recommendations

264. I recommend the submissions by Heritage NZ [178.19] and WDC [367.22] be **accepted**.
265. I recommend the submission by RIDL [326.216] be **accepted in part**.
266. I recommend the further submission by the Ohoka Residents Association [FS137] as it relates to the RIDL [326.216] submission be **rejected in part**.
267. I recommend an amendment to Rule HH-R1(2) and (4) of the Proposed Plan as shown below (additions shown in underline and deletions in ~~striketrough~~) and in **Appendix A**:
- “2. the area any heritage fabric has been removed from shall be made weather tight; or
...
4. any ~~the~~ activity other than painting is undertaken in accordance with the design and/or supervision of a heritage professional or architect suitably qualified in heritage maintenance or repair.”

3.10.1.4 Section 32AA evaluation

268. In my opinion, the amendments to HH-R1(2) and (4) are more appropriate in achieving the objectives of the Proposed Plan than the notified provisions. In particular, I consider that:
- The amendment to HH-R1(2) will improve the protection of historic heritage by strengthening the provision and the amendment to HH-R1(4) will enable owners of historic heritage items to paint their properties without the need for resource consent. Consequently, the amendments are more efficient and effective than the notified provisions in achieving the objectives of the Proposed Plan.
 - The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.10.2 HH-R2 Heritage investigative and temporary works of any historic heritage item listed in HH-SCHED2

3.10.2.1 Matters raised by submitters

269. Heritage NZ [178.20] supports HH-R2 that “enables investigation and temporary works to be undertaken as a permitted activity.” However, Heritage NZ note that “many people may not understand what the recording of heritage fabric” means as mentioned in HH-R2(3). As HH-R2(3) is a permitted activity, “the opportunity to provide greater detail before the work commences may not arise.” Heritage NZ seek the definition of ‘Recording’ proposed in submission [178.5] is included in HH-R2. The definition of ‘Recording’ is discussed in section 3.4.2.
270. RIDL [326.217] support HH-R2 as notified.

Further submissions

271. The Ohoka Residents Association [FS137] oppose the RIDL [326.217] submission point.

3.10.2.2 Assessment*Heritage NZ [178.20] – Amend to include definition of ‘Recording’*

272. The submission by Heritage NZ [178.20] to amend HH-R2 relates to their submission [178.5] that sought a new definition for ‘Recording’. In section 3.4.2, I recommend the proposed definition for ‘Recording’ be rejected as I consider it will not support Plan interpretation or implementation and is therefore unnecessary.
273. In section 3.4.2, I discuss how HH-R2(3) requires the recording of removed heritage fabric and (4) requires this activity to be “*undertaken in accordance with the design and/or supervision of a heritage professional or architect suitably qualified in heritage investigative and temporary works.*” I come to the conclusion that a professional identified in HH-R2(4) would understand how to record heritage fabric and would be responsible for doing so. I therefore consider the requested amendment to be unnecessary and I recommend the submission be **rejected**.

RIDL [326.217] - Retain as notified

274. I concur with the submission by RIDL [326.217] which supports HH-R2 as notified. As I recommend no changes are made to HH-R2, I recommend the RIDL [326.217] submission be **accepted**.

3.10.2.3 Summary of recommendations

275. I recommend the submission by RIDL [326.217] be **accepted**.
276. I recommend the submission by Heritage NZ [178.20] be **rejected**.
277. I recommend the further submission by the Ohoka Residents Association [FS137] as it relates to the RIDL [326.217] submission be **rejected in part**.
278. I recommend that no changes be made to HH-R2 in the Proposed Plan as a result of these submissions.

3.10.3 HH-R3 Construction of a structure, building or addition to a building within any historic heritage setting listed in HH-SCHED2**3.10.3.1 Matters raised by submitters**

279. Chorus, Spark and Vodafone [62.43] seek a cross-reference/ hyperlink is added to HH-R3 to clarify “*that customer connections to buildings with heritage values (as identified in HH-SCHED2) are regulated under Rule EI-R4 in the Energy and Infrastructure Chapter and not under Rule HH-R3.*”
280. Heritage NZ [178.21] consider HH-R3 is ambiguous and request HH-R3 is amended to make it clear that (1) “*is not intended to mean an addition to the scheduled building itself*”.
281. MainPower [249.108] support HH-R3 in principle but seek the rule is amended as follows “*to provide for customer connections to electricity*”:

"2. the activity is necessary for the maintenance, repair and replacement of an existing car park, accessway, driveway or paved area or installation of a customer electricity connection and associated infrastructure."

282. RIDL [326.218] support HH-R3 as notified.

Further submissions

283. The Ohoka Residents Association [FS137] oppose the RIDL [326.218] submission point.
284. Oxford Equity Ltd [FS117] oppose the RIDL [326.218] submission point and seek a new amendment to HH-R3 to include a new matter of discretion as follows:

"HH-MD6- Whether the retention of the heritage features or form of the listed structure, place, or object causes significant additional costs, or reduction in its range of likely uses"

3.10.3.2 Assessment

Chorus, Spark and Vodafone [62.43] – Amend to provide cross-reference

285. The amendment sought by Chorus, Spark and Vodafone [62.43] is unnecessary if the panel accepts the recommendation of Mr Maclennan that the rules in the HH chapter should not apply to the EI chapter except where specified. HH-R3 is not identified as a rule that will apply to the EI chapter and therefore the proposed amendment will not achieve the outcome that is sought by Chorus, Spark and Vodafone.
286. Additionally, a customer connection in EI-R4 would not have the effect of increasing the gross floor area of the building according to the definition of 'Addition' in HH-R3. I therefore consider that customer connections are managed under EI-R4 and there is no need to consider HH-R3 for this activity.
287. I recommend the submission by Chorus, Spark and Vodafone [62.43] be **rejected** as the submission is resolved through recommendations in the EI S42A Report.

Heritage NZ [178.21] – Amend to clarify

288. I consider that the rule title for HH-R3 is clear that the rule applies to buildings within a heritage setting and not the heritage item itself. However, I do understand that HH-R3(1) could be misunderstood as meaning an addition to a scheduled heritage item. I consider HH-R3(1) can be clarified with the following amendment:

1. any structure or building or addition to a building within any historic heritage setting listed in HH-SCHED2 is less than 10m² in GFA and 2m in height;

289. I recommend the Heritage NZ submission [178.21] be **accepted**.

MainPower [249.108] – Amend to provide for customer electricity connections

290. As identified in the memo by Mr Maclennan, MainPower's requested amendment is resolved by the recommendations in the EI S42A Report (if adopted) that specifies, that except for identified rules, the provisions in the HH chapter do not apply to the EI chapter. This recommendation means HH-R3 would not be applicable to the EI chapter. Additionally, customer connections are provided for in EI-R4.

291. I recommend the MainPower [249.108] submission be **rejected** as the submission is resolved through recommendations in the EI S42A Report.

RIDL [326.218] – Retain as notified

292. I concur with the submission by RIDL [326.218] which supports HH-R3 as notified. As I recommend changes to HH-R3 in response to other submissions on the rule, I recommend the RIDL [326.218] submission point be **accepted in part**.

293. Oxford Equity Ltd [FS117] oppose the RIDL [326.218] submission that supports HH-R3 as notified. As stated in section 1.5 of this report, I consider the further submission to be out of scope of what a further submission can seek as the further submission seeks a new amendment to HH-R3 to include a new matter of discretion. I have therefore only considered the further submission's opposition to the RIDL [326.218] original submission and I have not considered the requested amendment.

3.10.3.3 Summary of recommendations

294. I recommend the submission by Heritage NZ [178.21] be **accepted**.

295. I recommend the submission by RIDL [326.218] be **accepted in part**.

296. I recommend the submissions by Chorus, Spark and Vodafone [62.43] and MainPower [249.108] be **rejected**.

297. I recommend the further submissions by the Ohoka Residents Association [FS137] and Oxford Equity Ltd [FS117] as they relate to the RIDL [326.218] submission be **rejected**.

298. I recommend Rule HH-R3 in the Proposed Plan is amended as shown below (additions shown in underline) and in **Appendix A**:

1. any structure or building or addition to a building within any historic heritage setting listed in HH-SCHED2 is less than 10m² in GFA and 2m in height;

3.10.3.4 Section 32AA evaluation

299. In my opinion, the amendment to HH-R3 is more appropriate in achieving the objectives of the Proposed Plan than the notified provisions as the amendment clarifies the intention of the rule. Consequently, the amendments are more efficient and effective than the notified provisions. The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.10.4 HH-R4 Relocation of any historic heritage listed in HH-SCHED2 within its site or heritage setting

3.10.4.1 Matters raised by submitters

300. WDC [367.52] seek the HH-R4 title is amended to state: "Relocation of any historic heritage item listed in HH-SCHED2 within its site or heritage setting;"

301. RIDL [326.219] support HH-R4 as notified.

Further submissions

302. The Ohoka Residents Association [FS137] oppose the RIDL [326.219] submission point.

3.10.4.2 Assessment

303. I consider the amendment sought by WDC [367.52] will improve the interpretation and implementation of the rule and I recommend the submission point be **accepted**.

304. I concur with the submission by RIDL [326.219] which supports HH-R4 as notified. I recommend the submission is **accepted in part**, subject to the recommended amendments in response to the WDC [367.52] submission.

3.10.4.3 Summary of recommendations

305. I recommend the submission by WDC [367.52] be **accepted**.

306. I recommend the submission by RIDL [326.219] be **accepted in part**.

307. I recommend the further submission by the Ohoka Residents Association [FS137] as it relates to the RIDL [326.219] submission point be **rejected in part**.

308. I recommended an amendment to Rule HH-R4 in the Proposed Plan as shown below (additions shown in underline) and in **Appendix A**:

“HH-R4 Relocation of any historic heritage item listed in HH-SCHED2 within its site or heritage setting”.

3.10.5 HH-R5 Alteration of or addition to historic heritage item listed in HH-SCHED2

3.10.5.1 Matters raised by submitters

309. WDC [367.53] seek the HH-R5 title is amended to state: "Alteration of or addition to any historic heritage item listed in HH-SCHED2".

310. RIDL [326.220] and MainPower [249.109] support HH-R5 as notified.

Further submissions

311. The Ohoka Residents Association [FS137] oppose the RIDL [326.220] submission point.

3.10.5.2 Assessment

312. I consider the amendment sought by WDC [367.53] will improve the interpretation and implementation of the rule and I recommend the submission point be **accepted**.

313. I concur with the submissions by RIDL [326.220] and MainPower [249.109] which support HH-R5 as notified. I recommend the submissions are **accepted in part**, subject to recommended amendments made in response to the WDC [367.53] submission.

3.10.5.3 Summary of recommendations

314. I recommend the submission by WDC [367.53] be **accepted**.

315. I recommend the submissions by RIDL [326.220] and MainPower [249.109] be **accepted in part**.

316. I recommend the further submission by the Ohoka Residents Association [FS137] as it relates to the RIDL [326.220] submission point be **rejected in part**.

317. I recommended an amendment to Rule HH-R5 in the Proposed Plan as shown below (additions shown in underline) and in **Appendix A**:

“HH-R5 Alteration of or addition to any historic heritage item listed in HH-SCHED2;”

3.10.6 HH-R6 Relocation of 'Significant' (Category B) historic heritage listed in HH-SCHED2 beyond its site or heritage setting

3.10.6.1 Matters raised by submitters

318. WDC [367.54] seek the HH-R6 title is amended to state: “Relocation of any 'Significant' (Category B) historic heritage item listed in HH-SCHED2 beyond its site or heritage setting”.
319. RIDL [326.221] support HH-R6 as notified.

Further submissions

320. The Ohoka Residents Association [FS137] oppose the RIDL [326.221] submission point.

3.10.6.2 Assessment

321. I consider the amendment sought by WDC [367.54] will improve the interpretation and implementation of the rule and I recommend the submission point be **accepted**.
322. I concur with the submission by RIDL [326.221] which supports HH-R6 as notified. I recommend the submission be **accepted in part**, subject to recommended amendments made in response to the WDC [367.54] submission.

3.10.6.3 Summary of recommendations

323. I recommend the submission by WDC [367.54] be **accepted**.
324. I recommend the submission by RIDL [326.221] be **accepted in part**.
325. I recommend the further submission by the Ohoka Residents Association [FS137] as it relates to the RIDL [326.221] submission point be **rejected in part**.
326. I recommended an amendment to Rule HH-R6 in the Proposed Plan as shown below (additions shown in underline) and in **Appendix A**:
- “HH-R6 Relocation of any 'Significant' (Category B) historic heritage item listed in HH-SCHED2 beyond its site or heritage setting;”

3.10.7 HH-R7 Demolition of 'Significant' (Category B) historic heritage items listed in HH-SCHED2

3.10.7.1 Matters raised by submitters

327. WDC [367.55] seek the HH-R7 title is amended to state: “HH-R7 Demolition of any 'Significant' (Category B) historic heritage items listed in HH-SCHED2”.
328. RIDL [326.222] support HH-R7 as notified.

Further submissions

329. The Ohoka Residents Association [FS137] oppose the RIDL [326.222] submission point.

3.10.7.2 Assessment

330. I consider the amendment sought by WDC [367.55] will improve the interpretation and implementation of the rule and I recommend the submission point be **accepted**.
331. I concur with the submission by RIDL [326.222] which supports HH-R7 as notified. I recommend the submission is **accepted in part**, subject to recommended amendments made in response to the WDC [367.55] submission.

3.10.7.3 Summary of recommendations

332. I recommend the submission by WDC [367.55] be **accepted**.
333. I recommend the submission by RIDL [326.222] be **accepted in part**.
334. I recommend the further submission by the Ohoka Residents Association [FS137] as it relates to the RIDL [326.222] submission point be **rejected in part**.
335. I recommended an amendment to Rule HH-R7 in the Proposed Plan as shown below (additions shown in underline) and in **Appendix A**:
- “HH-R7 Demolition of any 'Significant' (Category B) historic heritage items listed in HH-SCHED2”.

3.10.8 HH-R8 Relocation of 'Highly Significant' (Category A) historic heritage items listed in HH-SCHED2 beyond its site or heritage setting

3.10.8.1 Matters raised by submitters

336. WDC [367.56] seek the title of HH-R8 is amended to state: “HH-R8 Relocation of any 'Highly Significant' (Category A) historic heritage items listed in HH-SCHED2 beyond its site or heritage setting”.
337. RIDL [326.223] and Heritage NZ [178.22] support HH-R8 as notified.

Further submissions

338. The Ohoka Residents Association [FS137] oppose the RIDL [326.223] submission point.

3.10.8.2 Assessment

339. I consider the amendment sought by WDC [367.56] will improve the interpretation and implementation of the rule and I recommend the submission point be **accepted**.
340. I concur with the submissions by RIDL [326.223] and Heritage NZ [178.22] which support HH-R8 as notified. I recommend the submissions are **accepted in part**, subject to recommended amendments made in response to the WDC [367.56] submission.

3.10.8.3 Summary of recommendations

341. I recommend the submission by WDC [367.56] be **accepted**.
342. I recommend the submissions by RIDL [326.223] and Heritage NZ [178.22] be **accepted in part**.
343. I recommend the further submission by the Ohoka Residents Association [FS137] as it relates to the RIDL [326.223] submission point be **rejected in part**.

344. I recommended an amendment to Rule HH-R8 in the Proposed Plan as shown below (additions shown in underline) and in **Appendix A**:

“HH-R8 Relocation of any ‘Highly Significant’ (Category A) historic heritage items listed in HH-SCHED2 beyond its site or heritage setting”.

3.10.9 HH-R9 Demolition of ‘Highly Significant’ (Category A) historic heritage items listed in HH-SCHED2

3.10.9.1 Matters raised by submitters

345. WDC [367.57] seek the title of HH-R9 is amended to state: “HH-R9 Demolition of any ‘Highly Significant’ (Category A) historic heritage items listed in HH-SCHED2”.

346. RIDL [326.224] and Heritage NZ [178.23] support HH-R9 as notified.

Further submissions

347. The Ohoka Residents Association [FS137] oppose the RIDL [326.224] submission point.

3.10.9.2 Assessment

348. I consider the amendment sought by WDC [367.57] will improve the interpretation and implementation of the rule and I recommend the submission point be **accepted**.

349. I concur with the submissions by RIDL [326.224] and Heritage NZ [178.23] which support HH-R9 as notified. I recommend the submissions are **accepted in part**, subject to recommended amendments made in response to the WDC [367.57] submission.

3.10.9.3 Summary of recommendations

350. I recommend the submission by WDC [367.57] be **accepted**.

351. I recommend the submissions by RIDL [326.224] and Heritage NZ [178.23] be **accepted in part**.

352. I recommend the further submission by the Ohoka Residents Association [FS137] as it relates to the RIDL [326.224] submission point be **rejected in part**.

353. I recommended an amendment to Rule HH-R9 in the Proposed Plan as shown below (additions shown in underline) and in **Appendix A**:

“HH-R9 Demolition of any ‘Highly Significant’ (Category A) historic heritage items listed in HH-SCHED2”.

3.10.9.4 Section 32AA evaluation

354. In my opinion, the amendments to HH-R4, HH-R5, HH-R6, HH-R7, HH-R8, and HH-R9 are more appropriate in achieving the objectives of the Proposed Plan than the notified provisions. Whilst the amendments are minor, I consider there will be benefits from improved plan interpretation and more efficient plan administration. The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions.

3.11 Advice notes

3.11.1 HH-AN2

3.11.1.1 Matters raised by submitters

355. Heritage NZ [178.24] seek HH-AN2 is amended to refer to 'earthworks within an archaeological site'. This submission links to the Heritage NZ [178.2] submission that proposes a new definition for 'Earthworks within an archaeological site' addressed in section 3.4.1 of this report. Heritage NZ seek the following amendment to HH-AN2:

"If any activity associated with a project, including earthworks within an archaeological site, modifications to any pre-1900 structure, or demolition of any pre-1900 building, may modify, damage or destroy an archaeological site(s), an archaeological authority from HNZPT must be obtained for the work to proceed lawfully".

3.11.1.2 Assessment

356. Heritage NZ [178.24] seek HH-AN2 be amended to say, "earthworks within an archaeological site". The proposed definition by Heritage NZ [178.2] for 'Earthworks within an archaeological site' is discussed in section 3.4.1 and I recommend the definition is rejected. Consequently, I also recommend the requested amendment to HH-AN2 is rejected.

357. In my analysis of the proposed definition I discussed the definition within the context of HH-AN2. I explained how the proposed definition would restrict the ability for owners of land that meets the HNZPTA definition of an archaeological site, to undertake limited and typical earthworks such as gardening. The addition of the proposed definition to HH-AN2 would mean that an archaeological authority from HNZPT would need to be obtained in order to undertake the activities included in the proposed definition.

358. I consider the adoption of this definition within HH-AN2 would be an undue burden to owners of affected properties and there is no requirement for the definition within the HNZPTA. Furthermore, I consider it is implied in HH-AN2 that any activity, including activities not listed in HH-AN2, that may "*modify, damage or destroy an archaeological site(s)*" require an archaeological authority. I therefore consider the requested amendment is unnecessary and HH-AN2 already sufficiently informs plan users of their obligations under the HNZPTA.

359. I recommend the Heritage NZ [178.24] submission be **rejected**.

3.11.1.3 Summary of recommendations

360. I recommend the submission by Heritage NZ [178.24] be **rejected**.

361. I recommend that no change be made to HH-AN2 in the Proposed Plan in response to the submission.

3.11.2 HH-AN4

3.11.2.1 Matters raised by submitters

362. Similarly to the Heritage NZ submission on HH-AN2, Heritage NZ [178.25] seek HH-AN4 is amended to refer to 'earthworks within an archaeological site'. This submission links to the Heritage NZ [178.2] proposed definition for 'Earthworks within an archaeological site' addressed in section 3.4.1.

363. Heritage NZ [178.25] also seek HH-AN4 is strengthened by replacing “should” with “must” as the discovery of an archaeological site legally requires all work to stop and contact to be made with HNZPT for advice. Heritage NZ seek the following amendment to HH-AN4:

“If an archaeological site is discovered, for example when conducting earthworks within an archaeological site, work that could affect the site ~~should~~ must be stopped and contact made with HNZPT for advice”.

3.11.2.2 Assessment

364. Heritage NZ [178.25] seek HH-AN4 be amended to say, “earthworks within an archaeological site”. This amendment relates to the proposed definition by Heritage NZ [178.2] as discussed in section 3.4.1 where I have recommended the definition is rejected. Consequently, I also recommend the requested amendment to HH-AN4 is rejected.

365. Furthermore, I consider the requested amendment does not make sense in the context of HH-AN4 as the advice note applies to sites not previously known to be archaeological sites.

366. I agree with the part of the Heritage NZ [178.25] submission seeking an amendment to HH-AN4 to strengthen the wording by replacing “should” with “must”. This amendment would strengthen the advice note and better gives effect to the direction in section 42¹¹ in the HNZPTA that “no person may modify or destroy, or cause to be modified or destroyed” an archaeological site.

367. I recommend the Heritage NZ [178.25] submission point be **accepted in part**.

3.11.2.3 Summary of recommendations

368. I recommend the submission by Heritage NZ [178.25] be **accepted in part**.

369. I recommend a change be made to HH-AN4 of the Proposed Plan as shown below (additions shown in underline and deletions shown in ~~strike through~~) and in **Appendix A**:

HH-AN4: “If an archaeological site is discovered, for example when conducting earthworks, work that could affect the site ~~should~~ must be stopped and contact made with HNZPT for advice.”

3.11.2.4 Section 32AA evaluation

370. In my opinion, the amendment to HH-AN4 is more appropriate in achieving the objectives of the Proposed Plan than the notified provisions. The amendment uses stronger language which

¹¹ **42 Archaeological sites not to be modified or destroyed**

(1) Unless an authority is granted under section 48, 56(1)(b), or 62 in respect of an archaeological site, no person may modify or destroy, or cause to be modified or destroyed, the whole or any part of that site if that person knows, or ought reasonably to have suspected, that the site is an archaeological site.

(2) Subsection (1) applies whether or not an archaeological site is a recorded archaeological site or is entered on—

(a) the New Zealand Heritage List/Rārangi Kōrero under subpart 1 of Part 4; or

(b) the Landmarks list made under subpart 2 of Part 4.

(3) Despite subsection (1), an authority is not required to permit work on a building that is an archaeological site unless the work will result in the demolition of the whole of the building.

will reduce ambiguities in plan interpretation. The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions.

3.12 Add, Delete or Amend Items on HH-SCHED2 – Historic Heritage Items

3.12.1 Matters raised by submitters

371. Several submitters seek amendments to HH-SCHED2 to add, delete or amend items on the schedule.
372. Bellgrove Rangiora Ltd (Bellgrove) [408.14] seek the extent of the heritage area for HH052 at 52 Kippenberger Avenue, Rangiora be amended in accordance with the changes proposed in Stage 1 of the Bellgrove subdivision. Bellgrove also request the criteria used to evaluate the extent of the scheduled setting or open space around a heritage item is included.
373. Blair and Renee Williamson [151.1] seek the deletion of their property (HH098) from HH-SCHED2. They state the property has undergone extensive renovations and nothing original remains of the structure. Other properties in Cust of a similar age are not scheduled in the Proposed Plan and they consider this is unfair. They are concerned the scheduling will impact their potential future use of the property and impact the resale value of the property.
374. Denise Lochhead [154.1], Joanne Laphorne and Robert Hanna [235.1] and the Woodend-Sefton Community Board [155.3] seek the former Sefton Library (HH093) at 14 Pembertons Road, Sefton, is deleted from HH-SCHED2. These submitters inform that the building is not completely original, is earthquake damaged, has been vacant for several years and is in a deteriorated state. The trustees of the former Sefton Library have been involved in a lengthy process to change the Trust deed to enable the sale of the property. The funds from the future sale of the property are intended to contribute to the funding of a new community hall at the Sefton Domain. Options to restore the former library are not feasible as the Trust does not have the funds to do so.
375. Heritage NZ [178.28] state the HNZPT list number for HH001 is incorrect and should be corrected to 3677.
376. Heritage NZ [178.29, 178.30, 178.31, 178.32, and 178.33] support the inclusion of the following properties as new historic heritage items on HH-SCHED2 and seek they are retained:
 - HH022, Former Kirk house, 12 Carew Street, Kaiapoi;
 - HH023, Waimakariri Gorge Bridge, (part) Depot Road, Burnt Hill, Oxford;
 - HH028, Former Neeve farmhouse, 91 Island Road, Clarkville, Kaiapoi;
 - HH041, Former Morgan/Sims house, 232 Williams Street, Kaiapoi; and
 - HH064, Former Bank of New Zealand manager's residence/Rangiora Museum, 29 Good Street, Rangiora.
377. Heritage NZ [178.34, 178.35, 178.36, 178.37, 178.38, 178.39, 178.40, 178.41, 178.42, 178.43] seek HH-SCHED2 is amended to add items that are on the HNZPT list, but which are not scheduled on HH-SCHED2. These HNZPT list items are:
 - Tisbury Cottage. 1842 Cust Road, Cust [178.34];

- 367 High Street, Rangiora [178.35];
 - 152 King Street, Rangiora [178.36];
 - 16 Seddon Street, Rangiora [178.37];
 - Doyle's Cob House. 33 Wallers Road, Loburn [178.38];
 - Mairangi Homestead and Stables. 110 Parsonage Road, Woodend [178.39];
 - 38 Ashley Street, Rangiora [178.40];
 - Coldstream Orchard House. 200 Coldstream Rd, Coldstream, Rangiora [178.41];
 - Ohoka Gate Keepers Lodge (Former). 493 Mill Road and Whites Road, Ohoka [178.42];
and
 - Pine Hill House. 211 Summerhill Road, Cust [178.43].
378. Michael de Hamel [261.4] believes the description of his property (HH036) is not accurate and requests that the Historic Heritage Item Record Form that is hyperlinked from the heritage item ID in HH-SCHED2, is amended. Mr de Hamel states the property has *"construction evidence which dates the main part of the cottage to probably the early 1860's, the first part of the rear extension to the last decade of the 19th century and the remainder of the rear extension (as noted, but there was no demolition) to 1989. The present land title boundary is a recent one – Council records will show that we made a boundary adjustment with our neighbours at Number 3 about 15 years ago."*
379. Rhonda Mather [95.1] requests 'Bob's Bridge' (the swingbridge over Lake Pegasus) and the six pou at the entrance to Pegasus Town are added to HH-SCHED2 to protect and preserve them for future generations.
380. The Kaiapoi-Tuahiwi Community Board [147.6] support the chapter and seek consideration to be given to other historic or cultural items of interest.
381. The Woodend-Sefton Community Board [155.14] request modern features and structures e.g. the Woodend War Memorial, Bob's Bridge in Pegasus, and the Pegasus Pou, are recognised *"so that they can become the historic heritage in the future."* The Board state that these iconic features are important to the community, and they deserve recognition.
- Further submissions*
382. Oxford Equity Ltd [FS117] supports the submission by Bellgrove [408.14] and seeks that the relief sought by Bellgrove also be applied to the Redwoods property (HH050). Oxford Equity Ltd [FS117] seek: *"the arbitrary extension of the heritage setting for the Redwoods property being extended to the entirety of the property, be amended from what has been notified and the heritage listing of the Redwoods Property to remain as stated in the ODP as only the Redwoods building and buffer zone of two metres around the building."*
383. Richard and Geoff Spark [FS37] support in part the submission by Bellgrove [408.14] to the extent that the Bellgrove submission supports the relief sought in the original submission by Richard and Geoff Spark [183] on the Proposed Plan.

384. Templeton Group [FS81] oppose the submission by the Woodend-Sefton Community Board [155.14], as it relates to the swingbridge 'Bob's Bridge' in Pegasus *"insofar as it may affect development proposals and considers that sufficient evidence has not been presented to establish that this item qualifies as historic heritage."*
385. Templeton Group [FS81] oppose the submission by Rhonda Mather [95.1], as it relates to the swingbridge 'Bob's Bridge' in Pegasus *"insofar as it may affect development proposals by Templeton Group including sightlines"*.

3.12.2 Assessment

386. I sought expert evidence from Dr McEwan from *Heritage Consultancy Services* to advise on the following submissions; Bellgrove Rangiora Ltd [408.14], Blair and Renee Williamson [151.1], Denise Lochhead [154.1], Joanne Laphorne and Robert Hanna [235.1] and the Woodend-Sefton Community Board [155.3], Heritage NZ [178.34, 178.35, 178.36, 178.37, 178.38, 178.39, 178.40, 178.41, 178.43], and Michael de Hamel [261.4]. Dr McEwan's expert advice is contained within her Statement of Evidence.
387. The identified properties were assessed by Dr McEwan in 2019 as part of the District Plan review to determine their historic significance to the District and to consider scheduling on the Proposed Plan. To respond to the issues raised by the submitters, Dr McEwan and I visited, or viewed from the street, each of the properties in April 2023, and Dr McEwan made an assessment and recommendation on each of the properties. Her assessment and recommendations are contained in her Statement of Evidence and includes, as attachments, updated Historic Heritage Item Record Forms (HHRF) and updated memos recommending items are not scheduled.

Bellgrove Rangiora Ltd [408.14]

388. Bellgrove [408.14] seek the extent of the heritage setting for HH052 is amended. The heritage setting for the 'Belgrove' farmhouse (HH052) was determined prior to the approval of the resource consent application for the Bellgrove subdivision. The setting is a circular area around the homestead that encompasses some of the garden and mature trees. Since the notification of the Proposed Plan, consent has been approved for the Bellgrove subdivision which includes a Temporary Protection Plan for the 'Belgrove' homestead¹². In her statement of evidence, Dr McEwan confirms that the *"house is being protected and that its heritage significance is being acknowledged through the lot size and siting within the development"*¹³.
389. Dr McEwan recommends the submission be accepted in part and I concur with this recommendation. I rely on the advice of Dr McEwan and recommend the extent of the setting for HH052 is *"amended to the new land parcel on which the house will be located within the 'Bellgrove' subdivision"*,¹⁴ as shown below in **Figure 1** and in **Appendix D**. The updated HHRF is available in Dr McEwan's Statement of Evidence as Attachment 12. I note this HHRF has not been finalised as the record of title is still to be created.

¹² <https://www.epa.govt.nz/fast-track-consenting/referred-projects/bellgrove/the-decision/>

¹³ Dr Ann McEwan Statement of Evidence para 26.

¹⁴ Dr Ann McEwan Statement of Evidence para 27.

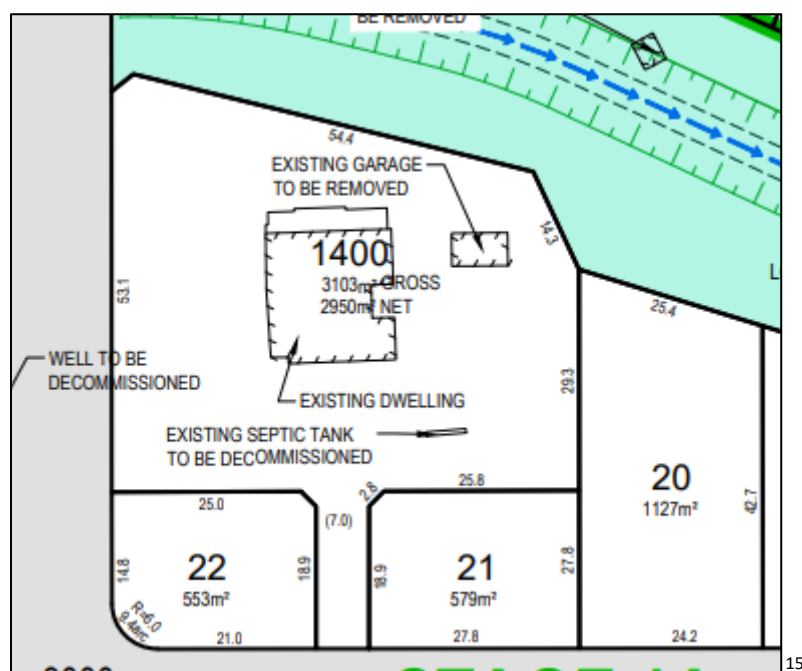


Figure 1: Extent of the heritage setting for the 'Belgrove' farmhouse as the new land parcel shown here as lot 1400 in the Proposed Subdivision of LOT 1 DP 22674, LOT 2 DP 24808, PT LOT 2 DP 9976 & PT RS 267

390. Bellgrove [408.14] also seek the criteria used to evaluate the extent of the scheduled setting or open space around a heritage item is included in the HH chapter. The extent of the setting around a heritage item is determined based on the criteria in HH-SCHED1 - Historic Heritage Significance Assessment Criteria, and the assessment is carried out by a heritage professional.
391. The Bellgrove [408.14] submission is support by further submissions from Richard and Geoff Spark [FS37] and Oxford Equity Ltd [FS117].
392. As stated in section 1.5 of this report, I consider the further submission by Oxford Equity Ltd [FS117] to be out of scope of what a further submission can seek as the further submission seeks changes that were not sought in the original submission. The further submission supports the changes sought by Bellgrove [408.14] to the extent of the scheduled setting for HH052 and supports Bellgrove's reasons as to why the extent of the setting should be amended. The further submission seeks that the extent of the setting for the 'Redwoods' property HH050, is amended to the setting in the Operative Plan that was the building with a 2m buffer zone.
393. As the further submission seeks a decision that was not sought in the Bellgrove [408.14] original submission, I consider the decision sought is out of scope. I have therefore only considered the further submission's support for the Bellgrove [408.14] original submission. I have not considered the decision sought in the further submission as it pertains to the 'Redwoods' property HH050.

¹⁵ Image taken from the Subdivision Scheme Plan for subdivision consent RC125579.

394. I recommend the Bellgrove [408.14] submission be **accepted in part**.
Blair and Renee Williamson [151.1] - Delete HH098 from HH-SCHED2
395. Blair and Renee Williamson [151.1] seek the deletion of their property (HH098) from HH-SCHED2. In her Statement of Evidence, Dr McEwan states that in her 2019 assessment, she considered the property “*merited scheduling as a B ranked item on the basis of its historic and contextual heritage significance, notwithstanding the modified state of the building*”¹⁶. In April 2023, Dr McEwan and I visited the Williamson’s property and Dr McEwan reviewed her earlier assessment. As a result, Dr McEwan “*determined that the building, although it retains its historic interest and is a local streetscape feature, no longer has sufficient authenticity and integrity to merit scheduling on the PDP.*”¹⁷
396. I rely on the recommendation of Dr McEwan to **accept** the submission by Blair and Renee Williamson [151.1]. I recommend HH098 is deleted from HH-SCHED2. The updated memo recommending the property is deleted from HH-SCHED2 is available in Dr McEwan’s Statement of Evidence as Attachment 1.
Denise Lochhead [154.1] Woodend-Sefton Community Board [155.3] and Joanne Laphorne and Robert Hanna [235.1] – Delete HH093 from HH-SCHED2
397. The submitters oppose the scheduling of the former Sefton Library (HH093) on HH-SCHED2. Dr McEwan and I visited the former Sefton Library in April 2023 and were shown inside the property by Denise Lochhead. In her Statement of Evidence, Dr McEwan confirms she is still of the opinion that “*the building has significant heritage value and retains sufficient authenticity and integrity to merit scheduling.*”¹⁸
398. Dr McEwan and I spoke with Denise Lochhead during the site visit and through this discussion, the problems associated with the former Sefton Library were clarified. I now understand that the property poses numerous frustrations to the Trustees of the former Sefton Library and the scheduling of the property was another frustration that was perceived to limit the future saleability of the property which is necessary to provide funds for the new Sefton Hall.
399. Whilst I have sympathy for the difficulties faced by the Trustees in managing the former Sefton Library, as outlined in section 3 in the S32 Report for Historic Heritage, these higher order documents direct historic heritage to be protected and maintained and the scheduling of heritage items is a method used to achieve this direction.
400. As Dr McEwan has confirmed that the “*building has significant heritage value*”¹⁹, I consider in order to give effect to section 6(f) of the RMA to protect “*historic heritage from inappropriate subdivision, use, and development*”, the former Sefton Library should be retained as a scheduled heritage item. I consider it is important to emphasise that the scheduling of the building does not prevent the building from being renovated, reused, or demolished as this may be achieved through application for resource consent.

¹⁶ Dr Ann McEwan Statement of Evidence para 13.

¹⁷ Dr Ann McEwan Statement of Evidence para 14.

¹⁸ Dr Ann McEwan Statement of Evidence para 31.

¹⁹ Dr Ann McEwan Statement of Evidence para 31.

401. The Council could assist with the maintenance of the grounds as I consider this would alleviate some of the difficulties associated with the building. Alternatively, application could be made to the Contestable Heritage Fund for Council funding to pay a contractor to maintain the grounds or to undertake basic building maintenance to secure the building. These options can be worked through outside of the Proposed Plan process.

402. I rely on the recommendation of Dr McEwan to **reject** the submissions from Denise Lochhead [154.1], the Woodend-Sefton Community Board [155.3], and Joanne Laphorne and Robert Hanna [235.1]. Based on Dr McEwan's expert evidence, I recommend the former Sefton Library is retained as a scheduled historic heritage item in the Proposed Plan. Dr McEwan provided an updated HHRF, and this is available in her Statement of Evidence as Attachment 11.

Heritage NZ [178.28] – Amend HH001

403. Heritage NZ [178.28] state the HNZPT list number for HH001 is incorrect and should be corrected to 3677. HH001 is correctly identified in HH-SCHED2 as 3677 and I therefore recommend the submission by Heritage NZ [178.28] be **rejected**.

Heritage NZ [178.29, 178.30, 178.31, 178.32, and 178.33] – Support scheduling of items

404. Heritage NZ support the new scheduling of HH022, HH023, HH028, HH041, and HH064 on HH-SCHED2 which are Heritage NZ listed items and seek they are retained as notified. I concur with the submitter and recommend the submissions are **accepted**.

Heritage NZ [178.34, 178.35, 178.36, 178.37, 178.38, 178.39, 178.40, 178.41, 178.42, 178.43] – Schedule Heritage NZ list items

405. Heritage NZ submitted to include the following items that are on the HNZPT list into HH-SCHED2:

- Tisbury Cottage. 1842 Cust Road, Cust [178.34];
- 367 High Street, Rangiora [178.35];
- 152 King Street, Rangiora [178.36];
- 16 Seddon Street, Rangiora [178.37];
- Doyle's Cob House. 33 Wallers Road, Loburn [178.38];
- Mairangi Homestead and Stables. 110 Parsonage Road, Woodend [178.39];
- 38 Ashley Street, Rangiora [178.40];
- Coldstream Orchard House. 200 Coldstream Rd, Coldstream, Rangiora [178.41];
- Ohoka Gate Keepers Lodge (Former). 493 Mill Road and Whites Road, Ohoka [178.42];
and
- Pine Hill House. 211 Summerhill Road, Cust [178.43].

406. Heritage NZ [178.42] submitted to include the Ohoka Gate Keepers Lodge (Former) in HH-SCHED2. The property was recommended for scheduling by Dr McEwan in 2019, however, by error it was not included in HH-SCED2 when the Proposed Plan was notified. I therefore

recommend the Heritage NZ [178.42] submission is **accepted**, and the Ohoka Gate Keepers Lodge (Former) is added to HH-SCHED2. The HHRF is available in Dr McEwan's Statement of Evidence as Attachment 14.

407. Section 74(2)(b)(iia) of the RMA requires the preparation of district plans to have regard to entries on the New Zealand Heritage List/Rārangi Kōrero. All of the items on the HNZPT list in the Waimakariri District were considered and assessed by Dr McEwan in 2019 in the preparation of the Proposed Plan. In response to the submission, Dr McEwan re-evaluated her initial assessments of these properties, and conducted site visits in April 2023 (some of these were visual assessments from the street only). In her Statement of Evidence, Dr McEwan confirms she retains her earlier opinion of these sites and does not recommend them for scheduling.
408. In her Statement of Evidence, Dr McEwan states that *"it is quite common for the HNZPT List and district plan heritage schedules to diverge from one another. I note that the criteria for entering historic places on the HNZPT List is included in the HNZPT Act 2014 and is distinct from the RMA definition of historic heritage resources that guides the development of district plan heritage criteria."*²⁰
409. I rely on the recommendation of Dr McEwan to **reject** the submission points by Heritage NZ [178.34, 178.35, 178.36, 178.37, 178.38, 178.39, 178.40, 178.41, and 178.43].
410. The updated memos recommending the items not be scheduled in HH-SCHED2 are available in the attachments to Dr McEwan's Statement of Evidence.

Michael de Hamel [261.4] – Amend the description of HH036

411. Mr de Hamel is concerned the description of his property at 5 Meadow Street, Kaiapoi (HH036) is partly inaccurate. Dr McEwan and I visited the property in April 2023, and we were able to speak with Mr de Hamel about the history of the property. Prior to the site visit, Mr de Hamel sent through additional historical and contextual information about the property which is available in **Appendix E**, and Dr McEwan considered this information in her assessment. In her Statement of Evidence, Dr McEwan confirms she was *"unable to verify the historical information provided by the submitter. Rather I believe I have confirmed that the subject property was a vacant paddock when it was offered for sale in 1875. I could also find no evidence that the cottage was built to house sawmill workers."*²¹
412. Dr McEwan has slightly revised the HHRF for the property that is hyperlinked from HH-SCHED2, however the initial overall description and assessment still stands. This updated HHRF is available as Attachment 13 in her Statement of Evidence.

413. I recommend the submission by Mr de Hamel [261.4] is **accepted in part**.

Rhonda Mather [95.1], Kaiapoi-Tuahiwī Community Board [147.6] and Woodend-Sefton Community Board [155.14] – Schedule more items

414. These submitters seek other historic and cultural items and more modern features in the District to be scheduled in the Proposed Plan. Specific examples of items include the

²⁰ Dr Ann McEwan Statement of Evidence para 33.

²¹ Dr Ann McEwan Statement of Evidence para 22.

swingbridge over Lake Pegasus, the six pou at the entrance to Pegasus Town, and the Woodend War Memorial. I recognise these items and other newer structures in the District, are valued by many members of the community and in the future, they may be considered for heritage protection.

415. It is important for items to have historic significance in order to be protected through inclusion on HH-SCHED2. 'Bobs bridge' and the six pou are less than 20 years old, and the new Woodend War Memorial was unveiled in 2019. In the future, these items may be considered to have sufficient historic authenticity and interest and be protected. However, I do not consider these items can, at present, be considered for scheduling on HH-SCHED2.
416. I note that the submissions by Rhonda Mather [95.1] and the Woodend-Sefton Community Board [155.14] were opposed in a further submission by Templeton Group [FS81] in relation to 'Bobs bridge' at Pegasus.
417. The Kaiapoi-Tuahiwi Community Board [147.6] otherwise support the HH chapter.
418. I recommend the submissions by the Kaiapoi-Tuahiwi Community Board [147.6] be **accepted in part**.
419. I recommend the submissions by Rhonda Mather [95.1] and the Woodend-Sefton Community Board [155.14] be **rejected**.

3.12.3 Summary of recommendations

420. I recommend the submissions by Blair and Renee Williamson [151.1] and Heritage NZ [178.29, 178.30, 178.31, 178.32, 178.33, and 178.42] be **accepted**.
421. I recommend the submissions by Bellgrove [408.14], Michael de Hamel [261.4] and the Kaiapoi-Tuahiwi Community Board [147.6] be **accepted in part**.
422. I recommend the following submissions be **rejected**:
- Denise Lochhead [154.1];
 - Joanne Laphorne and Robert Hanna [235.1];
 - Woodend-Sefton Community Board [155.3];
 - Heritage NZ [178.28, 178.34, 178.35, 178.36, 178.37, 178.38, 178.39, 178.40, 178.41, and 178.43];
 - Rhonda Mather [95.1];
 - Woodend-Sefton Community Board [155.14].
423. I recommend the further submission by Templeton Group [FS81] as it relates to the submissions by Rhonda Mather [95.1] and the Woodend-Sefton Community Board [155.14] be **accepted**.
424. I recommend the further submissions by Oxford Equity Ltd [FS117] (noting the issue of scope addressed above in relation to the Bellgrove [408.14] submission) and Richard and Geoff Spark [FS37] as they relate to the Bellgrove [408.14] submission point be **accepted in part**.

425. I recommend changes be made to HH-SCHED2-Historic Heritage Items in the Proposed Plan as described below and in **Appendix A**:
- Amend the planning maps to show the extent of the setting for HH052 'Belgrove farmhouse' as the land parcel on which the house is located. Amend HH-SCHED2 to replace the existing HHRF for HH052 with the updated HHRF available in the Statement of Evidence by Dr McEwan as Attachment 12.
 - Delete HH098 'Former Head, Hodgson & Howat's store' from HH-SCHED2.
 - Amend HH-SCHED2 to replace the existing HHRF for HH093, former Sefton Library at 14 Pembertons Road, Sefton, with the updated HHRF available in the Statement of Evidence by Dr McEwan as Attachment 11.
 - Amend HH-SCHED2 to replace the existing HHRF for HH036, 5 Meadow Street, Kaiapoi, with the updated HHRF available in the Statement of Evidence by Dr McEwan as Attachment 13.
 - Amend HH-SCHED2 to include the Ohoka Gate Keepers Lodge (Former) (including by adding the hyperlink to the HHRF available in the Statement of Evidence by Dr McEwan as Attachment 14) to read as follows:

HH120. 'Former Ohoka Estate lodge (gardener's residence)'. 493 Mill Road [Whites Road frontage], Ohoka. Lot 4 DP 1641. Building. B. HNZPT historic place category 2, list # 3817.

3.13 Other Methods

3.13.1 Matters raised by submitters

426. Clampett [284.1] and RIDL [326.1, 326.2, and 326.3] submitted to remove public and limited notification on all controlled and restricted discretionary activity rules, and to remove the terms avoid, remedy, and mitigate from the Proposed Plan provisions.

Further submissions

427. Forest and Bird [FS78], the Ohoka Residents Association [FS84], Ohoka Residents Association [FS137], Andrea Marsden [FS119] and Christopher Marsden [FS120] oppose the RIDL [326.1] submission point.
428. Forest and Bird [FS78], Andrea Marsden [FS119], Christopher Marsden [FS120], and the Ohoka Residents Association [FS137] oppose the RIDL [326.2] submission point.
429. Forest and Bird [FS78] and the Ohoka Residents Association [FS137] oppose the RIDL [326.3] submission point.

3.13.2 Assessment

430. I have reviewed the HH chapter for all notification clauses and for the use of avoid, remedy and mitigate in the provisions. The chapter precludes public notification for the restricted discretionary rules HH-R4 and HH-R5 but allows limited notification to Heritage New Zealand if required. I consider the notification standards for the rules in the HH chapter are appropriate and as Clampett and RIDL have not justified their request in relation to the HH provisions, I consider there is no reasonable justification to remove limited notification for HH-R4 and HH-R5.

431. The permitted activity rules HH-R1, HH-R2 and HH-R3 become restricted discretionary when compliance is not achieved. These rules have the same notification clauses as rules HH-R4 and HH-R5 and I consider this is appropriate.
432. The term 'avoid' is used in HH-P6 and HH-P8. These policies concern the relocation of 'Highly Significant' historic heritage beyond its existing site/ setting, and the demolition of scheduled historic heritage. I consider the use of the term 'avoid' in these situations is appropriate to protect historic heritage from inappropriate subdivision, use, and development as required by s6(f) of the RMA. 'Mitigate' is used in HH-MD5 and its use is contextually appropriate.

3.13.3 Summary of recommendations

433. I recommend the submissions by Clampett [284.1] and RIDL [326.1, 326.2, 326.3], as they relate to the HH chapter are **rejected**.
434. I recommend the further submissions by Forest and Bird [FS78], Ohoka Residents Association [FS84], Ohoka Residents Association [FS137], Andrea Marsden [FS119] and Christopher Marsden [FS120] as they relate to the submissions by RIDL [326.1, 326.2, and 326.3] be **accepted**.

4 Conclusions


435. Submissions have been received in support, in opposition and seeking amendments to the Proposed Plan in relation to the Historic Heritage chapter. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the Proposed Plan should be amended as set out in **Appendix A** of this report.
436. For the reasons set out in the Section 32AA evaluations included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
- achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives; and
 - achieve the relevant objectives of the Proposed Plan, in respect to the proposed provisions.

Recommendations:

I recommend that:

1. The Hearing Commissioners accept, accept in part, or reject submissions (and associated further submissions) as outlined in **Appendix B** of this report; and
2. The Proposed Plan is amended in accordance with the changes recommended in **Appendix A** of this report.

Signed:

Name and Title		Signature
Report Author	Bryony Steven Graduate Planner	

Appendix A. Recommended Amendments to Taonga o onamata - Historic Heritage Chapter

Where I recommend changes in response to submissions, these are shown as follows:

- Text recommended to be added to the Proposed Plan is underlined.
- Text recommended to be deleted from the Proposed Plan is ~~struck through~~.

Other notes

- Sections in red text and highlighted in yellow are identifying markup that assists with understanding how the Proposed Plan gives effect to Variation 1: Housing Intensification. The heritage items listed in HH-SCHED2 are identified in Variation 1 as being a qualifying matter and therefore the Medium Density Residential Standards (which took immediate legal effect at the notification of Variation 1) do not apply to the scheduled items.
- Some amendments cannot be shown in Appendix A and are instead identified below:
 - Amend HH-SCHED2 to replace the existing HHRF for HH052, 'Belgrove' farmhouse, 52 Kippenberger Avenue, Rangiora, with the updated HHRF available in the Statement of Evidence by Dr McEwan as Attachment 12.
 - Amend HH-SCHED2 to replace the existing HHRF for HH093, former Sefton Library at 14 Pembertons Road, Sefton, with the updated HHRF available in the Statement of Evidence by Dr McEwan as Attachment 11.
 - Amend HH-SCHED2 to replace the existing HHRF for HH036, 5 Meadow Street, Kaiapoi, with the updated HHRF available in the Statement of Evidence by Dr McEwan as Attachment 13.

THIS SECTION HAS RULES THAT HAVE LEGAL EFFECT. PLEASE CHECK THE EPLAN TO SEE WHAT THE LEGAL EFFECT IS OR SUBJECT TO APPEAL.

HH - Taonga o onamata - Historic Heritage

Introduction

The protection of historic heritage from inappropriate subdivision, use and development is a matter of national importance under the RMA. Historic heritage contributes to the environmental qualities, amenity values and character of the District.

Historic heritage includes those items that provide a sense of place and tangible links with the past. Heritage values have been identified, based on matters set out in the RPS, and have been assessed against significance criteria directly based on those matters. These criteria provide a basis for assessing historic heritage as to its significance to the District.

Historic heritage is vulnerable to modification, damage or destruction from inappropriate subdivision, use or development. It is important that heritage values are identified, protected and maintained.

Statutory responsibility is also held by HNZPT under the HNZPTA. It is unlawful to destroy, damage or modify an archaeological site regardless of whether the archaeological²² site is identified in the District Plan, identified elsewhere or not recorded, without obtaining an archaeological authority from HNZPT. This is also the case regardless of whether the activity is permitted under the District Plan or a resource or building consent has been granted.²³

The provisions in this chapter have been justified where required by a s77J qualifying matter assessment contained in the relevant section 32 evaluation report under the RMA.

The rules and schedules in this chapter have immediate legal effect under s86B(3)(a)

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

Other potentially relevant District Plan provisions

As well as the provisions in this chapter, other District Plan chapters that contain provisions that may also be relevant to historic heritage include:

²² Heritage New Zealand [178.11]

²³ Heritage New Zealand [178.10]

- Energy and Infrastructure: rules within this chapter are relevant, in the context of HH-P7, as this chapter contains controls on some types of infrastructure in places with heritage values.
- Signs: contains provisions relevant for historic heritage, in particular SIGN-R3 Any community sign, and SIGN-R8 Any sign other than a community sign fixed on a historic heritage item or within a historic heritage setting.
- Subdivision: contains provisions relevant for historic heritage, in particular SUB-R7 Subdivision of a site containing a historic heritage item, heritage setting or notable tree.
- Earthworks: addresses earthworks within archaeological sites and²⁴ in relation to historic heritage and any heritage setting.
- Sites and Areas of Significance to Māori: contains provisions relevant to protect wāhi tapu/wāhi taonga from adverse effects.
- Any other District wide matter that may affect or relate to the site.
- Zones: the zone chapters contain provisions about what activities are anticipated to occur in the zones.

Objectives	
HH-O1	Contribution to the District Historic heritage and its overall contribution to the identity of the District is recognised, protected and maintained.
Policies	
HH-P1	Identification of historic heritage Identify historic heritage and assess the significance of its heritage values according to the criteria identified in HH-SCHED1.
HH-P2	Significance categories and scheduling Categorise identified historic heritage as either 'Significant' or 'Highly Significant' according to the following: <ol style="list-style-type: none"> 1. 'Highly Significant' (Category A) historic heritage shall: <ol style="list-style-type: none"> a. meet at least one of the criteria of HH-P1 at a Highly Significant level; and b. be of high overall significance to the District, as it conveys important aspects of history or development, and thereby makes a strong contribution to the sense of identity; and c. have a high degree of authenticity (based on physical and documented evidence) and a high degree of integrity (whole or intact heritage fabric and heritage values) to clearly demonstrate that it is of high significance; or 2. 'Significant' (Category B) historic heritage shall: <ol style="list-style-type: none"> a. meet at least one of the criteria of HH-P1 at a Significant or Highly Significant level; and b. be of district significance, as it conveys aspects of history or development, and thereby contributes to the sense of identity; and c. have a sufficient degree of authenticity (based on physical and documentary evidence) and a moderate degree of integrity (whole or intact heritage fabric and heritage values) to clearly demonstrate that it is of significance; and

²⁴ Heritage New Zealand [178.12]

	3. Schedule historic heritage and any associated heritage setting in HH-SCHED2 where the categories for 'Highly Significant' (Category A) or 'Significant' (Category B) are met.
HH-P3	Heritage settings Recognise and maintain the relationship of historic heritage and any associated heritage setting for historic heritage listed in HH-SCHED2 within the context of subdivision, use and development.
HH-P4	Archaeological sites Assist Te Ngāi Tūāhuriri Rūnanga and HNZPT to protect identified and any unmarked or unrecorded archaeological sites from modification, disturbance, damage and destruction.
HH-P5	<u>Adverse Manage effects on Historic Heritage</u> ²⁵ Manage the effects of subdivision, use and development on historic heritage and heritage settings, listed in HH-SCHED2, in a way that: <ol style="list-style-type: none"> 1. provides for ongoing use and re-use that is sensitive to identified heritage values; 2. enables heritage investigative and temporary works and maintenance or repair to meet Building Code requirements, that is sensitive to identified heritage values; 3. protects identified heritage values from inappropriate subdivision, use, and development, including any alteration, addition and the erection of a structure, building or addition to a building within a site or heritage setting; and 4. conserves, and where possible enhances, the authenticity and integrity of historic heritage and any heritage setting, particularly for 'Highly Significant' historic heritage.
HH-P6	Relocation of significant and highly significant historic heritage Provide for the relocation of: <ol style="list-style-type: none"> 1. 'Significant' historic heritage, listed in HH-SCHED2, beyond its existing site and/or heritage setting where: <ol style="list-style-type: none"> a. it is demonstrably necessary to facilitate on-going use or protection of the historic heritage; b. alternatives to relocation have been fully evaluated and the costs of retention on-site outweigh the benefits; c. measures are in place to minimise the risk of damage to the historic heritage, and relocation will maintain the identified heritage values; and d. the new site is compatible with and sensitive to the heritage values of the historic heritage being relocated; and 2. 'Significant' and 'Highly Significant' historic heritage, listed in HH-SCHED2, within its existing site and/or heritage setting where: <ol style="list-style-type: none"> a. relocation is necessary to facilitate on going use or protection of the historic heritage item, including its heritage setting; b. measures are in place to minimise the risk of damage to the historic heritage, and relocation will maintain the identified heritage values; and

²⁵ Heritage NZ [178.18]

	<p>c. alternative options have been explored and it is demonstrated that relocation is the only feasible option; and</p> <p>3. avoid the relocation of 'Highly Significant' historic heritage, listed in HH-SCHED2, beyond its existing site and/or heritage setting, to protect relevant Category A (HH-P1 and HH-P2) values.</p>
HH-P7	<p>Siting of infrastructure Ensure the siting of new infrastructure protects the heritage values of historic heritage listed in HH-SCHED2, taking into account the functional need or operational need for the siting of the infrastructure.</p>
HH-P8	<p>Demolition of listed historic heritage Avoid demolition of historic heritage, listed in HH-SCHED2, unless:</p> <ol style="list-style-type: none"> 1. there is a real and significant risk to life or property that interim measures could not address; or 2. costs to retain the historic heritage would be unreasonable compared to all reasonable options to restore, repair, adapt, reuse or relocate the historic heritage item; and 3. options to restore, repair, adapt, reduce the extent of demolition, reuse, or relocate would be insensitive to identified heritage values, recognising the significance category of the historic heritage and its heritage setting.

Activity Rules

HH-R1	Maintenance or repair of any historic heritage item listed in HH-SCHED2	
Heritage Building or Item Overlay	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. any heritage fabric removed is limited to the amount necessary to carry out the maintenance or repair; 2. the area any heritage fabric has been removed from shall be made weather tight; or²⁶ 3. the activity is undertaken to satisfy or better meet compliance with the Building Act 2004 and Building Code; and 4. the any²⁷ activity <u>other than painting</u>²⁸ is undertaken in accordance with the design and/or supervision of a heritage professional or architect suitably qualified in heritage maintenance or repair. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:</p> <p>HH-MD1 - Adverse effects on heritage values HH-MD2 - Intervention and viability of historic heritage HH-MD3 - Consultation HH-MD5 - Mitigation measures</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to HNZPT, in respect of sites on the New Zealand Heritage List Rārangī Kōrero, where the consent authority considers</p>

²⁶ Heritage New Zealand [178.19]

²⁷ Waimakariri District Council [367.22]

²⁸ Waimakariri District Council [367.22]

		this is required, absent its written approval.
HH-R2 Heritage investigative and temporary works of any historic heritage item listed in HH-SCHED2		
Heritage Building or Item Overlay	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> any heritage fabric removed is limited to the amount necessary to carry out the works; the area any heritage fabric has been removed from shall be made weather tight; any removed heritage fabric (excluding core drilling samples) shall be recorded and stored; and the activity is undertaken in accordance with the design and/or supervision of a heritage professional or architect suitably qualified in heritage investigative and temporary works. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> HH-MD1 - Adverse effects on heritage values HH-MD2 - Intervention and viability of historic heritage HH-MD3 - Consultation HH-MD5 - Mitigation measures <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to HNZPT, in respect of sites on the New Zealand Heritage List Rārangī Kōrero, where the consent authority considers this is required, absent its written approval.</p>
HH-R3 Construction of a structure, building or addition to a building within any historic heritage setting listed in HH-SCHED2		
Heritage Building or Item Overlay Heritage Area Overlay	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> any structure or building or addition to a building <u>within any historic heritage setting listed in HH-SCHED2²⁹</u> is less than 10m² in GFA and 2m in height; the activity is necessary for the maintenance, repair and replacement of an existing car park, accessway, driveway or paved area. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> HH-MD1 - Adverse effects on heritage settings HH-MD3 - Consultation HH-MD4 - Re-use and relocation HH-MD5 - Mitigation <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to HNZPT, in respect of sites on the New Zealand Heritage List Rārangī Kōrero, where the consent authority considers</p>

²⁹ Heritage New Zealand [178.21]

		this is required, absent its written approval.
HH-R4	Relocation of any historic heritage <u>item</u>³⁰ listed in HH-SCHED2 within its site or heritage setting	
Heritage Building or Item Overlay Heritage Area Overlay	<p>Activity status: RDIS Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> HH-MD1 - Adverse effects on heritage values HH-MD2 - Intervention and viability of historic heritage HH-MD3 - Consultation HH-MD4 - Re-use and relocation HH-MD5 - Mitigation measures <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to HNZPT, in respect of sites on the New Zealand Heritage List Rārangī Kōrero, where the consent authority considers this is required, absent its written approval.</p>	Activity status when compliance not achieved: N/A
HH-R5	Alteration of or addition to <u>any</u>³¹ historic heritage item listed in HH-SCHED2	

³⁰ Waimakariri District Council [367.52]

³¹ Waimakariri District Council [367.53]

Heritage Building or Item Overlay Heritage Area Overlay	Activity status: RDIS Matters of discretion are restricted to: HH-MD1 - Adverse effects on heritage values HH-MD2 - Intervention and viability of historic heritage HH-MD3 - Consultation HH-MD4 - Re-use and relocation HH-MD5 - Mitigation measures Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to HNZPT, in respect of sites on the New Zealand Heritage List Rārangī Kōrero, where the consent authority considers this is required, absent its written approval.	Activity status when compliance not achieved: N/A
HH-R6 Relocation of <u>any</u>³² 'Significant' (Category B) historic heritage listed in HH-SCHED2 beyond its site or heritage setting		
Heritage Building or Item Overlay Heritage Area Overlay	Activity status: DIS	Activity status when compliance not achieved: N/A
HH-R7 Demolition of <u>any</u>³³ 'Significant' (Category B) historic heritage items listed in HH-SCHED2		
Heritage Building or Item Overlay Heritage Area Overlay	Activity status: DIS	Activity status when compliance not achieved: N/A
HH-R8 Relocation of <u>any</u>³⁴ 'Highly Significant' (Category A) historic heritage items listed in HH-SCHED2 beyond its site or heritage setting		

³² Waimakariri District Council [367.54]

³³ Waimakariri District Council [367.55]

³⁴ Waimakariri District Council [367.56]

Heritage Building or Item Overlay Heritage Area Overlay	Activity status: NC	Activity status when compliance not achieved: N/A
HH-R9	Demolition of <u>any</u> ³⁵ 'Highly Significant' (Category A) historic heritage items listed in HH-SCHED2	
Heritage Building or Item Overlay Heritage Area Overlay	Activity status: NC	Activity status when compliance not achieved: N/A

Advice Notes

HH-AN1	Activities and structures may also be subject to controls outside the District Plan. Reference should also be made to any other applicable rules or constraints within other legislation or ownership requirements including but not limited to the Building Act 2004 and the HNZPTA.
HH-AN2	If any activity associated with a project, including earthworks, modifications to any pre-1900 structure, or demolition of any pre-1900 building, may modify, damage or destroy an archaeological site(s), an archaeological authority from HNZPT must be obtained for the work to proceed lawfully.
HH-AN3	Many archaeological sites are also scheduled sites of significance to Māori. Provisions relating to sites of significance to Māori are contained in the Sites and Areas of Significance to Māori Chapter.
HH-AN4	If an archaeological site is discovered, for example when conducting earthworks, work that could affect the <u>archaeological</u> ³⁶ site should <u>must</u> ³⁷ be stopped and contact made with HNZPT for advice.

Matters of discretion

HH-MD1	Adverse effects on heritage values <ol style="list-style-type: none"> Any effect on the heritage values, heritage setting, including the form and materials of the proposed works. The location, extent or height of the proposal.
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³⁵ Waimakariri District Council [367.57]

³⁶ Heritage New Zealand [178.11]

³⁷ Heritage New Zealand [178.25]

	<ol style="list-style-type: none"> 3. For new buildings or structures on the same site or within a heritage setting, the extent the building, structure or feature will be compatible with the heritage fabric, heritage values and significance of the historic heritage including design, materials and location. 4. For infrastructure, the functional need or operational need to be located in or in proximity to the historic heritage and any heritage setting.
HH-MD2	<p>Intervention and viability of historic heritage</p> <ol style="list-style-type: none"> 1. The level of intervention necessary to carry out the works, including to meet the requirements of the Building Act 2004 and Building Code, and alternative solutions considered. 2. The extent to which the historic heritage has been damaged by significant natural events and the necessity of work to prevent further deterioration.
HH-MD3	<p>Consultation</p> <ol style="list-style-type: none"> 1. In respect of sites on the New Zealand Heritage List Rāangi Kōrero whether HNZPT has been consulted and the outcome of that consultation. 2. The extent that the site has cultural or spiritual significance to mana whenua and where Te Ngāi Tūāhuriri Rūnanga has been consulted, the outcome of that consultation, and whether the development or activity responds to, or incorporates the outcome of that consultation.
HH-MD4	<p>Re-use and relocation</p> <ol style="list-style-type: none"> 1. Options for ongoing and viable uses, including adaptive reuse. 2. For the relocation of historic heritage: <ol style="list-style-type: none"> a. whether the new location and orientation will maintain heritage values; b. whether alternative solutions have been considered, including maintenance or repairs, alterations; and c. the potential damage to heritage fabric during relocation and whether repairs will be required, and what mitigation measures are proposed, including the use of a temporary protection plan. 3. Opportunities to enhance the physical condition of the historic heritage and its heritage values.
HH-MD5	<p>Mitigation measures</p> <ol style="list-style-type: none"> 1. The extent to which existing topography or vegetation will mitigate adverse effects. 2. Any existing mitigation measures and the extent to which mitigation measures are proposed to be implemented to protect the historic heritage. 3. The extent of photographic recording which is necessary to document changes, including prior to, during the course of the works and on completion.

Schedules

HH-SCHED1 - Historic Heritage Significance Assessment Criteria



Historical and Social	Values that demonstrate or are associated with: a particular person, group,
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	organisation, institution, event, phase or activity; the continuity and/or change of a phase or activity; social, historical, traditional, economic, political or other patterns;
Cultural and Spiritual	Values that demonstrate or are associated with: the distinctive characteristics of a way of life, philosophy, tradition, religion, or other belief, including: the symbolic or commemorative value of the place; significance to mana whenua; and/or associations with an identifiable group and esteemed by this group for its cultural values;
Architectural and Aesthetic	Values that demonstrate or are associated with: a particular style, period or designer, design values, form, scale, colour, texture and material of the place;
Technological and Craftsmanship	Values that demonstrate or are associated with: the nature and use of materials, finishes and/or technological or constructional methods which were innovative, or of notable quality for the period;
Contextual	Values that demonstrate or are associated with: a relationship to the environment (constructed and natural), a landscape, setting, group, precinct or streetscape; a degree of consistency in terms of type, scale, form, materials, texture, colour, style and/or detail; recognised landmarks and landscape which are recognised and contribute to the unique identity of the environment; and
Archaeological or Scientific	Values that demonstrate or are associated with: the potential to provide information through physical or scientific evidence and understanding about social, historical, cultural, spiritual, technological or other values of past events, activities, structures or people.

HH-SCHED2 - Historic Heritage Items



Heritage Item ID	Name	Address	Legal Description	Description of Item	Category (A=Highly Significant,	HNZPT Category & List number
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					B=Significant)	
HH001	Former Bank of New Zealand (incl. manager's residence)	188 Williams Street, Kaiapoi	Lot 1 DP 36550	Building	A	HNZPT historic place category 1, list # 3677
HH002	Former Kaiapoi Woollen Manufacturing Company woollen mills	35 Ranfurly Street, Kaiapoi	Lot 3 DP 49595	Building	A	HNZPT historic place category 2, list # 3754
HH003	St Bartholomew's Anglican Church	23B Cass Street, Kaiapoi	Lot 3 DP 26905	Building	A	HNZPT historic place category 1, list # 285
HH004	Kaiapoi footbridge [Mandeville Bridge]	Raven Quay - Trousselot Park, Kaiapoi River, Kaiapoi	Part Lot 13 DP 1280 and legal river	Structure	A	HNZPT historic place category 2, list # 1812
HH005	Kaiapoi War Memorial	Memorial Reserve, Raven Quay, Kaiapoi	Pt Lot 12 DP 1280	Monument	A	HNZPT historic place category 2, list # 3763
HH006	Ohoka Farm homestead, former White residence	21 Jacksons Road, Ohoka	Lot 1 DP 81869	Building	A	HNZPT historic place category 1, list # 274
HH007	Ohoka Farm stable	21 Jacksons Road, Ohoka	Lot 1 DP 81869	Building	B	HNZPT historic place category 2, list # 3347
HH008	Mount Thomas Station homestead,	436 Birch Hill Road, Okuku	Part Lot 1 DP 26064	Building	A	HNZPT historic place category

	former Brown residence					1, list # 3086
HH009	'Ashley Farm', former Smith farmhouse	269 West Belt, Rangiora	Lot 2 DP 457748	Building	A	HNZPT historic place category 2, list # 1820
HH010	'Turvey House' (aka 'Ayerholme'), fmr Samuel and Sarah Ayers house	208 King Street, Rangiora	Lot 3 DP 82008	Building	A	HNZPT historic place category 2, list # 3764
HH011	Coronation Gates, South African War Memorial Sundial & Band Rotunda	Victoria Park, 123-129 Percival Street, Rangiora	Lot 6 DP 12852, Lots 88-91 & Pt Lot 87 DP 1691	Structure	A	HNZPT historic place category 2, list # 3765
HH012	'Brooklands', Leech homestead	521 Rangiora Woodend Road, Rangiora	Lot 1 DP 80275	Building	A	HNZPT historic place category 2, list # 1822
HH013	Rangiora Borough Council Substation	131B Percival Street, Rangiora	Lot 5 DP 12852	Building	B	
HH014	Anglican Church of St John the Baptist	351 High Street, Rangiora	Lot 5 DP 11217	Building	A	HNZPT historic place category 2, list # 1823
HH015	Former Anglican Church of St Simon & St Jude/Ashley Community Church	39 Canterbury Street, Ashley	Part RS 2777	Building	A	HNZPT historic place category 2, list # 5433
HH016	Former Keir house	62 Ivory Street, Rangiora	Pt Lot 2 DP 13945	Building	A	HNZPT historic place category 2, list # 3769

HH017	Johnston's Buildings	113 High Street, Rangiora	Lot 2 DP 28806	Building	A	HNZPT historic place category 2, list # 3784
HH018	Former Rangiora Borough Council Chambers / Rangiora Library	133 Percival Street, Rangiora	Lot 4 DP 12852	Building	A	HNZPT historic place category 2, list # 3786
HH019	Former Rangiora Bowling, Tennis and Croquet Club pavilion/Rangiora Bowling Club pavilion	25 Good Street, Rangiora	Lot 7 DP 71	Building	A	HNZPT historic place category 2, list # 3787
HH020	Te Whare Tipene/St Stephen's Church (Anglican)	234 Tuahiwi Road, Tuahiwi	Pt Lot 1 DP 12780	Building	A	HNZPT historic place category 1, list # 7380
HH021	Kaiapoi/Kaiapohia Pa Monument	6 Preeces Road, Waikuku	Pt RS 41401	Monument	A	HNZPT historic place category 2, list # 3793
HH022	Former Kirk house	12 Carew Street, Kaiapoi	Part Lots 13 & 14 DP 711	Building	A	HNZPT historic place category 1, list # 7445
HH023	Waimakariri Gorge Bridge (part)	Depot Road, Burnt Hill, Oxford	Road reserve & Waimakariri River bed	Structure	A	HNZPT historic place category 2, list # 1797
HH024	North Loburn School Fallen Scholars' Memorial	817 Loburn Whiterock Road, Loburn	Part RS 7738	Monument	A	
HH025	Queen's Monument	Darnley Square,	Part RS 320	Monument	A	

		11 Cass Street, Kaiapoi				
HH026	Former Linen Flax Factory building	501 Woodstock Road, Oxford	Part RS 26568	Building	A	
HH027	'Springbank', former R Chapman homestead	1035 Oxford Road, Swannanoa	Lot 2 DP 325406	Building	A	
HH028	Former Neeve farmhouse	91 Island Road, Clarkville, Kaiapoi	Lot 6 DP 67643	Building	B	HNZPT historic place category 2, list # 3739
HH029	Former Kaiapoi Island Church of England Day School/St Augustine's Anglican Church	8 Island Road, Clarkville, Kaiapoi	Lot 1 DP 83594	Building	B	HNZPT historic place category 2, list # 3740
HH030	Former St James' on the Cust Anglican Church parsonage	1776 Cust Road, Cust	Lot 1 DP 60487	Building	B	HNZPT historic place category 2, list # 5270
HH031	St James' on the Cust Anglican Church, Sunday School & belfry	1750 Cust Road, Cust	Part RS 5777	Building	B	HNZPT historic place category 2, list # 3077
HH032	'The Priory', former Anglican parsonage	1990 Oxford Road, Cust	Pt RS 7332	Building	B	HNZPT historic place category 2, list # 5269
HH033	Wolffs Road footbridge	1077 & 1091 Wolffs Road / Eyre River, Horrellville	Pt Lot 3 DP 8172 RS 37131 & Pt RS 15417	Structure	B	HNZPT historic place category 2, list # 7143

HH034	'Flaxton', Stevenson homestead	38 Flaxton Road, Flaxton	RS 2020	Building	B	HNZPT historic place category 2, list # 3798
HH035	Kaiapoi Band Rotunda	Trousselot Park 29 Charles Street, Kaiapoi	Lot 1 DP 45066	Structure	B	HNZPT historic place category 2, list # 3748
HH036	Former Campbell rental cottage	5 Meadow Street, Kaiapoi	Lot 1 DP 446221	Building	B	HNZPT historic place category 2, list # 3751
HH037	Former Rinaldi cottage	65 Sneyd Street, Kaiapoi	Pt RS 366	Building	B	HNZPT historic place category 2, list # 3752
HH038	Former Kaiapoi Post & Telegraph Office/former Wilson/Partridge dwelling	73 Sneyd Street, Kaiapoi	Pt RS 366	Building	B	HNZPT historic place category 2, list # 3753
HH039	Former Dickie cottage	259 Williams Street, Kaiapoi	Lot 1 DP 320188	Building	B	HNZPT historic place category 1, list # 3678
HH040	Former Hean cottage	7 Meadow Street, Kaiapoi	Lot 1 DP 27593	Building	B	HNZPT historic place category 2, list # 3820
HH041	Former Morgan/Sims house	232 Williams Street, Kaiapoi	Lot 1 DP 27664	Building	B	HNZPT historic place category 2, list # 3758

HH042	'Inglewood', former Threlkeld farmhouse	98-100 Threlkelds Road, Ohoka	Lot 1 DP 82641	Building	B	HNZPT historic place category 2, list # 1770
HH043	Former 'Inglewood Farm' stables	98-100 Threlkelds Road, Ohoka	Lot 1 DP 82641	Building	B	HNZPT historic place category 2, list # 1771
HH044	Kaiapoi Methodist Church/Kaiapoi Co-operating Parish Church	53/53A Fuller Street, Kaiapoi	Lot 1 DP 37286	Building	B	HNZPT historic place category 2, list # 3760
HH045	Former Kaiapoi Railway Station	57 Charles Street, Kaiapoi	Lot 11 DP 42864	Building	B	HNZPT historic place category 2, list # 3761
HH046	'Elmwood', former Pashby farmhouse (aka 'The Cream House')	183 Main North Road, Kaiapoi	Lot 1 DP 70266	Building	B	HNZPT historic place category 2, list # 3741
HH047	Former Eyreton Road Board & Eyre County Council office/'Eyre House'	465 Mill Road, Ohoka	Lot 12 DP 60989	Building	B	HNZPT historic place category 2, list # 3737
HH048	Former St Alban's Anglican Church vicarage/former Te Wai Pounamu Maori Girls' College	536 Mill Road, Ohoka	Lot 2 DP 396670	Building	A	HNZPT historic place category 2, list # 3738
HH049	Browns Rock water intake & tunnel	Browns Rock, Waimakariri River, Burnt Hill	RES 3046 (in part)	Structure	B	HNZPT historic place category 2, list # 7297

HH050	'Currilea', former Ingram house (aka 'Redwoods')	17 Main Street, Oxford	Lot 1 DP 22696	Building	B	HNZPT historic place category 2, list # 3073
HH051	Former West Oxford Police Station lock-up	72 Main Street, Oxford	Pt RS 1839	Structure	B	HNZPT historic place category 2, list # 7196
HH052	'Belgrove' farmhouse	52 Kippenberger Avenue, Rangiora	Part RS 267	Building	B	HNZPT historic place category 2, list # 1821
HH053	Former Fulton/Good house (aka 'Boraston' & 'Broadgreen')	29 George Street, Rangiora	Lot 3 DP 36263	Building	B	HNZPT historic place category 2, list # 3766
HH054	'Coldstream', former Macfarlane homestead	11 Coldstream Road, Ashley, Rangiora	Lot 1 DP 44383	Building	B	HNZPT historic place category 2, list # 3791
HH055	Former Rowe cottage	47 Edward Street, Rangiora	Lot 2 DP 22648	Building	B	HNZPT historic place category 2, list # 3768
HH056	Former Rangiora Courthouse	143 Percival Street, Rangiora	Section 2 SO 17511	Building	B	HNZPT historic place category 2, list # 3770
HH057	'Bush Farm' (aka 'Fleetwood'), former Williams/Foster farmhouse	14 Strachan Place, Southbrook, Rangiora	Lot 94 DP 30729	Building	B	HNZPT historic place category 2, list # 3771

HH058	'Hillview'/'Bucklands', former Dickinson/Lance farmhouse	353 Ashley Road, Summerhill, Cust	RS 8115	Building	B	HNZPT historic place category 2, list # 3081
HH059	Former Payne rental cottage	56 Church Street, Rangiora	Pt RS 53	Building	B	HNZPT historic place category 2, list # 3774
HH060	Former Jennings/Ivory cottage	66B Ivory Street, Rangiora	Lot 2 DP 59835	Building	B	HNZPT historic place category 2, list # 3779
HH061	Former Ayers/Winskill house	22 Seddon Street, Rangiora	Lot 1 DP 12159	Building	B	HNZPT historic place category 2, list # 3782
HH062	Suffolk House, former Hunnibell's boot and shoe shop	257 High Street, Rangiora	Lot 1 DP 43552	Building	B	HNZPT historic place category 2, list # 3274
HH063	Former Junction Hotel façade	112 High Street, Rangiora	Pt Lot 3 DP 1569	Building	B	HNZPT historic place category 2, list # 3783
HH064	Former Bank of New Zealand manager's residence/Rangiora Museum	29 Good Street, Rangiora	Part RS 890	Building	B	HNZPT historic place category 2, list # 3089
HH065	Former Northern Agricultural and Pastoral Association building	93 Ivory Street, Rangiora	Part Lot 3 DP 6146	Building	B	HNZPT historic place category 2, list # 3772

HH066	Rangiora Town Hall	303 High Street & 175 King Street, Rangiora	Part RS 53	Building	B	HNZPT historic place category 2, list # 3788
HH067	Rangiora Soldiers' Memorial	Kippenberger War Memorial Reserve, 55 High Street, Rangiora	Lot 1 DP 476581	Monument	B	HNZPT historic place category 2, list # 3789
HH068	'Beach Glen', former Orchard farmhouse / 'Polesworth Villa', former Cross house	1461 Main North Road (SH 1), Waikuku	Lot 4 DP 55678	Building	B	HNZPT historic place category 2, list # 3796
HH069	Woodend Methodist Church	86 Main North Road (SH 1), Woodend	Part RS 367B	Building	B	HNZPT historic place category 2, list # 3795
HH070	St Barnabas's Anglican Church and Lychgate	153 Main North Road (SH 1), Woodend	Part RS 358	Building	B	HNZPT historic place category 2, list # 3797
HH071	Former Thomas Ayers jnr house	128 Main North Road, Woodend	Pt RS 685	Building	B	HNZPT historic place category 2, list # 3799
HH072	Former Waikuku Wesleyan Methodist Church	1403 Main North Road (SH 1), Waikuku	Part RS 1235	Building	B	HNZPT historic place category 2, list # 3794
HH073	'Bankhead Farm' stable	1479 Cust Road, Cust	Part RS 4254	Building	B	
HH074	Cust War Memorial	2 Mill Road, Cust	Lot 3 DP 38440	Monument	B	

HH075	'Erindale', former O'Farrell farmhouse	141 Mill Road (O'Farrells Road frontage), Cust	Lot 2 DP 459205	Building	B	
HH076	Eyreton Anglican Church/St Thomas's Anglican Church	590 South Eyre Road, Eyreton	Pt RS 8992	Building	B	
HH077	Former Smith farmhouse (aka 'The Kauri House')	1015 Downs Road, West Eyreton	Lot 1 DP 57739	Building	B	
HH078	'Eyrewell', former Dixon homestead	2024 South Eyre Road, Eyrewell	RS 9952, 10118	Building	B	
HH079	'Fernside House' / 'Airlie' / 'Hillcrest', former Mannering / Buddo / Carpenter homestead	481 Mount Thomas Road, Fernside	Lot 2 DP 500982	Building	B	
HH080	Former Moeraki Downs / Springbank Railway Station storage shed, stockyards & loading bank	1164 Oxford Road, Springbank	Lot 1 DP 71597	Building and Structure	B	
HH081	Former Horrellville Wesleyan Church / Horrellville Church Sunday School hall	1330 Poyntzs Road, Horrellville	Part RS 6416	Building	B	
HH082	'Rakahuri', former Ensor homestead	2 Rakahuri Road, Glentui	Lot 1 DP 48072	Building	B	
HH083	'Pleasant View', former Fairweather homestead (aka 'Krakatoa')	186 Summerhill Road, Summerhill, Cust	Lot 7 DP 469532	Building	B	
HH084	Former Summerhill School building	365 Summerhill Road, Summerhill	Part RS 7430	Building	B	

HH085	NZ Scout Association Memorial	203 Gladstone Road, Woodend	Lot 1 DP 22801	Monument	B	
HH086	'Stratford Grove', former Josling residence	458 Rangiora Woodend Road, Rangiora	RS 1211	Building	B	
HH087	St Alban's Anglican Church	528 Mill Road, Ohoka	Lot 2 DP 10011	Building	B	
HH088	Rangiora Railway Station	2 Blackett Street, Rangiora	Lot 8 DP 69077 & Part RS 917	Building	B	
HH089	West Eyreton War Memorial	2 Earlys Road, West Eyreton	Pt RS 12574	Monument	B	
HH090	St Matthew's Anglican Church & Jubilee Memorial Belltower	1 Mairaki Road, Fernside	Part RS 5927	Building and Structure	B	
HH091	Birch Hill Cemetery Millton / Ford family and World War I Memorial	130 Garry River Road, Glentui	Lot 1 DP 10564	Monument	B	HNZPT historic place category 2, list # 9251 [cemetery]
HH092	Anglican Church of St John the Baptist Sunday School & Parish Hall	71 Church Street, Rangiora	Part of Lots 4 & 5 DP 11217	Building	B	
HH093	Former Sefton Library	14 Pemberton's Road, Sefton	Lot 7 Pt RS 2355 Sefton Township	Building	B	
HH094	Sefton Fallen Soldiers' War Memorial	Sefton Domain, 2 Vaughan Street, Sefton	Res 4049	Monument	B	
HH095	Oxford Fallen Soldiers' War Memorial	Pearson Park, 54 Main	RS 41868	Monument	B	

		Street, Oxford				
HH096	Rangiora Borough School Diamond Jubilee Memorial Gates	157 King Street, Rangiora	Part Lot 1 DP 26526	Monument	B	
HH097	Former CW Bell's tailor shop	214/216 High Street, Rangiora	Lot 1 DP 24864	Building	B	
³⁸ HH098	Former Head, Hodgson & Howat's store	1693 Cust Road, Cust	Part RS 3669 Blk VII Mairaki SD	Building	B	
HH099	St David's Union Church (Presbyterian)	1664 Cust Road, Cust	Part RS 5987	Building	B	
HH100	Catholic Church of the Sacred Heart of Jesus	98 Main Street, Oxford	Part RS 201	Building	B	
HH101	St Brigid's Catholic Church	232 Loburn Whiterock Road, Loburn	Part RS 17168 [incl RS 17168X]	Building	B	
HH102	Former Oxford Post & Telegraph Office and postmaster's residence	35 Main Street, Oxford	Section 1 SO 17949	Building	B	
HH103	Oxford Town Hall	30 Main Street, Oxford	Lot 2 DP 46386	Building	B	
HH105	Former Alfred Lee store and residence	51 Main Street, Oxford	Lot 1 DP 342801	Building	B	
HH106	Former Sefton Hotel / Anglers' Arms Tavern	573 Upper Sefton Road, Sefton	Lot 1 DP 1816	Building	B	
HH107	Former Union Bank of Australia	557 Upper Sefton Road, Sefton	Lot 2 DP 412839	Building	B	

³⁸ Blair and Renee Williamson [151.1]

HH108	Swannanoa Wesleyan Methodist Church / Swannanoa Community Church	1299/1303 Tram Road, Swannanoa	Part RS 8183	Building	B	
HH109	West Eyreton School building	1651 North Eyre Road, West Eyreton	Lot 1 DP 6771	Building	B	
HH110	Former Fernside Railway Station grain store/goods shed, stockyards & loading bank	354 Oxford Road, Fernside	Part Lot 1 DP 65842	Building and Structure	B	
HH112	Hassall's Ford footbridge (Butcher's footbridge)	Kaiapoi River, near Butchers Road, Kaiapoi		Structure	B	
HH113	Langer cottage ruins	278 Rampaddock Road, View Hill	Lot 2 DP 19324	Building Ruins	B	
HH114	Former Rangiora Brick and Tile Works' Hoffmann kiln (remains)	29 Brick Kiln Road, Rangiora	Lot 6 DP 77063	Structure Ruins	B	
HH115	'Oakleigh', former Chapman/Van Asch/Kippenberger residence	148 King Street, Rangiora	Part Lot 1 DP 6401	Building	B	
HH116	Former Rangiora Post & Telegraph Office	132A King Street, Rangiora	Lot 1 DP 80919	Building	B	
HH117	Southbrook Substation	Intersection of Flaxton & Lineside Roads, Southbrook, Rangiora	Section 3 SO 386223	Structure	B	
HH118	'Northwood', former AT Chapman homestead	414 Woodfields Road, Swannanoa	Lot 1 DP 26137	Building	B	
HH119	Former Reynox Private Hotel	153 High Street, Oxford	Lot 3 DP 13963	Building	B	

<u>HH120</u> ³⁹	<u>'Former Ohoka Estate lodge (gardener's residence)'</u>	<u>493 Mill Road [Whites Road frontage], Ohoka</u>	<u>Lot 4 DP 1641</u>	<u>Building</u>	<u>B</u>	<u>HNZPT historic place category 2, list # 3817</u>
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³⁹ Heritage New Zealand [178.42].

Appendix B. Recommended Responses to Submissions and Further Submissions

The recommended responses to the submissions made on this topic are presented in Table B 1 below.

Table B 1: Recommended responses to submissions and further submissions on the Historic Heritage Chapter in the Proposed District Plan

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
General submissions: Whole of HH Chapter							
210.10	Waimakariri Irrigation Limited	General	Retain the Historic Heritage Chapter, provided that the operation, maintenance, upgrading and development of the Waimakariri Irrigation Limited network is not unnecessarily restricted.	3.2	Accept in part	See body of the report for the assessment of this submission point.	No
148.5	Rangiora-Ashley Community Board	General	Not specified. [Submission summary: Supports the Historic Heritage Chapter and considers it important to protect historic and cultural areas of interest.]	3.2	Accept in part	See body of the report for the assessment of this submission point.	No
Proposed Plan Notified Definitions							
419.3	Department of Conservation	Alteration	Amend the definition of 'alteration': "... c. permanent addition of <u>heritage</u> fabric ..."	3.3.1	Reject	See body of the report for the assessment of this submission point.	No
178.1	Heritage New Zealand Pouhere Taonga	Alteration	Retain definition of 'alteration' as notified.	3.3.1	Accept	I agree with the submitter. See body of the report for the assessment of this submission point.	No
178.3	Heritage New Zealand Pouhere Taonga	Heritage fabric	Retain definition of 'heritage fabric' as notified.	N/A	Accept	I agree with the submitter.	No
178.4	Heritage New Zealand Pouhere Taonga	Heritage setting	Retain the definition of 'heritage setting' as notified.	N/A	Accept	I agree with the submitter.	No
373.4	KiwiRail Holdings Limited	Maintenance or repair	Amend definition of 'maintenance or repair': " <u>...in relation to the transport network, the repair, replacement or renewal of the transport network where the works do not alter the character, intensity and scale of the transport network.</u> "	3.3.2	Reject	See body of the report for the assessment of this submission point.	No
Proposed New Definitions							
178.2	Heritage New Zealand Pouhere Taonga	Definitions – General	Add the following new definition: " <u>Earthworks within an archaeological site: means the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); and includes gardening, cultivation, and disturbance of land for the installation of fence posts.</u> " <u>Note this is a departure from the NPS guidance as earthworks within an archaeological site is wider than the NPS definition.</u>	3.4.1	Reject	See body of the report for the assessment of this submission point.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
178.5	Heritage New Zealand Pouhere Taonga	Definitions - General	Insert new definition of 'recording': "Recording: in relation to historic heritage means the capture of information about physical fabric and related aspects of a building or structure. It will generally involve the creation of drawn, written and photographic records, and may also include the collection of samples and loose artefacts. Recording should be both descriptive and analytical, encompassing interpretation of what is being recorded".	3.4.2	Reject	See body of the report for the assessment of this submission point.	No
Historic Heritage - Introduction							
178.10	Heritage New Zealand Pouhere Taonga	Introduction	Amend the Historic Heritage introduction: "Statutory responsibility is also held by HNZPT under the HNZPTA. It is unlawful to destroy, damage or modify an archaeological site regardless of whether the site is identified in the District Plan, identified elsewhere or not recorded, without obtaining an archaeological authority from HNZPT. <u>This is also the case regardless of whether the activity is permitted under the District Plan or a resource or building consent has been granted.</u> <u>An archaeological site is defined in the Heritage New Zealand Pouhere Taonga Act 2014 as any place in New Zealand (including buildings, structures, or shipwrecks) that was associated with pre-1900 human activity, where there is evidence relating to the history of New Zealand that can be investigated using archaeological methods.</u> "	3.5	Accept in part	See body of the report for the assessment of this submission point.	Yes
178.11	Heritage New Zealand Pouhere Taonga	Introduction	Delete any reference to 'site' in relation to archaeology and replace with 'archaeological site'.	3.5	Accept	See body of the report for the assessment of this submission point.	Yes
178.12	Heritage New Zealand Pouhere Taonga	Introduction	Amend the reference to the Earthworks Chapter to: "Earthworks: addresses earthworks <u>within an archaeological site</u> , in relation to historic heritage and any heritage setting".	3.5	Accept in part	See body of the report for the assessment of this submission point.	Yes
178.13	Heritage New Zealand Pouhere Taonga	Introduction	Amend Heritage Chapter Introduction to: "... Any other District wide matter that may affect or relate to the <u>historic heritage</u>"	3.5	Reject	See body of the report for the assessment of this submission point.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
195.66	Transpower New Zealand Limited	Introduction - General	Amend 'Other potentially relevant District Plan provisions' subsection to clearly and succinctly set out the provisions that apply to infrastructure throughout the Proposed District Plan.	3.5	Reject	See body of the report for the assessment of this submission point.	No
249.105	MainPower New Zealand Limited	General	Insert hyperlinks from the Energy and Infrastructure Chapter to the relevant Historic Heritage rules.	3.5	Reject	See body of the report for the assessment of this submission point.	No
Strategic Directions							
178.6	Heritage New Zealand Pouhere Taonga	SD-O5	Include a new objective to provide high level direction regarding the identification and recognition of places, landscapes, and features which are significant to Waimakariri's character and cultural heritage, to ensure their protection for future generations.	3.6	Reject	See body of the report for the assessment of this submission point.	No
FS105	Canterbury Regional Council		Accept the relief sought by Heritage New Zealand Pouhere Taonga	3.6	Reject		No
FS77	Department of Conservation		Support this submission point. It is important to promote the preservation of character and cultural heritage	3.6	Reject		No
HH-O1 Contribution to the District							
230.4	Concept Services	HH-O1	Amend HH-O1: "Historic heritage and its overall contribution to the identity of the District is recognised, <u>and it is</u> protected and maintained <u>where practicable</u> ."	3.7	Reject	See body of the report for the assessment of this submission point.	No
FS115	Heritage NZ Pouhere Taonga		HNZPT OPPOSES the relief sought and requests the objective be adopted as notified.	3.7	Accept		No
FS117	Oxford Equity Ltd		That HH-O1 be amended to state, " <u>Historic heritage and its overall contribution to the identity of the District is recognised, and where appropriate protected and maintained otherwise manage significant adverse effects on historic heritage</u> ." Any other relief consequential relief available as a result of this further submission.	3.7	Reject		No
249.106	MainPower New Zealand Limited	HH-O1	Retain HH-O1.	3.7	Accept	I agree with the submitter.	No
326.207	Rolleston Industrial Developments Limited	HH-O1	Retain HH-O1 as notified.	3.7	Accept	I agree with the submitter.	No
FS137	Ohoka Residents Association		Reject the submission	3.7	Reject		No
HH-P1 Identification of historic heritage							
326.208	Rolleston Industrial Developments Limited	HH-P1	Retain HH-P1 as notified.	N/A	Accept	I agree with the submitter.	No

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FS137	Ohoka Residents Association		Reject the submission	N/A	Reject		No
HH-P2 Significance categories and scheduling							
178.14	Heritage New Zealand Pouhere Taonga	HH-P2	Retain HH-P2 as proposed.	N/A	Accept	I agree with the submitter.	No
326.209	Rolleston Industrial Developments Limited	HH-P2	Retain HH-P2 as notified.	N/A	Accept	I agree with the submitter.	No
FS137	Ohoka Residents Association		Reject the submission	N/A	Reject		No
HH-P3 Heritage settings							
326.210	Rolleston Industrial Developments Limited	HH-P3	Retain HH-P3 as notified.	3.8.1	Accept	I agree with the submitter.	No
FS137	Ohoka Residents Association		Reject the submission	3.8.1	Reject		No
FS117	Oxford Equity Ltd		That HH-P3 be amended to state, " <u>Recognise and where appropriate maintain the relationship of historic heritage and any associated heritage setting for historic heritage listed in HH-SCHED2 within the context of considering the benefits and needs for subdivision, use and development within the locality of the listing</u> ". Any other relief consequential relief available as a result of this further submission.	3.8.1	Reject		No
HH-P4 Archaeological sites							
178.15	Heritage New Zealand Pouhere Taonga	HH-P4	Amend to identify how Council intends to assist HNZPT and Ngāi Tūāhuriri Rūnanga in managing activities that may modify, disturb, damage or destroy archaeological sites.	3.8.2	Accept in part	See body of the report for the assessment of this submission point.	No
326.211	Rolleston Industrial Developments Limited	HH-P4	Retain HH-P4 as notified.	3.8.2	Accept	I agree with the submitter. See body of the report for the assessment of this submission point.	No
FS137	Ohoka Residents Association		Reject the submission	3.8.2	Reject		No
HH-P5 Adverse effects							
178.16	Heritage New Zealand Pouhere Taonga	HH-P5	Retain HH-P5 as proposed.	3.8.3	Accept in part	I agree with the submitter. See body of the report for the assessment of this submission point.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
FS117	Oxford Equity Ltd		That HH-P5 heading be amended to state, " <u>Significant Adverse Effects</u> ". The first paragraph to be amended to state, " <u>Manage the significant adverse effects of subdivision, use and development on historic heritage and heritage settings, listed in HH-SCHED2, in a way that:</u> " HH-P5-point 1 be amended to state, " <u>provides for ongoing use and re-use via subdivision and development that is sensitive to identified heritage values</u> ". Any other relief consequential relief available as a result of this further submission.	3.8.3	Reject in part		No
326.212	Rolleston Industrial Developments Limited	HH-P5	Retain HH-P5 as notified.	3.8.3	Accept in part	I agree with the submitter. See body of the report for the assessment of this submission point.	No
FS137	Ohoka Residents Association		Reject the submission	3.8.3	Reject in part		No
230.5	Concept Services	HH-P5	Amend HH-P5(3): "3. protects, <u>where practicable</u> , identified heritage values from inappropriate..."	3.8.3	Reject	See body of the report for the assessment of this submission point.	No
FS115	Heritage NZ Pouhere Taonga		HNZPT OPPOSES the relief sought and requests the objective be adopted as notified.	3.8.3	Accept		No
HH-P6 Relocation of significant and highly significant historic heritage							
316.92	Canterbury Regional Council	HH-P6	Clarify the relationship of HH-P6(1) and HH-P6(3) to Category A and B historic heritage items.	3.8.4	Reject	See body of the report for the assessment of this submission point.	No
FS37	Richard and Geoff Spark		Reject the submission	3.8.4	Accept		No
FS41	David Cowley		Reject the submission	3.8.4	Accept		No
FS80	Christchurch International Airport Ltd		Allow the submission	3.8.4	Reject		No
178.17	Heritage New Zealand Pouhere Taonga	HH-P6	Retain HH-P6 as proposed.	3.8.4	Accept	I agree with the submitter. See body of the report for the assessment of this submission point.	No
326.213	Rolleston Industrial Developments Limited	HH-P6	Retain HH-P6 as notified.	3.8.4	Accept	I agree with the submitter. See body of the report for the assessment of this submission point.	No
FS137	Ohoka Residents Association		Reject the submission	3.8.4	Reject		No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
HH-P7 Siting of infrastructure							
249.107	MainPower New Zealand Limited	HH-P7	Amend HH-P7: "Siting of infrastructure Ensure the siting of new infrastructure protects the heritage values of historic heritage listed in HH-SCHED2, taking into account the functional need or operational need for the siting of the infrastructure <u>while also recognising and providing for the maintenance, repair and upgrade of existing infrastructure.</u> "	3.8.5	Reject	The requested amendment is not relevant to HH-P7 as the policy only applies to new infrastructure. EI-P1 provides for the relief sought by enabling and providing for existing infrastructure. In sensitive environments (e.g. historic heritage sites) energy and infrastructure is managed through EI-P5. I therefore consider the intent of the submission is already provided for through existing policies in the Historic Heritage and Energy and Infrastructure Chapters.	No
62.42	Chorus New Zealand Limited, Spark New Zealand Trading Limited, Vodafone New Zealand Limited	HH-P7	Retain HH-P7 as notified.	3.8.5	Accept	I agree with the submitter. See body of the report for the assessment of this submission point.	No
195.67	Transpower New Zealand Limited	HH-P7	Retain HH-P7 as notified.	3.8.5	Accept	I agree with the submitter. See body of the report for the assessment of this submission point.	No
326.214	Rolleston Industrial Developments Limited	HH-P7	Retain HH-P7 as notified.	3.8.5	Accept	I agree with the submitter. See body of the report for the assessment of this submission point.	No
FS137	Ohoka Residents Association		Reject the submission	3.8.5	Reject		No
373.51	KiwiRail Holdings Limited	HH-P7	Retain HH-P7 as notified.	3.8.5	Accept	I agree with the submitter. See body of the report for the assessment of this submission point.	No
HH-P8 Demolition of listed historic heritage							
230.6	Concept Services	HH-P8	Amend HH-P8: "Avoid demolition of ' <u>Highly Significant</u> ' historic heritage listed in HH-SCHED2 unless; and manage demolition of ' <u>Significant</u> ' historic heritage, where: ..."	3.8.6	Reject	See body of the report for the assessment of this submission point.	No
FS115	Heritage NZ Pouhere Taonga		HNZPT OPPOSES the relief sought and requests the policy be adopted as notified.	3.8.6	Accept		No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
326.215	Rolleston Industrial Developments Limited	HH-P8	Retain HH-P8 as notified.	3.8.6	Accept	I agree with the submitter. See body of the report for the assessment of this submission point.	No
FS137	Ohoka Residents Association		Reject the submission	3.8.6	Reject		No
Proposed New Policies							
178.18	Heritage New Zealand Pouhere Taonga	Policies - General	Amend to add a policy encouraging and enabling the use, development, and adaptive re-use of scheduled heritage items.	3.9	Accept in part	See body of the report for the assessment of this submission point.	Yes
261.2	Michael Alexander de Hamel	Policies - General	<p>Amend to refer to Section 36AAB(1) of the Resource Management Act 1991, noting that Council may remit charges for applications which may have a positive effect on heritage and landscape values.</p> <p>Insert new policy to Historic Heritage Chapter, similar to SASM-P4, to maintain consistency and lead to the best outcomes for the District by enabling Council to contribute financial assistance towards the maintenance and preservation of heritage and landscape values:</p> <p><u>"HH-P9 Recognise the historic and contemporary values of heritage and landscape in the District and: facilitate opportunities to provide information about these values provide opportunities for these values to be recognised manage earthworks involving disturbance of soils in Heritage sites through the implementation of a Heritage New Zealand Pouhere Taonga authorised accidental discovery protocol and opportunity for cultural monitoring; assist with the maintenance, restoration or enhancement of Heritage items where an application is for an activity which will protect or enhance heritage, landscape or environmental values the Council will give consideration under Section 36AAB of the Act for a remission of any part of any charge that would otherwise be payable."</u></p>	3.9	Reject	See body of the report for the assessment of this submission point.	No
HH-R1 Maintenance or repair of any historic heritage item listed in HH-SCHED2							
178.19	Heritage New Zealand Pouhere Taonga	HH-R1	Amend HH-R1: "... 1. the area any heritage fabric has been removed from shall be	3.10.1	Accept	See body of the report for the assessment of this submission point.	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			made weather tight;ør ..."				
367.22	Waimakariri District Council	HH-R1	Amend HH-R1: "... 4. <u>any activity other than painting</u> is undertaken in accordance with the design and/or supervision of a heritage professional or architect suitably qualified in heritage maintenance or repair."	3.10.1	Accept	See body of the report for the assessment of this submission point.	Yes
326.216	Rolleston Industrial Developments Limited	HH-R1	Retain HH-R1 as notified.	3.10.1	Accept in part	I agree with the submitter, subject to recommended amendments made in response to other submissions. See body of the report for the assessment of this submission point.	No
FS137	Ohoka Residents Association		Reject the submission	3.10.1	Reject in part		No
HH-R2 Heritage investigative and temporary works of any historic heritage item listed in HH-SCHED2							
178.20	Heritage New Zealand Pouhere Taonga	HH-R2	Amend to insert a link to the definition for 'recording' in relation to historic heritage.	3.10.2	Reject	See body of the report for the assessment of this submission point.	No
326.217	Rolleston Industrial Developments Limited	HH-R2	Retain HH-R2 as notified.	3.10.2	Accept	I agree with the submitter. See body of the report for the assessment of this submission point.	No
FS137	Ohoka Residents Association		Reject the submission	3.10.2	Reject		No
HH-R3 Construction of a structure, building or addition to a building within any historic heritage setting listed in HH-SCHED2							
62.43	Chorus New Zealand Limited, Spark New Zealand Trading Limited, Vodafone New Zealand Limited	HH-R3	Amend HH-R3 such that it is clearly identified that customer connections to buildings with heritage values are regulated under EI-R4 in the Energy and Infrastructure Chapter and not under HH-R3.	3.10.3	Reject	See body of the report for the assessment of this submission point.	No
178.21	Heritage New Zealand Pouhere Taonga	HH-R3	Amend to provide greater clarity.	3.10.3	Accept	I agree with the submitter. See body of the report for the assessment of this submission point.	Yes
249.108	MainPower New Zealand Limited	HH-R3	Amend HH-R3: "Where: 1. any structure or building or addition to a building is less than 10m ² in GFA and 2m in height; 2. the activity is necessary for the maintenance, repair and replacement of an existing car park, accessway, driveway or	3.10.3	Reject	See body of the report for the assessment of this submission point.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			paved area <u>or installation of a customer electricity connection and associated infrastructure.</u> "				
326.218	Rolleston Industrial Developments Limited	HH-R3	Retain HH-R3 as notified.	3.10.3	Accept in part	I agree with the submitter, subject to recommended amendments made in response to other submissions. See body of the report for the assessment of this submission point.	No
FS137	Ohoka Residents Association		Reject the submission	3.10.3	Reject in part		No
FS117	Oxford Equity Ltd		That HH-R3 be amended to include the further matter of restricted discretion, " <u>HHMD6-Whether the retention of the heritage features or form of the listed structure, place, or object causes significant additional costs, or reduction in its range of likely uses</u> ". Any other relief consequential relief available as a result of this further submission.	3.10.3	Reject in part		No
HH-R4 Relocation of any historic heritage listed in HH-SCHED2 within its site or heritage setting							
367.52	Waimakariri District Council	HH-R4	Amend HH-R4 title: "Relocation of any historic heritage <u>item</u> listed in HH-SCHED2 within its site or heritage setting".	3.10.4	Accept	I agree with the submitter. See body of the report for the assessment of this submission point.	Yes
326.219	Rolleston Industrial Developments Limited	HH-R4	Retain HH-R4 as notified.	3.10.4	Accept in part	I agree with the submitter, subject to recommended amendments made in response to other submissions. See body of the report for the assessment of this submission point.	No
FS137	Ohoka Residents Association		Reject the submission	3.10.4	Reject in part		No
HH-R5 Alteration of or addition to historic heritage item listed in HH-SCHED2							
367.53	Waimakariri District Council	HH-R5	Amend HH-R5 title: "Alteration of or addition to <u>any</u> historic heritage item listed in HH-SCHED2".	3.10.5	Accept	I agree with the submitter. See body of the report for the assessment of this submission point.	Yes
249.109	MainPower New Zealand Limited	HH-R5	Retain HH-R5.	3.10.5	Accept in part	I agree with the submitter, subject to recommended amendments made in response to other submissions. See body of the report for the assessment of this submission point.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
326.220	Rolleston Industrial Developments Limited	HH-R5	Retain HH-R5 as notified.	3.10.5	Accept in part	I agree with the submitter, subject to recommended amendments made in response to other submissions. See body of the report for the assessment of this submission point.	No
FS137	Ohoka Residents Association		Reject the submission	3.10.5	Reject in part		No
HH-R6 Relocation of 'Significant' (Category B) historic heritage listed in HH-SCHED2 beyond its site or heritage setting							
367.54	Waimakariri District Council	HH-R6	Amend the title of HH-R6: "Relocation of <u>any</u> 'Significant' (Category B) historic heritage <u>item</u> listed in HH-SCHED2 beyond its site or heritage setting".	3.10.6	Accept	I agree with the submitter. See body of the report for the assessment of this submission point.	Yes
326.221	Rolleston Industrial Developments Limited	HH-R6	Retain HH-R6 as notified.	3.10.6	Accept in part	I agree with the submitter, subject to recommended amendments made in response to other submissions. See body of the report for the assessment of this submission point.	No
FS137	Ohoka Residents Association		Reject the submission	3.10.6	Reject in part		No
HH-R7 Demolition of 'Significant' (Category B) historic heritage items listed in HH-SCHED2							
367.55	Waimakariri District Council	HH-R7	Amend the title of HH-R7: "Demolition of <u>any</u> 'Significant' (Category B) historic heritage items listed in HH-SCHED2".	3.10.7	Accept	I agree with the submitter. See body of the report for the assessment of this submission point.	Yes
326.222	Rolleston Industrial Developments Limited	HH-R7	Retain HH-R7 as notified.	3.10.7	Accept in part	I agree with the submitter, subject to recommended amendments made in response to other submissions. See body of the report for the assessment of this submission point.	No
FS137	Ohoka Residents Association		Reject the submission	3.10.7	Reject in part		No
HH-R8 Relocation of 'Highly Significant' (Category A) historic heritage items listed in HH-SCHED2 beyond its site or heritage setting							
367.56	Waimakariri District Council	HH-R8	Amend the title of HH-R8: "Relocation of <u>any</u> 'Highly Significant' (Category A) historic heritage items listed in HH-SCHED2 beyond its site or heritage setting".	3.10.8	Accept	I agree with the submitter. See body of the report for the assessment of this submission point.	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
178.22	Heritage New Zealand Pouhere Taonga	HH-R8	Retain HH-R8 as proposed.	3.10.8	Accept in part	I agree with the submitter, subject to recommended amendments made in response to other submissions. See body of the report for the assessment of this submission point.	No
326.223	Rolleston Industrial Developments Limited	HH-R8	Retain HH-R8 as notified.	3.10.8	Accept in part	I agree with the submitter, subject to recommended amendments made in response to other submissions. See body of the report for the assessment of this submission point.	No
FS137	Ohoka Residents Association		Reject the submission	3.10.8	Reject in part		No
HH-R9 Demolition of 'Highly Significant' (Category A) historic heritage items listed in HH-SCHED2							
367.57	Waimakariri District Council	HH-R9	Amend the title of HH-R9: "Demolition of <u>any</u> 'Highly Significant' (Category A) historic heritage items listed in HH-SCHED2".	3.10.9	Accept	I agree with the submitter. See body of the report for the assessment of this submission point.	Yes
178.23	Heritage New Zealand Pouhere Taonga	HH-R9	Retain HH-R9 as proposed.	3.10.9	Accept in part	I agree with the submitter, subject to recommended amendments made in response to other submissions. See body of the report for the assessment of this submission point.	No
326.224	Rolleston Industrial Developments Limited	HH-R9	Retain HH-R9 as notified.	3.10.9	Accept in part	I agree with the submitter, subject to recommended amendments made in response to other submissions. See body of the report for the assessment of this submission point.	No
FS137	Ohoka Residents Association		Reject the submission	3.10.9	Reject in part		No
HH-AN2							
178.24	Heritage New Zealand Pouhere Taonga	Advice Notes - General	Amend HH-AN2: "If any activity associated with a project, including earthworks <u>within an archaeological site</u> , modifications to any pre-1900 structure, or demolition of any pre-1900 building, may modify, damage or destroy an archaeological site(s), an archaeological authority from HNZPT must be obtained for the work to proceed lawfully".	3.11.1	Reject	See body of the report for the assessment of this submission point.	No
HH-AN4							

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
178.25	Heritage New Zealand Pouhere Taonga	HH-AN1	Amend HH-AN4: "If an archaeological site is discovered, for example when conducting earthworks <u>within an archaeological site</u> , work that could affect the site should <u>must</u> be stopped and contact made with HNZPT for advice".	3.11.2	Accept in part	See body of the report for the assessment of this submission point.	Yes
HH-MD1 Adverse effects on heritage values							
210.11	Waimakariri Irrigation Limited	HH-MD1	Retain HH-MD1 as notified.	N/A	Accept	I agree with the submitter.	No
249.110	MainPower New Zealand Limited	HH-MD1	Retain HH-MD1.	N/A	Accept	I agree with the submitter.	No
326.225	Rolleston Industrial Developments Limited	HH-MD1	Retain HH-MD1 as notified.	N/A	Accept	I agree with the submitter.	No
FS137	Ohoka Residents Association		Reject the submission	N/A	Reject		No
HH-MD2 Intervention and viability of historic heritage							
326.226	Rolleston Industrial Developments Limited	HH-MD2	Retain HH-MD2 as notified.	N/A	Accept	I agree with the submitter.	No
FS137	Ohoka Residents Association		Reject the submission	N/A	Reject		No
HH-MD3 Consultation							
326.227	Rolleston Industrial Developments Limited	HH-MD3	Retain HH-MD3 as notified.	N/A	Accept	I agree with the submitter.	No
FS137	Ohoka Residents Association		Reject the submission	N/A	Reject		No
178.26	Heritage New Zealand Pouhere Taonga	HH-MD3	Retain HH-MD3 as notified.	N/A		I agree with the submitter.	No
HH-MD4 Re-use and relocation							
326.228	Rolleston Industrial Developments Limited	HH-MD4	Retain HH-MD4 as notified.	N/A	Accept	I agree with the submitter.	No
FS137	Ohoka Residents Association		Reject the submission	N/A	Reject		No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
HH-MD5 Mitigation measures							
326.229	Rolleston Industrial Developments Limited	HH-MD5	Retain HH-MD5 as notified.	N/A	Accept	I agree with the submitter.	No
FS137	Ohoka Residents Association		Reject the submission	N/A	Reject		No
HH-SCHED1 - Historic Heritage Significance Assessment Criteria							
178.27	Heritage New Zealand Pouhere Taonga	HH-SCHED1	Retain HH-SCHED1 as proposed.	N/A	Accept	I agree with the submitter.	No
Add, Delete or Amend Items on HH-SCHED2 – Historic Heritage Items							
408.14	Bellgrove Rangiora Ltd	Heritage Schedules	Delete the heritage area overlay for HH052. The extent of the heritage area will be modified as part of the Bellgrove Stage 1 development at 52 and 76 Kippenberger Avenue, and a site specific assessment will be undertaken to confirm the heritage setting. Include criteria for evaluating a scheduled setting or open space around a heritage item.	3.12	Accept in part	See body of the report for the assessment of this submission point.	Yes
FS117	Oxford Equity Ltd		That part of Sub: 408.14 that seeks the arbitrary extent of the heritage setting for the Belgrove Farmhouse be removed to allow for a site specific heritage assessment be undertaken. Similarly, the arbitrary extension of the heritage setting for the Redwoods property being extended to the entirety of the property, be amended from what has been notified and the heritage listing of the Redwoods Property to remain as stated in the ODP as only the Redwoods building and buffer zone of two metres around the building. Any other relief consequential relief available as a result of this further submission.	3.12	Accept in part		No
FS37	Richard and Geoff Spark		Accept to the extent it supports the relief sought in the submission by R&G Spark, the intent of that submission and their interests. Any changes to the South East Rangiora Development Area provisions, including the SE Rangiora Development Plan which we consider are not appropriate or supportive of rezoning and development of the Spark land are opposed. Any changes are to be to our satisfaction.	3.12	Accept in part		No
151.1	Blair Williamson	HH-SCHED2	Delete HH098 from HH-SCHED2.	3.12	Accept	See body of the report for the assessment of this submission point.	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
154.1	Denise Lochhead	HH-SCHED2	Delete HH093 former Sefton Library from HH-SCHED2 as the heritage item status places challenges on the ability to sell the property, and in turn fund the proposed new Sefton Hall facility.	3.12	Reject	See body of the report for the assessment of this submission point.	Yes
155.3	Woodend-Sefton Community Board	HH-SCHED2	Delete former Sefton Library (HH093) from HH-SCHED2 in order to enable the funding of a new community hall for Sefton.	3.12	Reject	See body of the report for the assessment of this submission point.	Yes
235.1	Joanne Laphorne and Robert Hanna	HH-SCHED2	Delete Sefton Library (HH093) from HH-SCHED2.	3.12	Reject	See body of the report for the assessment of this submission point.	Yes
178.28	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Amend HH-SCHED2 to update HH001 HNZPT list number to 3677.	3.12	Reject	See body of the report for the assessment of this submission point.	No
178.29	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Retain HH022, Former Kirk House, in HH-SCHED2 as proposed.	3.12	Accept	I agree with the submission.	No
178.30	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Retain HH023 in HH-SCHED2 as proposed.	3.12	Accept	I agree with the submission.	No
178.31	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Retain HH028 in HH-SCHED2 as proposed.	3.12	Accept	I agree with the submission.	No
178.32	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Retain HH041 in HH-SCHED2 as proposed.	3.12	Accept	I agree with the submission.	No
178.33	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Retain HH064 in HH-SCHED2 as proposed.	3.12	Accept	I agree with the submission.	No
178.34	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Amend HH-SCHED2 to add Tisbury Cottage (Category 2 Historic Place - list number 5271) as a heritage item.	3.12	Reject	See body of the report for the assessment of this submission point.	No
178.35	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Amend HH-SCHED2 to include 367 High Street, Rangiora (Category 2 Historic Place - list number 3775).	3.12	Reject	See body of the report for the assessment of this submission point.	No
178.36	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Amend HH-SCHED2 to include 152 King Street, Rangiora (Category 2 Historic Place - list number 3778).	3.12	Reject	See body of the report for the assessment of this submission point.	No
178.37	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Amend HH-SCHED2 to add 16 Seddon Street, Rangiora (Category 2 Historic Place - list number 3781).	3.12	Reject	See body of the report for the assessment of this submission point.	No
178.38	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Amend HH-SCHED2 to add Doyle's Cob House, Loburn (Category 2 Historic Place - list number 1774).	3.12	Reject	See body of the report for the assessment of this submission point.	No
178.39	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Amend HH-SCHED2 to add Mairangi Homestead and Stables, Woodend (Category 2 Historic Place - list number 3076).	3.12	Reject	See body of the report for the assessment of this submission point.	No
178.40	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Amend HH-SCHED2 to add 38 Ashley Street, Rangiora (Category 2 Historic Place - list number 3773).	3.12	Reject	See body of the report for the assessment of this submission point.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
178.41	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Amend HH-SCHED2 to add Coldstream Orchard House (Category 2 Historic Place - list number 3792).	3.12	Reject	See body of the report for the assessment of this submission point.	No
178.42	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Amend HH-SCHED2 to add Ohoka Gate Keepers Lodge (Former) (Category 2 Historic Place - list number 3817).	3.12	Accept	See body of the report for the assessment of this submission point.	Yes
178.43	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Amend HH-SCHED2 to add Pine Hill House at 211 Summerhill Road, Cust (Category 2 Historic Place, list number 5272).	3.12	Reject	See body of the report for the assessment of this submission point.	No
261.4	Michael Alexander de Hamel	HH-SCHED2	Not specified. [Submission summary: The description of HH036 (5 Meadow St) is inaccurate. Construction evidence dates the main part of the cottage to the early 1860s, the first part of the rear extension to the last decade of the 19th century, and the remainder to 1989, with no demolition. Note boundary adjustment made with 3 Meadow St approximately 15 years ago.]	3.12	Accept in part	See body of the report for the assessment of this submission point.	Yes
95.1	Rhonda Mather	General	Add 'Bob's Bridge' (the swingbridge over Lake Pegasus) and the Pou at the entrance to Pegasus Town to the heritage list to be protected and preserved for future generations. This protection to include the areas around the bridge and pou and sightlines to ensure they remain visible and accessible.	3.12	Reject	See body of the report for the assessment of this submission point.	No
FS81	Templeton Group		Templeton Group opposes the introduction of heritage protection of the bridge insofar as it may affect development proposals by Templeton Group including sightlines. Templeton Group therefore seeks that submission point 95.1 at this stage is rejected.	3.12	Accept		No
147.6	Kaiapoi-Tuahiwi Community Board	General	Seeks listing of additional historic or cultural items of interest.	3.12	Accept in part	See body of the report for the assessment of this submission point.	No
155.14	Woodend-Sefton Community Board	General	Modern features and structures such as the Woodend War Memorial, Bob's Bridge in Pegasus, and the Pegasus Pou need recognition so that they can be protected as future historic heritage.	3.12	Reject	See body of the report for the assessment of this submission point.	No
FS81	Templeton Group		Templeton Group opposes the introduction of heritage protection of Bob's Bridge in Pegasus, insofar as it may affect development proposals and considers that sufficient evidence has not been presented to establish that this item qualifies as historic heritage. Templeton Group therefore seeks at this stage that submission point 155.14 is rejected.	3.12	Accept		No
General / Plan wide submissions							
284.1	Clampett Investments Limited	General	Amend all controlled and restricted discretionary activity rules:	3.13	Reject	See body of the report for the assessment of this submission point.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<u>"Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion."</u>				
326.1	Rolleston Industrial Developments Limited	General	Amend the Proposed District Plan to delete the use of absolutes such as 'avoid', 'maximise' and 'minimise'.	3.13	Reject	See body of the report for the assessment of this submission point.	No
FS78	Royal Forest and Bird protection Society of New Zealand Inc		Reject the submission	3.13	Accept		No
FS84	Ohoka Residents Association		Reject the submission	3.13	Accept		No
FS119	Andrea Marsden		Reject the submission	3.13	Accept		No
FS120	Christopher Marsden		Reject the submission	3.13	Accept		No
FS137	Ohoka Residents Association		Reject the submission	3.13	Accept		No
326.2	Rolleston Industrial Developments Limited	General	Amend so that all controlled and restricted discretionary activity rules include the following wording, or words to like effect: <u>"Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion."</u>	3.13	Reject	See body of the report for the assessment of this submission point.	No
FS78	Royal Forest and Bird protection Society of New Zealand Inc		Reject the submission	3.13	Accept		No
FS119	Andrea Marsden		Reject the submission	3.13	Accept		No
FS120	Christopher Marsden		Reject the submission	3.13	Accept		No
FS137	Ohoka Residents Association		Reject the submission	3.13	Accept		No
326.3	Rolleston Industrial Developments Limited	General	Amend controlled and restricted discretionary activity rules to provide direction regarding non-notification.	3.13	Reject	See body of the report for the assessment of this submission point.	No
FS137	Ohoka Residents Association		Reject the submission	3.13	Accept		No
FS78	Royal Forest and Bird protection Society of New Zealand Inc		Reject the submission	3.13	Accept		No

Appendix C. Oxford Equity Ltd further submission

Table C 2: Comparison between the Oxford Equity Ltd further submission and the original submissions to which it relates to identify the issue of scope in the further submission

Original submission and provision	Further submission points from Adderley Head on behalf of	What is in scope and what is out of scope in the further submission
Bellgrove Rangiora Ltd [408.14] HH-SCHED2		
Submission	Reasons for further submission	Conclusion
<p>Submission: The pWDP identifies the extent of the heritage area associated with HH052 'Belgrove farmhouse'. The method (in the form of a circle centred on the heritage item), is arbitrary, not justified by appropriate s32 analysis, and is open to interpretation as to the criteria and relevance of the setting.</p> <p>The Historic Heritage Item Record for 'Belgrove Farmhouse' includes a description of the extent of the setting as being "the extent of scheduling is limited to the garden setting of the house, rather than the land parcel as a whole". This provides limited context and does not outline whether the setting (shown on the aerial as over the top of existing trees) is inclusive or exclusive of trees overlain (or partially overlain) by the circle.</p> <p>None of the trees within or around this circle have been identified as protected under either the operative WDP or PWDP. BRL support this.</p> <p>In addition, the PWDP does not include any criteria focussed on evaluating a scheduled setting or open space around a heritage item</p>	<p>The further submission supports the original Submission No 408.14 (Sub:408.14) that the extent of the heritage setting for HH052-HHSCHED2 'Belgrove Farmhouse' is arbitrary, not justified by an appropriate section 32 Resource Management Act 1991 (RMA) analysis and is open to interpretation as to the criteria and the relevance of the setting.</p> <p>Reasons for further submission</p> <p>The further submission supports the original submission, because the same arbitrary extent of the heritage listing for the Belgrove Farmhouse in the PDP, has similarly been applied to the extent of the heritage listing of the Redwoods Property HH050-HHSCHED2 in the PDP. The New Zealand Heritage Register (NZHR) currently lists the Redwoods Property's protection as being the building itself and buffer of approximately two metres around the building. The Waimakariri District Council's (Council) Operative District Plan (ODP) replicates the NZHR's protection, by scheduling the Redwood building and buffer of approximately two metres around the building as heritage site number HO44.</p> <p>The proposed extension of the Redwoods Building to include the entirety of the Redwoods Property is an arbitrary extension, without RMA justification beyond what is currently provided for in the ODP and NZHR listing.</p>	<p>What is the difference:</p> <ul style="list-style-type: none"> 408.14 seeks changes to the extent of the heritage setting of HH052 Further submission supports changes to the extent of the heritage setting for HH052 AND seeks changes to the extent of the setting for HH050. <p>Conclusion:</p> <p>I consider the further submission is in scope in so far as it supports the original submission's request to amend the extent of the heritage setting around the Belgrove Homestead (HH052).</p> <p>I consider the further submission is not in scope in so far as it seeks the extent of the heritage setting for HH050 (the further submitters scheduled property) be amended to the building and a 2 metre buffer.</p>
Original submission relief sought	Further submission decision sought	
<p>Relief: The extent of the heritage area will be modified as part of the Bellgrove's Stage 1 development at 52 and 76 Kippenberger Avenue, Rangiora. Given the heritage area is arbitrary and a site specific response to development around the homestead will be proposed as part of the Stage 1 application, BRL seek that the heritage area overlay for HH052 be removed. This will enable a site specific assessment to be undertaken for the area to confirm the Belgrove setting and ensure that the 'area' extent does not fall down on any newly created residential lots surrounding the homestead.</p> <p>Include criteria focussed on evaluating a scheduled setting or open space around a heritage item.</p>	<p>Decision sought:</p> <p>That part of Sub: 408.14 that seeks the arbitrary extent of the heritage setting for the Belgrove Farmhouse be removed to allow for a site specific heritage assessment be undertaken. Similarly, the arbitrary extension of the heritage setting for the Redwoods property being extended to the entirety of the property, be amended from what has been notified and the heritage listing of the Redwoods Property to remain as stated in the ODP as only the Redwoods building and buffer zone of two metres around the building.</p> <p>Any other relief consequential relief available as a result of this further submission.</p>	

Original submission and provision						
Concept Services [230.4] HH-O1						
Submission	Reasons for further submission	Conclusion				
<p>Submission: The HH rules in the PWDP provide for the maintenance and repair, relocation and demolition of historic heritage depending on its classification in HH-SCHED2. The rules pertaining to relocation are consistent with Policy HH-P6. The requested amendments to Objective HH-O1 ensure that the HH rules and Policy HH-P6 are consistent with Objective HH-O1.</p>	<p>The further submission supports the original Submission No 230.4 (Sub: 230.4) that Objective HH-O1 be amended. The further submission also seeks amendment and proposes that HH-O1's objective of protecting and maintaining recognised heritage be balanced within an appropriate context and otherwise significant adverse effects managed. The Submitter proposes the following amendment to HH-O1 to achieve the balance of an appropriate context:</p> <table border="1" data-bbox="914 510 2021 800"> <thead> <tr> <th colspan="2">Objectives</th> </tr> </thead> <tbody> <tr> <td>HH-O1</td> <td> Contribution to the District Historic heritage and its overall contribution to the identity of the District is recognised, <u>and where appropriate</u> protected and maintained and <u>otherwise manages significant adverse effects on historic heritage.</u> </td> </tr> </tbody> </table> <p>Reasons for Further Submission The current drafting of the PDP's HH-O1 Objective, seeks historic heritage be recognised, protected and maintained, without evaluating and or considering whether or not recognising and maintaining historic heritage is appropriate within the context the historic heritage setting may exist/operate. The addition of the phrasing sought in this further submission above allows for discretion to be exercised where appropriate, in order to balance historic heritage against competing considerations views and alternative uses of a historic heritage setting. As well the amendments sought seek to manage significant adverse effects, allowing some latitude in terms of the scale of allowable effects on heritage values.</p>	Objectives		HH-O1	Contribution to the District Historic heritage and its overall contribution to the identity of the District is recognised, <u>and where appropriate</u> protected and maintained and <u>otherwise manages significant adverse effects on historic heritage.</u>	<p>Thoughts: How I read this further submission is that the further submission supports 230.4 in so far as 230.4 is seeking amendments to the objective, rather than supporting what the amendments are.</p> <p>The further submission seeks a new amendment to HH-O1 that is different to the original submission.</p> <p>Conclusion: I consider the further submission is in scope in so far as it supports the relief sought in the original submission. I consider the further submission is not in scope in so far as it seeks new amendments to HH-O1.</p>
Objectives						
HH-O1	Contribution to the District Historic heritage and its overall contribution to the identity of the District is recognised, <u>and where appropriate</u> protected and maintained and <u>otherwise manages significant adverse effects on historic heritage.</u>					
Original submission relief sought	Further submission decision sought					
<p>Relief: Amend Objective HH-O1 to read (deletions are shown with a strikethrough and additions are shown in <u>bold underline</u>):</p> <p>"Historic heritage and its overall contribution to the identity of the District is recognised, <u>and it is</u> protected and maintained <u>where practicable.</u>"</p>	<p>Decision sought That HH-O1 be amended to state, "<u>Historic heritage and its overall contribution to the identity of the District is recognised, and where appropriate protected and maintained otherwise manage significant adverse effects on historic heritage.</u>"</p> <p>Any other relief consequential relief available as a result of this further submission.</p>					
Original submission and provision						
Rolleston Industrial Developments Limited [326.210] HH-P3						
Submission	Reasons for further submission	Conclusion				
<p>HH-P3</p> <p>Submission:</p>	<p>The further submission opposes the original Submission No 326.210 (Sub: 210) that Policy HH-P3 be retained as notified in the PDP. The further submission proposes that HH-P3 be amended as follows:</p>	<p>The further submission opposes the original submission and introduces new amendments.</p>				

<p>These provisions are considered appropriate and are supported by the submitter.</p>	<table border="1"> <tr> <td data-bbox="905 191 1050 443">HH-P3</td> <td data-bbox="1050 191 2006 443"> <p>Heritage settings</p> <p>Recognise and where appropriate maintain the relationship of historic heritage and any associated heritage setting for historic heritage listed in HH-SCHED2 within the context of considering the benefits and needs for subdivision, use and development within the locality of the listing</p> </td> </tr> <tr> <td colspan="2" data-bbox="905 443 2006 800"> <p>Reasons for further submission</p> <p>The current drafting of the PDP's HH-P3 Policy, seeks historic heritage be recognised and maintained, without evaluating and or considering whether or not recognising and maintaining historic heritage is appropriate within the context the historic heritage setting may exist/operate. The addition of the phrasing sought in this further submission above allows for discretion to be exercised where appropriate, in order to balance historic heritage against competing considerations views and alternative uses of a historic heritage setting.</p> </td> </tr> </table>	HH-P3	<p>Heritage settings</p> <p>Recognise and where appropriate maintain the relationship of historic heritage and any associated heritage setting for historic heritage listed in HH-SCHED2 within the context of considering the benefits and needs for subdivision, use and development within the locality of the listing</p>	<p>Reasons for further submission</p> <p>The current drafting of the PDP's HH-P3 Policy, seeks historic heritage be recognised and maintained, without evaluating and or considering whether or not recognising and maintaining historic heritage is appropriate within the context the historic heritage setting may exist/operate. The addition of the phrasing sought in this further submission above allows for discretion to be exercised where appropriate, in order to balance historic heritage against competing considerations views and alternative uses of a historic heritage setting.</p>		<p>The original submission supports HH-P3 as notified and does not seek any changes. The further submission seeks new amendments to HH-P3.</p> <p>Conclusion: The further submission opposes the original submission. However, the further submission is out of scope in that it is seeking new amendments to the proposed plan that go beyond the relief sought in the original submission.</p> <p>I note that the tracked amendments to policy HH-P3 within paragraph 16 of their further submission does not accurately reflect the decision sought by the further submitter. It would appear that this does not accurately identify the changes they seek to the Proposed Plan as not all changes are tracked and shown in red. As I consider there is no scope for these changes, I have not sought clarification from the submitter.</p>
HH-P3	<p>Heritage settings</p> <p>Recognise and where appropriate maintain the relationship of historic heritage and any associated heritage setting for historic heritage listed in HH-SCHED2 within the context of considering the benefits and needs for subdivision, use and development within the locality of the listing</p>					
<p>Reasons for further submission</p> <p>The current drafting of the PDP's HH-P3 Policy, seeks historic heritage be recognised and maintained, without evaluating and or considering whether or not recognising and maintaining historic heritage is appropriate within the context the historic heritage setting may exist/operate. The addition of the phrasing sought in this further submission above allows for discretion to be exercised where appropriate, in order to balance historic heritage against competing considerations views and alternative uses of a historic heritage setting.</p>						
<p>Original submission relief sought</p>	<p>Further submission decision sought</p>					
<p>Relief: Retain these provisions as notified.</p>	<p>Decision sought That HH-P3 be amended to state, "<i>Recognise and where appropriate maintain the relationship of historic heritage and any associated heritage setting for historic heritage listed in HH-SCHED2 within the context of considering the benefits and needs for subdivision, use and development within the locality of the listing</i>". Any other relief consequential relief available as a result of this further submission.</p>					
<p>Original submission and provision</p>						
<p>Heritage New Zealand Pouhere Taonga [178.16] HH-P5</p>						
<p>Submission</p>	<p>Reasons for further submission</p>	<p>Conclusion</p>				
<p>Submission: HNZPT supports policy P5 which seeks to manage the effects of subdivision, particularly point 4 which seeks to conserve, and where possible enhance, the authenticity and integrity of historic heritage and any heritage setting.</p>	<p>The further submission opposes the original Submission 178.16 (Sub: 178.16) that Objective HH-P5 be retained as notified. The further submission proposes that HH-P5 be amended as follows:</p> <table border="1"> <tr> <td data-bbox="905 1249 1050 1843">HH-P5</td> <td data-bbox="1050 1249 2006 1843"> <p>Significant Adverse effects</p> <p>Manage any significant adverse effects of subdivision, use and development on historic heritage and heritage settings, listed in HH-SCHED2, in a way that:</p> <ol style="list-style-type: none"> provides for ongoing use and re-use via subdivision and development while seeking to provide to for and manage significant adverse effects on identified heritage values; enables heritage investigative and temporary works and maintenance or repair to meet Building Code requirements, that is sensitive to identified heritage values; protects where possible identified heritage values from inappropriate subdivision, use, and development, including any alteration, addition and the erection of a structure, building or addition to a building within a site or heritage setting; and Conserves, where possible and where possible enhances, the authenticity and integrity of historic heritage and any heritage setting, particularly for 'Highly Significant' historic heritage. </td> </tr> </table> <p>Reasons for further submission</p>	HH-P5	<p>Significant Adverse effects</p> <p>Manage any significant adverse effects of subdivision, use and development on historic heritage and heritage settings, listed in HH-SCHED2, in a way that:</p> <ol style="list-style-type: none"> provides for ongoing use and re-use via subdivision and development while seeking to provide to for and manage significant adverse effects on identified heritage values; enables heritage investigative and temporary works and maintenance or repair to meet Building Code requirements, that is sensitive to identified heritage values; protects where possible identified heritage values from inappropriate subdivision, use, and development, including any alteration, addition and the erection of a structure, building or addition to a building within a site or heritage setting; and Conserves, where possible and where possible enhances, the authenticity and integrity of historic heritage and any heritage setting, particularly for 'Highly Significant' historic heritage. 	<p>The further submission opposes the original submission and introduces new amendments.</p> <p>The original submission supports HH-P5 as notified and does not seek any changes. The further submission seeks new amendments to HH-P5.</p> <p>Conclusion: The further submission opposes the original submission. However, the further submission is out of scope in that it is seeking new amendments to the proposed plan that go beyond the relief sought in the original submission.</p> <p>I note that the decision sought by the further submitter does not accurately reflect the tracked amendments to policy HH-P5 within paragraph 20 of their further submission. It would appear that this does not accurately identify the changes they seek to the Proposed Plan as not all changes are tracked and shown in red. As I consider there is no scope for these changes, I have not sought clarification from the submitter.</p>		
HH-P5	<p>Significant Adverse effects</p> <p>Manage any significant adverse effects of subdivision, use and development on historic heritage and heritage settings, listed in HH-SCHED2, in a way that:</p> <ol style="list-style-type: none"> provides for ongoing use and re-use via subdivision and development while seeking to provide to for and manage significant adverse effects on identified heritage values; enables heritage investigative and temporary works and maintenance or repair to meet Building Code requirements, that is sensitive to identified heritage values; protects where possible identified heritage values from inappropriate subdivision, use, and development, including any alteration, addition and the erection of a structure, building or addition to a building within a site or heritage setting; and Conserves, where possible and where possible enhances, the authenticity and integrity of historic heritage and any heritage setting, particularly for 'Highly Significant' historic heritage. 					

	<p>The current drafting of the PDP'S HH-P5 Policy, describes 'effects' generally in terms of the management of subdivision, use and development on historic heritage and heritage settings. The word 'effects' within the current main body of HH-P5 results in consideration of any effect regardless of its significance or scale ' in the context of subdivision, use and development'. HH-P5 in order to provide greater clarity in interpretation, requires clarification of what 'effects' will be managed in the context of subdivision, use and development.</p> <p>The submitter proposes 'effects' be defined as 'significant adverse effects', to provide the clarity required when interpreting what effects are to be managed in the context of subdivision, use and development.</p> <p>Furthermore, to provide greater clarity in interpreting HH-P5, point 1, which needs to be linked to providing ongoing use and re-use, via the context of subdivision and development.</p>	
Original submission relief sought	Further submission decision sought	
Relief: Retain as proposed.	Decision sought That HH-P5 heading be amended to state, " <i>Significant Adverse Effects</i> ". The first paragraph to be amended to state, " <i>Manage the significant adverse effects of subdivision, use and development on historic heritage and heritage settings, listed in HH-SCHED2, in a way that:</i> " HH-P5-point 1 be amended to state, " <i>provides for ongoing use and re-use via subdivision and development that is sensitive to identified heritage values</i> ". Any other relief consequential relief available as a result of this further submission.	
Original submission and provision		
Rolleston Industrial Developments Ltd [326.218]		
HH-R3		
Submission	Reasons for further submission	Conclusion
Submission: These provisions are considered appropriate and are supported by the submitter.	The further submission opposes the support of the original Submission No: 62.43 (Sub: 326.218) that Objective HH-R3 be retained as notified. The further submission proposes that HH-R3 be amended as follows:	The further submission opposes the original submission and introduces new amendments.

	<table border="1"> <tr> <td data-bbox="905 189 1172 283">HH-R3</td> <td colspan="2" data-bbox="1172 189 2018 283">Construction of a structure, building or addition to a building within any historic heritage setting listed in HH-SCHED2</td> </tr> <tr> <td data-bbox="905 283 1172 430">Heritage Building or Item Overlay</td> <td data-bbox="1172 283 1617 430">Activity status: PER</td> <td data-bbox="1617 283 2018 430">Activity status when compliance not achieved: RDIS</td> </tr> <tr> <td data-bbox="905 430 1172 1333">Heritage Area Overlay</td> <td data-bbox="1172 430 1617 1333"> <p>Where:</p> <ol style="list-style-type: none"> any structure or building or addition to a building is less than 10m² in GFA and 2m in height; The activity is necessary for the maintenance, repair and replacement of an existing car park, accessway, driveway or paved area. </td> <td data-bbox="1617 430 2018 1333"> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> HH-MD1 - Adverse effects on heritage settings HH-MD3 - Consultation HH-MD4 - Re-use and relocation HH-MD5 - Mitigation HH-MD6- Whether the retention of the heritage features or form of the listed structure, place, or object causes significant additional costs, or reduction in its range of likely uses <p>Notification</p> <p>An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to HNZPT, in respect of sites on the New Zealand Heritage List Rārangī Kōrero, where the consent authority considers this is required, absent its written approval.</p> </td> </tr> </table>	HH-R3	Construction of a structure, building or addition to a building within any historic heritage setting listed in HH-SCHED2		Heritage Building or Item Overlay	Activity status: PER	Activity status when compliance not achieved: RDIS	Heritage Area Overlay	<p>Where:</p> <ol style="list-style-type: none"> any structure or building or addition to a building is less than 10m² in GFA and 2m in height; The activity is necessary for the maintenance, repair and replacement of an existing car park, accessway, driveway or paved area. 	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> HH-MD1 - Adverse effects on heritage settings HH-MD3 - Consultation HH-MD4 - Re-use and relocation HH-MD5 - Mitigation HH-MD6- Whether the retention of the heritage features or form of the listed structure, place, or object causes significant additional costs, or reduction in its range of likely uses <p>Notification</p> <p>An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to HNZPT, in respect of sites on the New Zealand Heritage List Rārangī Kōrero, where the consent authority considers this is required, absent its written approval.</p>	<p>The original submission supports HH-R3 as notified and does not seek any changes. The further submission seeks to amend HH-R3 by introducing a new matter of discretion.</p> <p>Conclusion: The further submission opposes the original submission. However, the further submission is out of scope in that it is seeking new amendments to the proposed plan that go beyond the relief sought in the original submission.</p>
HH-R3	Construction of a structure, building or addition to a building within any historic heritage setting listed in HH-SCHED2										
Heritage Building or Item Overlay	Activity status: PER	Activity status when compliance not achieved: RDIS									
Heritage Area Overlay	<p>Where:</p> <ol style="list-style-type: none"> any structure or building or addition to a building is less than 10m² in GFA and 2m in height; The activity is necessary for the maintenance, repair and replacement of an existing car park, accessway, driveway or paved area. 	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> HH-MD1 - Adverse effects on heritage settings HH-MD3 - Consultation HH-MD4 - Re-use and relocation HH-MD5 - Mitigation HH-MD6- Whether the retention of the heritage features or form of the listed structure, place, or object causes significant additional costs, or reduction in its range of likely uses <p>Notification</p> <p>An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to HNZPT, in respect of sites on the New Zealand Heritage List Rārangī Kōrero, where the consent authority considers this is required, absent its written approval.</p>									
<p>Reasons for further submission</p> <p>The ODP includes as a restricted discretionary consideration at Heritage Rules 28.2(ix): <i>“Whether the retention of the heritage features or form of the listed structure, place, or object causes significant additional costs, or reduction in its range of likely uses”</i>, this restricted discretionary consideration is not included in the PDP. The consideration of significant cost to land developers being precluded from development of land, because of the significant cost of the retention of a heritage item, is an important consideration that should be maintained when considering a resource consent applications related to heritage listings.</p> <p>The reduction of the likely uses of a parcel of land for development, if land developers are precluded from the developing of land for residential housing, utilising existing land and infrastructure in areas where there is a need for more residential housing. As distinct from Greenfield development to satisfy the demand for residential housing.</p>											

	Retention of ODP Heritage Rule 28.2(ix) in the PDP achieves the consideration of cost and reduction of use when considering construction of building on heritage listed sites.													
Original submission relief sought	Further submission decision sought													
Relief: Retain these provisions as notified.	Decision sought That HH-R3 be amended to include the further matter of restricted discretion, " <i>HH-MD6-Whether the retention of the heritage features or form of the listed structure, place, or object causes significant additional costs, or reduction in its range of likely uses</i> ". Any other relief consequential relief available as a result of this further submission.													
Original submission and provision														
Bellgrove Rangiora Ltd [408.15]														
SUB-R7 (the relief sought is on SUB-MCD13)														
Submission	Reasons for further submission	Conclusion												
<p>Submission: Subdivision of land involving a site where a heritage resource listed in Appendix 28.1 is also a restricted discretionary under the operative WDP. The difference being that the matters of discretion include (i) '<i>whether the retention of the heritage features or form of the listed structure, place, or object causes significant additional costs, or reduction in its range of likely uses</i>'. This provision has not been retained in the PWDP and should be included given cost considerations are a major component of land development and subdivision of surrounding land does alter the context of a heritage item (particularly when the planned transition is from rural to residential) and this has the potential to impact its range of likely uses. In addition, the PWDP does not include any criteria focussed on evaluating a scheduled setting or open space around a heritage item.</p>	<p>The further submission supports the opposition of the original Submission No: 408.15 (Sub: 408.15) that Objective SUB-R7 be amended. The further submission proposes that HH-R3 be amended as follows:</p> <table border="1" data-bbox="914 911 2041 1516"> <tr> <td>SUB-R7</td> <td colspan="2">Subdivision of a site containing a historic heritage item or heritage setting, or notable tree</td> </tr> <tr> <td>Heritage Building or Item Overlay</td> <td>Activity status: RDIS</td> <td>Activity status when compliance not achieved: as set out in the relevant subdivision standards</td> </tr> <tr> <td>Heritage Area Overlay</td> <td>Where:</td> <td></td> </tr> <tr> <td>Notable Trees Overlay</td> <td> 1. SUB-S1 to SUB-S18 are met. Matters of discretion are restricted to: <ul style="list-style-type: none"> Matters of control/discretion listed in SUB-R2 SUB-MCD13 - Historic heritage and notable trees </td> <td></td> </tr> </table>	SUB-R7	Subdivision of a site containing a historic heritage item or heritage setting, or notable tree		Heritage Building or Item Overlay	Activity status: RDIS	Activity status when compliance not achieved: as set out in the relevant subdivision standards	Heritage Area Overlay	Where:		Notable Trees Overlay	1. SUB-S1 to SUB-S18 are met. Matters of discretion are restricted to: <ul style="list-style-type: none"> Matters of control/discretion listed in SUB-R2 SUB-MCD13 - Historic heritage and notable trees 		<p>The further submission supports the original submission in that the original submission seeks changes to the provision. The further submission proposes new amendments to be made to SUB-MCD13. Conclusion: The further submission on the Bellgrove [408.15] original submission is within scope as it supports the original submission including the following relief: Amend the Matters of Discretion in SUBMCD13 to include: <i>"whether the retention of the heritage features or form of the listed structure, place, or object causes significant additional costs, or reduction in its range of likely uses."</i> The further submission states in two locations that the further submission seeks changes to HH-R3. I consider this may be an error as the same relief is sought to HH-R3 and SUB-MCD13.</p>
SUB-R7	Subdivision of a site containing a historic heritage item or heritage setting, or notable tree													
Heritage Building or Item Overlay	Activity status: RDIS	Activity status when compliance not achieved: as set out in the relevant subdivision standards												
Heritage Area Overlay	Where:													
Notable Trees Overlay	1. SUB-S1 to SUB-S18 are met. Matters of discretion are restricted to: <ul style="list-style-type: none"> Matters of control/discretion listed in SUB-R2 SUB-MCD13 - Historic heritage and notable trees 													

	<p>SUB-MCD13 <u>Historic heritage, culture and notable trees</u></p> <ol style="list-style-type: none"> 1. Any <u>effect</u> on <u>historic heritage</u>, its <u>heritage values</u> and on any associated <u>heritage setting</u>. 2. The extent that <u>HNZPT</u> has been consulted and the outcome of that consultation. 3. The extent that the <u>site</u> has cultural or spiritual significance to <u>mana whenua</u> and the outcome of any consultation undertaken with Te Ngāi Tūāhuriri Rūnanga. 4. Opportunities to incorporate representation of the association of Te Ngāi Tūāhuriri Rūnanga into the design of residential and commercial <u>subdivision</u>. 5. Opportunities to enhance the physical condition of <u>historic heritage</u> and its <u>heritage values</u>. 6. <u>Whether the retention of the heritage features or form of the listed structure, place or object causes significant additional costs, or reduction in its range of likely uses.</u> 7. Any mitigation measures proposed to be implemented to protect <u>historic heritage</u> and its <u>heritage values</u>. 8. The extent to which the <u>subdivision</u> layout and design provides for the protection of any <u>notable tree</u>. 9. Any <u>effect</u> on a <u>notable tree</u> as a result of the <u>subdivision</u> or <u>identified building platform</u> or platforms, and whether alternative methods or <u>subdivision</u> design are available to retain or protect the tree. <p>Reasons for further submission</p> <p>The subdivision of land involving a site where a historic heritage item or heritage setting is listed, is a restricted discretionary activity in the ODP. However, in the ODP the matters of discretion include Heritage Rules 28.2(ix): <i>“Whether the retention of the heritage features or form of the listed structure, place, or object causes significant additional costs, or reduction in its range of likely uses”</i>, this restricted discretionary consideration is not included in the PDP. The consideration of cost to land developers being precluded from development of land, because of the significant cost of the retention of a heritage item, is an important consideration that should be maintained when considering a resource consent applications related to heritage listings.</p> <p>The reduction of the likely uses of a parcel of land for development, if land developers are precluded from the developing of land for residential housing, utilising existing land and infrastructure in areas where there is a need for more residential housing. As distinct from Greenfield development to satisfy the demand for residential housing.</p> <p>Retention of ODP Heritage Rule 28.2(ix) in the PDP achieves the consideration of cost and reduction of use when considering subdivision of heritage listed sites.</p>	
<p>Original submission relief sought</p>	<p>Further submission decision sought</p>	
<p>Relief: Amend the Matters of Discretion in <u>SUBMCD13</u> to <u>include:</u></p> <p><u>8. whether the retention of the heritage features or form of the listed structure, place, or object causes significant additional costs, or reduction in its range of likely uses'</u></p>	<p>Decision sought</p> <p>That the matters of discretion in SUB-MCD13 HH-R3 be amended to include a further matter of restricted discretion of, <i>“Whether the retention of the heritage features or form of the listed structure, place, or object causes significant additional costs, or reduction in its range of likely uses”</i>.</p> <p>Any other relief consequential relief available as a result of this further submission.</p>	

Amend the Matters of Discretion in *SUBMCD13* to refer to matters which an assessment of impacts on heritage settings should consider. Suggested wording is:

9. for new buildings, structures, alterations and/or features within a heritage setting, whether they will:

a. be compatible with the heritage fabric, values and significance of the heritage item including design, detailing and location of heritage item(s) within the setting;

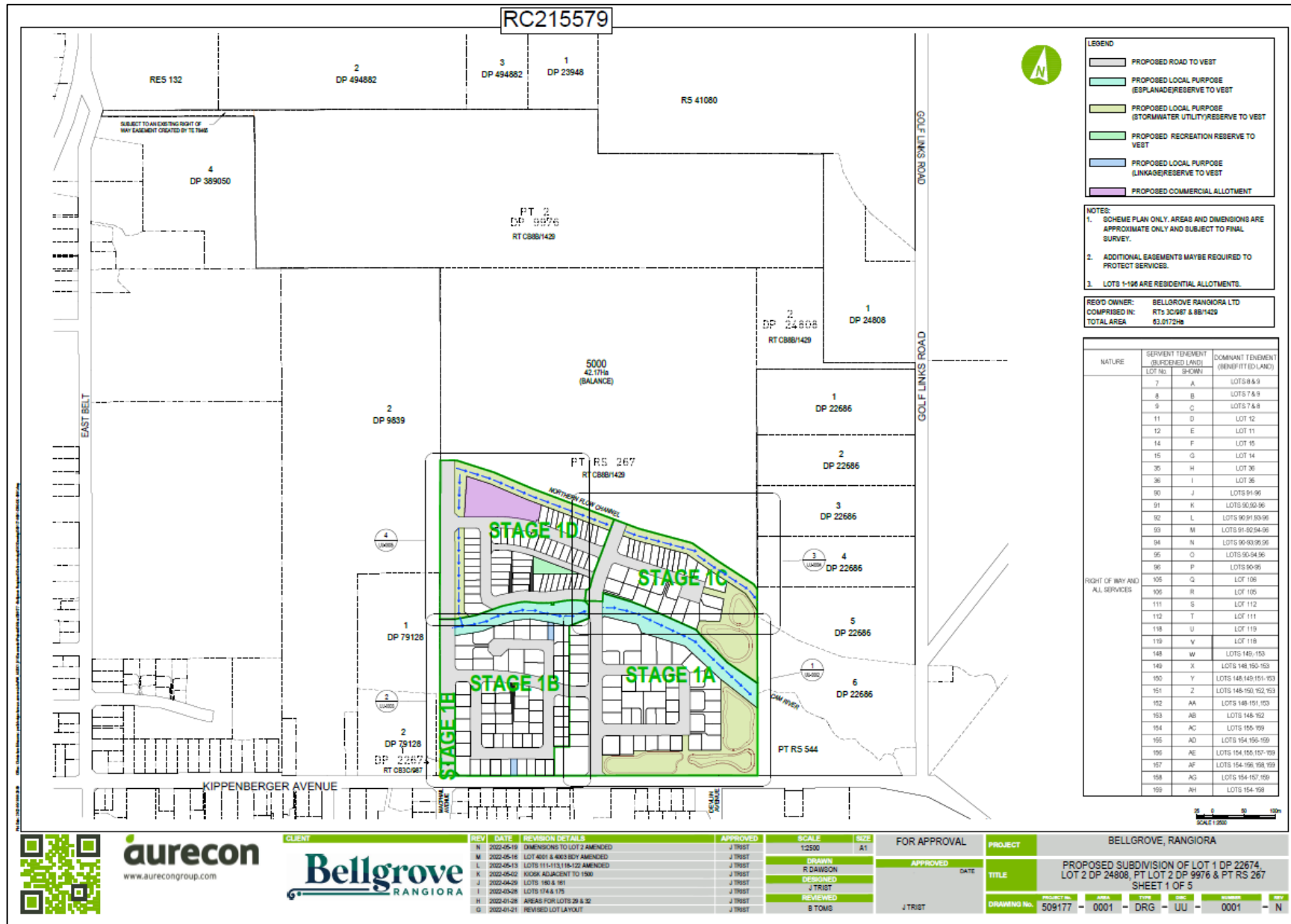
ii. impact on views to or from the heritage item(s), and any reduction in the visibility of heritage item(s) from public places; and

iii. significantly compromise the relationship between elements, such as the layout and orientation, form, and materials within the setting.

Appendix D. Subdivision Scheme Plan for the proposed subdivision of LOT 1 DP 22674, LOT 2 DP 24808, PT LOT 2 DP 9976 & PT RS 267 (Subdivision Consent RC125579)

The following images have been extracted from the Subdivision Scheme Plan for Stage 1 of the Belgrove subdivision and can be viewed through the following link <https://www.epa.govt.nz/assets/Uploads/Documents/Fast-track-consenting/Bellgrove/RC125579-Subdivision-Scheme-Plan.pdf>

The below scheme plan shows the 'Belgrove' farmhouse HH052 as lot 1400 and the context of this lot within Stage 1 of the Bellgrove subdivision.



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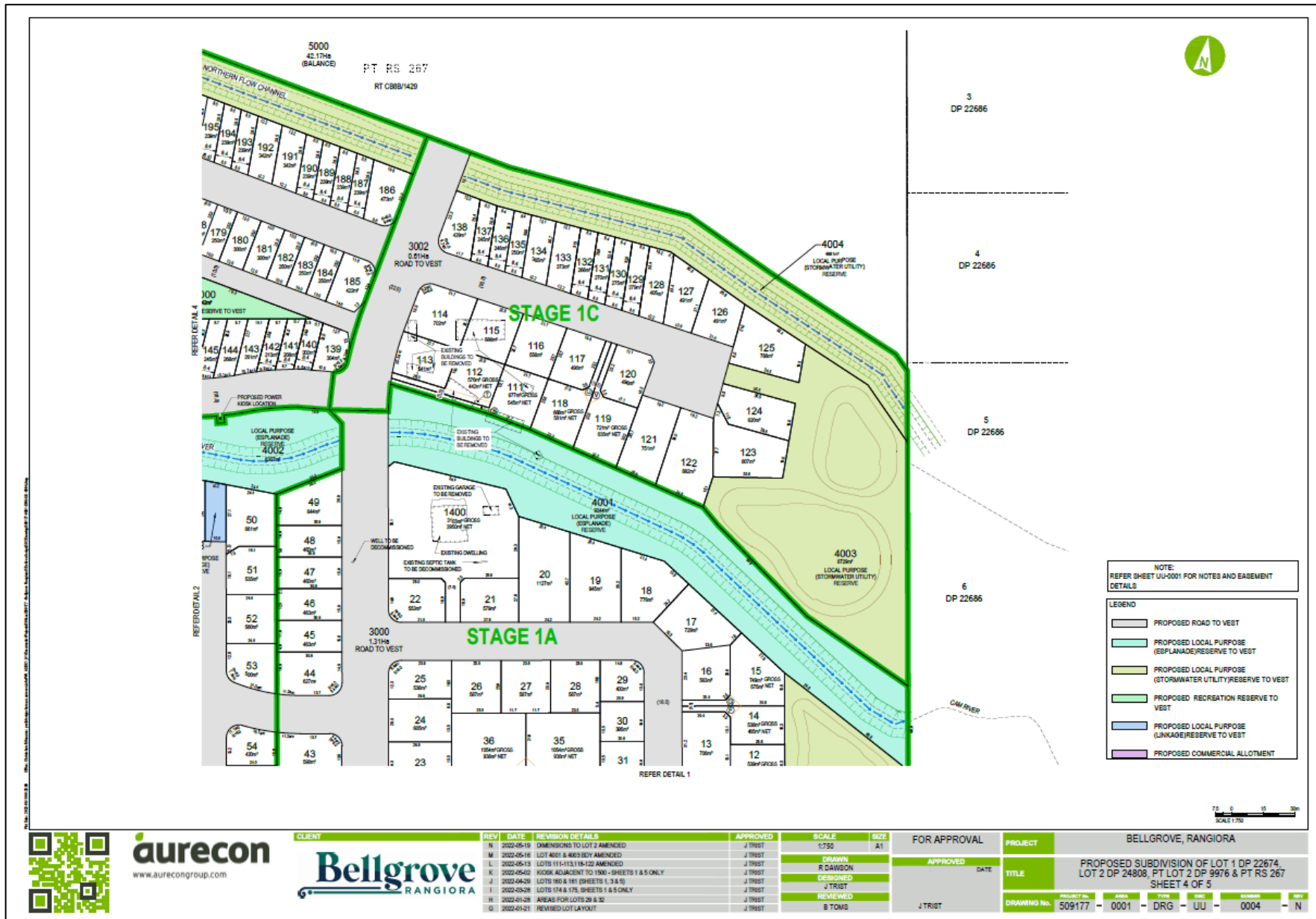
Bellgrove
RANGIORA

REV	DATE	REVISION DETAILS	APPROVED
N	2022-05-19	DIMENSIONS TO LOT 2 AMENDED	J TRIST
M	2022-05-16	LOT 4061 & 4062 REV AMENDED	J TRIST
L	2022-05-13	LOTS 111-113, 118-122 AMENDED	J TRIST
K	2022-05-02	ROCK ADJACENT TO 1500	J TRIST
J	2022-04-29	LOTS 140 & 141	J TRIST
I	2022-04-28	LOTS 174 & 175	J TRIST
H	2022-04-28	AREAS FOR LOTS 29 & 32	J TRIST
G	2022-04-21	REVISED LOT LAYOUT	J TRIST

SCALE	SIZE
1:2500	A1
DRAWN	R DANSON
DESIGNED	J TRIST
REVIEWED	J TRIST
8 TOMS	

FOR APPROVAL	DATE
APPROVED	
J TRIST	

PROJECT	TITLE
BELLGROVE, RANGIORA	PROPOSED SUBDIVISION OF LOT 1 DP 22674, LOT 2 DP 24808, PT LOT 2 DP 9976 & PT RS 267
	SHEET 1 OF 5
DRAWING No. 509177	0001 - DRG - UU - 0001 - N



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Bellgrove
RANGIORA

REV	DATE	REVISION DETAILS	APPROVED
N	2022-05-18	DIMENSIONS TO LOTS 2 AMENDED	J TRIST
M	2022-05-16	LOT 4001 & 4003 BOUND AMENDED	J TRIST
L	2022-05-13	LOTS 111-113, 118-122 AMENDED	J TRIST
K	2022-05-02	KOORU ADJACENT TO 1500 - SHEETS 1 & 5 ONLY	J TRIST
J	2022-04-28	LOTS 100 & 101 SHEETS 1, 3 & 5	J TRIST
I	2022-03-28	LOTS 174 & 175, SHEETS 1 & 5 ONLY	J TRIST
H	2022-01-28	AREAS FOR LOTS 28 & 32	J TRIST
G	2022-01-21	REVISED LOT LAYOUT	J TRIST

SCALE	SIZE
1:100	A1

FOR APPROVAL	DATE
APPROVED	
DESIGNED	
TRIST	
REVIEWED	
B TOMS	

PROJECT	TITLE
BELLS GROVE, RANGIORA	PROPOSED SUBDIVISION OF LOT 1 DP 22674, LOT 2 DP 24808, PT LOT 2 DP 9976 & PT RS 267 SHEET 4 OF 5
DRAWING No.	509177 - 0001 - DRG - UU - 0004 - N

Appendix E. Additional Historical Information 5 Meadow Place, Kaiapoi, HH036

The following information was provided by Mr Michael de Hamel prior to the visit by Dr McEwan and myself to his property in April 2023. Dr McEwan considered this information in her assessment of the property in responding to the submission by Mr de Hamel [261.2].

Some notes on 5 Meadow Street, Kaiapoi

We bought this cottage in about 1984, at which time it was owned by the Good family, who had it seems run out of money to pay the mortgage. There were 7 or 8 people living there – including a lodger in a caravan. Several of the windows were boarded up, only one opened properly, the floor coverings were in poor condition and the roof leaked. The garden was covered to a considerable extent with toi toi/pampas clumps, and there was a tall blue gum about half way down. The pin oak at the front was a matted ball. The land agent tried her hardest to discourage us from purchasing the property, but we did, knowing that we had enough financial flexibility to put new iron on the roof and get repairs done. And we liked the place. Alison's family had links to a similar cottage in Brightwater, Nelson, and Michael had recently sold his 1840's cottage in Dunedin.

Our first task was to have a tree surgeon do some serious work on the pin oak, and fell the gum tree. We hired the Kaiapoi Borough Council's digger and truck to remove most of the pampas clumps, and a local builder who put new corrugated iron on the roof (he managed to source heavy-grade iron), installed a new window on the south wall of the SE room, and replaced a number of weatherboards. Over the years every time an opening has been made in an exterior wall or roof we have put in fibreglass insulation wherever we could – meaning that nowadays probably 80% of the exterior is at least basically insulated.

To us it looks as if the cottage was built in the early 1860's. Evidence for that is the originally shingled roof (we had remains of the shingles identified as being made of Tallowwood, imported from Australia), the bluestone block foundations, the 'balloon frame' structure, the rough sawn or hand-planed/adzed smooth surfaces, mortice and tenon frame joints, sash windows with no counterweight system, wide floor boards. The main corner studs appear to be of matai (the south east one has charcoal on two outer surfaces), other studs and joists of rimu, with kauri matchlining.

The church just down the road was moved to its present site in 1858, and it would be reasonable to expect the cottages to be built nearby soon afterwards. We haven't found any pit-sawn timber, but have been led to believe that a sawmill operated on the corner of Cass Street and Meadow Street in the 1860's.

At some stage iron was put on the roof (by the nail holes the new iron we put on in the 1980's was the third set), the front veranda was built, side window fitted to front bedroom (with sash weights), kitchen built on to the rear with chimney and coal range and original cooking fireplace and chimney in the left rear room were replaced with register and c1880 photographic tiles... The tiles can be dated by technique (platinum transfer, which became too expensive with the 'invention' of electricity) and the image of the Albert Memorial, showing the original wooden fence, which was replaced by iron in 1876. These alterations appear to have been made in the 1880's.

5 Meadow Street, along with No 7, is listed as 'Category 2' by Heritage NZ and is included as a Heritage Item in the Waimakariri District Plan. The smaller cottage at 3 Meadow Street is not listed. Nearby is the Category 1 St Bartholomew's Church.

Tentative time line

1860-1865 – Cottage constructed for sawmill staff on bluestone blocks. Shingled roof. Four rooms downstairs, two up. Sash windows front and rear, no counterweights. Plain fireplace in SE room, cooking fireplace in SW room.

Mid-1880's. Major renovation. Iron put on roof, kitchen added to rear, with chimney and coal range at western end. Window in NW room moved from western wall to northern side wall. Kitchen fire in SW room replaced by register fireplace with photo tiles. Veranda added to eastern side. We have seen a photograph from about 1900 which shows the veranda with its iron sheets painted alternately dark and light. There were plain wooden brackets on the posts.

1930's? Electricity installed. Roof iron replaced. Pump shed and studio-sleepout constructed on northern boundary behind the cottage.

1950's. Main water supply, and drainage. Toilet installed on small veranda outside kitchen door. Two southern chimneys removed, SW one replaced in pumice block construction. Second hand window installed in south wall of SE room where chimney used to be. Coal range removed from kitchen. Electric hot water cylinder installed and plumbed through to bath in the NW room.

1960's? Original garage removed and new concrete block shed built at rear of property.

1980's New iron on roof. Repaint etc.

1990's Worked with architect Tony Usher. Rear kitchen chimney removed and room extended to west. Also to north with new bathroom and toilet. New veranda to west. Old shed demolished and new sleepout built slightly further down the section.

The land

The cottage is sited on the eastern toe of the line of old sand dunes along which the main route north from Christchurch runs. The water table is about one to two metres below the ground surface, and there are the remains of at least two wells near the cottage. One of those was still in use to supply domestic water to the house in the mid-1980's, using an electric pump and header tank.

When we bought 5 Meadow Street it was on a quarter acre section, with a title going back to the 1880's. If it is correct that there was a sawmill on the street corner, we rather suspect that this title was issued when the original owners sold off the three sawmill cottages separately. That is certainly close to the date of the tiled fireplace, and the architectural style of the kitchen extension to the rear. Maybe the cottage was 'done up' for sale, or maybe new owners did the work around the time of the issue of the current title. No 3 Meadow St was also a quarter acre, and No 7 was about 1500 square metres.

About 15 years ago our neighbours and friends at No 3 wanted to get a little more financial security in their lives, and we had inherited some money, so we did a boundary adjustment, and bought from them the rear of their section and a 1-metre strip along their northern boundary. This would give a

5-metre wide strip between our south wall and the boundary to give possible future access to any subdivision at the rear. The existing right of way to the rear houses at No 7 might also give legal access to the rear of No 5, but at the time of the subdivision of No 7 we were not offered the opportunity. Nevertheless it might be possible to negotiate (and presumably pay the owners of the No 7 properties for) access through that route.

Meadow Street, like the rest of Kaiapoi, got a tremendous shake-up in the September 2010 earthquake, and while No 5 'parallelogrammed' (weather boards and match lining) and bounced around on its stone foundations, there was no serious damage. The pumice block chimney on the SW room lost a little more plaster than it had lost previously, and a crack at roof level meant that we thought it was safer to remove it at that level. We were unable to find a suitable tradesperson to repair or reinstate the chimney. There was a small area of 'liquefaction' just to the north of the bathroom, and another small one half way down the garden. Geotech geologists told us that the presence of the pin oak probably saved the cottage from further damage due to consolidation of the ground by roots and water uptake. Across the road was 'red-zoned', and nearly 1,000 houses to the east were demolished or removed. The immediate area across the road has been developed to what is now the well-known 'Kaiapoi Food Forest'.

The pin oak itself is not as old as it looks. There is an aerial photograph of Kaiapoi in the mid-1950's, and while the shadow of a power pole on the street is clearly visible, there is no shadow shown in the vicinity of the tree. It must therefore have been smaller in diameter than a power pole at that time. Perhaps it was grown from a war-time acorn?

Our situation

We moved out of 5 Meadow Street to a property in South Eyre Road eight years ago when one of our sons became increasingly disabled. The cottage is not suitable for a wheelchair, but we retained it as 'insurance' against needing to move back in. It was then rented to a relative and his family for three years, took a year to repair and bring up to standard, and has now been rented to the current tenant for about four years. We have now come to the conclusion that it is very unlikely that we will want to move back to live in it.

In the background are changes to urban density requirements in the District Plan, and the possibility that the owners of No 3 Meadow Street may eventually want to move to a property with lower maintenance requirements.

Appendix F. Report Author's Qualifications and Experience

I hold the following qualifications:

Master of Environmental Policy and Management from Lincoln University and a Bachelor of Arts from Victoria University of Wellington. I have one year experience working as a Graduate Planner.

My work experience includes:

- Duty Planner providing planning advice to the public;
- Public engagement – providing planning advice at community 'drop-in sessions';
- Summarising submissions to the Proposed District Plan, Variation 1 and 2, and Private Plan Change RCP031;
- Preparation of policy research paper – qualifying matters proposed across New Zealand;
- Preparation of public notices, letters, website content and summary documents;
- Preparation of reports to Council; and
- Preparation of s42A reports for the District Plan review.

I have been employed by the Waimakariri District Council since March 2022 as a Graduate Planner within the Development Planning Unit Team.