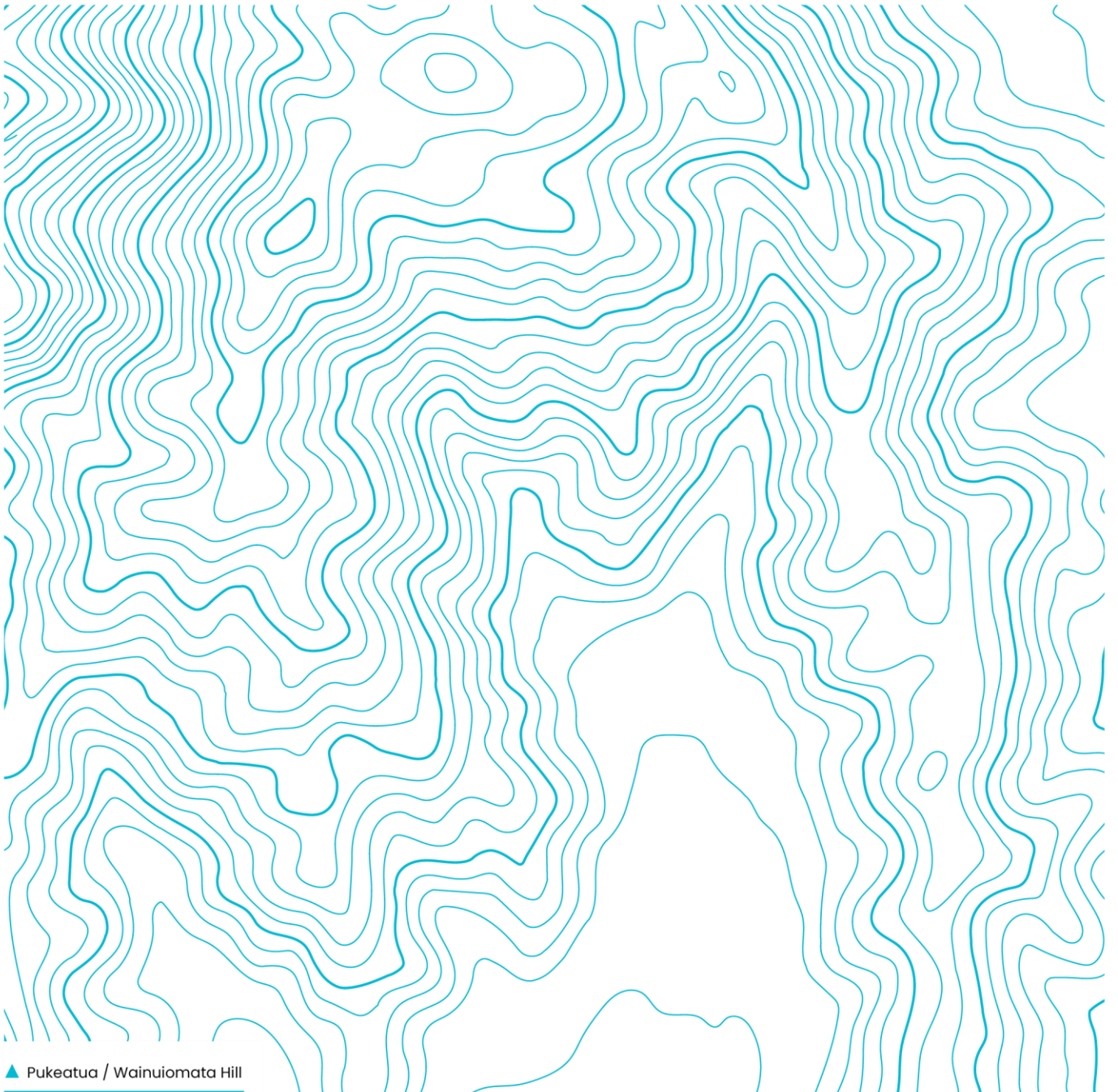


Section 32 Evaluation HISTORICAL HERITAGE



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2 Overview and Purpose

- (1) Hutt City Council is reviewing the City of Lower Hutt District Plan. This is a full review of the District Plan, including the approach to historic heritage.
- (2) This report is a record of the review with regard to historic heritage and includes an evaluation of objectives and provisions for a proposed District Plan to address historic heritage, in accordance with the requirements of s32 of the Resource Management Act 1991.
- (3) The concept of historic heritage, as expressed in section 2 of the Resource Management Act 1991 (RMA), is broad, and encompasses any natural or physical resource that contributes to an understanding of New Zealand's history and cultures¹. This includes built heritage, archaeological sites, sites of significance to Māori, notable trees, and the surroundings associated with these resources. The proposed District Plan addresses historic heritage through three chapters, being:
 - HH – Historical Heritage
 - SASM – Sites and Areas of Significance to Māori
 - TREE – Notable Trees
- (4) This report addresses the provisions of the Historical Heritage chapter, and relevant related provisions. This chapter and related provisions principally recognise and provide for the city's built heritage. Separate reports address the Sites and Areas of Significance to Māori and Notable Trees chapters.
- (5) This report sits as one of a package of reports for the proposed District Plan and should be read alongside the plan-wide report for matters common to all Plan topics.

¹ Refer to the definition of *historic heritage* set out in section 2 of the RMA.

3 Statutory and Policy Context

- (6) The following sections discuss the national, regional, and local policy framework that are particularly relevant to the statutory and policy context for historical heritage for the District Plan Review.

3.1 Resource Management Act 1991

3.1.1 Section 5 – Purpose and Principles

- (7) The purpose of the RMA is set out in Section 5. The purpose is to promote the sustainable management of natural and physical resources.
- (8) Under s5(2) of the Act, sustainable management means:

managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

- (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

3.1.2 Section 6 – Matters of National Importance

- (9) Section 6 of the RMA sets out matters of national importance that all persons exercising functions and powers under the Act shall *recognise and provide for* in achieving the purpose of the RMA. The relevant s6 matters for historic heritage are:

Section	Relevant Matter
s6(f)	<p><i>the protection of historic heritage from inappropriate subdivision, use, and development</i></p> <p>The proposed District Plan must recognise and provide for the protection of historic heritage. This is relevant to the purpose of the Historical Heritage chapter, and related historic heritage provisions throughout the District Plan.</p>

3.1.3 Section 7 – Other Matters

(10) Section 7 of the RMA sets out other matters that all persons exercising functions and powers under it shall *have particular regard to* in achieving the purpose of the RMA. The relevant s7 matters for historical heritage are:

Section	Relevant Matter
s7(aa)	<p><i>the ethic of stewardship</i></p> <p>This matter is relevant to the provisions related to historical heritage, because historic heritage values are maintained through the effective stewardship of places with historic heritage values by those responsible for managing them.</p>
s7(b)	<p><i>the efficient use and development of natural and physical resources</i></p> <p>This matter is relevant to the provisions related to historical heritage, because historic heritage values are promoted where the places with historic heritage values are maintained in sustainable long-term use.</p>
s7(c)	<p><i>the maintenance and enhancement of amenity values</i></p> <p>This matter is relevant to the provisions related to historical heritage, because places with historic heritage values can contribute to the amenity values associated with the urban and rural environments within which they are located.</p>
s7(f)	<p><i>maintenance and enhancement of the quality of the environment</i></p>

Section	Relevant Matter
	This matter is relevant to the provisions related to historical heritage, because places with historic heritage values contribute to the quality of the urban and rural environments within which they are located.
s7(g)	<i>any finite characteristics of natural and physical resources</i> This matter is relevant to the provisions related to historical heritage, because places with historic heritage values are a finite physical resource that, once lost, cannot be replaced.
s7(i)	<i>the effects of climate change</i> This matter is relevant to the provisions related to historical heritage, because historic heritage values associated with places may be subject to risks from the effects of climate change (including increased risks of flooding or inundation as a result of rising sea levels, increased storm surges, or increased frequency or severity of rainfall).

3.1.4 Section 8 – Treaty of Waitangi

- (11) Section 8 of the RMA requires Council to *take into account* the principles of the Treaty of Waitangi when exercising functions and powers under the Act.
- (12) The relevant principles of the Treaty of Waitangi for historical heritage are:

Principle	Comment
Partnership	Consultation has been undertaken with Te Ātiawa and Ngāti Toa Rangatira as part of the District Plan review. This includes consultation on provisions related to historic heritage, and the potential for places to be included in the Schedule of Heritage Buildings and Structures and Schedule of Heritage Areas. Refer to the Overview Section 32 Evaluation Report for a summary of consultation undertaken as part of the preparation of the proposed District Plan.

Principle	Comment
Rangatiratanga	<p>Rangatiratanga refers to the right of tangata whenua² to manage their resources (including places with historic heritage value) in accordance with tikanga Māori.</p> <p>As part of preparing the provisions of the Historical Heritage chapter, consideration has been given to avoiding circumstances where the provisions may frustrate the ability for tangata whenua to manage customary resources in accordance with tikanga Māori. This has generally resulted in an approach where places with significance historic heritage values for tangata whenua are recognised and provided for through the provisions of the Sites and Areas of Significance to Māori chapter, rather than the Historical Heritage chapter.</p>

3.2 National Policy Statements

(13) The following national policy statements are particularly relevant for historical heritage:

- National Policy Statement on Urban Development 2020 (NPS-UD)

(14) The relevant objectives and policies of this national policy statement are discussed below:

Reference	Comment
NPS-UD Objective 1	<i>New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.</i>

² All references to *tangata whenua* throughout this report are references to the term as defined in section 2 of the RMA. This defines the term *tangata whenua* as: “in relation to a particular area, means the iwi, or hapu, that holds mana whenua over that area”.

Reference	Comment
	Protecting significant historic heritage values from inappropriate subdivision, use, and development, while providing for places with significant historic heritage values to be maintained in sustainable long-term use, contributes towards achieving this objective within the urban environments of Lower Hutt.
NPS-UD Policy 4	<p><i>Regional policy statements and district plans applying to tier 1 urban environments modify the relevant building height or density requirements under Policy 3 only to the extent necessary (as specified in subpart 6) to accommodate a qualifying matter in that area.</i></p> <p>There are places with significant historic heritage values in Lower Hutt’s urban environments that are within areas that are subject to Policy 3 of the NPS-UD. The need to protect historic heritage from inappropriate subdivision, use, or development is a qualifying matter under clause 3.32(1)(a) of the NPS-UD.</p>

3.3 New Zealand Coastal Policy Statement

- (15) The New Zealand Coastal Policy Statement 2010 (NZCPS) sets out the objectives and policies in order to achieve the purpose of the RMA in relation to the coastal environment.
- (16) The relevant objectives and policies of the NZCPS are discussed below:

Reference	Comment
Objective 6	<p><i>To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:</i></p> <p><i>[...]</i></p> <ul style="list-style-type: none"> <i>historic heritage in the coastal environment is extensive but not fully known, and vulnerable to</i>

Reference	Comment
	<p><i>loss or damage from inappropriate subdivision, use, and development.</i></p> <p>This objective is relevant to the provisions related to historical heritage, because there are places with significant historic heritage values that are located within Lower Hutt's coastal environment.</p>
Policy 1	<p><i>Extent and characteristics of the coastal environment</i></p> <p><i>[...]</i></p> <p><i>(2) Recognise that the coastal environment includes:</i></p> <p><i>[...]</i></p> <p><i>(g) items of cultural and historic heritage in the coastal marine area or on the coast;</i></p> <p><i>[...]</i></p> <p>This policy is relevant to the provisions related to historical heritage, which recognise that there are places with significant historic heritage values that are located on the coast and span the boundary between the terrestrial environment and the coastal marine area.</p>
Policy 6	<p><i>Activities in the coastal environment</i></p> <p><i>(1) In relation to the coastal environment:</i></p> <p><i>[...]</i></p> <p><i>(j) where appropriate, buffer areas and sites of significant indigenous biological diversity, or historic heritage value.</i></p> <p><i>[...]</i></p> <p>This policy is relevant to the provisions related to historical heritage, as it directs (where appropriate) the creation of buffers around areas and sites of significant historic heritage value. This is particularly relevant to areas within the coastal environment where there are a</p>

Reference	Comment
	concentration of places with significant historic heritage values.
Policy 17	<p><i>Historic heritage identification and protection</i></p> <p><i>Protect historic heritage in the coastal environment from inappropriate subdivision, use, and development by:</i></p> <p><i>(a) identification, assessment and recording of historic heritage, including archaeological sites;</i></p> <p><i>(b) providing for the integrated management of such sites in collaboration with relevant councils, heritage agencies, iwi authorities and kaitiaki;</i></p> <p><i>(c) initiating assessment and management of historic heritage in the context of historic landscapes;</i></p> <p><i>(d) recognising that heritage to be protected may need conservation;</i></p> <p><i>(e) facilitating and integrating management of historic heritage that spans the line of mean high water springs;</i></p> <p><i>(f) including policies, rules and other methods relating to (a) to (e) above in regional policy statements, and plans;</i></p> <p><i>[...]</i></p> <p><i>(i) considering provision for methods that would enhance owners' opportunities for conservation of listed heritage structures, such as relief grants or rates relief.</i></p> <p>This policy is relevant to the provisions related to historical heritage. Sub-policy (f) is particularly relevant to the preparation of the District Plan, as it directs the District Plan to include policies, rules, and other methods (such as mapping and scheduling) that relate to sub-policies (a) to (e). In addition to this, sub-policy (i) is also relevant to the Council's broader</p>

Reference	Comment
	functions in relation to providing support for conservation outside of the District Plan to owners of places with significant historic heritage values.

3.4 National environmental standards

- (17) There are no national environmental standards that are relevant to historic heritage.

3.5 National Planning Standards

- (18) Section 75(3)(ba) of the RMA requires district plans to give effect to national planning standards.
- (19) The first set of national planning standards was published in April 2019, with additional changes being incorporated into the standards since then.
- (20) Standard 4 (District Plan Structure Standard) of the National Planning Standards requires that, where relevant to the district, the District Plan include a “Historical Heritage” chapter under the “Historical and Cultural Values” heading, in Part 2 of the District Plan (District-wide Matters).
- (21) Standard 7 (District-wide Matters Standard) requires that the following matters, where relevant to the District Plan, are located in the Historical Heritage Chapter:
- a. Identification of historic heritage.
 - b. Provisions to protect and manage historic heritage.
 - c. Heritage orders (there are no heritage orders in Lower Hutt City).
 - d. Schedules of identified historic heritage and heritage orders, although this may cross-reference and appendix.
- (22) The National Planning Standards also include a list of definitions, and directions for the visual representation of heritage items and overlays. A definition for ‘historic heritage’ is set by applying the same definition from the RMA.

3.6 Regional Policy Statement for the Wellington Region

- (23) The Regional Policy Statement for the Wellington Region ('the RPS') identifies the significant resource management issues for the region and outlines the policies and methods required to achieve the integrated sustainable management of the region's natural and physical resources.
- (24) The relevant objectives and policies of the RPS for historical heritage are discussed below:

Reference	Comment
Objective 15	<p><i>Historic heritage is identified and protected from inappropriate modification, use and development.</i></p> <p>This objective is directly relevant to the topic of historical heritage. The objective is similar to section 6(f) of the RMA, except that it also seeks that historic heritage is identified, in addition to being protected.</p>
Policy 21 ³	<p><i>Identifying places, sites and areas with significant historic heritage values – district and regional plans</i></p> <p><i>District and regional plans shall identify places, sites and areas with significant historic heritage values that contribute to an understanding and appreciation of history and culture under one or more of the following criteria:</i></p> <p>(a) <i>historic values: these relate to the history of a place and how it demonstrates important historical themes, events, people or experiences.</i></p> <p>(b) <i>physical values: these values relate to the physical evidence present.</i></p>

³ For conciseness, the policy quote has been abbreviated. Refer to Policy 21 on pages 102 to 103 of the RPS for the full text of the policy.

Reference	Comment
	<p>(c) <i>social values: these values relate to the meanings that a place has for a particular community or communities.</i></p> <p>(d) <i>tangata whenua values: the place is sacred or important to Māori for spiritual, cultural or historical reasons.</i></p> <p>(e) <i>surroundings: the setting or context of the place contributes to an appreciation and understanding of its character, history and/or development.</i></p> <p>(f) <i>rarity: the place is unique or rare within the district or region.</i></p> <p>(g) <i>representativeness: the place is a good example of its type or era.</i></p> <p>This policy directs the District Plan to identify places, sites, and areas with significant historic heritage values, and sets out the criteria that are relevant to the identification and evaluation of historic heritage values.</p>
Policy 22	<p>Protecting historic heritage values – district and regional plans</p> <p><i>District and regional plans shall include policies, rules and/or other methods that:</i></p> <p>(a) <i>protect the significant historic heritage values associated with places, sites and areas identified in accordance with policy 21, from inappropriate subdivision, use, and development; and</i></p> <p>(b) <i>avoid the destruction of unidentified archaeological sites and wāhi tapu with significant historic heritage values.</i></p> <p>Sub-policy (a) is relevant to the historical heritage topic. This sub-policy requires that the District Plan include policies, rules, and/or other methods that protect significant historic heritage values associated</p>

Reference	Comment
	<p>with identified places, sites, and areas from inappropriate subdivision, use, and development.</p> <p>Sub-policy (b) is principally addressed by the Sites and Areas of Significance to Māori chapter of the District Plan. With respect to unidentified archaeological sites, these are managed under the Heritage New Zealand Pouhere Taonga Act 2014, which requires that archaeological sites are not modified or destroyed without an archaeological authority.</p>

3.6.1 Proposed RPS Change 1

- (25) Section 74(2)(a)(i) of the RMA requires territorial authorities, when preparing and changing their district plan, to have regard to any proposed regional policy statement.
- (26) The decisions version of Proposed Change 1 to the RPS was published on 4 October 2024. No objectives or policies of Plan Change 1 to the RPS are particularly relevant to historic heritage.

3.7 Operative regional plan

- (27) The Natural Resources Plan for the Wellington Region 2023 (NRP) is the operative regional plan.
- (28) The Regional Council is responsible for protecting historic heritage located within the coastal marine area. Some of the heritage items included in Schedule E of the Regional traverse the boundary between the coastal marine area (which is outside of the City Council's jurisdiction) and Hutt City Council's territory. Items in Schedule E5 are located entirely within the Council's territory. Attachment 2 includes a summary of the objectives and policies of the regional plan which are relevant to historic heritage, the sites in Schedule E which are located adjacent to or within Lower Hutt, and how these have been considered by District Plan review.

3.8 Proposed regional plan

- (29) There are no provisions within Proposed Change 1 to the Natural Resources Plan that are relevant to historic heritage.

3.9 Iwi management plans

- (30) Section 74(2A) of the RMA requires territorial authorities, when preparing or changing a district plan, to take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.
- (31) In addition, iwi authorities may have other planning documents that, while not mandatory considerations for the District Plan Review, should still be taken into account for the Review as they are a source of information on the intentions of an iwi authority. And considering these documents can aid integrated management.
- (32) There are no iwi management plans lodged with the Council that are relevant to the topic of historical heritage.
- (33) Matiu/Somes Island and Mokopuna Island were transferred to the Port Nicholson Block Settlement Trust (Taranaki Whānui) as part of the Port Nicholson Block (Taranaki Whānui ki Te Upoko o Te Ika) Claims Settlement Act 2009. The islands are jointly managed by Taranaki Whānui and the Department of Conservation by the Harbour Islands Kaitiaki Board. The Board has prepared the Wellington Harbour Islands Kaitiaki Plan⁴ which sets out vision, values, and guiding principles for the management of the islands, along with management objectives. The Kaitiaki Plan includes details of the historic heritage values that are associated with the island, and planned activities to improve broader understanding of those values. Providing for Matiu/Somes Island and Mokopuna Island as part of the

⁴ Harbour Islands Kaitiaki Board. (2012). *Wellington Harbour Islands Kaitiaki Plan 2012-2017*. See: <https://www.doc.govt.nz/globalassets/documents/about-doc/policies-and-plans/conservation-management/wellington-harbour-islands-kaitiaki-plan.pdf>

Matiu/Somes Island Heritage Area is consistent with the vision and objectives set out under the Kaitiaki Plan.

3.10 Hutt City Council plans, policies, and strategies

(34) In addition, there are other plans, policies and strategies of Council that, while not directly prepared under a specific Act, should be considered as part of the District Plan Review as they set Council’s intentions on some matters that need to be addressed through the District Plan Review.

(35) The following Council plans, policies and strategies are relevant for the historical heritage topic:

- Long-term Plan 2024-2034
- Taonga Tuku Iho Heritage Policy 2021
- Built Heritage Incentive Fund

(36) These plans, policies and strategies are discussed below:

Plan/Policy/Strategy	Comment
Long-term Plan 2024-2034	<p>The Council’s Long-term Plan is to describe the Council’s activities, describe the community outcomes for the City, provide for integrated decision-making and coordination of the resources for the Council, provide for a long-term focus for decisions, and provide accountability to the community. The 2024-2034 Long-term Plan sets out three priorities for the next 10 years, including:</p> <ol style="list-style-type: none"> 1. Future-fit infrastructure. 2. Enabling a liveable city and vibrant neighbourhoods. 3. Supporting and enhancing the environment. <p>The Long-term Plan includes the Council’s Rates Remission Policy. Part 4 of the Rates</p>

Plan/Policy/Strategy	Comment
	<p>Remission Policy includes rates remission on land protected for historic or cultural conservation purposes. This provides for a remission of up to 100% of the general rate where the rating unit includes a historic building, structure, or place identified in the District Plan or proposed District Plan, and the owner has voluntarily protected those features through a covenant or other legal mechanism.</p>
<p>Taonga Tuku Iho Heritage Policy 2021</p>	<p>The Taonga Tuku Iho Heritage Policy identifies that as the city evolves, protection and use of the city’s historic heritage resources is fundamental to the sustainable management and enjoyment of the city’s lived environment. The policy sets out a vision that Lower Hutt is a city where all communities value, promote, protect, celebrate, and conserve their stories and heritage. Council’s role is to work with communities to achieve this vision.</p> <p>The 5 key goals set out in the policy include:</p> <ol style="list-style-type: none"> 1. Recognition and identification – heritage is identified and documented. 2. Retention, protection, enhancement and conservation – heritage has a level of retention, protection, enhancement and conservation that is relative to its significance and importance. 3. Celebration and promotion – heritage is valued and celebrated to ensure it is kept alive and remembered from one generation to the next. 4. Sustainable economic use – economic growth that preserves and enhances the distinct character of communities,

Plan/Policy/Strategy	Comment
	<p>neighbourhoods, city and suburban centres is encouraged and supported.</p> <p>5. Council effectiveness – Council provides effective support for the implementation of the Council’s goals and aspirations for the city’s heritage.</p> <p>The proposed District Plan supports the implementation of each of these goals.</p>
<p>Built Heritage Incentive Fund</p>	<p>The Council’s Built Heritage Incentive Fund helps owners preserve, restore, and protect the heritage values of their buildings or structures. The fund offers grants for up to half of the value of things such as:</p> <ul style="list-style-type: none"> • Specialist advice • Conservation plans • Building and resource consent fees • Emergency building work • Seismic strengthening work • Conservation and restoration building work. <p>The total value of the fund is \$1,500,000 between 2021 and 2031.</p>

3.11 District plans of adjacent territorial authorities

(37) The relevance of the plans of adjacent councils (and Kāpiti Coast) is discussed below:

Plan	Relevant Provisions
<p>Wellington City District Plan</p>	<p>The approach of the proposed Wellington District plan is to apply an objective, policy and rule framework that would:</p>

Plan	Relevant Provisions
(operative in part 2024)	<ul style="list-style-type: none"> • Manage the historic heritage of scheduled buildings and structures and within identified heritage areas. • Enable repair and maintenance of buildings • Enable removal of non-heritage buildings and structures • Enable seismic investigations • Provide for replacement windows for heritage buildings (including contributing buildings in heritage areas) as controlled activities • Include stronger controls for other modifications of heritage or contributory buildings. • Require discretionary resource consent for total demolition of scheduled heritage buildings or structures. Includes policy direction that total demolition is avoided unless no alternatives. Public notification would be required.
Upper Hutt City District Plan (operative 2004)	<p>The approach of the Upper Hutt City District Plan is to apply an objective, policy and rule framework which:</p> <ul style="list-style-type: none"> • Manages the historic heritage of scheduled significant heritage features • Enables the repair and maintenance of heritage features • Provides for additions and alterations as controlled activities. • Partial or total demolition requires discretionary resource consent. Relevant policy direction includes to protected significant heritage value from unnecessary degradation, inappropriate modification or destruction.
Proposed Porirua City District Plan	<p>The approach of the proposed Porirua District Pan is to apply an objective, policy and rule framework that would:</p>

Plan	Relevant Provisions
(decisions version 2023)	<ul style="list-style-type: none"> • Manage the historic heritage of scheduled items and within scheduled sites, including within a defined heritage setting surrounding heritage items • Enable repair, maintenance and decoration of items, and the maintenance and restoration of sites • Enable repair, alterations and demolition of buildings within the heritage setting of heritage items • Enable the restoration of heritage sites (permitted) and heritage items (controlled) • Provide for earthquake strengthening of heritage items as a controlled activity • Includes stronger controls for other modifications of heritage items and sites. • Demolition of heritage items and sites have a discretionary or non-complying activity (subject to listing status). Includes policy direction that demolition and destruction is avoided unless identified exceptional circumstances apply.
Kapiti Coast District Plan (operative 2021)	<p>The approach of the Operative Kapiti Coast District Plan is to apply an objective, policy and rule framework which:</p> <ul style="list-style-type: none"> • Manages the historic heritage of scheduled historic buildings or structures, scheduled historic sites and scheduled historic areas, sites and within sites which contain heritage features. • Enables the repair and maintenance of historic buildings, structures and sites. • Provides for earthquake strengthening as a controlled activity. • Includes stronger controls for other modifications.

Plan	Relevant Provisions
	<ul style="list-style-type: none"> Partial or full demolition is discretionary or non-complying (subject to whether a Heritage NZ listing applies). Policy direction is to avoid demolition of Heritage NZ listed features.
Proposed Wairarapa Combined District Plan (proposed 2023)	<p>The approach of the proposed Wairarapa Combined District Plan is to apply an objective, policy and rule framework that would:</p> <ul style="list-style-type: none"> Manage the historic heritage of buildings and items, and precincts. Enable maintenance and repair of heritage buildings or structures, or buildings in heritage precincts. Enable heritage upgrade works for heritage buildings or items Enable interior alterations (except where building interiors are specifically listed) Includes stronger controls for other modifications. Require resource consent for demolition or removal as a discretionary activity. Policy direction is to discourage demolition of heritage buildings or items, and avoid adverse effects on historic heritage values as much as practicable.

3.12 New Zealand Heritage List / Rārangī Kōrero

- (38) Section 74(2)(b)(ia) of the RMA requires that the Council have regard to relevant entries on the New Zealand Heritage List/Rārangī Kōrero when preparing the District Plan. There are 56 entries on the New Zealand Heritage List that are located within the Council’s territorial boundary⁵.

⁵ <https://www.heritage.org.nz/places#thelist>

(39) All but two of the entries on the New Zealand Heritage List are included in the proposed District Plan Schedule of Heritage Buildings and Structures and Schedule of Heritage Areas. The entries that have not been included are the Pencarrow Lighthouse (entry number 34) and the Old Belmont to Pauatahanui Road (entry number 7711). The reasons for not including these entries in the District Plan schedules are as follows:

Entry	Reasons for not including the entry in the schedules
Pencarrow Lighthouse (entry number 34)	The Lower Pencarrow Lighthouse is located in the East Harbour Regional Park, which is managed by the Greater Wellington Regional Council (see discussion on the management of cultural heritage as part of the Toitū Te Whenua Parks Network Plan 2020–2030 in section 3.13 below). It is therefore considered that there is a low risk of inappropriate subdivision, use, or development of the lighthouse, and that protection of the lighthouse in the District Plan is not justified.
Old Belmont to Pauatahanui Road (entry number 7711)	The road is principally located within the Belmont Regional Park, which is managed by the Greater Wellington Regional Council (see discussion on the management of cultural heritage as part of the Toitū Te Whenua Parks Network Plan 2020–2030 in section 3.13 below). The southern portion of the road, which is not located within the regional park, is located within road reserve. It is therefore considered that there is a low risk of inappropriate subdivision, use, or development of the road, and that protection of the road in the District Plan is not justified.

3.13 Other statutory and non-statutory plan, policies, strategies, and guides

(40) In addition to Hutt City Council’s plans, policies and strategies (discussed above), there are regional and national plans, policies, strategies, and guides that, while not mandatory considerations for the District Plan Review, should still be considered as they form part of the management regime for natural and physical resources in the district, and considering these documents can aid integrated management.

(41) The following other statutory and non-statutory plans, policies, strategies, or guides are relevant for historical heritage:

- Guide to the Management of Historic Heritage: District Plans (Heritage New Zealand Pouhere Taonga, April 2022)
- ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value 2010 (ICOMOS New Zealand, 2010)
- Toitū Te Whenua Parks Network Plan 2020–2030 (Greater Wellington Regional Council).

(42) These documents are discussed below:

Document	Comments
Guide to the Management of Historic Heritage: District Plans (Heritage New Zealand Pouhere Taonga, April 2022)	<p>This is a non-statutory guidance document prepared by Heritage New Zealand Pouhere Taonga to assist local authorities when preparing content on historic heritage for district plans.</p> <p>The document includes guidance on:</p> <ul style="list-style-type: none"> • Heritage content of district plans; • Appropriate definitions • Coverage of objectives and policies relevant to managing historic heritage • Scheduling historic heritage <p>The document also includes specific guidance on rules and controls for a range</p>

Document	Comments
	<p>of activities associated with historic heritage, including:</p> <ul style="list-style-type: none"> • Maintenance and repair • Alterations and additions • Restoration • Seismic strengthening, fire protection, and accessibility upgrades • New structures • Relocation • Demolition and destruction • Earthworks • Subdivision
<p>ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value 2010 (ICOMOS New Zealand, 2010)</p>	<p>The ICOMOS New Zealand Charter 2010 sets out principles to guide the conservation of places of cultural heritage value in New Zealand. The Charter is a non-statutory document, prepared by the New Zealand National Committee of ICOMOS.</p> <p>The Charter sets out the purpose and principles of conservation. It also describes conservation process and practices, including:</p> <ul style="list-style-type: none"> • Preparation of conservation plans • Procedures for conservation projects • Use of appropriate professional, trade, and craft skills • Degrees of intervention for conservation purposes • Preservation practices • Restoration practices • Reconstruction practices • Adaptation practices • Circumstances where it is appropriate not to intervene

Document	Comments
	The Charter also includes a range of defined terms related to historic and cultural heritage conservation.
Toitū Te Whenua Parks Network Plan 2020-2030 (Greater Wellington Regional Council)	<p>This document is the reserve management plan for regional parks under the management of the Greater Wellington Regional Council.</p> <p>The Plan includes policies related to cultural heritage within the regional parks network, including a policy to preserve and protect places with significant cultural values identified in Appendix 4 of the Plan. This includes (but is not limited to) the following places:</p> <ul style="list-style-type: none"> • WWII munitions bunkers (within Belmont Regional Park); • Old Coach Road (within Belmont Regional Park); • Lower Pencarrow Lighthouse (within the East Harbour Regional Park); • Baring Head/Ōrua-pouanui Lighthouse complex (within the East Harbour Regional Park); • Baring Head WWII Observation Post (within the East Harbour Regional Park).

3.14 Other legislation or regulations

- (43) In addition to the RMA, other legislation and regulations can be relevant considerations for a district plan, particularly where management of an issue is addressed through multiple pieces of legislation and regulatory bodies.

(44) The following other legislation and regulations are relevant for historical heritage:

- Heritage New Zealand Pouhere Taonga Act 2014
- Building Act 2004

Act or Regulation	Comments
Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA)	The purpose of the HNZPTA is to promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand. Section 42 of the HNZPTA requires that archaeological sites must not be modified or destroyed without an archaeological authority granted by Heritage New Zealand Pouhere Taonga. Section 74 of the HNZPTA provides that Heritage New Zealand Pouhere Taonga may make recommendations to local authorities about historic areas that are included in the New Zealand Heritage List, and that local authorities must have particular regard to these recommendations.
Building Act 2004	The Building Act provides for the establishment and maintenance of the New Zealand Building Code, which sets out the performance requirements for new buildings and alterations to existing buildings. Requirements in the Building Act which relate to earthquake strengthening, protection from fire risk and access for persons for disabilities can be relevant to the maintenance, repair and alterations of buildings with historic heritage features.

4 Resource management issues

4.1 Introduction to resource management issues

- (45) This section discusses the resource management issues for infrastructure, and includes a summary of the evidence base that has informed the identification of resource management issues.
- (46) The determination of resource management issues for Infrastructure, and the options for addressing those issues, has involved:
- A review of the statutory and strategic context (outlined in detail Section 3 of this report),
 - A review of the existing approach of the District Plan,
 - A review of the approaches of other district plans,
 - Engagement with Mana Whenua, the community and other stakeholders (including infrastructure providers), and
 - Other relevant technical advice.
- (47) Historic heritage provides a connection to the past and an understanding and appreciation of history and culture. Historic heritage can include buildings, structures, sites, or areas that evoke or are associated with historical or cultural significance.
- (48) Higher order planning documents emphasise the importance of historic heritage as a resource management issue. The protection of significant historic heritage against inappropriate subdivision, use and development is a matter of national importance under section 6(f) of the Resource Management Act, and Policies 21 and 22 of the Regional Policy Statement require that the District Plan identify and protect places and areas with significant historic heritage values.
- (49) Along with protecting significant historic heritage, there is also a need to provide for continued use, appropriate adaptive re-use, and health and

safety alterations (including alterations to improve energy efficiency, internal environmental quality, earthquake strengthening, fire safety and accessibility) to ensure ongoing social and cultural value, economic viability, continued usability, and the safety of people.

4.2 Evidence base

4.2.1 Existing approach of City of Lower Hutt District Plan

(50) Section 1.10.10 of the operative District Plan sets out a strategic objective for heritage, being:

To retain the heritage values of buildings and structures while ensuring that the rights of property owners to use identified heritage buildings and structures in an economically viable way are not compromised.

(51) Chapter 14F of the operative District Plan sets out the objectives, policies, and rules for the use and development of heritage buildings and structures listed in the appendices to the chapter. There are two objectives:

- To ensure that the heritage values of identified heritage buildings and structures are not unnecessarily lost through demolition or relocation, or compromised by any additional work;
 - Supporting policies seek to protect the exterior of buildings from works which adversely affect heritage values, and to ensure a thorough assessment of alternative is undertaken when demolition is proposed.
- To allow a wider range of activities to assist in the retention of heritage buildings;
 - The supporting policy is to allow a wider range of activities within heritage buildings providing the character and amenity of surrounding properties are not adversely affected.

(52) Rule 14F 2.1 provides alteration, repair and modification of heritage buildings as permitted activities where it involves either:

- Redecoration, repair or alterations which are internal and not visible from the road, or
 - Minor repair, alteration or maintenance to the exterior of the building which does not require building consent.
- (53) With respect to the above, the terms *alteration*, *repair*, *modification*, *redecorating*, and *minor repair, alteration or maintenance* are not defined. All other alteration, repair or modification requires resource consent as a restricted discretionary activity (Rule 14F 2.2).
- (54) Under Rule 14F 2.2 discretionary resource consent is required for:
- Activities within heritage buildings or structures which are not within the provisions of the Petone Commercial Activity Area, or the Heretaunga and Riddlers Crescent Heritage Precincts of the High Density Residential Activity Area; or
 - Demolition or relocation of any heritage building or structure.
- (55) There are also two heritage precincts located in the High Density Residential Activity Area (chapter 4G of the operative District Plan), being the Heretaunga Settlement Heritage Precinct and the Riddlers Crescent Heritage Precinct. The rules for these precincts enable accessory buildings as potentially permitted activities, where compliant for controls for height and placement. New buildings or modification of existing buildings are restricted discretionary activities subject to controls on the size and placement of buildings, or are otherwise discretionary activities.
- (56) In addition to these rules, subdivision of land containing a heritage building or structure in Appendix 1 or 2 of chapter 14F, or in the Heretaunga Settlement Heritage Precinct and the Riddlers Crescent Heritage Precinct, is a discretionary activity (under rule 11.2.4).
- (57) Issues identified with the provisions in the operative District Plan include:
- Policies for heritage buildings and structures do not provide clear guidance or direction on the appropriateness of additions and alterations. There is also not clear policy direction on circumstances where it may be appropriate to allow relocation or total demolition.
 - While there is acknowledgement of the need to facilitate changes in use for heritage buildings, this is not supported by policies that seek

to enable other necessary building upgrade requirements required under the Building Act (including seismic strengthening, fire protection, and access for people with disabilities).

- There is little recognition or support for resilience to natural hazards (including earthquakes) within the operative provisions.
- Important terms such as maintenance and repair are not defined, so that their meaning and scope are uncertain to plan users.
- The distinction between heritage areas and heritage precincts is uncertain, and it is unclear why both planning tools are necessary to achieve a similar outcome.
- Schedules do not include information about heritage values, and do not include unique identifiers for each heritage building, structure, or area.

4.2.2 Analysis of other District Plans

(58) Refer to section 3.11 of this report for analysis of the district plan provisions for historical heritage that are contained in the district plans of the territorial authorities of the Wellington region.

4.2.3 Advice from mana whenua

(59) The Council has engaged with its mana whenua partners throughout the process of preparing the proposed District Plan, including the preparation of the Historical Heritage chapter. This includes:

- Specific engagement with the Council's Kāhui Mana Whenua group on the development of the draft Schedule of Heritage Buildings and Structures and Schedule of Heritage Areas.
- Seeking feedback from mana whenua on the draft District Plan.

(60) The Council received no specific advice or feedback from mana whenua on the draft District Plan provisions for historical heritage.

4.2.4 Stakeholder and community engagement

(61) The Council has engaged with stakeholders and the community over several years on the topic of historical heritage, and this feedback has informed the development of the historical heritage provisions in the

proposed District Plan, along with the proposed Schedule of Heritage Buildings and Structures and Schedule of Heritage Areas.

Timeline of engagement

(62) Engagement with stakeholders and the community has included:

- **Early 2021:** seeking feedback on potential heritage listings from stakeholders.
- **April 2021:** engagement with potentially affected property owners on the early development of the draft heritage assessment.
- **September 2021:** further engagement with potentially affected property owners on the development of the draft heritage assessment.
- **March 2022:** engagement with potentially affected property owners, noting that the review of the Historical Heritage chapter is being delayed by the requirement (introduced by the government at the end of 2021) for the Council to undertake Plan Change 56 (the Council's intensification plan change).
- **August 2022 to June 2023:** Plan Change 56 is notified, which includes notification of the operative District Plan Schedule of Heritage Buildings and Structures, Heritage Areas, and Heritage Precincts as 'qualifying matters'. PC56 also included proposed 'Residential Heritage Precincts', which were eventually rejected by the Independent Hearings Panel. Statutory engagement with the community on PC56 occurred in late 2022, with hearings being conducted in April 2023.
- **November to December 2023:** Council consulted on a draft version of the District Plan. Every property owner of a property that was included in the draft Schedule of Heritage Buildings and Structures and Schedule of Heritage Areas was sent a letter notifying them that their property was being considered for inclusion in the schedules.
- **Early 2024:** several submitters, including individual property owners, provided feedback to the Council on the Historical Heritage Chapter, including the draft schedules. The Council considered these submissions and sought further information from some submitters.

Feedback on the Draft District Plan

(63) The Council received a broad range of general feedback from the public on the draft District Plan relevant to the topic of historical heritage.

Feedback included the following issues:

- Impacts on property owners of heritage listing; including costs of maintaining heritage values, restrictions on altering buildings and increased insurance costs.
- Specific feedback on additional heritage listings or removal of existing listings.
- Whether building interiors should be protected.
- Whether the physical condition of buildings should be considered for new listings, and whether demolition should be enabled for buildings which are dangerous or insanitary.
- Council should work with local iwi to protect Māori heritage, not just European heritage.
- Questioning the heritage value of buildings which cannot be seen from the public street.

4.2.5 Technical information/advice commissioned

(64) The development of the Historical Heritage chapter, and in particular the development of the Schedule of Heritage Buildings and Structures and Schedule of Heritage Areas, has been informed by technical advice from heritage experts commissioned by the Council.

(65) The technical information and advice commissioned by the Council is summarised below.

Draft Heritage Inventory Reports (June 2021 – November 2023)

(66) The Council commissioned heritage consultants WSP and Ian Bowman to prepare a draft heritage inventory report between 2021 and 2023. The purpose of the report was to undertake a district-wide technical review and assessment of heritage places, sites, and areas in Lower Hutt. The report provided the basis for the draft Schedule of Heritage Buildings and Structures and Schedule of Heritage Areas. These draft Schedules were

consulted on with the community and property owners as part of consultation on the draft District Plan from November to December 2023.

- (67) With respect to the draft inventory reports for buildings and structures (together referred to as the draft inventory of HNZPT listed items and the draft inventory of non-HNZPT listed items), the draft inventory reports recommended that:
- 125 new items be added to the inventory.
 - 21 existing items be removed from the operative District Plan heritage inventory.

- (68) With respect to the draft inventory report for heritage areas, the report recommends that 12 areas are added to the schedule of heritage areas. However, several of these areas were not supported by the Independent Hearings Panel as part of Plan Change 56. On this basis, only 6 of these areas were included in the draft Schedule of Heritage Areas as part of the draft District Plan.

Review of Draft Heritage Inventory Reports and preparation of Proposed Heritage Inventory Reports

- (69) As part of the feedback received by the Council from the community and property owners on the draft District Plan, the Council received feedback that questioned the methodology and level of information used to evaluate the significance of places of identified in the schedules. Several property owners also challenged the individual inventory reports for their properties.
- (70) Following consultation with the community and property owners on the draft District Plan, the Council commissioned heritage experts Michael Kelly and Russell Murray to undertake a review of the draft heritage inventory reports. The review found that overall, the methodology used to identify and evaluate the significance of places with historic heritage values is sound, although the level of information used to support adding new items to the District Plan would benefit from being increased, to ensure that those additions are sufficiently robust. It was also considered that the significance thresholds used in the inventory reports could be simplified.

(71) The review also identified that the level of information contained in the draft reports for heritage areas was generally found to be sufficient.

(72) As a result of this review, the Council considered that:

- The reports prepared by WSP and Ian Bowman provided a sufficient basis to maintain the status quo in relation to retaining buildings within the operative heritage schedules as part of the proposed Schedule of Heritage Buildings and Structures;
- The reports prepared by WSP and Ian Bowman provided a sufficient basis for including heritage areas within the proposed Schedule of Heritage Areas;
- Reports for buildings and structures proposed to be added to the Schedule of Heritage Buildings and Structures (that are not already in the District Plan) would be updated to incorporate additional information about their significance.

(73) Michael Kelly and Russell Murray prepared updated inventory reports for buildings and structures proposed to be added to the Schedule of Heritage Buildings and Structures. The reports prepared by Michael Kelly and Russell Murray are numbered from H087 onwards (with the remainder of the reports from H001 to H086, which relate to operative District Plan heritage buildings proposed to be rolled over into the proposed District Plan, being prepared by WSP and Ian Bowman).

(74) These inventory reports, as well as the methodology report prepared by Michael Kelly and Russell Murray describing how the updated reports were prepared, are available at:

hutt.city/dpreview/s32-reports-and-technical-assessments

Council's approach to the proposed Schedules of Heritage Buildings, Structures, and Areas, based on the technical information commissioned to date

(75) Based on the technical information commissioned to date (outlined above), the Council's approach to developing the proposed Schedule of Heritage Buildings and Structures, and proposed Schedule of Heritage Areas, is as follows:

- **Existing heritage buildings and structures in operative District Plan:**

- The inclusion or omission of such buildings and structures from the proposed Schedule has been informed by the draft Heritage Inventory Review Report (by WSP). It is considered these reports provide sufficient information to justify the continued inclusion or removal of existing buildings or structures from the schedule in any such case.
- **Buildings and structures proposed to be added to the Schedule of Heritage Buildings and Structures:**
 - Buildings and structures that were proposed to be added to the draft District Plan Schedule of Heritage Buildings and Structures, and which were evaluated as having a more than moderate overall significance in the draft Heritage Inventory Review (by WSP), have been reviewed in detail by Michael Kelly and Russell Murray. Where the review confirmed that a place has significant historic heritage values, the place has been included in the proposed Schedule of Heritage Buildings and Structures.
 - Except that that any buildings and structures which are located in regional parks managed by the Greater Wellington Regional Council, were not included because those buildings and structures are already protected by the reserve management plan associated with the park.
- **Heritage areas:**
 - Heritage areas that were proposed to be added to the draft District Plan Schedule of Heritage Areas have been included in the proposed Schedule of Heritage Areas based on the information contained in the draft Heritage Inventory Review reports (by WSP). It was considered that these reports provide sufficient information to justify retaining (in the case of the Jackson Street Heritage Area, Heretaunga Settlement Heritage Area, Lower Hutt Civic Precinct Heritage Area, and Riddlers Crescent Heritage Area) or adding (in the case of the Matiu/Somes Island and Ōrua-pouanui/Baring Head Heritage Area) those areas to the District Plan.

- Heritage areas identified in the draft Heritage Inventory Review (by WSP), but which were not included in the draft District Plan Schedule of Heritage Areas, have not been included in the proposed Schedule of Heritage Areas. In light of the findings of the Independent Hearings Panel on PC56, it was considered that there was not sufficient evidence of significant historic heritage values associated with these places to include them within the Schedule at this time.
- The Petone Recreation Grounds, which was provided for as part of the draft Schedule of Heritage Buildings and Structures. However, as a result of the review by Michael Kelly and Russell Murray, it was considered that this place would be more appropriately provided for as a heritage area (see HA-07).

(76) This approach leads to the proposed District Plan recognising and providing for a greater quantity and diversity of places with significant historic heritage values, when compared to the operative District Plan, as summarised in the following table:

	Operative District Plan	Draft District Plan	Proposed District Plan
Heritage Buildings and Structures	109	218	168
Heritage Areas	4	6	7

(77) Notwithstanding the places that are included in the proposed Schedules of Heritage Buildings, Structures, and Areas in the proposed District Plan, these Schedules do not represent a 'complete' list of all places with significant historic heritage values in the district. With further information, evaluation, and evidence, it may be possible to identify additional places that could be added to the schedule, and this could be undertaken in response to submissions on the proposed District Plan, and/or as part of future District Plan reviews. However, for the time being, the places included in the proposed Schedules of Heritage Buildings, Structures, and

Areas are considered to provide appropriate recognition of the significant historic heritage values of the district, while providing for improved protection of places with significant historic heritage values when compared to the operative District Plan.

Heritage Inventory reports

- (78) The Heritage Inventory reports, which form the evidence base for the Schedule of Heritage Buildings and Structures and Schedule of Heritage Areas, are available on the are available at:

hutt.city/dpreview/s32-reports-and-technical-assessments

4.2.6 Heritage buildings and insurance

- (79) Concern with the ability for buildings identified in the District Plan as heritage building to obtain insurance was raised by some submitters on the draft District Plan. In response to this, the several common home insurance policies have been reviewed to identify the extent to which they provide for heritage buildings. This is summarised in the following table.

Insurance policy	Provision for heritage buildings
AA Insurance – Home Insurance Policy ⁶	<ul style="list-style-type: none"> • Will not pay for additional costs or fees to comply with any heritage covenants or heritage orders⁷. • Will only replicate heritage features if the currently equivalent techniques and/or building materials are readily available in New Zealand.

⁶ See: <https://www.aainsurance.co.nz/manage-policy/policy-documents/home-insurance-policy-document>

⁷ Heritage covenants (under the Heritage New Zealand Pouhere Taonga Act 2014) and heritage orders (under Part 8 of the Resource Management Act) are separate mechanisms to including a building in the District Plan Schedule of Heritage Buildings and Structures. The proposed District Plan does not include any heritage orders or heritage covenants (although there may be buildings within the district that have heritage covenants registered with Heritage New Zealand Pouhere Taonga).

Insurance policy	Provision for heritage buildings
Tower Insurance – House Insurance Standard Cover ⁸	<ul style="list-style-type: none"> • No exclusions or conditions for heritage buildings.
State Insurance – Home Comprehensive Policy ⁹	<ul style="list-style-type: none"> • Additional cover for heritage homes can be added to the policy at an additional cost. • Covers reasonable costs and fees to comply with a heritage covenant or order. • Will only pay to replicate heritage features if the techniques are still commonly used and the building materials are readily available in New Zealand.
Vero Insurance – Residential Home Policy ¹⁰	<ul style="list-style-type: none"> • The additional costs of complying with a heritage covenant registered with Heritage New Zealand is not covered. • Replacement condition only includes replicating heritage features if it's possible with the techniques or building materials (or both) that are currently equivalent and readily available in New Zealand.
AMI – Home Plus Insurance ¹¹	<ul style="list-style-type: none"> • Additional cover for heritage homes can be added to the policy at an additional cost.

⁸ See: <https://www.tower.co.nz/wp-content/uploads/2021/03/house-standard-09-24.pdf>

⁹ See: <https://www.state.co.nz/content/dam/insurance-brands-nz/state/nz/en/documents/home-contents/state-home-contents-home-comprehensive-contents-comprehensive-policy-wording-si6995-1-0324.pdf>

¹⁰ See: <https://www.vero.co.nz/documents/personal-insurance/vero-residential-home-policy-0724.pdf>

¹¹ See: <https://www.ami.co.nz/content/dam/insurance-brands-nz/ami/nz/en/documents/home-contents/ami-home-plus-contents-plus-insurance-policy-wording-AMI1713-1-0824.pdf>

Insurance policy	Provision for heritage buildings
	<ul style="list-style-type: none"> • Covers reasonable costs and fees to comply with a heritage covenant or order. • Will only pay to replicate heritage features if the techniques are still commonly used and the building materials are readily available in New Zealand.

(80) Based on a range of common insurance policies, the extent to which cover is available for heritage buildings, the exclusions that may apply, and the additional costs associated with cover for heritage buildings may vary depending on the policy. Notwithstanding this, it is clear that insurance policies are available for heritage buildings in New Zealand.

4.2.7 Legal advice

(81) To inform the development of the provisions for historical heritage, the Council commissioned legal advice about the Council’s obligations to recognise and protect buildings and structures with historic heritage value in the District Plan. This legal advice is set out in Attachment 3.

4.3 Summary of issues analysis

(82) The following table provides a summary of the analysis of resource management issues set out in this section of the report:

Resource management issue	Summary
Issue 1: Recognising and protecting historic heritage	<ul style="list-style-type: none"> • Recognising and protecting historic heritage is a matter of national importance under section 6(f) of the RMA. Identifying and protecting significant historic heritage is a requirement of policies 21 and 22 of the Regional Policy Statement. • The City of Lower Hutt and its environs have a long and layered history of occupation, use

Resource management issue	Summary
	<p>and development, and because of this there are many places and area with significant historic heritage values.</p> <ul style="list-style-type: none"> • The operative District Plan provisions for historic heritage regulate alterations and modifications to schedule heritage buildings, structures, and areas, but only provide high-level policy guidance to support decision-making. • All other district plans in the region include objectives, policies, and rules for the protection of significant heritage values. Newer district plans, including the Wellington City District Plan and the Porirua District Plan, include more specific policy direction and rules to guide decision-making on the range of different types of activities associated with historic heritage (including maintenance and repair, alterations, additions, relocation, and demolition). • Feedback from the community on the draft District Plan identified that the community values the contribution of historic heritage to the identity of the city, contribution to sense of place, and connections to past generations. However, information used to justify the scheduling of places for their historic heritage values must be based on a sound methodology and robust information and evaluation. • Technical information and advice commissioned by the Council justifies recognising 161 buildings and structures and

Resource management issue	Summary
	<p>6 areas in the proposed District Plan Schedules of Heritage Buildings, Structures, and Areas. This provides for improved recognition of historic heritage values across the City when compared to the operative District Plan, which recognises 109 buildings and structures, and 4 areas.</p> <ul style="list-style-type: none"> • The key risk to historic heritage includes the damage, modification, or destruction of historic heritage values from inappropriate building works, earthworks, subdivision, land development, and demolition. These risks are particularly relevant in areas such as residential, centres, commercial and industrial zones subject to development pressure.
<p>Issue 2: Providing for the sustainable long-term use of historic heritage</p>	<ul style="list-style-type: none"> • Providing for the sustainable long-term use of places with significant historic heritage values supports the protection of those values. On the other hand, places with significant historic heritage values that are unused risk falling into disrepair, which in turn risks the loss of those values. • The continuing use of places with significant historic heritage values provides a range of ongoing benefits to the community, including: <ul style="list-style-type: none"> ○ Providing recognisable focal points for social, cultural, and economic activity (the Jackson Street Heritage Area is a good example of this). ○ Providing for the efficient use of a finite physical resource.

Resource management issue	Summary
	<ul style="list-style-type: none"> ○ Providing on-going community connection to the past. • In many instances, providing for continued use of heritage buildings must be considered alongside the requirements of the Building Act 2004, which includes requirements to provide for seismic strengthening where buildings are assessed as being earthquake-prone, and requirements to provide for fire protection and accessibility upgrades where buildings are altered or undergo a change in use. • While the operative District Plan provisions provide a degree of recognition of the value of maintaining buildings in use, they do not recognise the necessity of undertaking upgrades to comply with the Building Act. • Newer District Plans in the Wellington region, in particular the Wellington City District Plan, recognise sustainable long-term use of places with heritage values as an objective, and include provisions that recognise the necessity of undertaking upgrades to buildings to meet the requirements of the Building Act. • Feedback from the community on the draft District Plan identified that enabling the on-going use of places with heritage values (including by recognising the need to undertake necessary upgrades to buildings) is an important issue.

5 Scale and significance assessment

(83) In writing this evaluation report the Council must provide a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects anticipated from the implementation of the proposal.

(84) In assessing that scale and significance we have had regard to the following matters:

Matter	Analysis
Matters of national importance (section 6 of the RMA)	<p>High. The provisions address the protection of historic heritage from inappropriate subdivision, use and development, which is a matter of national importance under section 6(f) of the RMA. Refer section 3.1.2 of this report.</p>
Other matters (section 7 of the RMA)	<p>High. The provisions address the following matters under section 7 of the RMA (refer section 3.1.3 of this report):</p> <ul style="list-style-type: none"> • The ethic of stewardship (section 7(aa)). • The efficient use and development of natural and physical resources (section 7(b)). • The maintenance and enhancement of amenity values (section 7(c)). • The maintenance and enhancement of the quality of the environment (section 7(f)). • The finite characteristics of natural and physical resources (section 7(g)). • The effects of climate change (section 7(i)).

Matter	Analysis
Degree of change from the operative plan	<p>Moderate. The overall combination of regulatory and non-regulatory approaches proposed is similar to the approach taken by the operative District Plan. However, the proposed provisions provide greater detail about a range of different activities in relation to historic heritage. This includes a range of new policies that guide decision-making on the appropriateness of different kinds of development, and a range of new rules that provide greater clarity on the types of activities that are permitted, and the types of activity that require resource consent.</p>
Geographic scale of effects	<p>Low. The geographical scale of the effects are limited and confined to:</p> <ul style="list-style-type: none"> • 168 proposed heritage buildings and structures, including their sites. • 7 proposed heritage areas.
Number of people affected	<p>Low. Due to the limited geographical application of the proposed provisions, the number of people potentially affected is also limited.</p>
Duration of effects	<p>High. The effects of the proposed provisions are ongoing. Because rules that protect historic heritage have immediate legal effect (under section 86B of the RMA) the effects of the provisions will commence on the date that the proposed District Plan is publicly notified.</p>
Economic impacts	<p>Moderate. The likely economic impacts of the provisions are anticipated to be modest, based on the limited geographic application of the provisions. Notwithstanding this, the provisions</p>

Matter	Analysis
	<p>may lead to economic impacts on those who are subject to them, including:</p> <ul style="list-style-type: none"> • Potentially increased insurance excess costs for owners of heritage buildings and structures; • Costs associated with applying for resource consents in circumstances where the rules for historical heritage apply (although these costs are partly offset by waivers of up to 50% of application fees for protection-related work) • Increased construction costs associated with heritage-related building work (including material and labour costs) • Insurance related costs (depending on the policy, potentially increased premiums, or exclusions for heritage related work) • Opportunity costs associated with foregone development capacity as a result of the provisions. • Costs to the Council of providing rates rebates, resource and building consent fee waivers, and grants from the Built Heritage Incentive Fund. <p>Other economic impacts include:</p> <ul style="list-style-type: none"> • Attraction of businesses and customers to vibrant commercial heritage areas, such as the Jackson Street Heritage Area. • Attraction of tourists and visitors to places and areas with significant historic heritage value. • The development of technical and construction skills to undertake heritage conservation provides skills and

Matter	Analysis
	employment that benefit the wider construction sector.
Social and cultural impacts	<p>High. There are a broad range of social and cultural impacts associated with the protection of places with significant historic heritage values, including:</p> <ul style="list-style-type: none"> • Heritage places and their stories help to build understanding between people, contributing to strong communities and social cohesion. • Heritage places, and their ongoing use and conservation, provides for intergenerational connection. Historic heritage provides a tangible connection between present generations and past generations, and protection of historic heritage ensures that this connection is maintained for future generations. • Historic heritage places provide educational benefits, by providing tangible examples of past ways of living, working, and using the environment. • The protection of historic heritage places contributes to diversity and choice of buildings and structures within the urban environment, which contributes to a well-functioning urban environment that serves the needs of a diverse community.
Environmental impacts	<p>Moderate. There are a range of environmental impacts associated with the protection of places with significant historic heritage values, including:</p> <ul style="list-style-type: none"> • Stewardship over a finite physical resource that, if lost, cannot be readily replaced.

Matter	Analysis
	<ul style="list-style-type: none"> Maintenance of existing buildings and structures in continuing use, which reduces the need for resources to be expended on new buildings or structures.
Health and safety impacts	<p>Moderate. While the number of buildings and structures covered by the provisions is limited, the provisions recognise the need to undertake upgrades to existing buildings and structures to provide for seismic strengthening, fire protection, and accessibility upgrades.</p>
Degree of interest from mana whenua	<p>Low. There has been a low degree of interest from mana whenua on the provisions of the Historical Heritage chapter.</p>
Degree of interest from the public	<p>High. There is a high degree of interest from the public. Several heritage-related institutions, special interest groups, community groups, property owners, and members of the public submitted on the historic heritage aspects of the draft District Plan.</p>
Degree of risk or uncertainty	<p>Low. There is a low degree of risk or uncertainty associated with the provisions. The regulation of modifications to historic heritage through rules in District Plans is a common and well-understood method, and the approach adopted by the proposed District Plan is consistent with other recent District Plans in the Wellington Region (particularly the Wellington City District Plan and the Porirua District Plan).</p>

(85) Accordingly, the overall scale and significance of the effects of the provisions associated with historical heritage are **moderate to high**.

6 Proposed District Plan objectives and provisions

6.1 Overall approach

(86) Consistent with the National Planning Standards, the objectives and provisions for historical heritage operate as an overlay. Specifically:

- Objectives, policies, and rules for historical heritage are set out in the HH – Historical Heritage chapter (with some related provisions being located in other district-wide chapters, including subdivision, earthworks, signs, temporary activities, and infrastructure).
- Schedules, in conjunction with the District Plan maps, identify the buildings, structures, and areas to which the provisions of the HH – Historical Heritage chapter (and related provisions) apply.

(87) The overlay approach means that the provisions for historical heritage, where applicable, operate in addition to the provisions of the underlying zone.

(88) The HH – Historical Heritage chapter sets out:

- 2 objectives for historical heritage.
- 14 policies for historical heritage.
- 7 rules for a range of different activities associated with historical heritage.
- 3 standards that apply to some of the activities provided for in the rules.

(89) Related provisions include:

- In the SUB – Subdivision chapter, 2 policies and 1 rule for subdivision in relation to heritage buildings, structures, or areas.
- In the INF – Infrastructure chapter, 1 policy and 25 rules for different types of infrastructure or infrastructure activities in relation to sites containing heritage buildings or structures, or heritage areas.

- In the EW – Earthworks chapter, 1 objective, 1 policy, 1 rule, and 1 standard for earthworks in relation to heritage buildings, structures, or areas.
- In the SIGN – Signs chapter, 1 policy, 1 rule, and 1 standard for signs in relation to heritage buildings, structures, or areas.
- In the TEMP – Temporary Activities chapter, 1 policy and 3 standards for temporary activities and temporary buildings and structures in relation to heritage buildings, structures, or areas.

(90) There are also non-regulatory methods outside the District Plan that the Council uses to support the protection of historic heritage. This the Built Heritage Incentive Fund, rates remission, and publishing information on the historic heritage values associated with heritage buildings, structures, and areas. This includes the Built Heritage Incentive Fund, rates remission, and publishing information on heritage buildings. These are outlined further at the end of this section.

6.2 Proposed objectives, policies, and rules

(91) The following section sets out the proposed objectives, policies, and rules that relate to the historical heritage topic. These objectives and provisions are principally located in the HH – Historical Heritage chapter of the proposed District Plan, although there are relevant provisions located in other district-wide chapters.

6.2.1 Objectives

(92) Objective HH-O1 responds to resource management issue 1, which is recognising and protecting significant historic heritage. Proposed objective HH-O1 is as follows:

HH-O1	Historic heritage values are recognised and protected
Significant historic heritage values associated with buildings, structures and areas are recognised and protected from inappropriate subdivision, use, and development.	

- (93) Objective HH-O2 responds to resource management issue 2, which is providing for the sustainable long-term use of historic heritage. Proposed objective HH-O2 is as follows:

HH-O2	Sustainable long-term use
Buildings, structures, and areas with significant historic heritage values are well-maintained, resilient, and kept in sustainable long-term use.	

6.2.2 Policies and rules

- (94) There is significant overlap between the policies and rules, and the objective that they seek to achieve. In other words, many of the provisions are intended to achieve both objectives. This is because the objectives themselves are interrelated. In particular, objective HH-O2 supports achieving objective HH-O1 by providing for the long-term use as a means of providing for the on-going protection of significant historic heritage values.
- (95) The following table sets out the policies and rules, and the objectives that they seek to achieve.

Relevant objective	Policy	Rules
HH – Historical Heritage chapter		
HH-O1	HH-P1 Identify significant historic heritage	Refer to the schedules described in section 6.3 below.
HH-O1	HH-P2 Identifying historic heritage within heritage areas	Refer to the schedules described in section 6.3 below.
HH-O1 HH-O2	HH-P3 Enable maintenance and repair	HH-R1 Maintenance and repair of heritage buildings, heritage structures, and buildings in heritage areas

Relevant objective	Policy	Rules
HH-O1 HH-O2	HH-P4 Continued use and adaptive re-use	HH-R1 Maintenance and repair of heritage buildings, heritage structures, and buildings in heritage areas HH-R2 Alterations and additions to heritage buildings, heritage structures, and buildings and structures in heritage areas HH-R3 Partial demolition of heritage buildings, heritage structures, and buildings and structures in heritage areas HH-R4 Relocation of heritage buildings, heritage structures, and buildings and structures in heritage areas HH-R6 New buildings and structures on sites with heritage buildings or heritage structures HH-R7 New buildings and structures in heritage areas
HH-O1 HH-O2	HH-P5 Healthy and energy efficient heritage buildings	HH-R2.2 Alterations that are: <ul style="list-style-type: none"> • Installing clear insulated glazing into existing window sashes or frames, or new

Relevant objective	Policy	Rules
		<p>window sashes or frames that are of the same design, materials, and appearance as the existing sashes or frames.</p> <ul style="list-style-type: none"> • Installing roof mounted solar panels that will not be visible from a public place. • Installation of ventilation ducts with a diameter of no greater than 150mm that are not visible from a public place.
<p>HH-O1 HH-O2</p>	<p>HH-P6 Seismic strengthening, fire safety and accessibility</p>	<p>HH-R2 Alterations and additions to heritage buildings, heritage structures, and buildings and structures in heritage areas</p> <p>HH-R3 Partial demolition of heritage buildings, heritage structures, and buildings and structures in heritage areas</p>
<p>HH-O1 HH-O2</p>	<p>HH-P7 Alterations, additions, and partial demolition</p>	<p>HH-R2 Alterations and additions to heritage buildings, heritage structures, and buildings and structures in heritage areas</p> <p>HH-R3 Partial demolition of heritage buildings, heritage structures, and</p>

Relevant objective	Policy	Rules
		buildings and structures in heritage areas
HH-O1 HH-O2	HH-P8 Relocation within the site	HH-R4 Relocation of heritage buildings, heritage structures, and buildings and structures in heritage areas
HH-O1 HH-O2	HH-P9 Relocation outside the site	HH-R4 Relocation of heritage buildings, heritage structures, and buildings and structures in heritage areas
HH-O1 HH-O2	HH-P10 New buildings and structures on the site of a heritage building or heritage structure	HH-R6 New buildings and structures on sites with heritage buildings or heritage structures
HH-O1	HH-P11 Total demolition of heritage buildings and heritage structures	HH-R5 Total demolition of heritage buildings, heritage structures, and buildings and structures in heritage areas
HH-O1 HH-O2	HH-P12 Total demolition of contributing buildings in heritage areas	HH-R5 Total demolition of heritage buildings, heritage structures, and buildings and structures in heritage areas
HH-O1 HH-O2	HH-P13 Redevelopment of non-contributing buildings or	HH-R2 Alterations and additions to heritage buildings, heritage structures, and buildings and structures in heritage areas

Relevant objective	Policy	Rules
	structures in heritage areas	HH-R3 Partial demolition of heritage buildings, heritage structures, and buildings and structures in heritage areas
		HH-R4 Relocation of heritage buildings, heritage structures, and buildings and structures in heritage areas
		HH-R5 Total demolition of heritage buildings, heritage structures, and buildings and structures in heritage areas
HH-O1 HH-O2	HH-P14 New buildings and structures in heritage areas	HH-R7 New buildings and structures in heritage areas
INF – Infrastructure chapter		
HH-O1 HH-O2	INF-P17 New or upgraded infrastructure in other overlays, such as sites with heritage buildings or heritage structures, or in heritage areas	INF-R4 New cabinets
		INF-R7 New telecommunications poles
		INF-R12 New above ground lines and associated support structures
		INF-R13

Relevant objective	Policy	Rules
		New above ground lines and associated support structures that convey electricity over 110kV
		INF-R14 Upgrading transmission lines above 110kV
		INF-R17 New substations, transformers, switching stations and ancillary buildings for the electricity network not contained in a cabinet
		INF-R18 Telecommunications exchange, not contained in a cabinet
		INF-R19 Navigational aids, sensing, environmental monitoring equipment, and tsunami warning devices
		INF-R20 New water reservoirs, water and wastewater treatment plants, and water, wastewater and stormwater pump stations
		INF-R23 New transport network infrastructure
		INF-R24 Infrastructure not otherwise provided for

Relevant objective	Policy	Rules
SUB – Subdivision chapter		
HH-O1 HH-O2	SUB-P16 Subdivision of land containing heritage buildings and heritage structures	SUB-R7 Subdivision of land containing heritage buildings or heritage structures, or land within a heritage area
HH-O1 HH-O2	SUB-P17 Subdivision of land within heritage areas	
EW – Earthworks chapter		
HH-O1 HH-O2 EW-O1	EW-P8 Earthworks on sites with heritage buildings or heritage structures, or within heritage areas	EW-R8 Earthworks on sites with heritage buildings or heritage structures, or within heritage areas
SIGN – Signs chapter		
HH-O1 HH-O2	SIGN-P6 Signs on heritage buildings or heritage structures or in heritage areas	SIGN-R6 Signs on sites with heritage buildings or heritage structures, or sites within a heritage area
TEMP – Temporary Activities chapter		
HH-O1 HH-O2	TEMP-P4 Manage temporary activities to minimise adverse effects on public access, health and safety, the natural environment,	TEMP-R1 Temporary activities
		TEMP-R2 Temporary buildings and structures

Relevant objective	Policy	Rules
	and cultural and historic heritage values	

6.2.3 Standards

(96) The Historic Heritage chapter includes three standards (HH-S1, HH-S2, and HH-S3) that apply to additions, alterations, relocation, and new buildings in heritage areas. The purpose of these standards is to set out the built form anticipated in the Jackson Street, Heretaunga Settlement, and Riddlers Crescent Heritage Areas, by specifying appropriate building height, height in relation to boundary, and setback standards. These standards are similar to standards for the same areas set out in the operative District Plan.

6.3 Schedules

(97) There are two schedules relevant to the provisions of the HH – Historical Heritage chapter:

- Schedule of Heritage Buildings and Structures
- Schedule of Heritage Areas

(98) The Schedule of Heritage Buildings and Structures identifies the places where the rules relevant to heritage buildings and heritage structures apply. This schedule sets out the following information:

- A unique identifier for each scheduled building or structure.
- The address of the building or structure
- The name or description of the building or structure
- The legal description of the site on which the building or structure is located
- Identification of whether the building or structure is included in the New Zealand Heritage List/Rārangi Kōrero, and if so, the entry number and listing type

- The evaluated significance of the historic heritage values associated with the building or structure (in accordance with the Heritage Inventory report)
- (99) The Schedule of Heritage Areas identifies the areas where the rules relevant to buildings, structures, and other activities in heritage areas apply. This schedule sets out the following information:
- A unique identifier for each scheduled heritage area
 - A name describing the heritage area
 - A list of the scheduled heritage buildings and structures located within the area
 - A list of contributing buildings located within the area
 - Identification of whether the area is included in the New Zealand Heritage List/Rārangi Kōrero, and if so, the entry number of the area
 - The evaluated significance of the historic heritage values associated with the area (in accordance with the Heritage Inventory report)
- (100) Buildings, structures, and areas identified within both schedules are identified in the proposed District Plan maps using the symbology prescribed under the National Planning Standards.
- (101) The proposed Schedule of Heritage Buildings and Structures and Schedule of Heritage Areas are set out in Attachment 1 to this report.

6.4 Non-regulatory methods

- (102) The proposed approach is supported by a range of non-regulatory methods outside of the District Plan that support the protection of historic heritage. These include:
- A Built Heritage Incentive Fund under the Council’s Taonga Tuku Iho Heritage Policy 2021. This fund provides for \$1,500,000 of funding between 2021 and 2031 to offer grants for up to half the value of costs associated with:
 - Specialist advice
 - Conservation plans
 - Building and resource consent fees
 - Emergency building work

- Seismic strengthening work
 - Conservation and restoration building work.
- Rates remission (as set out in the Council's Rates Remission Policy) which provides for a remission of up to 100% of the general rate where the rating unit includes a historic building, structure, or place identified in the District Plan or proposed District Plan, and the owner has voluntarily protected those features through a covenant or other legal mechanism.
- Publishing heritage inventory reports to provide publicly available information on the heritage significance of each place included within the District Plan Schedules of Heritage Buildings, Structures, and Areas.

7 Evaluation of objectives

- (103) This section is the evaluation of objectives, as required by section 32(1)(a) of the RMA.
- (104) An objective is a statement of what is to be achieved through the resolution of a particular resource management issue. A district plan objective should set out a desired end state to be achieved through the implementation of policies and rules.
- (105) Under s75(1)(a) of the RMA, a district plan must state the objectives for the district.
- (106) Under s32(1)(a) of the RMA, an evaluation report required under the RMA must examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA. The purpose of the RMA, as stated in s5(1) of the RMA, is to promote the sustainable management of natural and physical resources.
- (107) In the following sections, each proposed objective is evaluated by considering its relevance, usefulness, reasonableness, and achievability, in terms of achieving the sustainable management purpose of the RMA. While not required by section 32 of the RMA, alternatives to the proposed objective are also considered. After considering alternatives, the appropriateness of the proposed objective for achieving the sustainable management purposed of the RMA is summarised.

7.1 Evaluation of objective HH-01

- (108) Proposed objective HH-01 is as follows:

HH-01	Historic heritage values are recognised and protected
Significant historic heritage values associated with buildings, structures and areas are recognised and protected from inappropriate subdivision, use and development.	

- (109) The following table provides an evaluation of the proposed objective:

Consideration	Evaluation
Relevance	
Addresses a relevant resource management issue	Yes. The objective addresses resource management issue 1, which is the recognition and protection of significant historic heritage (see section Error! Reference source not found. of this report).
Assists the Council to undertake its functions under section 31 of the RMA	Yes. The objective sits under the Council's functions under s31(1)(a) (integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district) and s31(1)(b) (the control of any actual or potential effects of the use, development, or protection of land).
Gives effect to matters set out in sections 6, 7, or 8 of the RMA	Yes. The objective gives effect to section 6(f) of the RMA (the protection of historic heritage from inappropriate subdivision, use, and development). The objective also provides for section 7(aa) (the ethic of stewardship), section 7(c) (the maintenance and enhancement of amenity values), section 7(f) (the maintenance and enhancement of the quality of the environment), and section 7(g) (the finite characteristics of historic heritage resources).
Gives effect to higher-order planning documents	Yes. The objective gives effect to Policy 21 (identifying places, sites, and areas with significant historic heritage values) and Policy 22 (protecting historic heritage values) of the Regional Policy Statement for the Wellington Region.

Consideration	Evaluation
Usefulness	
Guides decision-making	Yes. The objective guides decision making by directing that decision-makers both recognise and protect significant historic heritage values when making decisions. The term “inappropriate” before subdivision, use, and development ensures that decision-makers are able to consider proposals on a case-by-case basis, in relation to the values that are sought to be protect.
Demonstrates good practice for drafting of objectives	Yes. The drafting of the objective avoids uncertainty by using language that is consistent with language used in Policy 22 of the RPS and section 6(f) of the RMA.
Reasonableness	
Will not impose unjustifiably high costs on the community/parts of the community	Yes. While the protection of historic heritage imposes costs on parts of the community that own property with historic heritage values, those costs are principally (but not entirely) opportunity costs. The protection of historic heritage also imposes costs on the Council, in terms of the support that it provides to owners of properties with historic heritage values. However, these costs are not unjustifiable in light of the requirement for Council to recognise and provide for section 6(f) of the RMA and give effect to Policies 21 and 22 of the RPS.
Acceptable level of uncertainty and risk	Yes. The provisions that achieve the objective are limited in application to only those places where there is evidence of significant historic heritage values.

Consideration	Evaluation
Achievability	
Consistent with identified tangata whenua or community outcomes	Partially. While some parts of the community wish to see places with significant historic heritage values protected from inappropriate subdivision, use and development, other parts of the community consider that this leads to an inappropriate level of restriction on the ability for people modify or develop their property.
Realistically able to be achieved within the Council's powers, skills, and resources	Yes. The protection of significant historic heritage values from inappropriate subdivision, use, and development is a well-understood concept with established practices that have been implemented by the Council in the past. The Council has provided resourcing to support this through its Long-term Plan.

Alternative objectives

(110) The following table provides a summary of the alternative objectives that have been considered:

Alternative objective	Evaluation
Status quo (operative District Plan) objective: To ensure that the heritage values of identified heritage buildings and structures are not unnecessarily lost through demolition or relocation, or compromised by any additional work.	<ul style="list-style-type: none"> The status quo objective does not closely align with the language used in Policies 21 and 22 of the RPS. The objective provides for all historic heritage values, rather than significant historic heritage values. This is particularly onerous, and not readily achievable or justifiable.

Alternative objective	Evaluation
	<ul style="list-style-type: none"> • The focus on necessity, rather than appropriateness, renders the objective ineffective as all intentional modifications (including demolition) to a place with heritage values could be described as being necessary. • The objective focusses on buildings and structures but does not recognise the significant historic heritage values associated with areas.
Alternative: no objective for the protection of significant historic heritage values	<ul style="list-style-type: none"> • Having no objective would not recognise and provide for section 6(f) of the RMA. • Having no objective would be contrary to the requirement for the District Plan to give effect to Policy 21 and Policy 22 of the RPS.

Summary

(111) In summary, the proposed objective is considered to be the most appropriate way to achieve the purpose of the RMA because:

- The objective responds to the resource management issue of protecting historic heritage.
- The objective gives effect to Part 2 of the RMA because it is consistent with the need to recognise and provide for the protection of historic heritage from inappropriate subdivision, use and development set out in section 6(f) of the RMA.
- The objective gives effect to Policies 21 and 22 of the RPS, which requires that the District Plan identifies and protects places, sites,

and areas with significant historic heritage values from inappropriate subdivision, use, and development.

- The objective guides decision-making and is drafted in a manner that is consistent with the language use in the RPS.
- The objective is reasonable in light of the requirements of higher-order planning documents, and while it imposes some costs on the Council and parts of the community, these costs are not unreasonable.
- The objective is achievable as the protection of historic heritage is a well-understood concept with established practices that have been implemented by the Council in the past, and the Council has set aside resourcing to achieve the objective.

7.2 Evaluation of objective HH-O2

(112) Proposed objective HH-O2 is as follows:

HH-O2	Sustainable long-term use
Buildings, structures, and areas with significant historic heritage values are well-maintained, resilient, and kept in sustainable long-term use.	

(113) The following table provides an evaluation of the proposed objective:

Consideration	Evaluation
Relevance	
Addresses a relevant resource management issue	Yes. The objective addresses resource management issue 2, which is providing for the sustainable long-term use of historic heritage (see section Error! Reference source not found. of this report). The objective seeks to recognise the sustainable long-term use of historic heritage as means of facilitating the protection of heritage, and ensuring that heritage places contribute to the social, cultural, and economic wellbeing of the community.

Consideration	Evaluation
Assists the Council to undertake its functions under section 31 of the RMA	Yes. The objective sits under the Council's functions under s31(1)(a) (integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district) and s31(1)(b) (the control of any actual or potential effects of the use, development, or protection of land).
Gives effect to matters set out in sections 6, 7, or 8 of the RMA	Yes. The objective gives effect to section 6(f) of the RMA (the protection of historic heritage from inappropriate subdivision, use, and development), on the basis that the ongoing use of places with historic heritage values supports the ongoing protection of those values. The objective also provides for section 7(aa) (the ethic of stewardship), section 7(b) (the efficient use and development of physical resources), and section 7(i) (the effects of climate change).
Gives effect to higher-order planning documents	Yes. The objective gives effect to Policy 22 (protecting historic heritage values) of the Regional Policy Statement for the Wellington Region, on the basis that the ongoing use of places with historic heritage values supports the ongoing protection of those values.
Usefulness	
Guides decision-making	Yes. The objective supports well-reasoned decision-making by making it clear that the protection of historic heritage values includes measures (such as alterations, additions, and other modifications) that would provide for

Consideration	Evaluation
	the sustainable long-term use of places with significant historic heritage values.
Demonstrates good practice for drafting of objectives	Yes. The objective uses clear and concise language that is consistent with similar objectives adopted by other recent District Plans within the Wellington region.
Reasonableness	
Will not impose unjustifiably high costs on the community/parts of the community	Yes. The objective will not impose additional costs on the community or parts of the community.
Acceptable level of uncertainty and risk	Yes. In conjunction with policies and rules that provide for case-by-case assessment of the appropriateness of modifications to a place to provide for its on-going use, the level of uncertainty and risk associated with the objective is acceptable.
Achievability	
Consistent with identified tangata whenua or community outcomes	Yes. Feedback from the community indicates that there is a desire for places with significant historic heritage values to be kept in use, and a need to acknowledge that places need to be safe to use, recognise the need to undertake upgrades in accordance with the Building Act, and contribute to the health and wellbeing of the community.
Realistically able to be achieved within the Council's powers, skills, and resources	Yes. The Council has experience in assessing the appropriateness of modifications to places with significant historic heritage values, supported by technical expertise, through resource consents.

Alternative objectives

(114) The following table provides a summary of the alternative objectives that have been considered:

Alternative objectives	Evaluation
<p>Status quo (operative District Plan) objective:</p> <p>To allow a wider range of activities to assist in the retention of heritage buildings.</p>	<ul style="list-style-type: none"> • The objective effectively seeks to promote adaptive re-use of heritage buildings by providing a more lenient approach to the consideration of activities within heritage buildings that are not consistent with the range of activities sought by the underlying zone provisions. • While well intentioned, the objective is narrowly focussed on activities in relation to heritage buildings and does not recognise the broader issues associated with providing for the ongoing use of heritage buildings and structures (including seismic strengthening, upgrades required by the Building Act, and other modifications that might support the ongoing use of heritage buildings or structures).
<p>Alternative: no objective</p>	<ul style="list-style-type: none"> • The absence of an objective recognising the need to provide for ongoing use of heritage buildings, structures or areas means that the package of

Alternative objectives	Evaluation
	<p>objectives would be singularly focussed on protection.</p> <ul style="list-style-type: none"> • This risks a narrow focus on the preservation of places with heritage values, and the exclusion of other methods that provide for the protection of heritage values (including modifications to provide for seismic strengthening or to enable adaptive re-use). • This would not recognise the community desire to provide for the continued use of heritage buildings, structures, and areas, and for those places to be kept in a sound and safe condition.

Summary

(115) In summary, the proposed objective is considered to be the most appropriate way to achieve the purpose of the RMA because:

- The objective responds to the resource management issue of providing for the sustainable-long term use of historic heritage. The objective seeks to recognise the sustainable long-term use of historic heritage as means of facilitating the protection of heritage, and ensuring that heritage places contribute to the social, cultural, and economic wellbeing of the community.
- The objective gives effect to Part 2 of the RMA because it recognises that ongoing use of places with historic heritage values facilitates the protection of those values from inappropriate subdivision, use, and development, and provides for the efficient use of a finite physical resource.
- The objective guides decision-making by making it clear that the protection of historic heritage values may include measures (such

as alterations, additions, or other modifications) that would provide for the ongoing use of places with significant historic heritage values.

- The objective does not impose unreasonable costs on the community and is consistent with outcomes sought by the community.

8 Evaluation of Policies and Rules

- (116) Policies and rules seek to achieve the objectives of a plan.
- (117) Policies of a district plan are the course of action to achieve or implement the plan's objective (i.e. the path to be followed to achieve a certain, specified, environmental outcome). Rules of a district plan implement the plan's policies and have the force and effect of a regulation.
- (118) Under s32(1)(b) of the RMA, an evaluation report required under the RMA must examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—
- (i) identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) summarising the reasons for deciding on the provisions.*
- (119) Under s32(2) of the RMA, the assessment of the efficiency and effectiveness of the provisions must:
- (a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
 - (i) economic growth that are anticipated to be provided or reduced; and*
 - (ii) employment that are anticipated to be provided or reduced; and*
 - (b) if practicable, quantify the benefits and costs referred to in paragraph (a); and*

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

(120) There are two objectives for historical heritage, being:

HH-O1	Historic heritage values are recognised and protected
Significant historic heritage values associated with buildings, structures and areas are recognised and protected from inappropriate subdivision, use and development.	
HH-O2	Sustainable long-term use
Buildings, structures, and areas with significant historic heritage values are well-maintained, resilient, and kept in sustainable long-term use.	

(121) The outcomes sought by these objectives, and the resource management issues that they respond to, are sufficiently integrated that it is appropriate to evaluate the provisions that achieve them as a package. The Council has considered four approaches to achieve these objectives, being:

- **Option 1: the proposed approach.** This option includes a range of new policies and rules, as well as an expanded Schedule of Heritage Buildings and Structures, and Schedule of Heritage Areas that seek to protect significant historic heritage values from inappropriate subdivision, use, and development, while providing for a range of modifications that support or enable the continued use or adaptive re-use of places with significant historic heritage values. This option is supported by non-regulatory methods such as the Built Heritage Incentive Fund, rates remission, and publishing information on the historic heritage values associated with heritage buildings, structures, and areas.

- **Option 2: status quo.** This would retain the operative policies and rules for historic heritage set out in chapter 14F of the operative District Plan. This includes retaining the operative District Plan schedules of heritage buildings, structures, and areas.
- **Option 3: a voluntary approach.** This approach adopts the same policies and rules as the proposed approach but would only include items in the schedules of heritage buildings, structures, or areas, where property owners volunteer a building, structure, or area, to be included in the schedule (and conversely, where buildings, structures, or areas have not been volunteered, they would not be included in the schedules).
- **Option 4: a non-regulatory approach.** This approach would not include any policies, rules, or schedules for historical heritage in the District Plan, and instead rely on non-regulatory approaches (such as education and financial incentives).

(122) The following tables provide an evaluation of each of these options.

Option 1: Proposed approach			
Policies (HH – Historical Heritage chapter):	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
<ul style="list-style-type: none"> • HH-P1: Identify significant historic heritage • HH-P2: Identifying historic heritage within heritage areas • HH-P3: Enable maintenance and repair 	<p>Environmental</p> <ul style="list-style-type: none"> • No specific environmental costs identified. <p>Economic</p>	<p>Environmental</p> <ul style="list-style-type: none"> • Continued use of a finite physical resource. <p>Retaining existing</p>	<p>It is considered that there is certain and sufficient information about the subject</p>

Option 1: Proposed approach			
<ul style="list-style-type: none"> • HH-P4: Continued use and adaptive reuse • HH-P5: Healthy and energy efficient heritage buildings • HH-P6: Seismic strengthening, fire safety and accessibility • HH-P7: Alterations, additions and partial demolition • HH-P8: Relocation within the site • HH-P9: Relocation outside the site • HH-P10: New buildings and structures on the site of a heritage building or heritage structure • HH-P11: Total demolition of heritage buildings and heritage structures 	<ul style="list-style-type: none"> • Development opportunity costs. Opportunity costs for landowners where the presence of a heritage building, heritage structure, or heritage area may otherwise restrict the scale or intensity of development that might otherwise occur on the site. This may have flow-on effects for economic activity associated with development that may have otherwise occurred at the site. • Modification costs. Costs associated with modification of heritage buildings and structures may be higher than for ordinary construction 	<p>buildings in continued use provides for the efficient use of a finite physical resource (buildings with significant historic heritage values). This provides for those heritage values to continue to contribute to the environment and the wellbeing of present and future generations.</p> <ul style="list-style-type: none"> • Efficient upgrading of heritage buildings. Provisions that support energy efficiency, internal environmental quality, structural resilience, fire protection, and accessibility of heritage buildings enable those buildings to support the health, safety, and 	<p>matter of the provisions because:</p> <ul style="list-style-type: none"> • The provisions are informed by extensive background research, including the identification of places and areas with significant historic heritage values. • The provisions were consulted on with the community as part of consultation on the draft District Plan. This included seeking the feedback of owners of places proposed to be included in the Schedule of Heritage Buildings and Structures and Schedule of Heritage Areas. The proposed provisions

Option 1: Proposed approach			
<ul style="list-style-type: none"> • HH-P12: Total demolition of contributing buildings or structures in heritage areas • HH-P13: Redevelopment of non-contributing buildings or structures in heritage areas • HH-P14: New buildings and structures in heritage areas <p>Policies (other chapters)</p> <ul style="list-style-type: none"> • INF-P17: New or upgraded infrastructure in other overlays • SUB-P16: Subdivision of land containing heritage buildings and heritage structures • SUB-P17: Subdivision of land within heritage areas 	<p>where specialist materials or construction methods need to be used.</p> <ul style="list-style-type: none"> • Insurance costs. Heritage listings can lead to some insurance-related costs, such as increased premiums or excess, or aspects of restoration or reconstruction being excluded from an insurance policy. See section 4.2.6 for further information on insurance and heritage buildings. • Consenting costs. Consenting costs associated with works to heritage buildings, heritage structures, or in heritage areas, although these costs are partly off- 	<p>wellbeing of building users, and the nearby public.</p> <ul style="list-style-type: none"> • Contribution to amenity values. Providing for the protection of historic heritage values enables those values to continue to contribute to the quality of the surrounding environment, and the amenity values within that environment. • Retaining embodied carbon of buildings and structures and reducing demolition waste. Conserving and re-using heritage buildings retains their fabric, and the human effort expended in their construction. Retaining buildings limits 	<p>(including the schedules) were refined in response to this feedback.</p> <ul style="list-style-type: none"> • Not acting could risk the permanent loss of identified significant historic heritage values.

Option 1: Proposed approach			
<ul style="list-style-type: none"> EW-P8: Earthworks on sites with heritage buildings or heritage structures, or within heritage areas SIGN-P6: Signs on heritage buildings or heritage structures or in heritage areas TEMP-P4: Manage temporary activities to minimise adverse effects on public access, health and safety, the natural environment, and cultural and historic heritage values <p>Rules (HH – Historical Heritage chapter)</p> <ul style="list-style-type: none"> HH-R1: Maintenance and repair of heritage buildings, heritage structures, and buildings 	<p>set by Council waiving up to 50% of consent fees.</p> <ul style="list-style-type: none"> Council costs. Potential financial costs to Council associated with providing financial incentives for conservation work, waiving resource and building consent application fees, and providing rates remission in accordance with the Council’s rates remission policy. <p>Social</p> <ul style="list-style-type: none"> Foregone development capacity. The potential foregone development capacity as a result of the provisions may lead to social opportunity costs associated with foregone housing supply or 	<p>emissions and the adverse environmental effects of disposing of demolition waste.</p> <p>Economic</p> <ul style="list-style-type: none"> Continued use and adaptive re-use. The provisions enable the continued use and adaptive re-use of heritage buildings and structures, which in turn enables existing assets to provide space to support commercial and residential activity, and support economic development. Focal point for economic activity in the urban environment. Heritage buildings can function as a recognisable and 	

Option 1: Proposed approach			
<p>and structures in heritage areas</p> <ul style="list-style-type: none"> • HH-R2: Alterations and additions to heritage buildings, heritage structures, and buildings and structures in heritage areas • HH-R3: Partial demolition of heritage buildings, heritage structures, and buildings and structures in heritage areas • HH-R4: Relocation of heritage buildings, heritage structures, and buildings and structures in heritage areas • HH-R5: Total demolition of heritage buildings, heritage structures, and buildings and structures in heritage areas 	<p>business development capacity on sites subject to the provisions.</p> <p>Cultural</p> <ul style="list-style-type: none"> • No specific cultural costs identified. 	<p>identifiable focal point for local commercial economic activity, and the Jackson Street Heritage Area is an example of this.</p> <ul style="list-style-type: none"> • Tourist/visitor activity. Heritage places (including for example the Matiu/Somes Island Heritage Area, Jackson Street Heritage Area, Ōrua-pouanui/Baring Head Heritage Area, and Petone Settlers Museum) encourage economic activity associated with tourism by providing memorable places that attract people to visit and spend time in Lower Hutt. • High-skilled construction opportunities. 	

Option 1: Proposed approach			
<ul style="list-style-type: none"> • HH-R6: New buildings and structures on sites with heritage buildings or heritage structures • HH-R7: New buildings and structures in heritage areas <p>Rules (other chapters):</p> <ul style="list-style-type: none"> • INF-R4, R7, R12, R13, R14, R17, R18, R19, R20, R23, R24: Infrastructure in a heritage area or on a site with a heritage building or heritage structure • SUB-R7: Subdivision of land containing heritage buildings or heritage structures, or land within a heritage area • EW-R8: Earthworks on sites with heritage buildings or heritage 		<p>Modifications to heritage buildings to provide for their health, safety, and continued use function as a source of high-skilled construction jobs (including labour-intensive jobs associated with traditional conservation methods) for local employers in the construction sector.</p> <p>Social</p> <ul style="list-style-type: none"> • Place-based community identity and wellbeing. Heritage places contribute to community identity by providing significant and recognisable reference points that represent the identity of that place, and the history of the use, 	

Option 1: Proposed approach			
<p>structures, or within heritage areas</p> <ul style="list-style-type: none"> • SIGN-R6: Signs on sites with heritage buildings or heritage structures, or sites within a heritage area • TEMP-R1: Temporary activities • TEMP-R2: Temporary buildings and structures <p>Schedules</p> <ul style="list-style-type: none"> • SCHED – Schedule of Heritage Buildings and Structures • SCHED – Schedule of Heritage Areas <p>Definitions</p> <ul style="list-style-type: none"> • Adaptive re-use • Addition • Alteration • Contributing building 		<p>occupation, and development of that place. They contribute to community wellbeing by helping to build a common, place-based understanding between people, contributing to strong communities and social cohesion.</p> <ul style="list-style-type: none"> • Intergenerational connection. Heritage places provide for a tangible connection between present and past generations, by providing evidence of the ways in which past generations used, occupied, and developed places within Lower Hutt. Protection the significant historic heritage values of these 	

Option 1: Proposed approach			
<ul style="list-style-type: none"> • Heritage area • Heritage building • Heritage structure • Historic heritage (National Planning Standards definition) • Maintenance and repair • Non-contributing building or structure • Partial demolition • Relocation • Total demolition <p>Non-regulatory methods</p> <ul style="list-style-type: none"> • Built Heritage Incentive Fund • Rates remission • Publishing information on the historic heritage values associated with heritage buildings, structures, and areas. 		<p>places ensures that these values can be passed on to future generations.</p> <ul style="list-style-type: none"> • Supporting voluntary efforts. The conservation of historic heritage places provides a focus for voluntary activities, including local and place-based societies that are dedicated towards the research, promotion, and conservation of local heritage place. • Supporting educational outcomes. Recognising and protecting heritage places supports educational outcomes, including the New Zealand Curriculum, which seeks that students develop knowledge, skills, 	

Option 1: Proposed approach

and experience in how people pass on and sustain culture and heritage.

Cultural

- **Cultural wellbeing.** The recognition and protection of heritage places supports cultural wellbeing by providing for places that represent and reflect cultural practices to continue to be a visible and physical part of the built and urban environment. Provisions that support the continued use or adaptive reuse of heritage places enable these places to continue to provide for the

Option 1: Proposed approach			
		practices of a range of cultures and communities.	
	Effectiveness		Efficiency
	<p>The proposed provisions are the most effective method of achieving the objectives, because:</p> <ul style="list-style-type: none"> • The proposed Schedules identify a broad range of places and areas across Lower Hutt that have significant historic heritage values. • The proposed provisions provide for the protection of places with significant historic heritage values through a range of provisions that support maintenance and repair, provide for control over modification and subdivision, and seek to avoid relocation or total demolition. • The proposed provisions recognise that ongoing use of places with heritage values supports the protection of those values, by providing for modifications to improve the health, safety, and accessibility of heritage places, and 		<p>The proposed provisions are the most efficient method of achieving the objectives, because:</p> <ul style="list-style-type: none"> • The benefits of the proposed provisions (as set out above) are widely distributed, attributed to the wider public, and accrue to present and future generations. While there are costs associated with the provisions, these are limited and local in nature, and are in part off-set by support and incentives made available by the Council. • The provisions are generally well understood and are generally consistent with similar provisions for historic heritage used throughout the region.
Effectiveness and efficiency			

Option 1: Proposed approach		
	providing for modifications or new buildings that support the ongoing use of heritage places.	
Overall evaluation	<p>This option is the most appropriate way to achieve the objectives, and consequently the purpose of the RMA, because:</p> <ul style="list-style-type: none"> • The provisions appropriately identify places with significant historic heritage values. • The provisions provide clear rules and policy direction to protect significant historic heritage values by enabling maintenance and repair, controlling modification, new development, and subdivision, and seeking to avoid demolition and relocation. • The provisions recognise that ongoing use of heritage places supports the protection of significant historic heritage values, by providing clear rules and policy direction that enables modifications to provide for the health, safety, and accessibility of heritage places, and enabling modifications and new buildings that support the ongoing use of heritage places. • The provisions are based on robust information, including expert evidence and feedback received from the public and property owners on the draft District Plan. • The provisions give effect to Policies 21 and 22 of the RPS. • The provisions are consistent with the Council’s obligation to have regard to the New Zealand Heritage List/Rārangi Kōrero. • The provisions are consistent with the Council’s obligations to recognise and provide for the protection of historic heritage from inappropriate subdivision, use, and development under section 6(f) of the RMA. The provisions are also consistent with the Council’s 	

Option 1: Proposed approach	
	obligation to have regard to the matters under section 7(aa), (b), (c), (f), (g), and (i) of the RMA.

Option 2: Status quo			
<p>Retain policies, rules, and schedules set out in chapter 14F of the operative District Plan. This includes:</p> <p>Policies:</p> <ul style="list-style-type: none"> A policy to protect the exterior of buildings and structures from inappropriate repairs, alterations, and additions. A policy to ensure thorough assessment of the need for and alternatives to relocation or demolition. 	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
	<p>Environmental</p> <ul style="list-style-type: none"> Potential for permanent loss of a finite physical resource. To the extent that places with significant historic heritage values that have been identified by the Council are not recognised or protected for under this option, there 	<p>Environmental</p> <p>The environmental benefits associated with this option are similar to Option 1, except that:</p> <ul style="list-style-type: none"> Environmental benefits associated with the continued use and efficient upgrading of existing buildings are less likely to occur under this option, as these outcomes 	<p>It is considered that there is certain and sufficient information about the subject matter of the provisions because:</p> <ul style="list-style-type: none"> The Council has undertaken extensive background research, including the identification of places and areas with

Option 2: Status quo			
<ul style="list-style-type: none"> • A policy to allow a wider range of activities in heritage buildings. <p>Rules</p> <ul style="list-style-type: none"> • A permitted activity rule for internal alterations and minor repair, alteration, or maintenance to the exterior. • A restricted discretionary activity rule for exterior alteration, repair, or modification that is not permitted. • A discretionary activity rule for demolition or relocation. • A discretionary activity rule activities within a heritage building or structure that are not within the provisions of 	<p>is a risk that those places are permanently lost under this option. This includes the permanent loss of the significant heritage values associated with those places, along with any contribution those places make towards the quality or amenity values of the surrounding environment.</p> <p>Economic</p> <p>The economic costs associated with this option are similar to Option 1, except that:</p> <ul style="list-style-type: none"> • The economic costs identified are likely to be reduced in scale due to the reduced extent to which this option identifies and protects 	<p>are not specifically enabled by the status quo provisions.</p> <ul style="list-style-type: none"> • The extent to which the remaining identified environmental benefits are realised is likely to be reduced in scale due to the reduced extent to which this option identifies and protects places with significant historic heritage values. <p>Economic</p> <p>The economic benefits associated with this option are similar to Option 1, except that:</p> <ul style="list-style-type: none"> • Economic benefits associated with the continued use and efficient upgrading of existing buildings are less 	<p>significant historic heritage values.</p> <ul style="list-style-type: none"> • The Council has consulted with the community on provisions to recognise and provide for historic heritage as part of consultation on the draft District Plan. <p>However, acting by adopting this option could risk the following:</p> <ul style="list-style-type: none"> • The permanent loss of significant historic heritage values associated with places that have been identified as having significant historic heritage values, but which are not recognised and provided for through the District Plan.

Option 2: Status quo			
<p>the underlying activity area.</p> <p>Schedules</p> <ul style="list-style-type: none"> • 109 scheduled heritage buildings and heritage structures identified in Appendix 1 and Appendix 2 to chapter 14F. • 3 heritage areas identified in Appendix 3 to chapter 14F. <p>Precincts</p> <ul style="list-style-type: none"> • 2 heritage precincts located in the High Density Residential Activity Area (Heretaunga Settlement Heritage Precinct and the Riddlers Crescent Heritage Precinct) 	<p>places with significant historic heritage values.</p> <ul style="list-style-type: none"> • Economic costs associated with the uncertainty inherent in the regulation of maintenance and repair, as well as consenting costs for minor modifications to improve the health and safety of heritage buildings, are likely to be higher under this option compared to Option 1. <p>Social</p> <ul style="list-style-type: none"> • Foregone development capacity. The potential foregone development capacity as a result of the provisions may lead to social opportunity costs associated with foregone 	<p>likely to occur under this option, as these outcomes are not specifically enabled by the status quo provisions.</p> <ul style="list-style-type: none"> • The extent to which the remaining identified economic benefits are realised is likely to be reduced in scale due to the reduced extent to which this option identifies and protects places with significant historic heritage values. <p>Social</p> <p>The social benefits associated with this option are similar to Option 1, except that:</p> <ul style="list-style-type: none"> • The extent to which the identified social benefits are realised is likely to be 	<ul style="list-style-type: none"> • Unreasonably restricting modifications to heritage places that provide for their health, safety, and accessibility, or which provide for the continued use or adaptive re-use of those places.

Option 2: Status quo

	<p>housing supply or business development capacity on sites subject to the provisions. However, the costs associated with this will be less than for Option 1, on the basis that this option provides for reduced recognition of places with significant historic heritage values.</p> <p>Cultural</p> <ul style="list-style-type: none"> • Permanent loss of places with historic heritage significance. There is a risk that places with significant historic heritage value, including places of value to the community or parts of the community, are lost under this option, to the extent 	<p>reduced in scale due to the reduced extent to which this option identifies and protects places with significant historic heritage values.</p> <p>Cultural</p> <p>The cultural benefits associated with this option are similar to Option 1, except that:</p> <ul style="list-style-type: none"> • The extent to which the identified cultural benefits are realised is likely to be reduced in scale due to the reduced extent to which this option identifies and protects places with significant historic heritage values. 	
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Option 2: Status quo			
	that places with significant historic heritage value that have been identified by the Council are not recognised or provided for under this option.		
Effectiveness and efficiency	Effectiveness		Efficiency
	<p>This option is a less effective method of achieving the objectives than Option 1, because:</p> <ul style="list-style-type: none"> • The schedules do not identify the full extent of the places that the Council has identified as having significant historic heritage values, and as a result, the provisions do not recognise or provide for these places. • The provisions do not provide sufficient clarity, through policies and rules, about the protection of significant historic heritage values from inappropriate subdivision, use, or development. 		<p>This option is a less efficient method of achieving the objectives than Option 1, because:</p> <ul style="list-style-type: none"> • Reduced clarity of the status quo provisions (including around maintenance and repair), as well as lack of recognition for minor health and safety upgrades, is likely to lead to a greater consenting burden for minor works under this option. • This option does not recognise or provide for the benefits that providing for continued use or adaptive re-use of heritage places contributes towards

Option 2: Status quo		
	<ul style="list-style-type: none"> The provisions do not recognise the need to provide for a reasonable degree of modification to support heritage places to provide for the health, safety, and accessibility of their occupants, nor do they specifically provide for modifications that would enable heritage places to be retained in ongoing use. 	protecting significant historic heritage values.
Overall evaluation	<p>This option is a less appropriate way to achieve the objectives, and consequently the purpose of the RMA, compared to Option 1, because:</p> <ul style="list-style-type: none"> This option will lead to a gap between the places with significant historic heritage values that are recognised and provided for in the District Plan, and the places where the Council has information that demonstrates there are significant historic heritage values. The policies and rules under this option are less clear about the extent to which significant historic heritage values are to be protected, and less clear about the extent to which maintenance, repair, and minor modifications are appropriate, compared to Option 1. The provisions do not recognise the extent to which continued use or adaptive re-use of heritage places contributes towards the efficient and effective recognition and protection of significant historic heritage values. The provisions do not give effect to Policies 21 and 22 of the RPS, nor do they recognise and provide for section 6(f) of the RMA, to the extent that they do not recognise and provide for 	

Option 2: Status quo	
	a range of places that the Council has identified as having significant historic heritage values.

Option 3: Voluntary approach			
<p>This option is the same as Option 1, except that:</p> <ul style="list-style-type: none"> Buildings, structures, or areas are only added to the Schedules of Heritage Buildings, Structures, or Areas where they are volunteered or approved by the owner. Buildings, structures, or areas are removed from the Schedules of Heritage Buildings, Structures, and Areas where their inclusion in the schedules 	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
	<p>Environmental</p> <ul style="list-style-type: none"> Potential for permanent loss of a finite physical resource. To the extent that places with significant historic heritage values that have been identified by the Council are not recognised or provided for under this option, there 	<p>Environmental</p> <p>The environmental benefits associated with this option are similar to Option 1, except that:</p> <ul style="list-style-type: none"> The extent to which the identified environmental benefits are realised is likely to be reduced in scale to the extent that there is a reduction in the places with significant 	<p>It is considered that there is certain and sufficient information about the subject matter of the provisions because:</p> <ul style="list-style-type: none"> The Council has undertaken extensive background research, including the identification of places and areas with

Option 3: Voluntary approach

<p>is not supported or approved by the owner.</p>	<p>is a risk that those places are permanently lost under this option. This includes the permanent loss of the significant heritage values associates with those places, along with any contribution those places make towards the quality or amenity values of the surrounding environment.</p> <p>Economic</p> <p>The economic costs associated with this option are similar to Option 1, except that:</p> <ul style="list-style-type: none"> • The economic costs identified are likely to be reduced in scale due to the reduced extent to which this option identifies and protects 	<p>historic heritage values that are recognised and provided for under this option.</p> <p>Economic</p> <p>The economic benefits associated with this option are similar to Option 1, except that:</p> <ul style="list-style-type: none"> • The extent to which the identified economic benefits are realised is likely to be reduced in scale to the extent that there is a reduction in the places with significant historic heritage values that are recognised and provided for under this option. <p>Social</p>	<p>significant historic heritage values.</p> <ul style="list-style-type: none"> • The Council has consulted with the community on provisions to recognised and provide for historic heritage as part of consultation on the draft District Plan. <p>However, acting by adopting this option could risk the following:</p> <ul style="list-style-type: none"> • The permanent loss of significant historic heritage values associated with places that have been identified as having significant historic heritage values, but which are not recognised and provided
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Option 3: Voluntary approach

	<p>places with significant historic heritage values.</p> <p>Social</p> <ul style="list-style-type: none"> • Foregone development capacity. The potential foregone development capacity as a result of the provisions may lead to social opportunity costs associated with foregone housing supply or business development capacity on sites subject to the provisions. However, the costs associated with this will be less than for Option 1, on the basis that this option is likely to provide for reduced recognition of places with significant historic heritage values. 	<p>The social benefits associated with this option are similar to Option 1, except that:</p> <ul style="list-style-type: none"> • The extent to which the identified social benefits are realised is likely to be reduced in scale to the extent that there is a reduction in the places with significant historic heritage values that are recognised and provided for under this option. <p>Cultural</p> <p>The social benefits associated with this option are similar to Option 1, except that:</p> <ul style="list-style-type: none"> • The extent to which the identified social benefits are realised is likely to be reduced in scale to the extent that there is a 	<p>for through the District Plan.</p> <ul style="list-style-type: none"> • Creating a high degree of regulatory uncertainty about the extent to which the District Plan recognises and provides for places with significant historic heritage values, on the basis that recognition in the District Plan would be contingent on an owners' approval (which may be subject to change over time). • Alternatively, this option may result in numerous future changes to the District Plan in circumstances where the approval of present or future owners of sites
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Option 3: Voluntary approach			
	<p>Cultural</p> <ul style="list-style-type: none"> • Permanent loss of places with historic heritage significance. There is a risk that places with significant historic heritage value, including places of value to the community or parts of the community, are lost under this option, to the extent that places with significant historic heritage value that have been identified by the Council are not recognised or provided for under this option. 	<p>reduction in the places with significant historic heritage values that are recognised and provided for under this option.</p>	<p>subject to the provisions changes.</p>
Effectiveness and efficiency	Effectiveness		Efficiency
	<p>This option is a less effective method of achieving the objectives than Option 1, because:</p>		<p>This option is a less efficient method of achieving the objectives than Option 1, because:</p>

Option 3: Voluntary approach

- To the extent that places with significant historic heritage values are not recognised or provided for under this option, because current or future owners do not approve their recognition within the Schedules of Heritage Buildings, Structures, and Areas, this option will not achieve objective HH-O1.
- It is highly unlikely that heritage areas with more than one property owner (for example, the Jackson Street Heritage Area) would be provided for under this option, due to the practicality and likelihood of securing approval from all owners within the heritage area.

- It is likely to create a high degree of uncertainty about the extent to which the provisions for historic heritage apply at any given time. This is because owners could change their position about whether they approve of the historic heritage provisions applying to their property at any time. Further to this, whether or not owners approve of the heritage provisions applying to their property may change each time the ownership of the property changes.
- The provisions are likely to lead to a high administrative burden on the Council, who would be required to monitor, enquire on, and seek new approvals each time there is a change in property ownership.
- The provisions are likely to lead to numerous future changes to the District Plan to address circumstances where approval by current or future property owners' changes over time.

Option 3: Voluntary approach

Overall evaluation

This option is a less appropriate way to achieve the objectives, and consequently the purpose of the RMA, compared to Option 1, because:

- This option is likely to lead to a gap between the places with significant historic heritage values that are recognised and provided for in the District Plan, and the places where the Council has information that demonstrates there are significant historic heritage values.
- This option is likely to be highly inefficient because it creates uncertainty about the extent to which the provisions for historic heritage apply across the district at any given time, places a high on-going administrative burden on the Council, and is likely to lead to numerous future plan changes to reflect changes in the approval of current and future property owners to be subject to the provisions.
- This option is unlikely to achieve proposed objective HH-O1, to the extent that it leads to places with significant historic heritage values being excluded from the District Plan.
- This option does not give effect to Policies 21 and 22 of the RPS, nor does it recognise and provide for section 6(f) of the RMA, because the requirement to give effect to these matters is not contingent on whether current or future property owners approve of being subject to the provisions that give effect to them.

Option 4: Non-regulatory approach

There are no District Plan policies, rules, or schedules	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information
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Option 4: Non-regulatory approach			
			about the subject matter of the provisions
<p>associated with this approach.</p> <p>Rather, the Council would seek to achieve the objectives through non-regulatory methods, including:</p> <ul style="list-style-type: none"> • Education (for example, by making the heritage inventory reports available to the public and providing the inventory reports to property owners to raise awareness of the heritage values associated with their property). • Financial incentives (for example, by continuing to provide financial support for property owners to undertake works that would conserve the 	<p>Environmental</p> <ul style="list-style-type: none"> • Potential for permanent loss of a finite physical resource. Because this option does not provide for the regulatory protection of historic heritage from inappropriate subdivision, use, or development in the District Plan, there is a risk that places with significant historic heritage values are permanently lost, along with any contribution those places make towards the quality or 	<p>Environmental</p> <ul style="list-style-type: none"> • No specific environmental benefits identified. <p>Economic</p> <ul style="list-style-type: none"> • Enabling increased scale and intensity of development. This option is likely to enable a greater scale and intensity of development on sites that would otherwise be subject to the provisions provided for under Option 1. However, this increase is unlikely to be significant, on the basis that only a limited proportion of sites throughout the district's 	<p>It is considered that there is certain and sufficient information about the subject matter of the provisions because:</p> <ul style="list-style-type: none"> • The Council has undertaken extensive background research, including the identification of places and areas with significant historic heritage values. • The Council has consulted with the community on provisions to recognised and provide for historic heritage as part of

Option 4: Non-regulatory approach

<p>heritage values of their property).</p>	<p>amenity values of the surrounding environment.</p> <p>Economic</p> <ul style="list-style-type: none"> • Loss of existing economic benefits associated with protecting historic heritage. Existing economic benefits, including providing a focal point for commercial and retail activity, supporting visitor and tourist activity, and providing a source of high-skilled construction work, are likely to be lost under this option where owners choose not to retain existing places with significant historic heritage values. • Increased costs to Council of providing 	<p>urban environment would be subject to the provisions under Option 1.</p> <p>Social</p> <ul style="list-style-type: none"> • Enabling increase housing supply and business land. This option is likely to enable an increase in housing supply or business land on sites that would otherwise be subject to the provisions provided for under Option 1. However, this increase is unlikely to be significant, on the basis that only a limited proportion of sites throughout the district’s urban environment would be subject to the provisions under Option 1. 	<p>consultation on the draft District Plan.</p> <p>However, acting by adopting this option could risk the following:</p> <ul style="list-style-type: none"> • The permanent loss of significant historic heritage values associated with places that have been identified as having significant historic heritage values, but which are not recognised and provided for through the District Plan. • Because this approach is mis-aligned with the regulatory approaches adopted by all other Councils in the region, this approach risks creating a high degree of
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Option 4: Non-regulatory approach

	<p>incentives. In order to effectively incentivise the protection of historic heritage in the absence of a regulatory approach, the incentives provided by the Council may need to be substantially increased.</p> <p>Social</p> <ul style="list-style-type: none">• Loss of place-based community identity. This option is likely to lead to adverse impacts on place-based community identity, particularly in communities that have established around places that have significant historic heritage values (such as in and around the	<p>Cultural</p> <ul style="list-style-type: none">• No specific cultural benefits identified.	<p>uncertainty about whether or not the Council would choose to regulate in future. This uncertainty may accelerate or incentivise the destruction of places with significant historic heritage values in the interim, as property owners seek to secure newly established use rights.</p>
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Option 4: Non-regulatory approach

Jackson Street Heritage Area).

Cultural

- **Adverse impacts on cultural wellbeing.** This option is likely to lead to adverse impacts on the cultural wellbeing of the community and/or parts of the community, where places with significant historic heritage values that also have cultural significance are permanently lost. This is likely to lead to reduced tangible recognition of a range of cultures and traditions reflected in the existing built and urban environment, and reduced connections between a range of

Option 4: Non-regulatory approach			
	cultures and the built and urban environment.		
Effectiveness and efficiency	Effectiveness		Efficiency
	<p>This option is a less effective method of achieving the objectives than Option 1, because:</p> <ul style="list-style-type: none"> • There is a high degree of uncertainty as to whether incentives and education, on their own, will lead to the protection of places with significant historic heritage values. • This option may be counterproductive because of the regulatory uncertainty that it creates. Because this option is inconsistent with the regulatory approaches adopted by other Councils in the region, providing for a non-regulatory approach may encourage the destruction of places with significant historic heritage values, where property owners seek to secure newly established use rights in case the Council chooses to return to a regulatory approach in the future. 		<p>This option is a less efficient method of achieving the objectives than Option 1, because:</p> <ul style="list-style-type: none"> • There is a high degree of uncertainty about the level of incentives that would be necessary to effectively protect places with significant historic heritage values in the absence of a regulatory approach. Because of this, there is a high degree of uncertainty about the costs to Council associated with this option. • While this option provides limited benefits in terms of providing for increased scale and intensity of development on some sites, this option also comes with a range of costs that are borne both locally as well as being widely distributed throughout the community.

Option 4: Non-regulatory approach

Overall evaluation

This option is a less appropriate way to achieve the objectives, and consequently the purpose of the RMA, compared to Option 1, because:

- There is a high degree of uncertainty about whether relying on incentives and education alone, in the absence of a regulatory approach, will be effective at achieving the objectives.
- There is a high degree of uncertainty about the costs to Council of establishing effective incentives in the absence of a regulatory approach.
- This option does not give effect to Policy 21 or 22 of the RPS, which requires that the District Plan identify places and areas with significant historic heritage values, and include policies and/or rules or other methods that protect these places from inappropriate subdivision, use, or development.
- Because of the uncertainty associated with the effectiveness of this option, it is unlikely that this option would recognise or provide for section 6(f) of the RMA.

Summary

(123) Based on the evaluation above, Option 1 (the proposed approach) is the most appropriate method of achieving the objectives for historic heritage for several reasons, including:

- The provisions appropriately identify places with significant historic heritage values, and provisions provide clear rules and policy direction to protect significant historic heritage values by enabling maintenance and repair, controlling modification, new development, and subdivision, and seeking to avoid demolition and relocation.
- The provisions recognise that ongoing use of heritage places supports the protection of significant historic heritage values, by providing clear rules and policy direction that enables modifications to provide for the health, safety, and accessibility of heritage places, and enabling modifications and new buildings that support the ongoing use of heritage places.
- The provisions are based on robust information, including expert evidence and feedback received from the public and property owners on the draft District Plan.
- The provisions give effect to Policies 21 and 22 of the RPS.
- The provisions are consistent with the Council's obligation to have regard to the New Zealand Heritage List/Rārangi Kōrero.
- The provisions are appropriately supported by non-regulatory methods.
- The costs associated with the proposed approach is reasonable in light of the benefits and the proposed approach provides a more efficient and effective method at protecting historic heritage from inappropriate subdivision, use, and development when compared to the status quo and the alternatives considered.
- The provisions are consistent with the Council's obligations to recognise and provide for the protection of historic heritage from inappropriate subdivision, use, and development under section 6(f) of the RMA.

9 Additional information requirements for qualifying matters

- (124) The Council has a duty to incorporate the Medium Density Residential Standards into each relevant residential zone in the District Plan and is required to give effect to Policy 3 of the NPS-UD within and adjacent to centres zones and rapid transit stops¹². The ways in which the Council has given effect to these requirements are set out in the Section 32 Evaluation Reports for the Residential Zones and the Centres Zones.
- (125) However, the Council may make the requirements of the MDRS or Policy 3 of the NPS-UD less enabling of development, to accommodate a ‘qualifying matter’¹³.
- (126) Some of the provisions of the HH – Historical Heritage chapter apply to sites within zones that are otherwise subject to the requirements of the MDRS and Policy 3 of the NPS-UD. These provisions have the effect of being less enabling of development than is otherwise required by the MDRS or Policy 3. In particular:
- a. The rules for external alterations, additions, partial demolition, relocation, and total demolition of heritage buildings, heritage structures, and contributing buildings in heritage areas (rules HH-R2, HH-R3, HH-R4, and HH-R5) potentially limit the development capacity of those sites.
 - b. The rules for new buildings on sites with heritage buildings or heritage structures, or on sites in heritage areas (rules HH-R6 and HH-R7) potentially limit the development capacity of those sites.

¹² Refer to section 77G of the RMA, and Policy 3 of the NPS-UD.

¹³ Refer to section 77G(6) of the RMA, and Policy 4 of the NPS-UD.

- c. Height standards that apply in the Jackson Street Heritage Area (standard HH-S1) limit the building height in that area to less than is otherwise required by Policy 3 of the NPS-UD.
- d. Height, height in relation to boundary, and setback standards in the Heretaunga Settlement and Riddlers Crescent Heritage Areas (standards HH-S1, HH-S2, and HH-S3) limit these standards to less than is otherwise required by the MDRS or Policy 3 of the NPS-UD.
- e. Height in relation to boundary standards in the Medium Density and High Density Residential Zones adjacent to heritage buildings, heritage structures, or heritage areas.
- f. Subdivision of sites with heritage buildings, heritage structures, or in heritage areas, is a restricted discretionary, rather than a controlled activity (which is required by the MDRS).

(127) Because of this, the Council is required to include additional information in its Section 32 Evaluation report that¹⁴:

- a. Demonstrates why the Council considers that the area is subject to a qualifying matter.
- b. Demonstrates that the qualifying matter is incompatible with the level of development permitted by the MDRS or provided for by Policy 3 of the NPS-UD.
- c. Assesses the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity.
- d. Assesses the costs and broader impacts of imposing those limits.

(128) An analysis which sets out this information in relation to each of the matters is included in Attachment 4.

¹⁴ Section 77J(3) of the RMA and clause 3.33(2) of the NPS-UD.

10 Summary

(129) This report, including the evaluation, has been prepared to set the context for the Historic Heritage chapter of the proposed District Plan. The evaluation has been undertaken in accordance with section 32 of the RMA in order to identify the need, benefits and costs and appropriateness of the proposed chapter, having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option because:

- The provisions appropriately identify places with significant historic heritage values.
- The provisions provide clear rules and policy direction to protect significant historic heritage values by enabling maintenance and repair, controlling modification, new development, and subdivision, and seeking to avoid demolition and relocation.
- The provisions recognise that ongoing use of heritage places supports the protection of significant historic heritage values, by providing clear rules and policy direction that enables modifications to provide for the health, safety, and accessibility of heritage places, and enabling modifications and new buildings that support the ongoing use of heritage places.
- The provisions are based on robust information, including expert evidence and feedback received from the public and property owners on the draft District Plan.
- The provisions give effect to Policies 21 and 22 of the RPS.
- The provisions are consistent with the Council's obligation to have regard to the New Zealand Heritage List/Rārangi Kōrero.
- The provisions are appropriately supported by non-regulatory methods.
- The costs associated with the proposed approach is reasonable in light of the benefits and the proposed approach provides a more efficient and effective method at protecting historic heritage from inappropriate subdivision, use, and development when compared to the status quo and the alternatives considered.

- The provisions are consistent with the Council's obligations to recognise and provide for the protection of historic heritage from inappropriate subdivision, use, and development under section 6(f) of the RMA. The provisions are also consistent with the Council's obligation to have regard to the matters under section 7(aa), (b), (c), (f), (g), and (i) of the RMA.

11 Attachments

(130) The following documents are attached to this report:

- Attachment 1: Proposed Schedule of Heritage Buildings and Structures and Schedule of Heritage Areas
- Attachment 2: Historic heritage in the Natural Resources Plan for the Wellington Region
- Attachment 3: Advice on legal requirements for listing a heritage building or structure in the District Plan (DLA Piper, January 2023)
- Attachment 4: Additional information requirements for qualifying matters Heritage Inventory Reports – Heritage Areas

Attachment 1: Proposed Schedule of Heritage Buildings and Structures and Schedule of Heritage Areas

SCHED1 — Heritage Buildings and Structures

Unique ID	Address	Name	Legal Description	New Zealand Heritage List Rārangi Kōrero	Extent of Place
H001	1 Fry Street, Boulcott	The Glebe	Lot 2 DP 91194	4144, Cat 1	Legal boundaries
H002	Pencarrow Head	Pencarrow Lighthouse	Sec 2 Blk V Pencarrow SD	34, Cat 1	1858 Lighthouse
H003	73 Eastern Hutt Road, Taitā	Christ Church Taitā (Anglican)	Sec 554, Pt Sec 59 Hutt District	1325, Cat 1	Legal boundaries
H004	Hutt Road, Petone Rail Station, Petone	ANZAC Memorial Flagpole	Section 13 SO 430549	9438, Cat 1	Flagpole
H005	499-501 Hutt Road, Alicetown	Western Hutt Railway Station	Lot 1 DP 66824	1327, Cat 1	Station building
H006	38 Normandale Road, Normandale	Norbury	Lot 1 DP 88473	7424, Cat 1	Legal boundaries
H007	43 Adelaide Street, Petone	House	Sec 17 Blk II DP 5172	3592, Cat 1; 7028, Historic Area	Legal boundaries
H008	54 Adelaide Street, Petone	House	Sec 2 Blk II DP 5172	3593, Cat 2; 7028, Historic Area	Legal boundaries
H009	2 Patrick Street, Petone	House	Sec 22 Blk VIII DP 5172	3582, Cat 2; 7028, Historic Area	Legal boundaries
H010	4 Patrick Street, Petone	House	Sec 20 Blk VIII DP 5172	3583, Cat 2; 7028, Historic Area	Legal boundaries
H011	8 Patrick Street, Petone	House	Sec 16 Blk VIII DP 5172	3584, Cat 2; 7028, Historic Area	Legal boundaries
H012	10 Patrick Street, Petone	House	Sec 14 Blk VIII DP 5172	3585, Cat 2; 7028, Historic Area	Legal boundaries
H013	14 Patrick Street, Petone	House	Sec 10 Blk VIII DP 5172	3586, Cat 2; 7028, Historic Area	Legal boundaries
H014	16 Patrick Street, Petone	House	Sec 8 Blk VIII DP 5172	3587, Cat 2; 7028, Historic Area	Legal boundaries
H015	18 Patrick Street, Petone	House	Sec 6 Blk VIII DP 5172	3588, Cat 2; 7028, Historic Area	Legal boundaries
H016	19 Patrick Street, Petone	House	Sec 13 Blk II DP 5172	3589, Cat 1; 7028, Historic Area	Legal boundaries
H017	22 Patrick Street, Petone	House	Sec 10 Blk III DP 5172	3590, Cat 1; 7028, Historic Area	Legal boundaries
H018	24 Patrick Street, Petone	House	Sec 8 Blk VIII DP 5172	3591, Cat 2; 7028, Historic Area	Legal boundaries
H019	49 Adelaide Street, Petone	House	Sec 15 Blk III DP 5172	Not Listed	Legal boundaries
H020	52 Adelaide Street, Petone	House	Sec 1 Blk VIII DP 5172	Not Listed	Legal boundaries
H021	14 St Albans Grove, Woburn	Nash House	Lot 7 DP 8552	7742, Cat 1	Legal boundaries
H022	36 Riddlers Crescent, Petone	Collett House	Lot 2 DP 10877	7479, Cat 1	Legal boundaries

H023	The Esplanade, Petone	Wellington Provincial Centennial Memorial (Settlers Museum)	Lot 2 DP 69217	206, Cat 1	1940 building and plaque/memorial
H024	155-157 Waterloo Road, Hutt Central	Lower Hutt Central Fire Station	Lot 100 DP 553151	9319, Cat 1	Legal boundaries
H025	2 Britannia Street, Petone	St David's Church (Presbyterian)	Pt Lot 14 Deeds Plan 109	2887, Cat 2	Legal boundaries
H026	12 Britannia Street, Petone	St. Augustine's Church (Anglican)	Lot 1 DP 460173	1323, Cat 2	Legal boundaries
H027	24 Coast Road, Wainuiomata	Wainuiomata Pioneer Church	Pt Sec 3 Wainuiomata District	7310, Cat 2	Legal boundaries
H028	13 Elizabeth Street, Petone	Former Petone Magistrate's Court	Lot 2 DP 547829	9439, Cat 2	Legal boundaries
H029	16 Hamerton Street, Naenae	Balgownie House	Lot 2 DP 89487	4140, Cat 2	Legal boundaries
H030	16A Hamerton Street, Naenae	Balgownie Generator Building	Lot 1 DP 89487	4141, Cat 2	Generator building only
H031	149-151 High Street, Hutt Central	Lower Hutt Post Office	Lot 1 DP 90205	4145, Cat 2	Legal boundaries
H032	705 High Street, Boulcott	Coppelle Cottage	Lot 6 DP 8039	4142, Cat 2	Legal boundaries
H033	132 Kings Crescent, Hutt Central	Orr House	Lot 1 DP 41913	1326, Cat 2	Legal boundaries
H034	64 Knights Road, Hutt Central	Offices	Lot 2 DP 28029	7185, Cat 2	Legal boundaries
H035	1 Homedale Road, Wainuiomata	Wainuiomata Museum Building (former school)	Pt Sec 2 Wainuiomata District	7508, Cat 2	1902 school building
H036	Marine Drive, Days Bay	Days Bay Wharf	Pt Section 33 Harbour District	3574, Cat 2	Wharf structure (to the extent that it is not located in the coastal marine area)
H037	611A Marine Drive, Days Bay	Wellesley College	Pt Sec 33 Harbour District	3575, Cat 2	1903 Main Block building
H038	603A Marine Drive, Days Bay	Beauchamp Cottage	Lot 1 DP 307236	3579, Cat 2	Legal boundaries
H039	Marine Drive, Lowry Bay	Skerrett Boat Shed	N/A	3580, Cat 2	1906 shed structure (to the extent that it is not located in the coastal marine area)
H040	111 Marine Parade, Eastbourne	House (111 Marine Parade)	Pt Lot 56 DP 1256	3576, Cat 2	Legal boundaries
H041	Marine Parade, Eastbourne	Rona Bay Wharf	Lot 1 DP 30383	7474, Cat 2	Wharf structure (to the extent that it is not located in the coastal marine area)

H042	283 Muritai Road, Eastbourne	The Glen (Katherine Mansfield)	Lot 6 DP 15621	3578, Cat 2	Legal boundaries
H043	287 Muritai Road, Eastbourne	Glenwood	Lot 1 DP 75547	3577, Cat 2	Legal boundaries
H044	493 Muritai Road, Eastbourne	Eastbourne Borough Council Omnibus Service Garage	Lot 1 DP 422935	7644, Cat 2	Legal boundaries
H045	60 Penrose Street, Woburn	Penrose House	Lot 2 DP 24290	7190, Cat 2	Legal boundaries
H046	49 Pretoria Street, Hutt Central	House (The Crescent)	Lot 1 DP 18312	7199, Cat 2	Legal boundaries
H047	43 Seaview Road, Seaview	Ford Motor Company Workshop	Lot 2 DP 521877	3581, Cat 2	1935 workshop buildings only
H048	66 Sydney Street and 25 Campbell Terrace, Petone	House (Price's Folly)	Lots 7 and 8 DP 412	2886, Cat 2	Legal boundaries
H049	The Esplanade, Petone	Iona Memorial Cross	Lot 2 DP 69217	1322, Cat 2	Memorial structure
H050A	73-75 Woburn Road, Woburn	Vogel House	Lot 1 DP 22396	7757, Cat 1	Legal boundaries
H050B	73-75 Woburn Road, Woburn	Vogel House Gatehouse	Lot 1 DP 22396	7757, Cat 1	Legal boundaries
H051	125 Western Hutt Road, Tirohanga	Lochaber/Prospect College	Sec 1 SO 37208	2889, Cat 2	1889 residence
H052	760 Western Hutt Road, Tirohanga	Casa Loma	Lot 7 DP 54222	1324, Cat 2	1911 residence
H053A	Laings Rd, Hutt Central	Hutt City Council Administration Building	N/A	7520, Historic Area	Administration Building only
H053B	Laings Rd, Hutt Central	Hutt City Council Town Hall	N/A	7520, Historic Area	Town Hall building only, excludes new Events Centre building
H054	Queens Drive, Hutt Central	Little Theatre and Library	N/A	7520, Historic Area	Little Theatre and War Memorial Library building only
H055	59-61 Woburn Road, Hutt Central	St James Church	Lot 2 DP 17883	7520, Historic Area	St James Church building only
H056	27 Hillary Court, Naenae	Naenae Post Office (former)	Pt Lot 1 DP 15073 and Section 1 SO 24113	9806, Cat 1	Legal boundaries
H057	34 Bay Street, Petone	Bay Lodge Boarding House	Lot 26 DP 51	Not Listed	Legal boundaries
H058	52 Beach Street, Petone	Petone Labour Hall (Lighthouse Cinema)	Lot 1 DP 430698	Not Listed	Legal boundaries
H059	4 Britannia Street, Petone	Presbyterian Manse	Pt Lot 14 Deeds Plan 109	Not Listed	Legal boundaries
H060	6 Britannia Street, Petone	Petone Community House	Pt Lot 1 DP 295	Not Listed	Legal boundaries

H061	32 Britannia Street, Petone	House (32 Britannia Street)	Lot 1 DP 29647	Not Listed	Legal boundaries
H062	41 Britannia Street, Petone	Sacred Heart Church Façade	Lot 3 DP 51283	Not Listed	1933 church façade remnants
H063	57 Britannia Street, Petone	House (57 Britannia Street)	Lot 6 DP 1363	Not Listed	Legal boundaries
H064	Burdan's Gate, Eastbourne	Wahine Memorial	Section 2 SO 438753	Not Listed	1968 Wahine mast memorial and associated plaques
H065	103 Coast Road, Wainuiomata	August Cottage	Lot 3 DP 25757	Not Listed	Legal boundaries
H066	202 Coast Road, Wainuiomata	Cottage	Lot 4 DP 15751	Not Listed	Legal boundaries
H067	728 Coast Road, Wainuiomata Coast	Jackson's Farm	Pt Sec 15 Wainuiomata Dist	Not Listed	1860s cottage building only
H068	Fitzroy Bay, Pencarrow Head	Paiaka Wreck	N/A	Not Listed	1906 wreck only
H069	1/2 Trinity Avenue, Boulcott	Anson House	Lot 4 DP 78049	Not Listed	Legal boundaries
H070	68 Hine Road, Wainuiomata	Sinclair House	Lot 3 DP 20657	Not Listed	Legal boundaries
H071	83-85 Hutt Road, Petone	Alfred Coles House	Pt Lots 3 & 4 DP 702	Not Listed	1905 Alfred Coles Homestead building only
H072	Korokoro, Belmont Park, Maungaraki	Korokoro Stream Dams	Pt Sec 3 Maungaraki Village	Not Listed	1903/1904 concrete farns and associated structures
H073	1 Maungaraki Road, Korokoro	House (1 Maungaraki Road)	Lot 2 DP 29729	Not Listed	Legal boundaries
H074	19 Myrtle Street, Woburn	House (19 Myrtle Street)	Lot 1 DP 439826	Not Listed	Legal boundaries
H075	42 Nelson Street, Petone	Wesley Methodist Church	Lot 1 DP 531518	Not Listed	Legal boundaries
H076	Cnr. Nelson St & Udy Street, Petone	Drill Hall	Sec 1 SO 37671	Not Listed	Legal boundaries
H077	38 Rakeiora Grove, Korokoro	Taumata	Pt Lot 2 DP 25354	Not Listed	Legal boundaries
H078	81 Stokes Valley Road, Stokes Valley	Old Stokes Valley School House	Lot 1 DP 19539	Not Listed	Legal boundaries
H079	49 Sydney Street, Petone	House (49 Sydney Street)	Pt Lots 24 and 25 DP 321	Not Listed	Legal boundaries
H080	The Esplanade, Petone	Petone Rowing Club	Lot 2 DP 69217	Not Listed	1928 Rowing Club building
H081	The Esplanade, Petone	Petone Wharf and Gates	Lot 3 DP 69217	Not Listed	Gates, and wharf structure (to the extent that it is not located in the coastal marine area)

H082A	Western Hutt Road/Cornish St, Korokoro	Woollen Mills Marble Wall (south)	Lots 28 & 29 DP 33346 and Pt Road	Not Listed	Section of marble stone wall built in 1912
H082B	Western Hutt Road/Cornish St, Korokoro	Woollen Mills Marble Wall (north)	Lots 28 & 29 DP 33346 and Pt Road	Not Listed	Section of marble stone wall built in 1912
H083	313-319 Waiwhetu Road, Fairfield	Epuni School	Sec 115 Epuni Hamlet	Not Listed	1903 school building
H084	184 Hutt Road, Petone	Bay Villa (184 Hutt Road)	Lot 12 DP 2143	Not Listed	Legal boundaries
H085	186 Hutt Road, Petone	Bay Villa (186 Hutt Road)	Lot 13 DP 2143	Not Listed	Legal boundaries
H086	188 Hutt Road, Petone	Bay Villa (188 Hutt Road)	Lot 14 DP 2143	Not Listed	Legal boundaries
H087	6 Patrick Street, Petone	House	Section 18 Blk VIII Heretaunga Settlement	Not Listed	Legal boundaries
H088	12 Patrick Street, Petone	House	Section 12 Blk VIII Heretaunga Settlement	Not Listed	Legal boundaries
H089	45 Adelaide Street, Petone	House	Section 18 Blk VIII Heretaunga Settlement	Not Listed	Legal boundaries
H090	20 Patrick Street, Petone	House	Section 12 Blk VIII Heretaunga Settlement	Not Listed	Legal boundaries
H091	21 Patrick Street, Petone	House	Section 11 Blk VIII Heretaunga Settlement	Not Listed	Legal boundaries
H092	23 Patrick Street, Petone	House	Section 10 Blk VIII Heretaunga Settlement	Not Listed	Legal boundaries
H093	25 Patrick Street, Petone	House	Section 9 Blk VIII Heretaunga Settlement	Not Listed	Legal boundaries
H094	26 Patrick Street, Petone	House	Section 6 Blk VIII Heretaunga Settlement	Not Listed	Legal boundaries
H095	87 Jackson Street, Petone	Commercial Building	Part Lot 46 DP 321	7369, Historic Area	Legal boundaries including verandah in road reserve
H096	89 Jackson Street, Petone	Commercial Building	Part Lot 46 DP 321	7369, Historic Area	Legal boundaries including verandah in road reserve
H097	91 Jackson Street, Petone	Commercial Building	Part Lot 3 DP 6389	7369, Historic Area	Legal boundaries including verandah in road reserve
H098	109 Jackson Street, Petone	Former Self Help Building	Lot 1 DP 11077	7369, Historic Area	Legal boundaries including verandah in road reserve
H099	115-117 Jackson Street, Petone	Gaynor Buildings	Lot 2 DP 58523	7369, Historic Area	Legal boundaries including verandah in road reserve
H100	131-141 Jackson	Commercial	Lot 5, 6, 7, and 8	7369, Historic	Legal boundaries

	Street, Petone	Building	DP 18017	Area	including verandah in road reserve
H101	146 Jackson Street, Petone	Former Rayner and Woodward Building	Lot 1 DP 561	7369, Historic Area	Legal boundaries including verandah in road reserve
H102	161-163 Jackson Street, Petone	R.W. Short Building	Lot 1 DP 337177	7369, Historic Area	Legal boundaries including verandah in road reserve
H103	166-170 Jackson Street, Petone	Evening Post Building	Lots 1-2 and Lot 5 DP 8084	7369, Historic Area	Legal boundaries including verandah in road reserve
H104	175 Jackson Street, Petone	Empire Hotel	Part Lot 1 DP 6815, Lot 23 DP 57, and Part Lot 22 DP 57	7369, Historic Area	Legal boundaries including verandah in road reserve
H105	182 Jackson Street, Petone	Commercial Building	Lot 3 DP 539	7369, Historic Area	Legal boundaries including verandah in road reserve
H106	184 Jackson Street, Petone	Commercial Building	Lot 4 DP 539	7369, Historic Area	Legal boundaries including verandah in road reserve
H107	188-202 Jackson Street, Petone	Alexandra Buildings	Lots 1, 2, 3, and 4 DP 18017	7369, Historic Area	Legal boundaries including verandah in road reserve
H108	205 Jackson Street, Petone	Former Petone Post Office	Part Section 5 Hutt District	7369, Historic Area	Legal boundaries including verandah in road reserve
H109	216 Jackson Street, Petone	Commercial Building	Lot 1 DP 6395	7369, Historic Area	Legal boundaries including verandah in road reserve
H110	224 Jackson Street, Petone	Former Union Clothing Company Building	Part Lot 5 and Part Lot 6 DP 57	7369, Historic Area	Legal boundaries including verandah in road reserve
H111	226 Jackson Street, Petone	Former National Bank Building	Part Lot 25 DP 57	7369, Historic Area	Legal boundaries
H112	228 Jackson Street, Petone	Former D.S. Patrick Building	Part Lot 25 DP 57	7369, Historic Area	Legal boundaries including verandah in road reserve
H113	229-231 Jackson Street, Petone	Commercial Building	Lot 1 DP 337548	7369, Historic Area	Legal boundaries including verandah in road reserve
H114	233-235 Jackson Street, Petone	Commercial Building	Lot 88 DP 1232	7369, Historic Area	Legal boundaries including verandah in road reserve
H115	237-245 Jackson Street, Petone	Britannia Buildings	Lot 89 and Part Lot 90 DP 1232	7369, Historic Area	Legal boundaries including verandah in road reserve
H116	251 Jackson Street, Petone	Former UFSD Building	Lot 92 DP 1232	7369, Historic Area	Legal boundaries including verandah in road reserve
H117	254 Jackson Street, Petone	Commercial Building	Lot 1 A 1941	7369, Historic Area	Legal boundaries including verandah in road reserve
H118	258-260 Jackson Street, Petone	Commercial Building	Lot 2 A 1941	7369, Historic Area	Legal boundaries including verandah in road reserve

H119	257-263 Jackson Street, Petone	Commercial Building	Lot 95 DP 1232	7369, Historic Area	Legal boundaries including verandah in road reserve
H120	262-264 Jackson Street, Petone	Commercial Building	Part Lot 43 and Part Lot 44 DP 51	7369, Historic Area	Legal boundaries including verandah in road reserve
H121	266 Jackson Street, Petone	Former Bonthorne and Wilson Building	Part Lot 43 and Part Lot 44 DP 51	7369, Historic Area	Legal boundaries including verandah in road reserve
H122	268 Jackson Street, Petone	Former Bank of New Zealand Building	Lot 1 DP 430698	7369, Historic Area	Footprint of building at 268 Jackson Street as extended in 1950s. Excludes the building at 52 Beach Street.
H123	272 Jackson Street, Petone	Commercial Building	Pt Lot 68 and Part Lot 69 DP 51	7369, Historic Area	Legal boundaries including verandah in road reserve
H124	274B Jackson Street, Petone	Former Petone Police Station	Lot 1 DP 79272	7369, Historic Area	Legal boundaries
H125	278-280 Jackson Street, Petone	Former N.E. Willis Dental Surgery	Part Lot 2 and Part Lot 3 DP 339	7369, Historic Area	Legal boundaries including verandah in road reserve
H126	295-297 Jackson Street, Petone	Commercial Building	Lot 133 DP 1232	7369, Historic Area	Legal boundaries including verandah in road reserve, but excluding the separate two-storey apartment building located at 2A Kensington Ave.
H127	320-326 Jackson Street, Petone	Commercial Building	Lot 161 and Lot 162 DP 1232	7369, Historic Area	Legal boundaries including verandah in road reserve
H128A	23 Kensington Avenue, Petone	Former Petone Memorial Technical College - Weltec A (1936 former Classroom Block)	Section 1 SO 24800	9752, Cat 2	Legal boundaries
H128B	23 Kensington Avenue, Petone	Former Petone Memorial Technical College - Weltec B (1967 Workshop)	Lots 11, 12, 13, and 14 DP 8102	9752, Cat 2	Legal boundaries
H128C	23 Kensington Avenue, Petone	Former Petone Memorial Technical College - Weltec C (1930s-40s Workshop)	Lots 15, 16, 17, and 18 DP 8102	9752, Cat 2	Legal boundaries
H129	27 Military Road, Boulcott	Kincaid	Lot 2 DP 31005	Not Listed	Legal boundaries
H130	61 Ludlam Crescent, Woburn	Swiss Ambassador's Residence	Part Lot 2 DP 12959 and Lot 1 DP 11449	Not Listed	Legal boundaries

H131	99 Ludlam Crescent, Woburn	US Ambassador's Residence	Lot 6 DP 5877, Part Lot 9 DP 5877, Part Lot 2 DP 6062, Lot 1 DP 7921, Lot 2 DP 8212, and Lot 3 DP 8212	Not Listed	Legal boundaries
H132A	142 Hutt Park Road, Gracefield	Former PWD Warehouses (Building A, 142 Hutt Park Road)	Lot 3 DP 87502	Not Listed	Legal boundaries
H132B	142 Hutt Park Road, Gracefield	Former PWD Warehouses (Building B, 142 Hutt Park Road)	Lot 3 DP 87502	Not Listed	Legal boundaries
H132C	142 Hutt Park Road, Gracefield	Former PWD Warehouses (Building C, 142 Hutt Park Road)	Lot 3 DP 87502	Not Listed	Legal boundaries
H133	21-23 Andrews Ave, Hutt Central	Former State Fire & Accident Insurance Office	Lots 1, 2, and 3 DP 12645, and Lot 2 DP 15438	Not Listed	Legal boundaries including verandah in road reserve
H134	2 Bridge Street, Melling	Private residence	Pt Section 24 Hutt District, Lot 30 and Part Lot 31 DP 1344	Not Listed	Legal boundaries
H135	17 Kowhai Street, Eastbourne	Private residence	Part Lot 279 and Part Lot 280 DP 933, and Lot 1 DP 41301	Not Listed	Legal boundaries
H136	2-18 Laings Road (and 102 High Street), Hutt Central	Former CML Building	Lot 1 DP 19628	Not Listed	Legal boundaries including verandah in road reserve
H137	21 Laings Road, Hutt Central	Lower Hutt Telephone Exchange	Section 1 SO 18908 and Section 1 SO 36342	Not Listed	Legal boundaries
H138	148-150 Muritai Road, Eastbourne	Former Eastbourne Post Office	Lot 2 DP 1407 and Lot 3 DP 1407	Not Listed	Legal boundaries
H139A	39-41 Percy Cameron Street, Avalon	Avalon Studios - Television Studio Building	Lot 1 DP 590745	Not Listed	Television studio building
H139B	39-41 Percy Cameron Street, Avalon	Avalon Studios - Office Tower	Lot 2 DP 569885	Not Listed	Office tower building
H140	38 Tyndall Street, Waiwhetū	Former Rato Rosanna Home	Lot 1 DP 555147	Not Listed	Legal boundaries
H141	32 Vogel Street, Naenae	Former Philips Factory	Lot 1 DP 64638	Not Listed	Legal boundaries
H142	124 Waterloo Road, Hutt Central	Fitzgerald House, Chilton St James School	Lot 9 and Lot 10 Blk VII DP 1377	Not Listed	Fitzgerald House building only
H143	Reservoir Road, Wainuiomata	Morton Dam	Part Section 35 and Part Section 67 Wainui-o-mata District	Not Listed	Morton Dam structure only

H144A	1c Rail Way, Waiwhetū	Hutt Railway Workshops (North-western Workshop Building)	Pt Section 41 Blk LVI Hutt Valley Settlement	Not Listed	North-western workshop building only
H144B	1c Rail Way, Waiwhetū	Hutt Railway Workshops (North-eastern Workshop Building)	Pt Section 41 Blk LVI Hutt Valley Settlement	Not Listed	North-eastern workshop building only
H145	13 Ngaio Street, Eastbourne	St Alban's Church	Lot 1 DP 8662	Not Listed	Legal boundaries
H146	33 Britannia Street, Petone	Former Sacred Heart Church	Lot 1 DP 51283	Not Listed	Former Sacred Heart Church building only
H147	638 High Street, Boulcott	Hutt Hospital Clock Tower Building	Lots 2, 3, and 4 DP 11717, and Lot 4 DP 90134	Not Listed	Clock Tower Building only
H148	282 Grounell Crescent	Private residence	Lot 3 DP 306084	Not Listed	Legal boundaries
H149	6 Norfolk Street, Belmont	All Saints Church	Section 1 SO 36622	Not Listed	Legal boundaries
H150	Corner of High Street & Military Road, Boulcott	Boulcott Farm Memorial	Pt Section 38 Hutt District	Not Listed	Legal boundaries
H151	Lower Hutt Civic Centre, Hutt Central	Lower Hutt Civic Centre War Memorial	Pt Lot 52 DP 89	Not Listed	War memorial cenotaph
H152	14 Mabey Road, Avalon	Avalon Hall (former Taitā Hall)	Lot 1 DP 5919	Not Listed	Legal boundaries
H153	Reservoir Road, Wainuiomata	Wainuiomata Lower Dam	Part Section 35 Wainuiomata DIST	Not Listed	Wainuiomata Lower Dam structure only
H154	612A Marine Drive, Days Bay	Days Bay Changing Shed	Pt Section 33 Harbour District	Not Listed	Days Bay Changing Shed building only
H155	25-27 Eastern Hutt Road, Taitā	Woolyarns Factory Offices	Lot 1 and Lot 2 DP 31215	Not Listed	Legal boundaries
H156A	26 Tunnel Grove, Gracefield	Wainuiomata Hill Pipeline Tunnel (North)	Part Lot 10 Deposited Plan 6176, Part Lot 9 Deposited Plan 37 & Part Section 3 Hutt District	Not Listed	Full extent of tunnel structure, including north portal and south entry structure
H156B	23 Waiu Street, Wainuiomata	Wainuiomata Hill Pipeline Tunnel (South)	Part Lot 10 Deposited Plan 6176, Part Lot 9 Deposited Plan 37 & Part Section 3 Hutt District	Not Listed	Full extent of tunnel structure, including north portal and south entry structure
H157	15-17 Aurora Street, Petone	Roy Nelson Home	Lot 60 and Lot 62 DP 393	Not Listed	Legal boundaries
H158	Memorial Park, 28c Bracken Street, Petone	Petone War Memorial	Section 1 SO 328257	Not Listed	Petone War Memorial structure, and curtilage within 10

					metres of the structure
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SCHED2 — Heritage Areas

Unique ID	Name	Location	Heritage Buildings and Structures	Contributing Buildings or Structures	New Zealand Heritage List Rārangī Kōrero	Extent of Place
HA01	Heretaunga Settlement Heritage Area	Patrick Street, Adelaide Street, and The Esplanade, Petone	2 Patrick Street 4 Patrick Street 6 Patrick Street 8 Patrick Street 10 Patrick Street 12 Patrick Street 14 Patrick Street 16 Patrick Street 18 Patrick Street 19 Patrick Street 20 Patrick Street 21 Patrick Street 22 Patrick Street 23 Patrick Street 24 Patrick Street 25 Patrick Street 26 Patrick Street 43 Adelaide Street 45 Adelaide Street 49 Adelaide Street 52 Adelaide Street 54 Adelaide Street	1 Patrick Street 3 Patrick Street 5 Patrick Street 7 Patrick Street 9 Patrick Street 11 Patrick Street 13 Patrick Street 15 Patrick Street 17 Patrick Street 47 Adelaide Street 48 Adelaide Street 50 Adelaide Street 227 The Esplanade	7028, Heritage Area	Refer District Plan maps
HA02	Riddlers Crescent Heritage Area	Riddlers Crescent, Petone	36 Riddlers Crescent	1 Riddlers Crescent 3 Riddlers Crescent 6 to 29 Riddlers Crescent 32 Riddlers Crescent 34 Riddlers Crescent 35 Riddlers Crescent 37 Riddlers Crescent 38 Riddlers Crescent 40 Riddlers Crescent 41 to 59 Riddlers Crescent (odd numbers) 63 Riddlers Crescent	Not Listed	Refer District Plan maps
HA03	Jackson Street Heritage Area	Jackson Street, Petone	87 Jackson Street 89 Jackson Street 91 Jackson	121-123 Jackson Street 125-127 Jackson Street 129 Jackson	7369, Heritage Area	Refer District Plan maps

			Street 109 Jackson Street 115-117 Jackson Street 131-141 Jackson Street 146 Jackson Street 161-163 Jackson Street 166-170 Jackson Street 175 Jackson Street 182 Jackson Street 184 Jackson Street 188-202 Jackson Street 205 Jackson Street 216 Jackson Street 224 Jackson Street 226 Jackson Street 228 Jackson Street 229-231 Jackson Street 233-235 Jackson Street 237-245 Jackson Street 251 Jackson Street 254 Jackson Street 258-260 Jackson Street 257-263 Jackson Street 262-264 Jackson Street 266 Jackson Street 268 Jackson Street 272 Jackson Street 274B Jackson Street 278-280 Jackson Street 295-297 Jackson Street 320-326 Jackson Street 52 Beach Street	Street 172 Jackson Street 173 Jackson Street 174 Jackson Street 176 Jackson Street 180 Jackson Street 185-189 Jackson Street 186 Jackson Street 207 Jackson Street 218 Jackson Street 219 Jackson Street 221-227 Jackson Street 250-252 Jackson Street 274C Jackson Street 276 Jackson Street 284-286 Jackson Street 287 Jackson Street 288-290 Jackson Street 291 Jackson Street 293 Jackson Street 298 Jackson Street 299-303 Jackson Street 307-309 Jackson Street 328A-B Jackson Street 352 Jackson Street 46 Bolton Street 47 Richmond Street		
HA04	Lower Hutt Civic Centre Heritage Area	Laings Road and Queens Drive, Lower Hutt	Hutt City Council Administration Building, Laings Road		7520, Heritage Area	Refer District Plan maps

			Hutt City Council Town Hall, Laings Road Little Theatre and Library, Queens Drive St James Church, 59-61 Woburn Road Lower Hutt Civic Centre War Memorial, Queens Drive			
HA05	Ōrua-pouanui/Baring Head Heritage Area	Ōrua-pouanui/Baring Head		Ōrua-pouanui Baring Head Lighthouse	9621, Heritage Area	Refer District Plan maps
HA06	Matiu/Somes Island Heritage Area	Wellington Harbour		Memorial and cemetery Caretakers cottage Hospital building Ag-Research buildings Barracks buildings Animal Quarantine Station Lighthouse WWII Bunkers	Not Listed	Refer District Plan maps
HA07	Petone Recreation Ground Heritage Area	Udy Street and Buick Street		Grandstand Buick Street Gates Kensington Avenue Gates Kirks Avenue Gates and Ticket Office Shelters, north-west side of ground	Not Listed	Refer District Plan maps

Attachment 2: Historic heritage in the Natural Resources Plan for the Wellington Region

The following table sets out the objectives and policies of the Natural Resources Plan for the Wellington region which are of particular relevance to historic heritage.

Reference	Comment
Objective O27	<p><i>Significant historic heritage and its values are protected from inappropriate modification, use and development.</i></p> <p>This objective is similar to Objective 15 in the RPS.</p>
Policy P50	<p><i>Managing adverse effects on sites with significant historic heritage value</i></p> <p><i>More than minor adverse effects on the significant historic heritage values identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds), Schedule E3 (navigation aids), Schedule E4 (archaeological sites) and Schedule E5 (freshwater heritage) shall be avoided, remedied or mitigated by managing activities so that:</i></p> <ul style="list-style-type: none"> <i>(a) significant historic heritage values are not lost, damaged or destroyed,</i> <i>(b) effects are of a low magnitude or scale, or effects are reversible,</i> <i>(c) interconnections and linkages between sites are not significantly altered or lost,</i> <i>(d) previous damage to significant historic heritage values is remedied or mitigated where relevant,</i> <i>(e) previous changes that have significant historic heritage value in their own right are respected and retained,</i> <i>(f) adjacent significant historic heritage values are unlikely to be adversely affected,</i> <i>(g) unique or special materials and/or craftsmanship are retained,</i> <i>(h) the activities do not lead to cumulative adverse effects on historic heritage.</i>

	<p>This policy provides direction for decision makers on activities that may have more than minor adverse effects on historic heritage items identified in Schedule E to the NRP.</p>
Policy P51	<p>Appropriate demolition or removal</p> <p><i>Demolition, partial demolition or removal of a structure with significant historic heritage value identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds), Schedule E3 (navigation aids), or Schedule E5 (freshwater heritage) is inappropriate except where:</i></p> <p>(a) <i>the structure:</i></p> <p>(i) <i>is substantially damaged by fire or natural hazard, or</i></p> <p>(ii) <i>poses a significant risk to human safety, and</i></p> <p>(iii) <i>it is not reasonably practicable to repair it; [...]</i></p> <p>This policy provides direction for decision makers with respect to the demolition or removal of historic heritage structures identified in Schedule E to the NRP, noting that this is inappropriate except in the circumstances noted.</p>
Rule R190	<p>Maintenance or repair or alteration of structures in Schedule E1, Schedule E2, and Schedule E3 – permitted activity</p> <p>This rule provides for the maintenance, repair, or alteration of identified heritage structures, wharves and boatsheds, and navigation aids as a permitted activity, subject to conditions that include using the same or similar materials in texture, form profile, design, and appearance.</p> <p>This rule applies in the coastal marine area only.</p>
Rule R191	<p>Additions or alterations to structures identified in Schedule E1 or Schedule E2 – restricted discretionary activity</p> <p>This rule provides that additions or alterations to identified heritage structures, wharves and boatsheds that are not a permitted activity are a restricted discretionary activity.</p> <p>This rule applies in the coastal marine area only.</p>

Rule 192	<p>Additions to structures identified in Schedule E3 – permitted activity</p> <p>This rule provides that additions or alterations to identified heritage navigation aids are a permitted activity, subject to conditions around the purpose and size of the addition.</p> <p>This rule applies in the coastal marine area only.</p>
Rule 193	<p>Additions or alterations to structures identified in Schedule E1, Schedule E2 or Schedule E3 – discretionary activity</p> <p>This rule provides that additions or alterations to identified heritage structures, wharves and boatsheds, or navigation aids that are not a permitted activity or restricted discretionary activity are a discretionary activity.</p> <p>This rule applies in the coastal marine area only.</p>
Rule 194	<p>Removal, demolition or replacement of structures or parts of structures identified in Schedule E1, Schedule E2 or Schedule E3 – discretionary activity</p> <p>This rule provides that removal, demolition, or replacement of identified heritage structures, wharves and boatsheds, or navigation aids is a discretionary activity.</p> <p>This rule applies in the coastal marine area only.</p>
Schedule E1	<p>Historic heritage structures</p> <p>This schedule sets out the historic heritage structures that are subject to rules R190, R191, R193, and R194.</p> <p>The sites in this schedule that are located adjacent to or within the Lower Hutt City territorial boundary are set out in the table below.</p>
Schedule E2	<p>Historic heritage wharves and boatsheds</p> <p>This schedule sets out the historic heritage wharves and boatsheds that are subject to rules R190, R191, R193, and R194.</p> <p>The sites in this schedule that are located adjacent to or within the Lower Hutt City territorial boundary are set out in the table below.</p>

Schedule E3	<p>Historic heritage navigation aids</p> <p>This schedule sets out the historic heritage navigation aids that are subject to rules R190, R192, R193, and R194.</p> <p>The sites in this schedule that are located adjacent to or within the Lower Hutt City territorial boundary are set out in the table below.</p>
Schedule E4	<p>Archaeological sites</p> <p>This schedule sets out archaeological sites within the region. The items in the schedule are not subject to any rules in the regional plan.</p> <p>The sites in this schedule that are located adjacent to or within the Lower Hutt City territorial boundary are set out in the table below.</p>
Schedule E5	<p>Historic heritage freshwater sites</p> <p>This schedule sets out sites and structures located within the beds of lakes and rivers that have significant historic heritage values. The items in the schedule are not subject to any rules in the regional plan.</p> <p>The sites in this schedule that are located adjacent to or within the Lower Hutt City territorial boundary are set out in the table below.</p>

The following table sets out the items that are identified in Schedule E: Historic Heritage Items of the Natural Resources Plan for the Wellington region that are located within or adjacent to the Lower Hutt City territorial boundary.

Name	Location	Included in PDP Schedule?	Comments
Schedule E1: Historic heritage structures			
Skerrett Boatshed	Lowry Bay, Eastbourne	Yes	Part located within coastal marine area; part located within territory.

Schedule E2: Historic heritage wharves and boatsheds

Days Bay Wharf	Days Bay, Eastbourne	Yes	Part located within coastal marine area; part located within territory.
Petone Wharf	Petone	Yes	Part located within coastal marine area; part located within territory.
Point Howard Wharf	Point Howard, Seaview	No	The wharf has been demolished.
Rona Bay Wharf	Rona Bay, Eastbourne	Yes	Part located within coastal marine area; part located within territory.

Schedule E3: Historic heritage navigation aids

Pencarrow Head Lighthouse	Pencarrow Head	No	Located within territory (not located within coastal marine area). Located within East Harbour Regional Park.
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Schedule E4: Archaeological sites

Halcione Shipwreck (1896)	Fitzroy Bay	No	Located entirely within the coastal marine area.
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Devon Shipwreck (1913)	Pencarrow Head	No	Located entirely within the coastal marine area.
Hinds Point Wharf	Hinds Point	No	Archaeological remains. Not identified in Schedule E4, but identified on maps. Part located within coastal marine area; part located within territory.
Defender Shipwreck (1918)	Mokopuna Island	No	Located entirely within the coastal marine area.
Schedule E5: Historic heritage freshwater sites			
Big Huia Creek Intake	Big Huia Creek, Upper Orongorongo Catchment	No	Located on land vested in Wellington Regional Council for water supply and recreation purposes.
Korokoro Dam	Korokoro Stream, Belmont Regional Park, Petone	Yes	Located in Belmont Regional Park.
Little Huia Creek Intake	Little Huia Creek, Upper Orongorongo Catchment	No	Located on land vested in Wellington Regional Council for water supply and recreation purposes.

Morton Dam	Wainuiomata River, Reservoir Road, Wainuiomata	Yes	Located on land vested in Wellington Regional Council for water supply and recreation purposes.
Orongorongo River Weir & Intake	Orongorongo River (Upper Catchment)	No	Located on land vested in Wellington Regional Council for water supply and recreation purposes.
Orongorongo Water Supply Tunnel #1, East Portal	Orongorongo River (Upper Catchment)	No	Located on land vested in Wellington Regional Council for water supply and recreation purposes.
Orongorongo Water Supply Tunnel #1, West Portal	Orongorongo River (Upper Catchment)	No	Located on land vested in Wellington Regional Council for water supply and recreation purposes.
Orongorongo Water Supply Tunnel #2, East Portal	Orongorongo River (Upper Catchment)	No	Located on land vested in Wellington Regional Council for water supply and recreation purposes.
Orongorongo Water Supply Tunnel #2, West Portal	Reservoir Road, Wainuiomata	No	Located on land vested in Wellington Regional Council as general purpose reserve.

Petone Woollen Mills Weir	Korokoro Stream, Belmont Regional Park, Petone	No	Located in Belmont Regional Park.
Telephone Creek Intake	Telephone Creek, Upper Orongorongo Catchment	No	Located on land vested in Wellington Regional Council for water supply and recreation purposes.
Wainuiomata Waterworks Dam	Wainuiomata River, Reservoir Road, Wainuiomata	No	Located on land vested in Wellington Regional Council for water supply and recreation purposes.

Attachment 3: Advice on legal requirements for listing a heritage building or structure in the District Plan (DLA Piper, January 2023)



Our ref: 1413453

27 January 2023

Emily Campbell
Pou Whakamahere Kaupapa Here
Hutt City Council
By email

Dear Emily

LEGAL REQUIREMENTS FOR LISTING A HERITAGE BUILDING OR STRUCTURE IN THE DISTRICT PLAN

- 1 You have sought advice on the legal requirements under the Resource Management Act 1991 (**RMA**) to recognise and protect buildings and structures of historic heritage in the Hutt City District Plan (**District Plan**). In particular, you have asked us to address the approach of Council seeking the owner's agreement to any District Plan listing of historic heritage (ie, the validity of listing based on whether the owner 'voluntarily' agrees). The context of this advice is to assist the current District Plan review process, which includes a heritage review being conducted by experts/specialists. This review is likely to result in recommended changes to the listed heritage in the District Plan.
- 2 The District Plan lists heritage buildings and structures (including areas containing buildings and structures) in the Chapter 14F Appendices. Listed buildings and structures are subject to rules, including a requirement for resource consent for demolition or relocation and some alterations.¹ Minor alterations, repairs, and redecoration, or internal works, are generally permitted.² We understand there are currently around 100 buildings/structures listed as historic heritage, as well as three historic heritage areas. Chapter 14E of the District Plan lists significant cultural resources and significant

¹ 14F 2.2 and 2.3 of the District Plan.

² 14F 2.1 of the District Plan.

archaeological sites, which are also 'historic heritage' in RMA terms.³ Resource consent is required where any activity or site development is to occur on listed significant cultural or archaeological resources.⁴

- 3 We provided previous advice to Council on a similar topic on 3 November 2011. We have drawn on that advice as appropriate.

Summary

- 4 In summary, our views are:

- 4.1 In deciding whether to add\remove buildings from the list of historic heritage in the District Plan, Council must consider the statutory requirements for a plan change in the RMA, summarised in Appendix A to this advice. These relevantly include:
- 4.1.1 the requirement to recognise and provide for the protection of historic heritage from inappropriate subdivision, use, and development as a matter of national importance;⁵
 - 4.1.2 whether the building or structure is listed on the New Zealand Heritage List/Rārangī Kōrero (NZHL);⁶
 - 4.1.3 the requirement to give effect to any regional policy statement, in this case the Greater Wellington Regional Policy Statement (RPS).⁷ Policy 21 sets out the criteria which must be applied to determine whether an item shall be identified in a district plan as a place, site or area with significant historic heritage values that contribute to an understanding and appreciation of history and culture.
- 4.2 The key consideration for Council should be whether the building or structure meets the threshold for inclusion in the historic heritage list, after applying the relevant criteria set out in Policy 21 of the RPS. That assessment should be based on expert advice.
- 4.3 We could not locate any case law stating that the listing of any specific heritage building or structure in the District Plan is *mandatory* for Council (ie, listing *must* be undertaken by Council). A common practice of councils is to list in the District Plan those buildings which are already listed on the NZHL given the

³ Section 2 of the RMA definition of 'historic heritage' includes archaeological sites and sites of significance to Māori.

⁴ 14E 2.2 of the District Plan.

⁵ Sections 6(f) and 74(1)(b) of the RMA.

⁶ Section 74(2)(b)(iia) of the RMA.

⁷ Section 75(3)(c) of the RMA.

detailed heritage assessment usually involved in that NZHL listing. This is not a legal requirement, but rather is a matter of practice. However, often District Plan listings do not exactly match the NZHL listings.

- 4.4 Council adopting an approach of only listing a building or structure as historic heritage in the District Plan where the owner 'voluntarily' agrees to it, despite an assessment that it meets the criteria for inclusion in the list as historic heritage, would not comply with the requirements of the RMA. While many owners may not support or agree to additional heritage controls being placed on their land/buildings, Council is obliged to take into account matters of national importance and give effect to the RPS when undertaking a plan change.
- 4.5 The interests and preferences of an owner (as well as other considerations such as economic viability, public safety, and alternative uses of a building or structure) can be considered at the resource consent stage, should one be subsequently applied for after a building or structure is listed. An owner can also request the Environment Court to remove a heritage listing by demonstrating that the listing makes the building/structure incapable of reasonable use and places an unfair and unreasonable burden on them.⁸

5 We set out our detailed analysis below.

WHAT ARE THE LEGAL REQUIREMENTS?

- 6 There is substantial case law relating to heritage buildings and the appropriateness of protecting heritage through a District Plan. The primary means for giving effect to the recognition of historic heritage is to include items of historic heritage in the District Plan. The secondary step after identifying listed heritage items are the rules relating to what constraints are in place to protect that heritage. We understand your present question concerns a plan change to add or remove buildings from the heritage list.
- 7 We set out in Appendix A the mandatory considerations for a plan change⁹ summarised by the Environment Court in *Colonial Vineyard v Marlborough District Council*¹⁰, *Cabra Rural Developments Ltd v Auckland Council*¹¹, and more recently *Edens v Thames Coromandel District Council*¹². Council must apply these considerations when deciding whether to list a building or structure as historic heritage in the District Plan.
- 8 Most relevantly when dealing with historic heritage, when deciding to change the District Plan to add or remove buildings, Council must:

⁸ Section 85 of the RMA.

⁹ Noting that from 19 April 2017, district plans must also give effect to relevant national planning standards.

¹⁰ *Colonial Vineyard v Marlborough District Council* [2014] NZEnvC 55 at [17], updating the summary from *Long Bay-Okura Great Park Society v North Shore City Council*, EnvC Auckland, 16/7/2008 A78/08 at [34].

¹¹ *Cabra Rural Developments Ltd v Auckland Council* [2018] NZEnvC 90 at [279].

¹² *Edens v Thames Coromandel District Council* [2020] NZEnvC 013, at [11].

- 8.1 act in accordance with Part 2 of the RMA, which requires¹³ Council to recognise and provide for the protection of historic heritage from inappropriate subdivision, use, and development as a matter of national importance;¹⁴
- 8.2 have regard to any relevant entry on the NZHL;¹⁵
- 8.3 give effect to¹⁶ the RPS.¹⁷
- 9 While a number of the provisions of the RPS are relevant to historic heritage,¹⁸ Policy 21 is key to the question of whether a place should be listed in the District Plan as historic heritage. Policy 21 sets out the criteria which should be applied by Council to determine whether an item shall be identified as a place, site or area with significant historic heritage values that contribute to an understanding and appreciation of history and culture. Policy 21 seeks to ensure significant historic heritage resources are identified in a consistent way.¹⁹ These criteria must be applied and assessed by Council in giving effect to the RPS.²⁰
- 10 When determining whether to list a building as historic heritage in the District Plan, Council should consider all relevant statutory considerations and base any decision on the listing on an objective assessment of the heritage value of the place assessed against the relevant criteria from the RPS, taking into account any expert advice. Whether Council is satisfied that the building or structure meets the relevant RPS criteria for inclusion in the District Plan as historic heritage should be the primary focus.

IS A VOLUNTARY APPROACH TO LISTING PERMISSIBLE?

- 11 We could not locate any case law stating that the listing of any specific heritage building or structure is *mandatory* for Council (ie, listing must be undertaken by Council). A common practice of councils is to list in the District Plan those buildings which are listed on the NZHL given the detailed heritage assessment usually involved in that NZHL listing. This is

¹³ Noting caselaw commentary that section 6 matters can be likened to a duty upon Council: *Royal Forest and Bird Protection Society of New Zealand Inc v New Plymouth District Council* [2015] NZEnvC 219, [64]; *Environmental Defence Society v New Zealand King Salmon Company Limited* 17 (2014) ELRNZ 442 (SC).

¹⁴ Sections 6(f) and 74(1)(b) of the RMA.

¹⁵ Section 74(2)(b)(iia).

¹⁶ As stated in *Environmental Defence Soc Inc v The New Zealand King Salmon Co Ltd* [2014] NZSC 38, [77]: “Give effect to” simply means “implement”. On the face of it, it is a strong directive, creating a firm obligation on the part of those subject to it.” See also *Port Otago Ltd v Environmental Defence Society Inc* [2021] NZCA 638.

¹⁷ Section 75(3)(c) of the RMA.

¹⁸ Policy 21 and 22, Table 2: Coastal environment, Objective 3, Table 5: Historic heritage, Objective 15, Methods 1, 2, 20 & 32 Also see policies 4, 6, 23, 25, 27, 30, 31, 36, 48, 49 & 53.

¹⁹ Page 103 of the RPS.

²⁰ *Architectural Centre v Wellington City Council* [2017] NZEnvC 116, [29].

not a legal requirement, but is rather a matter of practice. However, often District Plan listings do not exactly match the NZHL listings.

- 12 There is no legal basis for Council to adopt a policy of only listing a heritage building in the District Plan where the owner agrees to that listing. The preference of the owner, and any effect of the listing on the value of the property, are not relevant considerations under the RMA when deciding whether a place has heritage values that warrant it being listed. Such considerations are not mentioned in the RPS criteria in Policy 21.
- 13 As the listing of a building in the District Plan places additional controls and constraints on what the owners can do with their building, it is unlikely that many building owners will 'volunteer' for their buildings to be subject to these additional controls by listing the building or structure. Most owners will avoid additional regulatory controls if possible. It is unlikely that only listing buildings and structures where the owners agree to the listing would therefore meet the Council's requirements of section 6(f) of the RMA or give effect to the RPS to achieve protection of historic heritage in the city of Lower Hutt.
- 14 The introduction of places onto the heritage list in the District Plan must be undertaken by Council on the basis of a robust assessment against the relevant criteria and the mandatory considerations relevant for a plan change.
- 15 There is a potential impact of Council choosing not to list a building/structure that meets the criteria for listing, but for the position of the landowner. If a place is not listed in the District Plan, but is historic heritage, then adverse heritage effects *could* be relevant to the determination of any resource consent application,²¹ and depending on the circumstances section 6(f) of the RMA *might* also be considered.²² However, no resource consent will be required under any heritage rules if the place is not listed, so it may be that activities such as demolition of a building (which is not listed but is historic heritage) would be permitted and would not require a resource consent. If a resource consent is required under other rules of the District Plan, discretion/control may be restricted to matters that do not include historic heritage, and/or the application might be required to be processed without notification. There is accordingly no guarantee that the effects of an activity on heritage values of an unlisted building will subsequently be considered, and accordingly demolition or an activity which might affect those heritage values is a real prospect.
- 16 This potential outcome highlights why a listing in the District Plan of those buildings and structures which meet the relevant criteria assists in achieving 'the protection of historic heritage from inappropriate subdivision, use, and development'.

²¹ For example, cases considering adverse effects to an area not listed as heritage in the district plan include: *New Zealand Transport Agency v Architectural Centre Inc* [2015] NZHC 1991, [354]; *Waterfront Watch Inc v Wellington City Council* [2012] NZEnvC 74, section 104(1)(a) of the RMA.

²² See *RJ Davidson Family Trust v Marlborough District Council* [2018] NZCA 316 as to when Part 2 might be relevant to a resource consent application.

- 17 Non-heritage matters raised by owners opposing a heritage listing might include public safety, alternative uses, feasibility, and economic cost. These matters could be relevant at the resource consent stage, depending on the applicable objectives and policies and circumstances of the place in question.²³
- 18 It is also open to an affected owner to contend that the listing of the building/structure would make it incapable of reasonable use and place an unfair and unreasonable burden on them pursuant to section 85 of the RMA. That could be raised in their submission/appeal to the Environment Court on a plan change, or through an application to change the plan to the Environment Court under clause 21 of Schedule 1. It is for the owner to raise the point, and prove the basis for it before the Court, rather than for Council to pre-emptively determine that a heritage listing would meet that criteria as part of Council's decision whether that building warrants a heritage listing in technical terms.
- 19 In *Redmond Retail Ltd v Ashburton District Council* [2020] NZEnvC 78, the Environment Court recently found that section 85 of the RMA did not justify taking financial burden or commercial viability into account in considering an application to remove a heritage building from the district plan list. The Environment Court's decision was upheld on appeal in *Redmond Retail Ltd v Ashburton District Council* [2021] NZHC 2887. The High Court on appeal was satisfied that the Environment Court had properly acknowledged that the RMA requires the burden on a private landowner to be in proportion to the public benefit gained from the restriction imposed by a heritage listing in a district plan. The restriction applying under a heritage listing was not intended to be so great as to preclude reasonable use. Equally, the reasonable use does not need to be the landowner's preferred choice nor the best use of the land,²⁴ or provide the 'optimum financial return'.²⁵ Further, the High Court found that the high cost the owner might face in meeting Building Act 2004 or other requirements were not relevant to the test for 'incapable of reasonable use'.²⁶
- 20 Let us know if you have any questions or you would like us to expand on any matter further.

Yours sincerely



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²³ *Lambton Quay Properties Nominee Ltd v Wellington City Council* [2014] NZHC 878; *Tuscany Limited v Christchurch City Council* (2005) NZEnvC 99/205 [74]; economic considerations are within the scope of the purpose of the RMA, section 5.

²⁴ *Redmond Retail Ltd v Ashburton District Council* [2021] NZHC 2887, [49].

²⁵ *Landcorp Ltd v Auckland Council* [2012] NZEnvC 203, [68].

²⁶ *Redmond Retail Ltd v Ashburton District Council* [2021] NZHC 2887, [63]-[65].

APPENDIX A - THE PLAN CHANGE TEST

Extract from *Colonial Vineyard Ltd v Marlborough District Council* [2014] NZEnvC 55, [17]

A. General requirements

1. A district plan (change) should be designed to accord with — and assist the territorial authority to carry out — its functions so as to achieve the purpose of the Act.
2. The district plan (change) must also be prepared in accordance with any regulation (there are none at present) and any direction given by the Minister for the Environment.
3. When preparing its district plan (change) the territorial authority must give effect to any national policy statement or New Zealand Coastal Policy Statement.
4. When preparing its district plan (change) the territorial authority shall:
 - (a) have regard to any proposed regional policy statement;
 - (b) give effect to any operative regional policy statement.
5. In relation to regional plans:
 - (a) the district plan (change) must not be inconsistent with an operative regional plan for any matter specified in section 30(1) or a water conservation order; and
 - (b) must have regard to any proposed regional plan on any matter of regional significance etc.
6. When preparing its district plan (change) the territorial authority must also:
 - have regard to any relevant management plans and strategies under other Acts, and to any relevant entry in the Historic Places Register and to various fisheries regulations to the extent that their content has a bearing on resource management issues of the district; and to consistency with plans and proposed plans of adjacent territorial authorities;
 - take into account any relevant planning document recognised by an iwi authority; and
 - not have regard to trade competition or the effects of trade competition;
7. The formal requirement is that a district plan (change) must also state its objectives, policies and the rules (if any) and may state other matters.

B. Objectives [the section 32 test for objectives]

8. Each proposed objective in a district plan (change) is to be evaluated by the extent to which it is the most appropriate way to achieve the purpose of the Act.

C. Policies and methods (including rules) [the section 32 test for policies and rules]

9. The policies are to implement the objectives, and the rules (if any) are to implement the policies;
10. Each proposed policy or method (including each rule) is to be examined, having regard to its efficiency and effectiveness, as to whether it is the most appropriate method for achieving the objectives of the district plan taking into account:

(i) the benefits and costs of the proposed policies and methods (including rules); and

(ii) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods; and

(iii) if a national environmental standard applies and the proposed rule imposes a greater prohibition or restriction than that, then whether that greater prohibition or restriction is justified in the circumstances.

D. Rules

11. In making a rule the territorial authority must have regard to the actual or potential effect of activities on the environment.

12. Rules have the force of regulations.

13. Rules may be made for the protection of property from the effects of surface water, and these may be more restrictive than those under the Building Act 2004.

14. There are special provisions for rules about contaminated land.

15. There must be no blanket rules about felling of trees in any urban environment.

E. Other statutes:

16. Finally territorial authorities may be required to comply with other statutes.

F. (On Appeal)

17. On appeal the Environment Court must have regard to one additional matter — the decision of the territorial authority.

Attachment 4: Additional information requirements for qualifying matters

Area	Why the area is subject to a QM	Why the QM is incompatible with the level of development permitted by the MDRS or Policy 3 of the NPS-UD	Assessment of the impact of limiting development capacity, building height, or density	Assessment of the costs and broader impacts of imposing those limits
<p>Sites with heritage buildings or heritage structures, or sites with contributing buildings in heritage areas that are subject to rules for external alterations, additions, partial demolition, relocation, and total demolition (rules HH-R2, HH-R3, HH-R4, and HH-R5) that potentially limit the development capacity of those sites.</p>	<p>The protection of historic heritage from inappropriate subdivision, use, and development is a QM under section 771(a) of the RMA and clause 3.32(1)(a) of the NPS-UD.</p>	<p>The MDRS requires that the construction of or alteration to residential units are a permitted activity subject to standards, and Policy 3 requires development of at least 6 storeys to be enabled within the areas subject to the policy.</p> <p>Without the limits on development imposed by rules HH-R2, HH-R3, HH-R4, and HH-R5 for heritage buildings, heritage structures, and contributing buildings in heritage areas, heritage</p>	<p>Controlling alterations, additions, relocation, and demolition of heritage buildings, heritage structures, and contributing buildings in heritage areas may result in reduced development capacity on these sites compared to similar sites where there are no limitations on the modification, relocation, or demolition of existing buildings on the site. This is because any development proposals would need to accommodate the existing</p>	<p>The proportion of land area subject to the heritage provisions is 0.8% of the total area of the residential, centres, and mixed use zones subject to the MDRS and Policy 3 of the NPS-UD.</p> <p>The costs and broader impacts of imposing these limits on achieving sufficient development capacity across the city will be minor, on the basis that the provisions impact only a minor proportion of the total area of land that</p>

Area	Why the area is subject to a QM	Why the QM is incompatible with the level of development permitted by the MDRS or Policy 3 of the NPS-UD	Assessment of the impact of limiting development capacity, building height, or density	Assessment of the costs and broader impacts of imposing those limits
		buildings, heritage structures, or contributing buildings could be modified or destroyed without regard to the effects of this on historic heritage values. This would be contrary to the need to protect historic heritage values from inappropriate subdivision, use, and development.	heritage building, heritage structure, or contributing building on the site.	is subject to the MDRS and Policy 3 of the NPS-UD.
Sites with heritage buildings or heritage structures, or in heritage areas that are subject to rules for new buildings (rules	The protection of historic heritage from inappropriate subdivision, use, and	The MDRS require that the construction of new buildings for residential units is a permitted activity, subject to standards. Rules HH-R6	Requiring resource consent for new buildings on sites with heritage buildings or heritage structures, or on sites in heritage areas, may limit	The proportion of land area subject to the heritage provisions is 0.8% of the total area of the residential, centres, and mixed use zones subject to

Area	Why the area is subject to a QM	Why the QM is incompatible with the level of development permitted by the MDRS or Policy 3 of the NPS-UD	Assessment of the impact of limiting development capacity, building height, or density	Assessment of the costs and broader impacts of imposing those limits
HH-R6 and HH-R7) that could limit the development capacity of those sites.	development is a QM under section 77I(a) of the RMA and clause 3.32(1)(a) of the NPS-UD.	and HH-R7 impose limits on this by making new buildings on sites with a heritage building, heritage structure, or in a heritage area a restricted discretionary activity, to enable the relationship between new buildings and existing heritage buildings, heritage structures, or contributing buildings in heritage areas to be considered as part of a resource consent application. Providing for new buildings as a permitted activity	the development capacity of these sites in certain circumstances, particularly where this restricts or precludes the development of part of a site because of the impact that this may have on historic heritage values.	the MDRS and Policy 3 of the NPS-UD. The costs and broader impacts of imposing these limits on achieving sufficient development capacity across the city will be minor, on the basis that the provisions impact only a minor proportion of the total area of land that is subject to the MDRS and Policy 3 of the NPS-UD.

Area	Why the area is subject to a QM	Why the QM is incompatible with the level of development permitted by the MDRS or Policy 3 of the NPS-UD	Assessment of the impact of limiting development capacity, building height, or density	Assessment of the costs and broader impacts of imposing those limits
		<p>would be incompatible with protecting historic heritage values from inappropriate use and development, because new buildings could be established on these sites without regard to those values.</p>		
<p>Sites in the Jackson Street Heritage Area where building height is limited (under standard HH-S1) to less than what is required by Policy 3 of the NPS-UD.</p>	<p>The protection of historic heritage from inappropriate subdivision, use, and development is a QM under section 77I(a)</p>	<p>Policy 3(b) of the NPS-UD requires that building heights of at least 6 storeys is enabled within the Metropolitan Centre Zone (which the Council has generally provided for as 22 metres). Standard HH-S1 limits building height</p>	<p>Standard HH-S1 limits building heights within the Jackson Street Heritage Area to 2 to 3 storeys. Without this standard, building could be developed up to 6 storeys. This means that the provisions would limit the</p>	<p>The total area of sites subject to these standards within the Metropolitan Centre Zone is approximately 5.1ha. This represents 9.6% of the total area of this zone.</p>

Area	Why the area is subject to a QM	Why the QM is incompatible with the level of development permitted by the MDRS or Policy 3 of the NPS-UD	Assessment of the impact of limiting development capacity, building height, or density	Assessment of the costs and broader impacts of imposing those limits
	of the RMA and clause 3.32(1)(a) of the NPS-UD.	to 10 metres in the Jackson Street Heritage Area. Enabling 6-storey buildings within the Jackson Street Heritage Area would be incompatible with the historic heritage values of the area, which are in part derived from the generally consistent scale of 2 to 3 storey buildings within the area.	development capacity of sites in the Jackson Street Heritage Area by half (although this impact would only occur on sites where it would otherwise be feasible to develop to 6-storeys).	The costs and broader impacts of imposing these limits on achieving sufficient development capacity across the city will be minor, on the basis that the provisions impact only a minor proportion of the total area of commercial and mixed use zoned land that is subject to Policy 3 of the NPS-UD.
Sites in the Heretaunga Settlement and Riddlers Crescent	The protection of historic heritage from inappropriate	The MDRS requires that 3-storey buildings be permitted in the Medium Density Residential Zone,	Limiting building height, height in relation to boundary and boundary setbacks is likely to impact	The total area of sites subject to these standards within the High Density Residential Zone is

Area	Why the area is subject to a QM	Why the QM is incompatible with the level of development permitted by the MDRS or Policy 3 of the NPS-UD	Assessment of the impact of limiting development capacity, building height, or density	Assessment of the costs and broader impacts of imposing those limits
<p>Heritage Areas that are subject to building height, height in relation to boundary, and setback standards (standards HH-S1, HH-S2, and HH-S3) that are less than otherwise required by the MDRS or Policy 3 of the NPS-UD.</p>	<p>subdivision, use, and development is a QM under section 771(a) of the RMA and clause 3.32(1)(a) of the NPS-UD.</p>	<p>and Policy 3 of the NPS-UD requires that buildings of at least 6-storeys are enabled in the High Density Residential Zone. Standard HH-S1 limits building height to the height of existing buildings in the Heretaunga Settlement and Riddlers Crescent Heritage Areas, and standards HH-S2 and HH-S3 provide for height in relation to boundary and boundary setbacks that are less enabling of development than</p>	<p>on development capacity because it will limit new development in these areas to being generally 1 to 2 storeys (as opposed to 3 to 6 storeys otherwise required to be provided for by the MDRS and Policy 3 of the NPS-UD).</p>	<p>approximately 3.4ha. This represents 0.3% of the total area of these zones.</p> <p>The costs and broader impacts of imposing these limits on achieving sufficient development capacity across the city will be minor, on the basis that the provisions impact only a minor proportion of the total area of residential zoned land that is subject to the MDRS or Policy 3 of the NPS-UD.</p>

Area	Why the area is subject to a QM	Why the QM is incompatible with the level of development permitted by the MDRS or Policy 3 of the NPS-UD	Assessment of the impact of limiting development capacity, building height, or density	Assessment of the costs and broader impacts of imposing those limits
		<p>otherwise required by the MDRS.</p> <p>The building height, height in relation to boundary, and boundary setback requirements of the MDRS and Policy 3 of the NPS-UD are incompatible with the historic heritage values of the Heretaunga Settlement and Riddlers Crescent Heritage Areas because the historic heritage values of these areas are in part derived from the generally consistent scale</p>		

Area	Why the area is subject to a QM	Why the QM is incompatible with the level of development permitted by the MDRS or Policy 3 of the NPS-UD	Assessment of the impact of limiting development capacity, building height, or density	Assessment of the costs and broader impacts of imposing those limits
		of development in these areas.		
Sites adjacent to sites with a heritage building or heritage structure, where a more restrictive height in relation to boundary standard applies [MRZ-S4 and HRZ-S4].	The protection of historic heritage from inappropriate subdivision, use, and development is a QM under section 77I(a) of the RMA and clause 3.32(1)(a) of the NPS-UD.	Standards MRZ-S4 and HRZ-S4 enable a more lenient height in relation to boundary standard in areas subject to Policy 3 of the NPS-UD, than is otherwise required by the MDRS. This more lenient standard is incompatible on sites adjacent to a heritage building or heritage structure, on the basis of the adverse effects that the dominance of	In lieu of a more lenient height in relation to boundary standard that permits 3-storey development within 1 metre of the boundary, these sites adopt the MDRS height in relation to boundary standard, which permits a 2-storey building within 1 metre of the boundary. This will have the impact of limiting the development	The total area of sites subject to these standards within the Medium Density and High Density Residential Zones is approximately 16.0ha. This represents 0.6% of the total area of these zones. The costs and broader impacts of imposing these limits on achieving sufficient development capacity across the city will be minor, on the basis that the provisions impact

Area	Why the area is subject to a QM	Why the QM is incompatible with the level of development permitted by the MDRS or Policy 3 of the NPS-UD	Assessment of the impact of limiting development capacity, building height, or density	Assessment of the costs and broader impacts of imposing those limits
		buildings that meet this standard may have on the heritage values of the adjacent building or structure.	capacity of these sites by one storey.	only a minor proportion of the total area of residential zoned land that is subject to the MDRS or Policy 3 of the NPS-UD.
Sites in the General Residential Zone and High Density Residential Zone with a heritage building, heritage structure, or which are in a heritage area, where subdivision is a restricted discretionary activity (under rule SUB-R7), instead of being a	The protection of historic heritage from inappropriate subdivision, use, and development is a QM under section 77I(a) of the RMA.	There may be instances where declining a resource consent application for subdivision may be necessary in order protect significant historic heritage values. In such circumstances, subdivision as a controlled activity would be inappropriate.	In circumstances where resource consents are granted, this will have no impact on limiting development capacity. This will only limit development capacity in circumstances where a restricted discretionary activity resource consent for subdivision on a site with a heritage building or	The total area of sites subject to this rule within the Medium Density and High Density Residential Zones is approximately 15.1ha. This represents 0.6% of the total area of these zones. The costs and broader impacts of imposing these limits on achieving sufficient development

Area	Why the area is subject to a QM	Why the QM is incompatible with the level of development permitted by the MDRS or Policy 3 of the NPS-UD	Assessment of the impact of limiting development capacity, building height, or density	Assessment of the costs and broader impacts of imposing those limits
controlled activity (as required by the MDRS).			heritage structure, or in a heritage area, is declined.	capacity across the city will be minor, on the basis that the provisions impact only a minor proportion of the total area of residential zoned land that is subject to the MDRS.

With respect to assessing the costs and broader impacts of imposing the limits associated with the qualifying matter (described in the table above), the following table summarises the total area of parcels with heritage buildings and structures on them, or that are within heritage areas, as a proportion of the total area of each relevant zone.

Zone	Total Zone area (hectares, approx.)	Total area of parcel that contain a heritage building or structure, or that are within a heritage area (hectares, approx.)	Proportion of total Zone area
Medium Density Residential Zone (MRZ)	1,553ha	4.9ha	0.3%
High Density Residential Zone (HRZ)	1,057ha	10.2ha	1.0%
City Centre Zone (CCZ)	58ha	1.0ha	1.7%
Metropolitan Centre Zone (MCZ)	53ha	6.1ha	11.5%
Local Centre Zone (LCZ)	39ha	0.1ha	0.3%
Mixed Use Zone (MUZ)	97ha	0.5ha	0.5%
Total	2,857ha	22.8ha	0.8%