



17 October 2022

File ref: NA FN DP

Proposed District Plan
Strategic Planning and Policy
Far North District Council
Private Bag 752
Kaikohe 0440
pdp@fndc.govt.nz

Kerikeri Service Centre
21 OCT 2022

Dear Sir / Madam

**SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA
ON PROPOSED FAR NORTH DISTRICT PLAN**

TO: Far North District Council**FROM:** Heritage New Zealand Pouhere Taonga

1. This is a submission by Heritage New Zealand Pouhere Taonga ("HNZPT") on the Proposed Far North District Plan ("PDP") as it relates to Historical and Cultural Values Part 2 – District-Wide Matters and Part 3 Area-Specific Matters and all its constituent parts.
2. HNZPT is an autonomous Crown Entity with statutory responsibilities under the Heritage New Zealand Pouhere Taonga Act 2014 ("HNZPTA") for the identification, protection, preservation and conservation of New Zealand's historical and cultural heritage. Most protective mechanisms for land-based historic heritage are administered by local authorities through their District Plan policies and heritage listings under the Resource Management Act 1991 ("RMA"), although HNZPT retains regulatory responsibilities regarding archaeological sites.
3. HNZPT's submission on the Proposed Far North District Plan is:

Please refer to Appendices A and B.

Appendix B was prepared as feedback on heritage area overlays in the Draft Proposed District Plan and now forms a part of the HNZPT submission to the extent that the matters it dealt with remain unresolved. Council's response to this feedback is outlined in the PDP Section 32 Report: Historical Heritage & Heritage Area Overlay (May 2022).¹

4. The purpose of the following is to provide support in principle / context for the PDP Historical and Cultural Values provisions with which to frame the specific comments contained in Appendix B and in the Appendix A table that follows.

¹ <https://www.fndc.govt.nz/files/7e6b8d51-44d2-47c6-a9db-a6c0eb76aa42/Section-32-Historic-Heritage-and-Heritage-Areas.pdf> Accessed 17/09/2022.

- HNZPT supports the Far North Proposed District Plan hybrid-plan (“PDP”) having particular regard to the recent Whāngarei District Plan (“WDP”) Appeals Version: Historical Heritage (HH) chapter (PC 124) and the Proposed Regional Plan for Northland (August 2022) Appeals Version: Historical Heritage. This is in addition to development of the Exposure Draft Kaipara District Plan (2022): Historical Heritage chapter (“DKDP”) and the Auckland Unitary Plan Operative in Part (15 November 2016): Historic Heritage and Special Character Overlay (“AUP”) provisions, amongst those matters to be considered by a territorial authority in preparing its district plan under the RMA.²
- HNZPT supports the PDP having regard to relevant entries on the New Zealand Heritage List/Rārangī Kōrero and to the Sustainable Management of Historic Heritage Guidance Series: Guide to the Management of Historic Heritage: District Plans (April 2022).³ The guide is high-level and non-statutory. It has been published while the RMA is being reviewed and will be amended and replaced as the RMA review progresses. The provisions are expected to be utilised as circumstances require.
- HNZPT supports the addition of four new heritage items in the PDP in addition to the scheduled heritage resources of the Operative District Plan (“ODP”) Schedule. The four additional heritage resources were those added to the New Zealand Heritage List/Rārangī Kōrero (#9519, #3839, #9925, #9985) under the HNZPTA.
- HNZPT supports the scheduling of significant historic heritage places and areas, the inclusion of these places and areas within a Schedule and Spatial Map Layers with electronic functionality, and subjecting places and areas to objectives, policies and rules intended to protect and enhance historic heritage.
- Consolidated District-wide historic heritage; heritage area overlays; sites of significance to Māori chapters and an Area-specific Kororāreka Russell Township Special Purpose Zone together with provisions from other District Plan chapters and a glossary (Definitions) of heritage-related terms provides for improved consistency of interpretation and use.

Yours sincerely



Sherry Reynolds
 Director Northern
 c/- Northland Area Office Heritage New Zealand Pouhere Taonga
 21 Hobson Ave
 PO Box 836
 Kerikeri 0245
 PH: (64 09) 407 0470. DDI: (64 09) 407 0471.

² s74(2)(c), RMA.

³ s74 (2)(b)(ia), RMA.

<https://www.heritage.org.nz/resources/sustainable-management-guides> Accessed 15 September 2022.

APPENDIX A

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan (Strike: abc =delete and underline: <u>abc</u> = addition)			
Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
All of the Proposed Far North District Plan as it deals with historic heritage. Including heritage area overlays; Kororāreka Russell Township Zone; Sites and Areas of Significance to Māori	Support in principle	<p>The Proposed Plan is required to recognise and provide for the matters of national importance, in particular 6(f) <i>“the protection of historic heritage from inappropriate subdivision, use and development”</i> and s6(e) <i>“the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.”</i></p> <p>HNZPT considers that the hybrid-plan format of the Proposed Plan, that includes: the identification of historic heritage; heritage area overlays; Kororāreka Russell Township Zone and Sites and Areas of Significance to Māori issues (Overview), objectives, policies and rules each within a Section of the plan, is of assistance to the reader in understanding the background and reasons for the rules.</p>	<p>That the historic heritage; heritage area overlays; Kororāreka Russell Township Zone and Sites and Areas of Significance to Māori chapters, the inclusion of places and areas within a Schedule and Spatial Map Layers, and subjecting places and areas to objectives, policies and rules intended to protect and enhance historic heritage be retained.</p> <p style="text-align: right;">S409.001 to S409.018</p>
Chapter HH. Historic heritage Overview	Support in part	<p>HNZPT supports the inclusion of a separate explanatory sub-section within the historic heritage chapter relating to issues (Overview).</p> <p>In particular, the wording that: <i>While this chapter only has Rules for Scheduled heritage resources, consideration of non-scheduled resources can occur at the time of processing a resource consent, or when undertaking earthworks.</i></p> <p>In the context of protecting historic heritage, the overall Section 6(f) RMA evaluation is not simply a matter of considering effects on listed historic heritage in a Plan but is broader and encompasses effects upon historic heritage generally in decision-making as such effects are part of the</p>	<p>That the HH. Sub-section containing issues (Overview) be retained but amended with wording (or words to the effect of):</p> <p><i>“While this chapter only has Rules for Scheduled heritage resources <u>and dry stone walls of historic value that are not individually scheduled but are subject to blanket protection</u>, consideration of non-scheduled resources can occur at the time of processing a resource consent, or when undertaking earthworks.”</i></p>

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan

(Strike: ~~abc~~ =delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
		<p>cumulative picture through consideration of the character and significance of the whole wide heritage area.⁴ Historic heritage includes those items Scheduled by Council and heritage yet to be identified and / or assessed.</p> <p>Reference should also be made to the blanket protection of dry stone walls in this wording consistent with the Whāngarei District Plan (“WDP”) Appeals Version: Historical Heritage (HH) Issues wording for consistency to enable their protection as outlined in this submission.</p> <p>It is noted that cultural landscapes are dealt with under the Heritage area overlays section of the PDP.</p> <p>However, the last paragraph is not proactive for scheduling purposes as was outlined in Appendix B of this submission for the Draft PDP. HNZPT considers that it is appropriate to <u>proactively</u> ensure that there is a systematic and on-going programme by council over time to review the Schedule with a view to assessing and scheduling more places and areas rather than what can become a ‘one time only’ upon Proposed Plan notification approach. Too much priority can also be placed upon additions to the HNZPT New Zealand Heritage List/Rārangi Kōrero. However, HNZPT do not have the same level of resources or capabilities for the district as the Council does.</p> <p>This proactive approach is consistent with the Whāngarei District Plan (“WDP”) Appeals Version: Historical Heritage (HH) chapter wording. It is also consistent with the Exposure Draft Kaipara District Plan: Historical Heritage (“DKDP”) Sites and areas of significance to Māori Overview Proposed Plan chapter whereby: <i>Council will continually develop the</i></p>	<p>That the HH. sub- section containing issues (Overview) be retained but amended with wording (or words to the effect) of:</p> <p><i>“Due to the scale of Historic Heritage within the District, it is not financially viable to identify all Heritage Resources, and for cultural reasons some resources should not be formally identified (e.g., urupā/burial grounds). Council will continue to where possible, work with other government agencies (e.g., Heritage New Zealand Pouhere Taonga), tangata whenua and the public to identify valued Heritage Resources and schedule them in the District Plan.</i></p> <p><i>“In identifying historic heritage for protection within the District, Council’s emphasis is on historic heritage already listed by Heritage New Zealand Pouhere Taonga; sites and areas of significance to Māori identified by iwi/hapu; and locally, regionally and potentially nationally significant items identified by Council as part of a staged programme in conjunction with the Northland Regional Council. However, Council also envisages this formal process being off-set by additional, more modern approaches to recording, relating and celebrating the stories and events of the past, including non-statutory methods such as a heritage fund, heritage</i></p>

⁴ *New Zealand Transport Agency v Architectural Centre Incorporated & Ors* [2015] NZHC 1991 at paragraphs [353-355], [375], [382], [388] and [389].

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan			
(Strike: abc =delete and underline: <u>abc</u> = addition)			
Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
		<p><i>database on sites and areas of significance to Māori as a working document.</i></p> <p>It will also reference the 10 year Arts, Culture and Heritage Strategy currently being developed for Far North.</p> <p>Mention of a heritage fund supports PDP HH-P9.</p> <p>Including ArchSite as an information layer within the GIS system can help identify when an archaeological authority may be required before undertaking any work. It supports HH-P8 and HH-P11.</p> <p>This is consistent with the HNZPT non-statutory Sustainable Management of Historic Heritage Guidance Series: Guide to the Management of Historic Heritage: District Plans (April 2022).⁵</p>	<p><i>trails and information plaques in accordance with the Arts, Culture and Heritage Strategy for Far North.</i></p> <p><i>Council will also include ArchSite, the online version of the New Zealand Archaeological Association's Site recording Scheme, as an information Map Layer tool within the GIS system. This will help users to assess when an archaeological authority may be required from Heritage New Zealand Pouhere Taonga, although not all sites will be identified on it as the District has not been systematically surveyed; there will be previously unknown sites; and many sites have not yet been 'ground truthed'."</i></p> <p style="text-align: right;">S409.019</p>
Chapter HH. Historic heritage Objectives	Support in part	<p>HNZPT supports the Historic Heritage Objectives where they are consistent with the HNZPT non-statutory Sustainable Management of Historic Heritage Guidance Series: Guide to the Management of Historic Heritage: District Plans (April 2022) recommended Objectives.</p> <p>As indicated in Appendix B, HNZPT is concerned about the protection of Dry Stone Walls. There are a number of locations in the district where historic (pre-1900) stone walls are prevalent, for example the Edmonds Ruins area, Pakaraka, west of Kaikohe, State Highway One near Okaihau, Oromahoe and Kerikeri.</p> <p>A specific Objective to recognise their importance would be appropriate. Wording could be consistent with HH-BH-03 and HH-BH-P12 – Dry Stone</p>	<p>That the HH. Objectives and Policies be retained but expanded with wording (or words to the effect) of:</p> <p><i>"HH-04 Dry stone walls of historic, cultural, amenity and landscape value to the community are maintained and protected throughout the district."</i></p> <p style="text-align: right;">S409.020</p>

⁵ <https://www.heritage.org.nz/resources/sustainable-management-guides> p.10

Accessed 01 September 2022.

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan

(Strike: ~~abc~~ =delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
		Walls in the Whāngarei District Plan (“WDP”) Appeals Version: Historical Heritage (HH) chapter.	
Chapter HH. Historic heritage Policies	Support in part	<p>Notwithstanding the scope of the proposed Activity Status to consider potential effects and involvement by HNZPT as an Affected Party, PDP HH-P5 should reference the need for the involvement of a suitably qualified and experienced heritage professional.</p> <p>PDP HH-P8 and HH-P11 relies in part upon the EW-S3 Standard Accidental Discovery protocol for earthworks that triggers engagement with HNZPT and confirmation of the need or otherwise for an archaeological authority that will require an assessment. Mention of consultation with HNZPT generally would be useful and consistent with its inclusion in HH-P11 and HH-P15.</p> <p>HH-P13 should explicitly reference the need for the involvement of a suitably qualified and experienced heritage professional.</p> <p>A specific Policy to recognise the importance of Dry Stone Walls would be appropriate. Wording could be consistent with HH-BH-P12 – Dry Stone Walls in the Whāngarei District Plan (“WDP”) Appeals Version: Historical Heritage (HH) chapter.</p>	<p>That HH-P5 be amended with wording (or words to the effect) of:</p> <p><i>“Avoid the demolition or destruction of scheduled heritage resources, unless:</i></p> <p><i>a. The demolition or destruction is only part of the scheduled Heritage resource and it is demonstrated <u>by a suitably qualified and experienced heritage professional</u> that the part to be demolished or destroyed does not detract from the Heritage Resources values; or”</i> S409.021</p> <p>That HH-P8 be amended with wording (or words to the effect) of:</p> <p><i>“d. avoidance of archaeological sites; and</i></p> <p><i>e. need for small-scale earthworks for burials within an existing cemetery or for landscaping within historic heritage sites and places; <u>and</u></i></p> <p><i>f. any consultation undertaken with Heritage New Zealand Pouhere Taonga</i> S409.022</p> <p>That HH-P13 be amended with wording (or words to the effect) of:</p>

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan

(Strike: ~~abc~~ =delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
			<p><i>"d. the adverse effects on the heritage values of the scheduled Heritage Resource or Heritage Overlay are minimised <u>when assessed by a suitably qualified and experienced heritage professional.</u>"</i> S409.023</p> <p>That HH-P16 be added with wording (or words to the effect) of:</p> <p><i><u>HH-P16 Protect dry stone walls of historical, cultural and amenity value to the community through:</u></i></p> <ol style="list-style-type: none"> 1. <i><u>Blanket protection of dry stone walls throughout the District.</u></i> 2. <i><u>Providing information and advice to the public, including Geographic Information Systems information on the location of protected dry stone walls.</u></i> 3. <i><u>Discouraging planting close to dry stone walls.</u></i> 4. <i><u>Encouraging proactive and appropriate maintenance.</u></i> 5. <i><u>Recommending consultation with Heritage New Zealand where dry stone walls are estimated to have been constructed prior to 1900 or their age is in doubt.</u></i> 6. <i><u>Limiting works affecting existing dry-stone walls, other than:</u></i> <ol style="list-style-type: none"> a. <i><u>Repairs or maintenance in situ using traditional methods, design and materials.</u></i> b. <i><u>Removal of up to 6m length of wall for access purposes only, where no alternative access exists."</u></i> S409.024

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan

(Strike: ~~abc~~ =delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
Chapter HH. Historic heritage Rules and Rules HH-R2, HH-R3 and HH-R4	Support in part	<p>HNZPT supports the Historic heritage Rules where consistent with the Scheduling, Conservation, restoration, adaptation and other factors in the HNZPT non-statutory Sustainable Management of Historic Heritage Guidance Series: Guide to the Management of Historic Heritage: District Plans (April 2022) recommended Rules.</p> <p>The HNZPT non-statutory Sustainable Management of Historic Heritage Guidance Series: Guide to the Management of Historic Heritage: District Plans (April 2022) recommends alterations and additions discretion should be restricted to the protection and maintenance of identified heritage values, having regard to the: <i>compatibility of the design and materials with the form, proportions and materials of the historic heritage; relationship to open space, setting and surrounds; maintenance of significant public views; extent to which any adverse effects are necessary to enable long-term use; extent to which changes are reversible; content of any conservation plan.</i>⁶</p> <p>The restricted discretionary wording for Rule H-R2 should reference reversibility and the content of any conservation plan.</p> <p>HNZPT supports seismic strengthening, fire protection and accessibility upgrades to protected parts of a heritage building and structure and / or its setting. It is consistent with the HNZPT non-statutory Sustainable Management of Historic Heritage Guidance Series: Guide to the Management of Historic Heritage: District Plans (April 2022).</p>	<p>That HH-R2 is expanded with wording (or words to the effect) of:</p> <p>“Activity status where compliance not achieved with PER-1 or PER-2: Restricted discretionary Matters of discretion are restricted to:</p> <p><i>xxx. The extent to which any changes are consistent with a relevant Conservation Plan <u>informed by the ICOMOS New Zealand Charter 2010.</u></i></p> <p><i><u>xxx. The extent to which the changes are reversible.”</u></i></p> <p style="text-align: right;">S409.025</p> <p>That HH-R3 is amended with wording (or words to the effect) of:</p> <p>“Activity status where compliance not achieved with PER-1: Restricted Discretionary Matters of discretion are restricted to:</p> <p><i>a. Methodologies used to protect and maintain heritage values, including <u>reversibility and integration with other scheduled Heritage Resources on the site or surrounding area;</u>”</i></p> <p style="text-align: right;">S409.026</p>

⁶ <https://www.heritage.org.nz/resources/-/me4ea1eaa04fd49bf8f6396f9427a3d07.ashx> p.11.

Accessed 01 September 2022.

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan			
(Strike: abc =delete and underline: <u>abc</u> = addition)			
Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
		<p>The matters over which control is reserved in Rule HH-R3 should refer to the reversibility of what is proposed.</p> <p>The HNZPT non-statutory Sustainable Management of Historic Heritage Guidance Series: Guide to the Management of Historic Heritage: District Plans (April 2022) recommends restricted discretionary activity status for new structures within scheduled sites. While this is the case in the PDP for sites within Heritage area overlays, PDP Rule HH-R4 is problematic where an existing or future item may be located outside of these and changes including new structures are a Permitted Activity.</p>	<p>That HH-R4 is amended with wording (or words to the effect) of:</p> <p>“Activity status: Permitted Where: PER-1 Any new buildings or structures, additions or alterations are setback a minimum of 20m from a scheduled Heritage Resource. This rule shall not apply to a Domestic small scale renewable electricity generation, and connections to buildings or structures for network utilities.” S409.027</p>
Chapter HH. Historic heritage Rule HH-R5 & Dry Stone Walls	Support in part	<p>The HNZPT non-statutory Sustainable Management of Historic Heritage Guidance Series: Guide to the Management of Historic Heritage: District Plans (April 2022) recommends: <i>Permitted Activity Status for earthworks that are limited to post-1900 trench lines and excavations or are associated with the maintenance and upgrading of household-scale service connections, rainwater tanks or effluent disposal systems.</i>⁷</p> <p>PDP Rule HH-R5 is problematic where an existing or future item may be located outside of Heritage Area overlays HA-R5 PER-2 and PER-3 that have 2m³ & 5m² and 200m³ thresholds. It is acknowledged that even small excavations can have large impacts on archaeology. Permitted earthworks within the setting of a heritage item has the potential to damage the heritage values of the item as well as any archaeology where the extent of the place has not been mapped in a Plan and / or the setting is not well understood. The default is usually a Discretionary Activity status in a District Plan aside from exceptions like those outlined in the HNZPT non-</p>	<p>That HH-R5 be amended with wording (or words to the effect) of:</p> <p>“PER-1 Any earthworks are setback a minimum a minimum of 20m from a scheduled Heritage Resource.</p> <p><u>The earthworks</u></p> <ol style="list-style-type: none"> 1. <u>Do not exceed 100m³</u> 2. <u>Are not within 20m of a Scheduled Heritage Resource or an archaeological site</u> 3. <u>Comply with EW-S3 Accidental Discovery Protocol</u> <p>This rule does not apply to earthworks associated with burials within an existing cemetery. S409.028</p>

⁷ <https://www.heritage.org.nz/resources/-/me4ea1eaa04fd49bf8f6396f9427a3d07.ashx>

Accessed 01 September 2022.

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan

(Strike: ~~abc~~ =delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
		<p>statutory Sustainable Management of Historic Heritage Guidance Series: Guide to the Management of Historic Heritage: District Plans (April 2022) above.</p> <p>Rule HH-R5 relies upon the EW-S3 Standard Accidental Discovery protocol and quantity thresholds generally in the Zone for the avoidance of archaeology.</p> <p>The requested addition in this submission of ArchSite, the online version of the New Zealand Archaeological Association’s Site recording Scheme, as an information Map Layer tool within the GIS system, would help to avoid recorded archaeology when undertaking earthworks within a scheduled Heritage Resource setting and elsewhere.</p> <p>For consistency purposes, HH-R5 should at the very least be consistent with HA-R5 PER-3 that is itself permissive in that 200m³ is a standard Residential zone quantity threshold for earthworks in district plans. e.g. the Exposure Draft Kaipara District Plan (2022).</p> <p>PDP EW-S1 defaults to a 200m³ threshold anyway where there is Residential zoning regardless of whether or not an item is included in the PDP SCHED2 – Schedule of historic sites, buildings and objects.</p> <p>Looking elsewhere to recent Plan Rules for areas with similar historical significance, the Queenstown Lakes Proposed District Plan Decisions Version (June 2022) Chapter 25.5 Earthworks Rules – Standards have a maximum volume of 10m³ within their Heritage Landscape Overlay and Area Heritage Precinct and 100m³ within the Arrowtown Residential Historic Management Zone.</p>	<p>Note: <u>In addition to the requirements of the District Plan, it should be noted that the Heritage New Zealand Pouhere Taonga Act 2014 (“HNZPTA”) requires all applicants to obtain an authority from the HNZPTA before any archaeological site is modified or destroyed. This is the case regardless of whether the land on which the site is located is designated, or the activity is permitted under the District Plan or a resource or building consent has been granted.”</u></p> <p><u>“HH-RXXX Maintenance and repair of Existing Dry Stone Walls</u> <u>All zones Outside of Heritage Area overlays Activity status: Permitted</u> <u>Where:</u> <u>PER-1</u> <u>Works to existing dry stone walls are for:</u></p> <ul style="list-style-type: none"> i. <u>Maintenance or repair works in situ using traditional methods, design and materials.</u> ii. <u>Removal of up to a total of 6m length of wall per site for access purposes only, where no alternative access exists.”</u> <p><u>Activity status where compliance not achieved – Refer to HH-R2.”</u></p> <p style="text-align: right;">S409.029</p>

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan

(Strike: ~~abc~~ =delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
		<p>The rationale in the PDP for 200m³ versus 100m³ elsewhere by way of an example, to protect a cultural or historic landscape is not readily understood.</p> <p>The Exposure Draft Kaipara District Plan (2022): Historical Heritage chapter (“DKDP”) SASM-R3 Rule proposes an earthworks depth no greater than 200mm over the surface of land for Sites of significance to Māori. It’s 300mm in the Auckland Unitary Plan Operative in Part (15 November 2016) for Historic Heritage Areas where archaeological controls apply. (AUP, chapter D17.6.3.(2))</p> <p>Reference should be made in HH-R5 and in the Heritage Area overlays earthwork Rules to the setback distance from an <u>archaeological site</u> and not just a Scheduled heritage resource. The HA-S3 Accidental discovery protocol refers to a 20m setback for works to cease upon the discovery of any suspected sensitive material. As does the Auckland Unitary Plan Operative in Part (15 November 2016) Chapter D17 Accidental discovery protocol.</p> <p>This is consistent with the Whāngarei District Plan (“WDP”) Appeals Version: Earthworks (EARTH) chapter Rule EARTH-R1 approach that has a 10m setback default Controlled Activity status where earthworks do not occur within 10m of any archaeological site.</p> <p>The PDP EW-S6 Setback Rules do not have this. However, HA-S3 and EW-S3 do reference a 20m setback for works to cease upon the discovery of any suspected sensitive material.</p> <p>The Auckland Unitary Plan Operative in Part (15 November 2016) Chapter D17 Historic heritage overlay has a 50m setback where the extent of place</p>	

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan

(Strike: ~~abc~~ =delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
		<p>for a scheduled historic heritage place has not been mapped and this typically includes their scheduled archaeological sites.</p> <p>The AUP D17.7.1.(4) assigns forestry within 15m from the perimeter of any scheduled archaeological site as a Controlled Activity.</p> <p>Rules to recognise the importance of dry stone walls would be appropriate. Wording could be consistent with HH-BH-R3 – Dry Stone Walls in the Whāngarei District Plan (“WDP”) Appeals Version: Historical Heritage (HH) chapter.</p>	
50Chapter HH. Historic heritage Rule HH-R10	Support	<p>The HNZPT non-statutory Sustainable Management of Historic Heritage Guidance Series: Guide to the Management of Historic Heritage: District Plans (April 2022) recommends demolition or full destruction of a protected part of scheduled historic heritage should have at least non-complying status for the most significant heritage and discretionary activity status for other heritage.</p> <p>Prohibited Activity status for the Demolition or relocation of the Scheduled Heritage Resources given their significance is appropriate and consistent with the approach taken in the Auckland Unitary Plan Operative in Part (15 November 2016).</p>	That HH-R10 be retained. \$409.030
Chapter HA. Heritage area overlays Rules	Support in part	<p>HNZPT supports the Heritage area overlays Rules where they are consistent with the Scheduling, Conservation, restoration, adaptation and other factors in the HNZPT non-statutory Sustainable Management of Historic Heritage Guidance Series: Guide to the Management of Historic Heritage: District Plans (April 2022) recommended Rules.</p> <p>Rules to recognise the importance of Dry Stone Walls within the Heritage area overlays would be appropriate as proposed for the HH. chapter.</p>	That HA-R1 is amended with wording (or words to the effect) of: <u>“Activity status: Permitted</u> <u>Where:</u> <u>PER-3</u> <u>Works are to existing dry stone walls and are for:</u>

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan			
(Strike: abc =delete and underline: <u>abc</u> = addition)			
Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
		<p>Wording could be consistent with HH-BH-R3 – Dry Stone Walls in the Whāngarei District Plan (“WDP”) Appeals Version: Historical Heritage (HH) chapter.</p> <p>The HNZPT non-statutory Sustainable Management of Historic Heritage Guidance Series: Guide to the Management of Historic Heritage: District Plans (April 2022) recommends: <i>Permitted Activity Status for earthworks that are limited to post-1900 trench lines and excavations, or are associated with the maintenance and upgrading of household-scale service connections, rainwater tanks or effluent disposal systems.</i>⁸</p> <p>PDP Rule HA-R5 is also problematic where there is an archaeological site within the Heritage Area overlays. HA-R5 Permitted Activity Rules PER-1, PER-2 and PER-3 have 2m³ & 5m² and 200m³ earthworks thresholds. However, it is acknowledged that even small excavations can have large impacts upon archaeology. The Permitted Activity Rules rely upon the HA-S3 Standard Accidental Discovery protocol.</p> <p>For consistency purposes, HA-R5 PER-1, PER-2 and PER-3 should also refer to the setback distance from an <u>archaeological site</u> and not just a Scheduled heritage resource.</p> <p>This is consistent with the HNZPT non-statutory Sustainable Management of Historic Heritage Guidance Series: Guide to the Management of Historic Heritage: District Plans (April 2022) for archaeological sites that recommends: <i>General rules might state for example, that earthworks to a</i></p>	<p>i. <u>Maintenance or repair works in situ using traditional methods, design and materials.</u></p> <p>ii. <u>Removal of up to a total of 6m length of wall per site for access purposes only, where no alternative access exists.</u></p> <p>Activity status where compliance not achieved with Per-1, Per-2 or Per-3 <u>Per-2: Restricted discretionary</u> S409.031</p> <p>That HA-R5 be amended with wording (or words to the effect) of:</p> <p><i>“PER-1 The earthworks:</i></p> <ol style="list-style-type: none"> 1. <i>Comply with the relevant permitted activity rules within the Earthworks chapter</i> 2. <i>Are not within 20m of a scheduled Heritage Resource or an archaeological site.</i> <p><i>Any earthworks are setback a minimum a minimum of 20m from a scheduled Heritage Resource.</i></p> <p><i>PER-2 The earthworks:</i></p> <ol style="list-style-type: none"> 1. <i>Do not exceed 2m³ in volume over an area of 5m²;</i>

⁸ <https://www.heritage.org.nz/resources/-/me4ea1eaa04fd49bf8f6396f9427a3d07.ashx>

Accessed 01 September 2022.

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan

(Strike: ~~abc~~ = delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
		<p><i>certain volume are permitted provided they are not within x metres of a scheduled site.</i>⁹</p> <p>The HA-S3 Accidental discovery protocol refers to a 20m setback for works to cease upon the discovery of any suspected sensitive material.</p> <p>This is consistent with the Whāngarei District Plan (“WDP”) Appeals Version: Earthworks (EARTH) chapter Rule EARTH-R1 that has a 10m setback default Controlled Activity status where earthworks do not occur within 10m of any archaeological site.</p> <p>The PDP EW-S6 Setback Rules do not have this. However, HA-S3 and EW-S3 reference a 20m setback for works to cease upon the discovery of any suspected sensitive material.</p> <p>In terms of quantity thresholds consistency, the Auckland Unitary Plan Operative in Part (15 November 2016) Chapter E12 - Land Disturbance Table E12.4.2. has earthworks up to 5m² and 5m³ within a Historic Heritage Overlay as a Permitted Activity. It also has a 50m setback where the extent of place for a scheduled historic heritage place has not been mapped and this typically includes their scheduled archaeological sites. It is a Controlled Activity for forestry within 15m of any scheduled archaeological site.</p> <p>The Queenstown Lakes Proposed District Plan Decisions Version (June 2022) Chapter 25.5 Rules – Standards have a maximum volume of 10m³ within the Heritage Landscape Overlay and Area Heritage Precinct and 100m³ within the Arrowtown Residential Historic Management Zone.</p>	<p>2. is <u>are</u> not within 20m of a Scheduled Heritage Resource <u>or of an archaeological site</u>;</p> <p>3. Complies <u>Comply</u> with standard HA-S3 Accidental Discovery Protocol</p> <p>PER-3 The earthworks</p> <ol style="list-style-type: none"> 1. Do not exceed 100-m³ 2. are not within 20m of a scheduled Heritage Resource <u>or an archaeological site</u>; 3. Complies <u>Comply</u> with HA-S3 Accidental Discovery Protocol. <p><u>Note: In addition to the requirements of the District Plan, it should be noted that the Heritage New Zealand Pouhere Taonga Act 2014 (“HNZPTA”) requires all applicants to obtain an authority from the HNZPTA before any archaeological site is modified or destroyed. This is the case regardless of whether the land on which the site is located is designated, or the activity is permitted under the District Plan or a resource or building consent has been granted.”</u></p> <p style="text-align: right; color: red;">S409.032</p>

⁹ <https://www.heritage.org.nz/resources/sustainable-management-guides> p.10.

Accessed 20 September 2022.

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan			
(Strike: abc =delete and underline: <u>abc</u> = addition)			
Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
Chapter HA. Heritage area overlays Rule HA-R14	Support	<p>The HNZPT non-statutory Sustainable Management of Historic Heritage Guidance Series: Guide to the Management of Historic Heritage: District Plans (April 2022) recommends demolition or full destruction of a protected part of scheduled historic heritage should have at least non-complying status for the most significant heritage and discretionary activity status for other heritage.</p> <p>Prohibited Activity status for the Demolition or relocation of the listed Scheduled Heritage Resources given their significance and national importance is appropriate and consistent with the approach taken in the Auckland Unitary Plan Operative in Part (15 November 2016).</p>	Retain Rule HA-R14. S409.033
Chapter HA. Heritage area overlays and Spatial extents	Support in part	<p>The PDP Section 32 Report: Kororāreka Russell Township Zone and Kororāreka Russell Heritage Area Overlay (May 2022) recommended extending the expansion of the spatial extent to include areas along the coastal edges of Tahapuke Bay and Matauwhi Bay near the entrance to Russell, which has been adopted as the spatial extent of the Kororāreka Russell Heritage Area Overlay in the PDP.¹⁰ This is supported.</p> <p>As has been outlined in Appendix B of this submission for the Draft PDP referencing supporting reports, HNZPT requests that:</p> <p><u>Paihia Heritage Area</u></p> <ul style="list-style-type: none"> o It should be noted that in the Paihia Cemetery in the rear yard of the Church of Paul and Henry Williams contains Māori burials. This is not referenced in the archaeologist's report. 	That the HA spatial extents be amended accordingly and additional heritage areas each with an overview, objectives, policies and rules be inserted into the HA. Chapter. S409.034 to S409.049

¹⁰ <https://www.fndc.govt.nz/files/assets/public/objectivedocuments/policy-and-planning-pol/district-plan/proposed-district-plan-2022/section-32-kororareka-russell-township-zone-kororareka-russell-heritage-area.pdf> p.20. Accessed 17/09/2022.

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan

(Strike: ~~abc~~ =delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
		<ul style="list-style-type: none"> o We support the recommendation of the consultant archaeologists (page 51 of 259) for the inclusion of the Waitangi Islands — Motu o Rangi, Motuarahi, Motu Maire and Kuia Rongouru / Taylor Island because of their historical, contextual and spatial relationship. They are of significance to iwi and are listed with Heritage New Zealand Pouhere Taonga as wahi tapu. o The heritage area should also include the Paihia Village Green scenic reserve, and the historic library at 2 Williams Road. o There needs to be development restrictions on the entire ridge (behind the Church) that overlooks the Bay. This is a prominent ridge that contains Pa, archaeology and other artifacts. It is the backdrop for the town and provides a visual escapement from the bay encapsulating the town. o An additional sub area is recommended for the area south of the river Te Haumai to include the settlement of Tohitapu as also suggested by Plan Heritage Limited (Page 51 of 259). <p><u>Rangihoua Historic Area</u></p> <p>The extent of the existing Heritage Area is deemed to be appropriate.</p> <p><u>Kororareka Russell Heritage Area</u></p> <ul style="list-style-type: none"> o We have viewed the Kororareka Russell Heritage Area in conjunction with representatives of the community and the Kororareka marae to get feedback. 	

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan

(Strike: ~~abc~~ =delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
		<ul style="list-style-type: none"> o It is extremely evident that the proposed heritage area will not protect Russell Peninsula from adverse and detrimental development. There are already examples of building development that is completely out of character and scale in the area. <p>Heritage New Zealand Pouhere Taonga requests the following:</p> <ul style="list-style-type: none"> o That the heritage area be considered when standing upon Te Maiki (Flagstaff Hill). From this vantage point one can see across Kororareka towards Waikare Inlet, eastward out to Motorua Island, northward to the Black Rocks and west towards Waitangi and Paihia. These viewshafts need to be protected and conserved from inappropriate development especially those on ridgelines, such as the dwelling situated on the ridge to the east and the large box style dwelling situated at the base of Tapeka Pa o Pa sites need to be included in the Heritage Area. There is a rich history associated with pa sites. They simply cannot be left out. o We advocate a separate heritage layer for the entrance to the Russell Peninsula starting from the Russell Whakaparara Road intersection. This area is to provide a visual protection from further adverse development (Matauhi Bay contains examples of poor design), including promotion of native visual buffer planting. Russell is situated on a peninsula and the plan needs to take into account the special character of this peninsula. o In addition to the boundary defined within the draft district 	

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan

(Strike: ~~abc~~ =delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
		<p>plan, we request that a further planning layer be applied to the east and north for the balance of the peninsula that will prevent development on the ridgelines, restrict exterior colours to the heritage colour palate and control reflectivity. This is to include Long Beach and the area behind. It is essential that development is considered from when viewed not only from land but also from the Bay.</p> <ul style="list-style-type: none"> o It is of note that no buildings can be seen when viewing from Te Maiki west from the Bailey's farm (adjacent Waitangi Mountain Bike Park) right around to the north to the Nine Pin. That vista has by fortune only not been builtout. The planning controls in the draft district plan need to ensure that the viewshafts remain <p><u>Pouerua Historic Heritage Area</u></p> <ul style="list-style-type: none"> o The proposed heritage area is a significant expansion on the current area, but that expansion is generally in a southern direction towards Moerewa that encompasses only a few recorded archaeological sites, inclusive of a pa site, but otherwise a landscape that does not appear to be of heritage value. The area does not contain any Stonefield sites and appears to be in modern pastoral farming. We would like to have clarification why this area is included in the report. o The boundary as extended slightly to the north does include a significant cultural landscape containing various pa sites and stone structures. o It is evident that there needs to be a continuous connection between the proposed Pouerua Heritage Area 	

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan

(Strike: ~~abc~~ = delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
		<p>through to State Highway 12 and north of State Highway 1 through to the proposed southern boundary of the proposed Te Waimate Historic Heritage Area. This would protect the foreground vista through to the ridge pa sites from State Highway 1.</p> <ul style="list-style-type: none"> o The focus of this heritage area should be on the Maunga and the stone gardens with very strict controls. The local community supported this at its recent community meeting. The balance area (proposed extension area) could be subject to less restrictive rules. The context of the area is that the volcanic soils have been the driver of the rich cultural landscape that includes, gardens, pa, kainga and early colonial buildings. <p><u>Rawene Historic Heritage Area</u></p> <ul style="list-style-type: none"> o Rawene township is situated at the northern end of a peninsula that leads into the Hokianga Harbour. Rawene's vehicle access is from Twin Coast Discovery Highway via State Highway 12 from the south and from Kohukohu to the north via the car ferry. Due to the prominent location of the township, it is visible from both the Hokianga Harbour and land. The township with its unique character, historic buildings, and rich history is a tourism destination on the Twin Coast Discovery Highway. Many local business' cater for day travellers. o It seems that Plan Heritage Limited has defined the proposed heritage area boundary from <i>"lots which fall within the early township that are distinctly different (earlier) subdivision form, and which are shown in</i> 	

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan

(Strike: ~~abc~~ =delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
		<p><i>historical aerial topography to have generally been developed by 1942". Unfortunately, that mapped area excludes some very important places.</i></p> <ul style="list-style-type: none"> o Heritage New Zealand recommends that the proposed heritage area be expanded to include the Hokianga Health Enterprise Trust facility (hospital) — first free hospital service, the cemetery that contains the remains of ancestors (located diagonally opposite the hospital) and the Rawene Domain. In addition, adjacent to the camping ground contains a site of significance to Māori and needs to be incorporated into the heritage area. o A further sub area should include the entire peninsula and contain lesser rules that protect the entrance way view to the township by design, colour and shape and set back rules. o Furthermore, there needs to be restrictions the prevent development on the ridge line of the peninsula as the viewshafts need to be protected when looking to Rawene across the harbour <p><u>Te Waimate Historic Heritage Area</u></p> <ul style="list-style-type: none"> o The proposed heritage area is an improvement on the current Heritage precinct however it still does not protect the landscape from undue development or change of land use. o Pastoral farming in New Zealand was first established at Te Waimate, including in the valley north of the Mission Station. This area is now under threat from horticultural 	

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan

(Strike: ~~abc~~ =delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
		<p>farming practises that include structures associated with kiwi fruit and avocado orchards. These structures include tall posts and netting that detrimentally impact on the vista and character of the location. The proposed heritage area excludes most of this valley. We request that the heritage area be extended to include the valley through to the top of the bush escarpment and ridge situated immediately north of the Mission Station.</p> <ul style="list-style-type: none"> o We also recommend controls associated with the change of land use from pastoral farming to horticulture. Cropping need not be included. <p><u>Kerikeri Heritage Precinct (Heritage Character Area)</u></p> <ul style="list-style-type: none"> o Access via Landing Road needs to be treated as the entrance to the heritage area and reflected through building restrictions on height, colours, non- reflective building materials, shape and design elements. o The rules should encourage native vegetative planting as means to lessen the visual amenity impact of buildings on the heritage area. o The heritage area should be extended to include the Kerikeri Inlet as this is the original gateway to Kororipo Pa and Town Basin. The visual view shaft needs protection. o It is important that the ridgelines form the boundary of the inner heritage area to prevent inappropriate development that will impact on the Town Basin area. <p><u>Kohukohu Historic Heritage Area</u></p>	

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan

(Strike: ~~abc~~ =delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
		<p>We are supportive of the retention of the existing Heritage Area boundary as proposed.</p> <p><u>Mangōnui and Rangitoto Peninsula Historic Heritage Area</u></p> <p>○ We are supportive of the proposed heritage areas insofar as the extent of the proposed boundaries for Mangōnui and Rangitoto Peninsula / Butler Point Area, however we consider that the boundary needs to be extended to include the entire harbour and associated adjacent ridge line perimeter. Our comments are as follows:</p> <ul style="list-style-type: none"> • The reason that both Māori and Europeans settled at Mangōnui and Rangitoto was because of the harbour itself. It provided shelter, ki moana, and was a gateway and stepping location for departures back to the Pacific and Hawaii and for trading. The entire harbour was utilised as evidenced by the recorded archaeology associated with Paewhenua Island, that included flaking floors, flax industry, and mill etc. • A number of pa sites including at Rangikapiti, Rangitoto, Taemaro Road (P04/70) and others are located at the entrance to and surrounding the harbour. Vistas to and from these pa sites need protection, including a prohibition on plantation planting on the pa sites – (P04/70) contains a pine plantation. These pa sites clearly demonstrate the spread of pre-European occupation around the perimeter of Mangōnui Harbour. These pa sites are related visually and through whakapapa. 	

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan

(Strike: ~~abc~~ =delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
		<ul style="list-style-type: none"> • It is important that the open areas of Butlers Point are protected from any further building development. This land is a backdrop to Mangōnui Township and Rangitoto Pa. That area also contains a significant number of recorded archaeological sites. • Heritage New Zealand requests that the proposed heritage areas be progressed, but with additional sublayer comprising the balance of the harbour area up to the perimeter ridgeline. Controls need to be sufficiently assertive to prevent development upon the ridgelines, or protruding above the ridgelines, and adoption of recessive colours and non-reflective building materials in the sub-area. By doing so the landscape character of the harbour will be retained. <p><u>Additional Heritage Areas</u></p> <p>Heritage New Zealand Pouhere Taonga requests that the following places also be included within the District Plan as heritage areas:</p> <ul style="list-style-type: none"> • Waitangi, • Kaeo • Whangaroa Harbour area • Kawakawa Township • Ōruru Valley 	

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan

(Strike: ~~abc~~ =delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
		<ul style="list-style-type: none"> • Omapere / Opononi • Te Ahu Ahu Area (Bounded by Remuera Settlement Road, SH 1 and SH 15 + Lake Omapere). The consultant's report suggests a separate heritage area for this landscape which contains numerous highly visible pa sites and early field systems (page 121 of 259). • Northern War Sites • Ruapekpeka • Ohaewai • Okaihau • Puketutu • Waikare • All islands within the Bay of Islands • Early contact sites. • Early settlement sites Mangahawea • Early European explorers Cook, Du Fresne • Te Rerenga Wairua/Cape Reinga 	

Submission of Heritage New Zealand Pouhere Taonga to Proposed Far North District Plan

(Strike: ~~abc~~ = delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for comments:	Relief sought
Chapter EW. Earthworks Rules	Support in pa3889900][[PPOOOITR W1`rt	<p>The PDP EW-S6 Setback Rule should have a 20m setback from an archaeological site to be consistent with this submission's proposed wording of HH-R5, HA-R5 PER1, PER-2 and PER-3.</p> <p>PDP HA-S3 and EW-S3 already reference a 20m setback for works to cease from upon the discovery of any suspected sensitive material.</p> <p>This is consistent with the Whāngarei District Plan ("WDP") Appeals Version: Earthworks (EARTH) chapter Rule EARTH-R1 approach that has a 10m setback default Controlled Activity status where earthworks do not occur within 10m of any archaeological site.</p> <p>The Auckland Unitary Plan Operative in Part (15 November 2016) Chapter D17.7.1.(4) Historic heritage overlay makes forestry 15m from the perimeter of any scheduled archaeological site a Controlled Activity.</p>	<p>That Standard EW-S6 Setback add wording (or words to the effect) of:</p> <p><i>"Earthworks must be setback by the following minimum distances:</i></p> <p><i><u>iv. earthworks must be setback by a minimum distance of 20m from the extent of an archaeological site.</u></i></p> <p><u>Note: In addition to the requirements of the District Plan, it should be noted that the Heritage New Zealand Pouhere Taonga Act 2014 ("HNZPTA") requires all applicants to obtain an authority from the HNZPTA before any archaeological site is modified or destroyed. This is the case regardless of whether the land on which the site is located is designated, or the activity is permitted under the District Plan or a resource or building consent has been granted."</u></p> <p style="text-align: right; color: red;">S409.050</p>

