

TIMARU



DISTRICT COUNCIL

Te Kaunihera ā-Rohe
o Te Tihi o Maru



YOUR PLAN OUR FUTURE
TIMARU DISTRICT PLAN REVIEW

Historic Heritage S.32

May 2022



YOUR PLAN OUR FUTURE
TIMARU DISTRICT PLAN REVIEW
LAND USE PLAN

Timaru District Council

Section 32 Report

Historic Heritage Chapter

May 2022

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1 Historic Heritage

1.1 Introduction

This report sets out an assessment of the provisions proposed to be included in the Historical heritage chapter of the proposed Timaru District Plan, against section 32 of the Resource Management Act 1991 (RMA). The protection of historic heritage from inappropriate subdivision, use and development is identified as a matter of national importance within section 6(f) of the RMA.

1.2 Community / Stakeholder / Iwi Engagement

As part of the draft District Plan review consultation process, the Council released a discussion document in November 2016¹, was prepared to generate a response from the public about matters related to heritage values. Responses from the public and special interest groups generally supported items.

In addition to releasing the Discussion Document the Council also invited the public to nominate heritage items they considered should be included in the District Plan for protection. They received a number of requests.

Following this, a specialist heritage consultant was contracted to assess and make recommendations on all existing items in the Operative District Plan heritage lists, other items in various lists that have been prepared over time and the items requested by the public as part of Phase 2 of the District Plan review, with the exclusion of those associated with takata whenua. A Heritage Steering Group² was also established to oversee the heritage assessments and to the make recommendations to the Council's Environmental Services Committee as to which should be protected in the new District Plan. In addition, the Heritage Steering Group was required to make recommendations on draft district plan provisions and non-regulatory actions to assist the Council in meeting its statutory obligations concerning heritage.

The Historic Heritage Assessments for all the individual buildings and areas included in Schedule 3 and 4 of the Proposed District Plan are available on Council's website.³

As a separate consultation process the Council has been part of a joint process with Takata whenua considering a wide range of matters including the identification and protection of taonga. This is addressed in other chapters of the Plan, such as the Sites and Areas of Significance to Māori.

Feedback on the Draft District Plan

Feedback was also provided on draft provisions that were consulted on in October to December 2020 through the release of a draft District Plan. Key areas of feedback, and the way they have been responded to, are set out below:

¹ https://www.timaru.govt.nz/_data/assets/pdf_file/0010/95851/1011540-Discussion-Document-Topic-6-Heritage-Values-Discussion-Document-Work-District-Plan-Review-November-2016.pdf

² The Heritage Steering Group was set up by the Council and included local heritage architects, HNZPT, Runanga representative, a district councillor, and a heritage developer.

³ <https://www.timaru.govt.nz/services/planning/district-plan/proposed-district-plan/supporting-documents/>

Feedback Topic	Response
Appropriateness of Historic Character Areas (HCAs)	<p>The draft Plan included identification of, and a suite of provisions for HCAs. These were areas not considered to meet section 6(f) of the RMA but were related to maintenance and enhancement of particular amenity values and character (under s7(c) and (f) of the RMA) in central areas within Timaru and Temuka. The provisions would have required new buildings and external alterations and additions to facades of existing buildings within these areas to obtain a resource consent as restricted discretionary activity. Taking into account the intentions of the underlying zoning in these areas and the underlying zone provisions, as well as the efficiency and effectiveness of the proposed approach, the proposed Plan does not include HCAs. Instead, provisions are proposed within the CCZ and TCZ to require a controlled activity consent for new buildings, and external alterations and additions to a road facing façade of any existing building, which would consider both urban design matters as well as compatibility of the building with both the existing streetscape and any identified historic character values. The proposed approach is considered to be a more efficient way to manage built form in these commercial centres, while still being effective at achieving the various outcomes sought, including those relating to the purpose, character and qualities sought for these zones; managing potential effects on scheduled heritage items; and urban design matters.</p>
Scheduled interior items	<p>Interior elements were reflected in the policy and rule framework of the draft Plan, but not referenced in the heritage schedules, creating a gap which could cause confusion to plan users. The time and costs associated with assessing the interiors of each heritage item is not considered to be an efficient approach. Instead, important interior elements identified in 11 listed items by HNZPT have been included within the schedule, to which the policy and rule framework relating to interior apply will apply.</p>

1.3 Strategic directions

The following strategic directions are considered to be particularly relevant to the Historic Heritage topic:

SD-O2 The Natural and Historic Environment

The district's natural and historic environment is managed so that:

- i. the health and wellbeing of the community are recognised as being linked to the natural environment;
- ii. an integrated management approach is adopted that recognises that all parts of the environment are interdependent;
- iii. the natural character of the coastal environment, wetlands and waterbodies is preserved and protected from inappropriate subdivision, use, and development;

- iv. important landscapes and features are protected from inappropriate subdivision, use, and development;
- v. significant indigenous vegetation and significant habitats of indigenous fauna are identified, and their values recognised, protected and where appropriate, enhanced;
- vi. the life-supporting capacity of ecosystems and resources is safeguarded for future generations;
- vii. the important contribution of historic heritage to the district’s character and identity is recognised, and significant heritage and its values are protected from inappropriate subdivision, use, and development.

This Strategic Direction includes specific reference to historic heritage, noting its importance to the District’s character and identity, and the desire to protect it from inappropriate subdivision, use and development.

1.4 Problem definition

1.4.1 The efficiency and effectiveness of the Operative Plan

The approach of the current District Plan is similar to many plans with objectives and policies seeking to identify and protect items of historical importance and to promote public awareness of heritage. The District Plan contains a list of 159 heritage items all of which are notated on the planning maps. The 11 items with higher heritage values are classified as Category A and the remaining items are classified as Category B. The District Plan contains criteria for scheduling of heritage items, but these criteria do not specify what the basis is for distinguishing between Category A and B items. Assessment matters are listed in policies to assist decision makers in assessing proposals to modify, demolish or remove listed heritage items.

Part B – 10 – Heritage Values covers the high-level direction for the management of the historic heritage. Specifically, Objective 1 seeks to *“Identify and protect items of heritage importance which contribute to the character of the District.”*⁴

Related policies direct:

- Promotion of public awareness of heritage and the sympathetic renovation and reuse of historic places and adjacent sites.⁵
- Protection of those buildings in the district with higher heritage values through the District Plan;⁶
- Careful assessment of the character of heritage buildings of lesser significance and the effect of development proposals on those buildings;⁷
- Taking into account and where practical avoid adverse effects on archaeological sites which contain evidence of early Māori or European settlement;⁸
- The use of specified criteria in determining whether items should be scheduled in the District Plan;⁹ and
- The use of specified criteria when considering applications for activities that affect scheduled items.¹⁰

⁴ Timaru District Plan Part B - Community Enablement and Physical Resources: 10 Heritage Values, Objective (1)

⁵ Timaru District Plan Part B - Community Enablement and Physical Resources: 10 Heritage Values, Policy 1

⁶ Timaru District Plan Part B - Community Enablement and Physical Resources: 10 Heritage Values, Policy 2

⁷ Timaru District Plan Part B - Community Enablement and Physical Resources: 10 Heritage Values, Policy 3

⁸ Timaru District Plan Part B - Community Enablement and Physical Resources: 10 Heritage Values, Policy 4

⁹ Timaru District Plan Part B - Community Enablement and Physical Resources: 10 Heritage Values, Policy 6

¹⁰ Timaru District Plan Part B - Community Enablement and Physical Resources: 10 Heritage Values, Policy 7

Various methods to achieve the objectives are listed in the District Plan including:

- Maintaining a schedule of sites of heritage importance;
- Enhancing the existing character of selected commercial areas through revitalisation;
- Identifying archaeological sites to ensure attention is drawn to the protection of these sites under the Heritage New Zealand Pouhere Taonga Act;
- Providing information for the public and landowners to increase the awareness of heritage values;
- Enabling a wide range of uses in heritage buildings; and
- Providing guidelines to encourage sympathetic redevelopment of historic places.
- Distinguishing between Category A and B items through the level of control. While reconstruction and repair are provided for as permitted activities for both Category A and B items, with modification and alterations being a discretionary activity, removal or demolition of Category A items is non-complying but only discretionary for Category B items.
- Encouragement to maintain heritage items, even if resource consent is required, is by allocation of funds from a Council heritage fund and by waiving of consent fees.

1.4.2 Issues identified

The Heritage Values Discussion Document prepared by TDC in November 2016¹¹ generally concluded that the current provisions were effective and efficient in protection the historic heritage of the district. However, the following issues were identified with the Operative District Plan:

Issue 1:

There was no robust assessment of the heritage items protected by the District Plan and it was very likely that the list was not comprehensive

The current list of heritage items (including buildings, bridges, utilities, and memorials) in the Operative District Plan was based on work done for the previous district plan and from suggestions from heritage groups and the public. The list however did not include all the heritage items on the Heritage New Zealand Pouhere Taonga List that are within the Timaru District. It also did not include quite a number of items identified in the Timaru District Built Heritage Inventory – From Mesopotamia to Pareora River prepared by Opus Consultants in 2004. This inventory was based on a thorough assessment of the district's heritage resources and drew on a wide variety of resources, both written and oral. It was also considered that there might be other items worthy of inclusion.

Issue 2

How can heritage protection be better enabled while acknowledging the economic cost of protection?

During the period of the current District Plan only one scheduled building has been demolished by way of resource consent. However, it was considered that further consideration should be given to whether the Plan could provide a pathway to encourage and facilitate retention of heritage items. This matter has become a particular focus with new requirements under the Building Act which require earthquake prone buildings to be brought up to a specific level of seismic strengthening. Timaru has already experienced the effects of the Canterbury earthquakes which resulted in some older buildings, including listed buildings, either having to undergo repair and strengthening work or

¹¹ <https://www.timaru.govt.nz/services/planning/district-plan/district-plan-review/discussion-documents>

no longer able to be used by the public. This highlights a key dilemma relating to the cost of retaining or maintaining older buildings. This cost is often greater for heritage buildings because the work required is often more specialised and greater changes may be required to meet the earthquake strengthening standards because of their age. This raises the question of to what extent the District Plan should provide for the economic cost of protection be taken into account when demolition or major renovation of heritage buildings is proposed and whether provisions can assist in making use and retention of buildings easier.

Issue 3

Should protection of heritage items and buildings be extended to the settings in which they sit?

The immediate setting of heritage buildings and items is often a significant factor in their heritage value. The RMA's definition of 'historic heritage' also includes surroundings associated with those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures. The current District Plan, however, only protects heritage buildings and items and not their settings. One of the main activities which diminishes the value or significance of a heritage building is subdivision of the site, thereby reducing the area of land that it sits within. However, section 6(f) includes explicit reference to the protection of historic heritage from inappropriate subdivision. Erecting additional buildings can also have the effect of reducing the size and character of the setting of the item.

Issue 4 –

Should the Plan control works within or near archaeological sites?

Archaeological sites are defined in the Heritage New Zealand Pouhere Taonga Act 2014 as a site, structure or building that is associated with human activity that occurred prior to 1900. These sites can vary from the land under an old house to rock art. Control of these sites falls to Heritage New Zealand under their Act, with disturbance of these sites requiring an archaeological authority (a type of consent) from Heritage New Zealand. An issue has been raised regarding the lack of direct control within the District Plan of activities that could result in an archaeological site being disturbed or destroyed. This can result in the loss of the opportunity to prevent its disturbance and the ability to investigate the site and record and retrieve historical items for future generations.

1.4.3 Other District Plan approaches

The approach of other district plans in the Canterbury region in relation to the protection of historic heritage are similar to those of the Timaru District Plan. Commonly the activities provided for or controlled relate to maintenance and repair, alterations and additions, and removal or demolition. Most plans also adopt a two-level approach in their listings with category A receiving the most protection and category B having slightly lesser protection usually in the form of discretionary activity status for demolition as compared to non-complying for Category A.

1.5 Statutory and Planning Context

1.5.1 Part 2 Resource Management Act

Of relevance to the historic heritage topic, to the purpose of RMA, set out in section 5, includes manage the use, development and *protection* of natural and physical resources to enable people and communities to provide for their well-being, while also sustaining the potential of natural and physical resources to meet future needs.

Of particular relevance to the topic of Historic Heritage is section 6(f), which requires the Council in managing the use, development and protection of natural and physical resources through its District Plan to recognise and provide for the protection of historic heritage from inappropriate subdivision, use and development as a matter of national importance.

Section 7 includes other matters to which particular regard must be had. It includes the maintenance and enhancement of amenity values¹², the maintenance and enhancement of the quality of the environment,¹³ efficient use and development of physical resources¹⁴ and any finite characteristics of natural and physical resources¹⁵.

Section 8 requires that the principles of Te Tiriti o Waitangi / the Treaty of Waitangi are taken into account when exercising functions and powers under the RMA.

Section 187 of the RMA provides for heritage orders to be included in district plans. A heritage order is a provision in a district plan to protect the heritage qualities of a particular place or structure. Heritage orders can be initiated under the RMA by a Heritage Protection Authority¹⁶ to protect a particular heritage feature if it has special character or interest to the community. Heritage orders are always publicly notified and can be appealed. There are currently no heritage orders in the Timaru District Plan.

Of relevance in reviewing the list of heritage items in the District Plan, s74(2)(b)(iia) requires regard to be had to any relevant entry in the New Zealand Heritage List/Rārangī Kōrero required by the Heritage New Zealand Pouhere Taonga Act 2014.

1.5.2 National Policy Statements

A territorial authority must prepare and change its district plan in accordance with national policy statements.¹⁷ The proposed District Plan must give effect to National Policy Statements.¹⁸ The following National Policy Statements are of relevance to the Historical Heritage topic:

¹² RMA section 7(c)

¹³ RMA section 7(f)

¹⁴ RMA section 7(b)

¹⁵ RMA section 7(g)

¹⁶ Heritage Protection Agency is defined in the RMA

¹⁷ RMA section 74(1)(ea)

¹⁸ RMA section 75(3)(a)

National Policy Statements	Relevance
New Zealand Coastal Policy Statement (NZCPS)	The NZCPS includes Policy 17, which directs that historic heritage in the coastal environment is protected from inappropriate subdivision, use and development by a number of methods, including the identification, assessment and recording of historic heritage, including archaeological sites and including policies, rules and other methods in relation to this within district plans.
National Policy Statement on Urban Development 2020 (NPS-UD)	Provides direction on the management of urban areas. The NPS-UD contains a number of provisions aimed at Tier 1 and Tier 2 local authorities, which are not relevant to Timaru District as a Tier 3 authority. However, the provisions of relevance seek those urban environments are well-functioning, and Objective 4 anticipates that urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.

1.5.3 National Environmental Standards

A territorial authority must prepare and change its district plan in accordance with any regulations.¹⁹ Of relevance to heritage items the National Environmental Standard for Telecommunication Facilities 2008 allows district plans to impose controls for activities otherwise permitted under the NES if they have heritage values.

1.5.4 National Planning Standards

A territorial authority must prepare and change its district plan in accordance with any national planning standards.²⁰ The National Planning Standards provide for identification of historic heritage, provisions to protect historic heritage and heritage orders to be included in Historical heritage chapter of a district plan.²¹ This chapter must be included under the Historical and Cultural Values section of the District Plan, and must address identification of historic heritage, provisions to protect and manage historic heritage, heritage orders and a schedule of protected items.

The National Planning Standards sets out the spatial layers for district plans (Table 18). Table 18 states that an overlay spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions.

¹⁹ RMA section 74(1)(f)

²⁰ RMA section 74(1)(ea)

²¹ National Planning Standards, District Plan Structure Standard, Mandatory direction 4.

1.5.5 Canterbury Regional Policy Statement 2013

A district plan must give effect to any regional policy statement.²² The provisions of Chapter 13 are of particular relevance to the Historic Heritage chapter. The relevant objectives and policies are as follows:

13.2.1 Identification and protection of significant historic heritage

Identification and protection of significant historic heritage items, places and areas, and their particular values that contribute to Canterbury's distinctive character and sense of identity from inappropriate subdivision, use and development.

13.2.3 Repair, reconstruction, seismic strengthening, on-going conservation and maintenance of built historic heritage

The importance of enabling the repair, reconstruction, seismic strengthening, and on-going conservation and maintenance of historic heritage and the economic costs associated with these matters is recognised.

Policy 13.3.1 directs that the protection of the historic and cultural heritage resource of the region from inappropriate subdivision, use and development is recognised and provided for by identifying and assessing the significance of the historic and cultural heritage resource according to specified criteria. It also requires working with Ngāi Tahu to identify items, places or areas of historic heritage significance to them; having regard to any relevant entry in the Historic Places Register; and considering historic heritage items, places or areas of significance or importance to communities.

Policy 13.3.4 directs that appropriate repair, rebuilding, upgrading, seismic strengthening and adaptive re-use of historic buildings and their surrounds, in a manner that is sensitive to their historic values, is enabled.

1.5.6 Other relevant documents

The other relevant legislation and documents for this topic include:

Legislation / Document	Relevant Provisions
Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA)	<p>The purpose of the HNZPTA is to promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand. All decision-makers must recognise the following principles:</p> <ul style="list-style-type: none"> • Historic places have lasting value in their own right and provide evidence of the origins of New Zealand's distinct society. • The identification, protection, preservation, and conservation of New Zealand's historical and cultural heritage should: <ul style="list-style-type: none"> - Take account of all relevant cultural values, knowledge, and disciplines. - Take account of material of cultural heritage value and involve the least possible alteration or loss of it. - Safeguard the options of present and future generations. - Be fully researched, documented, and recorded, where culturally appropriate. • There is value in central government agencies, local authorities, corporations, societies, tangata whenua, and individuals working collaboratively in respect of New Zealand's historical and cultural heritage.

²² RMA section 75(3)(c)

	<ul style="list-style-type: none"> • The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tūpuna, wāhi tapu, and other taonga. <p>Heritage New Zealand has various functions under the HNZPTA, including:</p> <ul style="list-style-type: none"> • Identifying, listing and protecting historic places, historic areas, wāhi tūpuna, wāhi tapu, and wāhi tapu areas on the New Zealand Heritage List. • Issuing archaeological authorities in accordance with the HNZPTA. • Managing historic places, buildings, and other property owned by Heritage New Zealand. • Providing advice on heritage matters in the event of a national or local emergency. • a list of places of outstanding national heritage value called Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu/ National Historic Landmarks. • Acting as a heritage protection authority under the RMA. <p>Section 74(b)(ii(a) of the RMA requires that in undertaking a plan review a territorial authority shall have regard to any relevant entry on the New Zealand Heritage List/Rārangi Kōrero required by the Heritage New Zealand Pouhere Taonga Act 2014. Therefore, the Council needs to have regard to the List in undertaking this plan review.</p> <p>The HNZPTA makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or any part of an archaeological site without the prior authority of Heritage New Zealand. An authority (permission) must be obtained from Heritage New Zealand before any work that may affect an archaeological site is begun. This is the case regardless of whether the land on which the site is located is designated, or the activity is permitted under a District or Regional Plan or a resource or building consent has been granted. The HNZPTA provides for substantial penalties for unauthorised destruction or modification of sites associated with pre-1900 human activity.</p>
<p>Building Act 2004</p>	<p>Historic heritage buildings are not exempt from the Building Act 2004. The Building Act requires local authorities to ensure that buildings are safe, promote physical independence and wellbeing, have adequate fire escape and seismic provisions, and are designed, constructed and able to be used in ways that promote sustainable development.</p> <p>Local authorities are also required to take into account Section 4(2) which includes the need to facilitate the preservation of buildings of significant cultural, historical or heritage value. In applying the purpose of this Act the relevant heritage principles are:</p> <p><i>d) the importance of recognising any special traditional and cultural aspects of the intended use of the building.</i></p> <p><i>l) the need to facilitate the preservation of buildings of significant cultural, historical or heritage value.</i></p> <p>Important changes to this Act relating to the management of earthquake prone buildings (EQPB) came into effect on 1 July 2017. In summary:</p> <ul style="list-style-type: none"> • The Council should be using the identification and remediation methodology and processes for EQPB set out in the Act.

	<ul style="list-style-type: none"> • The Council’s EQPB Policy ceased to apply from the commencement of the changes to the Act. • EQPBs must adhere to new timeframes but owners of certain heritage buildings can apply for extension of time to (under s133AO) to complete strengthening work.
New Zealand Heritage List/Rārangi Kōrero	<p>The New Zealand Heritage List/Rārangi Kōrero (the List) identifies New Zealand's significant and valued historical and cultural heritage places. The List is a non-regulatory source of information about historic places, historic areas, wāhi tūpuna, wāhi tapu and wāhi tapu areas for the purposes of the RMA. The five parts to the List include: Historic Places, Historic Areas, Wāhi Tūpuna, Wāhi Tapu and Wāhi Tapu Areas.</p> <p>Historic Places are split into:</p> <ul style="list-style-type: none"> • Category 1 historic places are of <i>special</i> or <i>outstanding</i> historical or cultural significance or value • Category 2 historic places are of historical or cultural significance or value <p>The List does not confer statutory protection or create regulatory consequences or legal obligations on property owners. However, it can provide heritage funding opportunities such as the National Heritage Preservation Incentive Fund, and can lead to heritage properties being considered for inclusion in district plan heritage schedules²³.</p> <p>Local authorities are required to notify HNZPT if a building consent application is received regarding a property on the List. This allows Heritage New Zealand Pouhere Taonga to offer conservation advice to property owners and the local authority. The fact that a property is included in the List should be noted on any relevant land information memorandum (LIM) supplied by a local authority.</p> <p>Heritage New Zealand sends the Council a quarterly update of buildings listed on the NZ Heritage list. Council has a legal obligation to make it publicly available. It comes via email as quarterly updates with a completely new print annually.</p> <p>The majority of items on the NZHPT list are listed in the Operative District Plan.</p>
ICOMOS New Zealand Charter 2010	<p>The International Council of Monuments and Sites (ICOMOS) New Zealand Charter 2010 for the Conservation of Places of Cultural Heritage Value provides guidance and information on conservation principles and practice. It has an intention to guide all those involved in various aspects of conservation work, extending for example from owners, through to those heritage practitioners and local authorities.</p>
Sustainable Management of Historic Heritage Guide No. 3 District Plans	<p>The New Zealand Historic Places Trust²⁴ Sustainable Management of Historic Heritage Guide No. 3 District Plans 2007 provides guidance on the preparation of district plans. This guidance ranges from the approach to scheduling of places in district plans (including assessment) to protection methods, such activities to be managed and definitions required.</p>

²³ The list, formerly known as the register under the Historic Places Act 1993, is maintained by Heritage New Zealand. Section 4.10 of this report discusses the Heritage New Zealand Act 2014

²⁴ Now Heritage New Zealand Pouhere Taonga

2 Approach to Evaluation

Section 32(1)(a) requires an evaluation report to examine the extent to which objectives of the proposal, in this case the reviewed heritage provisions in the Timaru District Plan, are the most appropriate to achieve the purpose of the RMA.

Section 32(1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.

The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must, if practicable, quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

Section 32(1)(c) requires the assessment to correspond to the scale and significance of the environmental, economic and social effects anticipated by implementation of the proposal.

The proposed provisions relevant to the Historic Heritage chapter have been assessed having regard to the following key issues:

Issue 1

There is need to determine whether the identification and protection of historic heritage items in the District Plan is comprehensive and whether assessment of these items is robust in accordance with best practice and the CRPS criteria and that the settings of heritage item be identified and protected.

Issue 2

How can heritage protection be better enabled while acknowledging the economic cost of protection?

2.1 Scale and significance

Issue 1: <i>Protection of historic heritage</i>		
Reasons for change in policy	District Plan Review Giving effect to a matter of national importance in the RMA Giving effect to a higher-level RMA document (CRPS and NZCPS)	High
Relevant Statutory Considerations / Drivers	RMA Sections 6, 7, 31 and 74(2)(b)(ii)(a) CRPS Chapter 13 National Planning Standards HNZPTA	Medium
Degree of shift from status quo required	A moderate shift is required as the current approach needs to be updated to reflect increased knowledge of the current listed heritage items and the recent assessment of other items which have the potential to have significant heritage values including historic heritage areas.	Medium Medium-High

	<p>Moderate/major shift to also protect the settings of heritage items and historic heritage areas.</p> <p>Minor/moderate shift to include historic heritage areas in the Heritage chapter with some currently being managed through commercial zone provisions.</p>	Low-Medium
Who and how many will be affected?	<p>Owners of existing listed heritage items will now have more detailed information on the value of their heritage buildings and items.</p> <p>Owners of existing heritage items will now have additional limitations on the use and development of the setting (site) of the heritage item.</p> <p>Owners of 80 additional heritage items that are now to be included in the list of protected heritage items will be affected in a significant way as they will require resource consent for activities such as additions, modification or demolition of these items. Owners of buildings within historic heritage areas will also be impacted however most of the proposed controls are similar to those in the current zone rules.</p> <p>External strengthening of heritage items able to be undertaken without the need for consent.</p>	<p>Low</p> <p>Medium</p> <p>High</p> <p>Medium</p> <p>Medium</p>
Degree of impact on, or interest from iwi / Māori	<p>Te Rūnanga o Arowhenua and Te Rūnanga o Ngāi Tahu have a particular interest in this topic. However, the identification of items and sites of value to Takata whenua is being undertaken as separate tranche of work.</p>	Low
When will affects occur?	<p>Effects on the community will be positive over time with robust assessments of existing and additional heritage items supporting their protection in the Plan.</p> <p>Owners of new heritage items will experience the effects of District Plan provisions when they wish to change or redevelop the heritage item.</p> <p>Owners of existing listed heritage items will be affected when they consider changes to the setting of their heritage item.</p> <p>Owners of buildings within historic heritage areas may be impacted if they undertake external alterations, demolish or build a new building however some of the controls are similar to those in the current zone rules.</p> <p>Benefit of not requiring consent for seismic strengthening.</p>	Medium/High

Geographic scale of impacts / issue	There are heritage items spread through the district but with a particular concentration in the towns of Timaru, Temuka and Geraldine.	Medium
Type of effect(s)	Positive effect for the community in having a robust basis for listing of heritage items as well as additional items being protected through the District Plan provisions. Positive effect if listing provides opportunity for seismic strengthening funding. May have negative impact on some owners of heritage items who wish to redevelop their sites or modify the heritage setting. Positive effect of enabling seismic strengthening thus reducing some of the costs involved.	Medium Medium/high
Degree of policy risk, implementation risk, or uncertainty	There is a high level of understanding of the potential risks to heritage items and their value and cost to individuals and the community. The policy approach has been tailored to this understanding. There is a good level of understanding of benefits and costs, and the approach is similar to that employed elsewhere.	Low
Overall Assessment of Scale and Significance		Medium/High

2.2 Approach to managing historic heritage

The objective and policy framework are intended to provide clear direction on the need to protect historic heritage as a matter of national importance. This is to be achieved through controls aimed at avoiding inappropriate subdivision, use and development of historic heritage. The intent is to retain and maintain the heritage resource in the Timaru District and its values by enabling continued use of this resource and an efficient pathway to provide for the upgrading of heritage buildings.

Operative Plan	Proposed Plan
<p>Objective seeks to identify and protect items of heritage importance which contribute to the character of the district.</p> <p>Policies seek promotion of public awareness of heritage, sympathetic renovation and reuse of heritage items, recognition of two levels of heritage significance in scheduling of items, listing of criteria for scheduling of items and as a basis for considering proposals affecting items</p>	<p>New objectives similar but with the additional outcome of explicitly protecting the settings of heritage items and recognising as a key factor in protection of this heritage that it is actively used and maintained.</p> <p>Policy approach similar but with added elements of explicitly protecting settings of heritage items, specific provision for strengthening, repairs and maintenance and relocation of items.</p>

<p>Listing of heritage items List of heritage items divided into Category A and B items – no supporting assessment reports detailing significance of items</p> <p>Unclear whether interior items protected</p>	<p>Extended list of protected heritage items (80 additional items) with individual detailed assessment reports accessible with the E-Plan.</p> <p>Retained two categories of A – Highly significant and B - Significant</p> <p>Identification of protected setting of each heritage item</p> <p>Listing of interior elements of 11 items, providing clarification that only these listed interior elements are regulated.</p>
<p>Rules - all alterations require resource consent Cat A items demolition - non-complying Cat B items demolition - discretionary</p>	<p>Similar controls except external seismic strengthening is now a permitted activity</p>
<p>Heritage and character areas not recognised and provided for within the Heritage chapter but rather managed through the commercial zone rules</p>	<p>Central Stafford Street, Timaru and Caroline Bay evaluated on the same basis as individual heritage items and found to have significant heritage value. These areas are now identified and protected as Historic heritage areas with controls on non-listed buildings including alterations and removal and on new buildings.</p>
<p>Archaeological - reference in Plan for the need for archeologically authority</p>	<p>This approach has been retained</p>

2.3 Quantification of Costs and Benefits

Quantification of costs and benefits has not been undertaken for this topic. Impacts on the protection of heritage items and areas and the resultant costs and benefits are difficult to value in monetary terms and it is seen as inappropriate to try to do so, therefore detailed economic analysis has not been undertaken to assist in the quantification of benefits and costs.

2.4 Choice of Evaluation Method(s)

Given the scale and significance of issues related to the historic heritage of the district it is proposed to assess the preferred option against other feasible and realistic options. The options will be assessed use a cost –benefit analysis, given the discussion above on costs and benefits.

2.5 Proposed objectives

This section of the report evaluates the proposed objectives as to whether they are the most appropriate to achieve the purpose of the Act.

Scheduled heritage items

HH-O1 Identification and documentation of historic heritage items

Historic heritage items are identified, and their heritage values documented.

HH-O2 Protection of Values
Timaru District’s historic heritage items and their settings are protected from inappropriate subdivision, use, and development.
HH-O3 Active use of historic heritage items
Historic heritage items are actively used and maintained, including through adaptive re-use.

Historic heritage areas

HH-O4 Identification and documentation of historic heritage areas
Historic heritage areas are identified, and their heritage values are documented.

HH-O5 Protection of historic heritage areas
The integrity and heritage values of historic heritage areas are protected from inappropriate subdivision, use and development.

3 Evaluation of Objectives

The table below sets out how the **proposed objectives** set out above achieve the purpose of the Act.

Category	Criteria	Comments
Relevance	Directed to addressing a resource management issue	Achieves. The objectives seek to protect and/or maintain and enhance the significant heritage values of items and areas throughout the Timaru District, which is a matter of national importance.
	Focused on achieving the purpose of the Act	Achieves. The objectives are directly linked to protecting historic heritage values of the Timaru District, which will enable people and communities to provide for their social, economic and cultural well-being. The objectives achieve s7: the efficient use and development of physical resources, maintenance and enhancement of amenity values and the quality of the environment and recognition of the finite characteristics of historic heritage.
	Assists a council to carry out its statutory functions	Achieves. The objectives set out the outcomes that are sought in relation to historic heritage within Timaru District. This sets the framework for the policies and rules. As such, the provisions in the Plan will manage the potential adverse effects of activities and

		development to minimise impacts on identified heritage items.
	Within scope of higher-level documents	Achieves. The objectives give effect to the CRPS by ensuring that the District Plan includes provisions to protect the historic heritage of the Timaru District and to protect it from inappropriate subdivision, use and development.
Feasibility	Acceptable level of uncertainty and risk	Achieves. There is a low level of uncertainty and risk given that the objectives necessarily reflect language in section 6 of the RMA relating to Historic heritage. They expand on the existing single objective in the operative District Plan to provide for a broader range of outcomes sought.
	Realistically able to be achieved within council's powers, skills and resources	Achieves. The provisions will be able to be achieved within Council's powers, skills and resources as has occurred to date.
Acceptability	Consistent with identified iwi/Māori and community outcomes	Te Rūnanga o Arowhenua and Te Rūnanga o Ngāi Tahu have a particular interest in this topic. However, the identification of items and sites of value to Takata whenua is being undertaken as separate tranche of work.
		Achieves. The proposed provisions are based on similar provisions in the Operative Plan, with a more tailored approach and are not expected to result in unjustifiably high costs on the community as a whole. It is noted however that 80 additional heritage items are proposed to be scheduled so more owners of sites will be affected by the limitations/consents required for any changes to the listed heritage items. There are some changes for areas now identified as historic heritage areas which previously were managed by their commercial zoning. In these cases, the level of restriction proposed is similar to the existing provisions.

4 Identification of Options

The following sets out the reasonably practicable options for achieving the historic heritage objectives.

4.1 Option 1: Status quo

Retain current list of heritage items, no explicit protection of heritage settings and no provisions for permitted seismic strengthening. Maintenance of other heritage values

associated with groups of buildings not managed through the Heritage chapter but through Commercial zone provisions.

4.2 Option 2: Update schedules and provisions to better target provisions to outcomes sought

a - Additional items and heritage settings protected

This option involves amending the schedule to take into account the most recent heritage assessments that have been undertaken. This includes additional items being added into the scheduled items in the District Plan, thereby giving them protection under the heritage provisions. Four buildings have also been recommended for removal from the schedule. The recommendations have been made as a result of the Council commissioning a thorough assessment of all existing listed items and many other potential items during 2018-2019 as well as an historical overview of the district. These assessments have involved determining the heritage significance of items and their values. From this work the Heritage Steering Committee have recommended 80 additional items be included in the District Plan heritage schedule. In all but limited cases, the interiors of heritage buildings are not listed.

This option also involves explicitly identifying the setting of heritage items which contribute to their heritage values, and which are therefore also subject to protection. In many cases this setting is the land parcel on which they sit.

b - Creation of historic heritage areas

This option maintains the current approach to regulating most listed heritage items but creates a special regime for heritage and non-heritage buildings in two historic heritage areas, one based on north Stafford Street, Timaru and one in Caroline Bay.

Within these areas non-listed buildings are subject to similar, but lesser, controls on external alterations and removal of buildings. In addition, new buildings require consent to ensure that the integrity of historic heritage areas is maintained or enhanced.

c - Seismic strengthening and internal alterations

This option provides for external strengthening of historic buildings as a restricted discretionary activity, with internal alterations that do not modify, relocate or remove any scheduled interior elements (whether for strengthening or not) being permitted. This is expected to provide greater certainty and reduce costs associated with consenting these strengthening works, which are requirements under other legislation, and target consideration of internal alterations to only those buildings with known interior values. This generally permissive approach to internal alterations is also expected to better encourage adaptive re-use of heritage buildings.

4.3 Option 3: Additional listings - Historic Character Areas and assessment of all interiors of heritage items.

This option would involve identifying two historic character areas based on the streets around central Stafford Street, Timaru and Kind Street, Temuka. Within these areas, there are a number of scheduled heritage buildings, and collectively they influence the character of these areas. Within these areas, new buildings would require consent to ensure the current character and appearance of these areas is maintained, and the potential impact of new development on listed heritage items is managed.

This option would also involve an assessment being undertaken of interior elements of all scheduled heritage items, with the intention of including additional scheduling of interiors within the District Plan. The policy and rule framework could then control alterations made to these interiors.

5 Evaluation of Options

5.1 Evaluation tables

Set out in the tables below is an assessment of the appropriateness of options to achieve the objectives.

OPTION 1 <i>Status-quo</i>			
Benefits			
Environmental	Economic	Social	Cultural
No benefits	Resource consents would not be required for those additional heritage items identified nor those associated with new buildings within the setting or existing heritage items	Resource consents would not be required for those additional heritage items identified nor those associated with new buildings within the setting or existing heritage items	Cultural benefits resulting from the protection of existing listed buildings and managing change in Timaru and Temuka town centres through Commercial zone provisions
Costs			
Environmental	Economic	Social	Cultural
Heritage values associated with additional heritage items not identified in the operative District Plan, and the values derived from the settings of heritage items, could be lost.	<p>Cost of applying for resource consent for seismic strengthening of buildings. Potential cost to the community if heritage items deteriorate due to the costs of strengthening.</p> <p>With regard to areas where there are groups of historic buildings (listed and non-listed) there are still costs for resource consents if buildings are to be altered, demolished or replaced as these activities are controlled through the provisions in the Commercial zones</p>	<p>Potential social cost as some heritage items may deteriorate over time and others may be lost due to them not being protected.</p> <p>Some management of development in Timaru and Temuka town centre areas through Commercial zone provisions but without specific regard to the heritage context.</p>	<p>Potential cultural cost as some heritage items may deteriorate over time and others may be lost due to them not being protected. No control over activities and buildings on the sites of heritage items.</p> <p>Some management of development in Timaru and Temuka town centre areas through Commercial zone provisions but without specific regard to the heritage context</p>
Efficiency	This option would not be an efficient method of meeting the objectives given the costs identified above and the issues identified with the existing provisions.		
Effectiveness	This option would not be effective at achieving the proposed objectives because not all historic heritage items with known values, nor historic heritage areas, would be identified, nor would their value be documented. As such, the		

	provisions would be limited in their effectiveness at ensuring protection from inappropriate subdivision, use and development. Further, the consenting requirements for strengthening works are less likely to assist with historic heritage items being actively used and maintained. There would also be no specific management of activities within heritage settings and this could partially compromise achievement of the objectives.
Strategic Direction(s)	This option would not fully meet strategic objective SD-02 to recognise the important contribution of historic heritage to the district's character and protect significant heritage from inappropriate subdivision, use, and development.
Overall Appropriateness of Option 1	This option is not considered to be the most appropriate. It is only partially effective at achieving the outcomes sought and less efficient than Option 2.

OPTION 2 <i>Update schedules and provisions to better target provisions to outcomes sought</i>			
Benefits Environmental	Economic	Social	Cultural
<p>Identification of additional heritage items, heritage settings and historic heritage areas would likely result in a high level of environmental benefit over time in regard to the amenity of areas containing heritage items as they would be protected by the District Plan provisions.</p> <p>Would likely result in a higher uptake of seismic upgrades.</p>	<p>Will assist in retaining the special character of historic heritage areas which has resulted from the predominance of historic buildings, both listed and unlisted. Keeping this integrity and character assists in making these areas attractive to the residents and visitors. This in turn improves the potential for business to be successful.</p> <p>Consent will be required for alteration, removal or replacement of non-heritage buildings in areas which contribute to the heritage character of these areas. This is similar to the consents required by the current zoning, so no additional costs are incurred.</p> <p>Likely economic benefit from listing of additional heritage items and protection of settings is that it may increase the potential for increased</p>	<p>There are social benefits in protecting a greater number of significant heritage items and protection of their associated settings. There is also potential for the community to benefit from retaining the values of non-listed buildings which are an important component of the proposed historic heritage areas. The community and landowners would benefit from this approach.</p> <p>This option could result in social benefits as buildings are more likely to be strengthened if the process and costs of consents are reduced or avoided. These upgrades will result in the public and</p>	None identified

	<p>visitors and tourism in some areas and create opportunities to receive funding for seismic upgrades.</p> <p>Provisions are expected to reduce consenting costs and barriers to seismic strengthening.</p>	<p>staff being safer in an emergency.</p>	
Costs			
Environmental	Economic	Social	Cultural
No obvious environmental costs associated with this option	<p>The cost of identifying and assessing additional items and the setting of all listed and potential items has been considerable. However, this cost has already been incurred as part of the District Plan review. There may be additional costs incurred in the consideration of submissions opposing inclusion of items in the reviewed Plan's heritage schedule and potentially defending these additional heritage items in the Environment Court. This option would result in increased consenting costs associated with the additional heritage items and activities within heritage settings. With regard to historic heritage areas, the demolition of buildings and new buildings both currently require discretionary activity consent. Historic heritage area rules contain a similar level of control so no change in economic costs is expected for owners or the community</p>	None identified	None identified
Efficiency	<p>This option includes the addition of 80 items to the schedule of protected heritage items. This has the potential to result in some costs for owners of these items should they wish to alter or replace these items. There would however be the potential benefit of being able to</p>		

	<p>attract funding for seismic upgrading and conservation of the building. There is however a public benefit in protection of a greater number of significant heritage items within the district. Based on the experience of current levels of protection it is considered that the retaining this level of protection, except for internal strengthening, that these provisions will be an efficient method of meeting the objective given the costs identified above. Providing a more targeted regime for internal alterations is expected to be an efficient way of protecting those interiors of most note.</p>
Effectiveness	<p>This option will be effective at implementing the objective as it would protect all known historic heritage items and their settings, as well as historic heritage areas, and ensure the values associated with them are documented. The provisions are also effective at achieving protection of these items and areas from inappropriate activities, through an appropriately targeted policy and rule framework.</p> <p>In addition, the more targeted set of provisions relating to internal alterations is expected to be more effective at ensuring active reuse and active use and maintenance of historic heritage items.</p>
Strategic Direction(s)	<p>This option would achieve strategic objective SD-03 as the important contribution of all known historic heritage to the district's character and identity would be recognised, and those items and areas identified as having significant heritage values would be protected from inappropriate subdivision, use, and development.</p>
Overall Appropriateness of Option 2	<p>Option is the most appropriate means of achieving the objectives given that the range of benefits are expected to outweigh the costs, and the provisions are more effective than the status quo.</p>

OPTION 3 <i>Additional listings - Historic Character Areas and assessment of all interiors of heritage items</i>			
Benefits Environmental	Economic	Social	Cultural
<p>Greater assessment and management of interiors would likely protect heritage fabric of buildings.</p> <p>Management of demolitions and new buildings in historic character areas is expected to assist in protection of scheduled heritage items within those areas and allows for new buildings or alterations to be</p>	<p>None identified</p>	<p>There is potential for the community to benefit from the values associated with the heritage fabric of interiors</p>	<p>None identified</p>

considered in terms of their potential impacts on amenity values and character			
Costs Environmental	Economic	Social	Cultural
Potential for deterioration of buildings and consequential loss of amenity values if management of interior elements and historic character area provisions disincentivise changes to these buildings	<p>Cost of assessing the interiors of all heritage items.</p> <p>Costs associated with applying for resource consent for changes to the interior of heritage items. Discourages adaptive re-use of heritage buildings which commonly require changes to the interior of buildings, including alterations required by current building code.</p> <p>With regard to non-historic heritage buildings in heritage character areas, if these are the demolished or a new building is proposed both currently require discretionary activity consent. Historic character area rules would likely contain a similar level of control so no change in economic costs is expected for owners or the community. However, feedback from community consultation has identified that these costs may create a barrier to appropriate redevelopment, and there is potential for the provisions to</p>	Potential social cost if provisions act as deterrent to the active use, maintenance, and adaptive reuse of buildings.	Cost of potentially losing valued heritage interiors, although this cost is outweighed by benefits associated with better facilitating active use, maintenance and adaptive reuse of buildings

	undermine achievement of the outcomes anticipated by the underlying zone provisions		
Efficiency	This option would not be an efficient method of meeting the objective of encouraging adaptive reuse of heritage buildings given the costs identified above, and the issues identified with the existing provisions which require at least discretionary activity consent for internal modifications. The costs of the management of historic character areas is also expected to outweigh the benefits.		
Effectiveness	This option would be less effective at ensuring active use, maintenance, and adaptive re-use of heritage buildings.		
Strategic Direction(s)	This option may partially meet strategic objective SD-02 by generally recognising the important contribution of historic heritage to the district's character and identity; but is considered to go beyond what is necessary to protect significant heritage from inappropriate activities.		
Overall Appropriateness of Option 3	This option is not considered to be the most appropriate option as it is both less efficient and effective at achieving the outcomes sought than Option 2.		

5.2 Risk of Acting or Not Acting

Where there is uncertain or insufficient information, an evaluation of the risk of acting or not acting is important. In this case it is considered that there is little uncertainty in the issue or the potential significance of the issue. It is considered that given that the proposed provisions refine the approach taken in the operative provisions and are based on technical assessments undertaken of heritage values, there is sufficient information to act. It is therefore concluded that there is a low risk of acting in the proposed manner.

6 Preferred Option

This evaluation has been undertaken in accordance with Section 32 of the RMA to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that Option 2 is the most appropriate option due to:

- The inclusion of additional heritage items, and the removal of a small number, in the scheduled heritage items in the District Plan, as well as the introduction of two historic heritage areas, has resulted from a very thorough identification and assessment process with the scheduled items and areas now better reflecting the themes identified in the historical overview of the district.
- Generally permitting internal alterations, except for specifically listed interior elements, and providing an easier consenting pathway for external strengthening of heritage items, is considered to better encourage continued use or adaptive re-use of buildings ensuring they remain a viable part of the community's-built heritage.

- identification of heritage settings to protect the heritage item from inappropriate subdivision, use and development will assist in maintaining the integrity of heritage resource of the district.

Overall, it is considered that the set of preferred provisions in Option 2 is the most appropriate given that it is the most efficient and effective option at achieving the outcomes sought.