

Significant Historic Heritage Values – section 32AA assessment

This table sets out only the provisions of the notified proposed Plan on this topic **for which submissions were specifically received**. This table does not include provisions for which no specific submissions were received but that may be affected by consequential amendments. Where the officer has recommended amendments, these are set out below. Additions to the notified text are in underline and deletions are ~~strike-through~~ text. The section 32AA assessment follows alongside for each of the provisions where amendments have been recommended by the officer. If the officer does not recommend any changes, the provision appears in grey.

Red text amendments = recommendations from the officer's s42A report

Blue text amendments = updated recommendations from the officer's Right of Reply

Note that requests for **new** provisions are not included in these tables.

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
	3 Objectives	Objective O34: Significant historic heritage values		
	4 Policies	Policy P46: Managing adverse effects on sites with significant historic heritage value		
	4 Policies	Policy P47: Appropriate demolition		
	5 Rules	Rule R149: Maintenance or repair of structures – permitted activity ¹		
	5 Rules	Rule R165: Additions or alterations to existing seawalls – controlled	Rule R165: Additions or alterations to existing seawalls – controlled activity The addition or alteration to an existing seawall	Effectiveness and efficiency The alternative rule is efficient and effective because it is focussed on managing potential adverse effects of additions, and alterations to

¹ Submissions assessed in RMA section 42A Report: Management of the CMA

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		activity ²	<p>and the associated use of the addition in the coastal marine area, including any associated:</p> <p>(a) occupation of space in the common marine and coastal area, and</p> <p>(b) disturbance of the foreshore or seabed, and</p> <p>(c) deposition in, on or under the foreshore or seabed, and</p> <p>(d) discharge of contaminants, and</p> <p>(e) diversion of open coastal water is a controlled activity, provided the following conditions are met:</p> <p>(f) any addition shall add no more than 5m in horizontal projection and 1m in vertical projection to the structure as it existed on the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p> <p>(g) the addition shall not extend any further seaward than the existing seawall, and</p> <p>(h) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2, and</p> <p><u>(i) the structure is not identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigation aids).</u></p> <p>Matters of control</p> <ol style="list-style-type: none"> 1. Effects on public access 2. Design and construction 3. Effects on coastal natural processes including effects on shoreline stability in the 	<p>seawalls of regional significant</p> <p>A controlled activity rule is not the most efficient and effective in for implementing the Objective O34. There are seawalls that have regionally significant historic heritage values, and a controlled activity would not provide sufficient control to protect those values from inappropriate use and development, and would not be able to manage cumulative effects from additions and alterations.</p> <p>Costs and Benefits:</p> <p>Adverse effects on identified historic heritage places will be assessed and managed through a more appropriate discretionary activity rule (Rule R171). The potential benefits associated with the retention of significant heritage values in the coastal marine area are considered to be higher than the potential costs of amending proposals to alter and extend the seawall to manage potential and cumulative adverse effects on these historic heritage items.</p> <p>The costs and benefits cannot be quantified in monetary terms. The regulatory costs will increase over the notified version of the proposed Plan.</p> <p>Risk of acting or not acting</p> <p>The risk of acting is low, and the risk of not acting is considered to be moderate to high, because of the risk of the loss of regionally significant historic heritage values through additions and extensions. There is sufficient information about the significant historic heritage values to justify control potential effects through a discretionary activity rule.</p>

² Submissions assessed in RMA section 42A Report: Management of the CMA

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			<p>vicinity and adjacent areas</p> <p>4. Effects on a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats), Schedule J (geological features) or Schedule K (surf breaks)</p> <p>5. Effects on the heritage values of structures identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigational aids)</p>	<p>Decision about most appropriate option</p> <p>The alternative Rule 165 addresses a resource management issue, manages regionally significant historic heritage in a manner that is consistent with RMA s.6(f) and, together with other provisions, gives better effect to the higher order planning documents than the notified version of Rule R165. Therefore, the alternative Rule R165 is considered to be efficient and effective in implementing Objective O34 and Policies P46 and P47.</p>
	5 Rules	Rule R168A: Maintenance or repair of structures – permitted activity	<p><u>Rule R168A: Maintenance or repair of structures in Schedule E1, E2 and E3 – permitted activity</u></p> <p><u>The maintenance or repair of a structure in the coastal marine area, including any associated:</u></p> <p><u>(a) occupation of space in the common marine and coastal area, and</u></p> <p><u>(b) disturbance of the foreshore or seabed, and</u></p> <p><u>(c) deposition in, on or under the foreshore or seabed, and</u></p> <p><u>(d) discharge of contaminants, and</u></p> <p><u>(e) diversion of open coastal water</u></p> <p><u>is a permitted activity, provided the following conditions are met:</u></p> <p><u>(f) for structures identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) and Schedule E3 (navigation aids) E2 or E3 the materials used for maintenance and repair of the structure shall match the existing structures in form and appearance, and</u></p> <p><u>(g) the activity shall comply with the coastal</u></p>	<p><u>Effectiveness and efficiency</u></p> <p>The alternative Rule R168A duplicates Rule R148, which applied in the proposed Plan as notified. The duplicate rule transfers the permitted activity providing for repair and maintenance to sit alongside the other rules that implement Objective O34.</p> <p>Alternative Rule R168A allows the maintenance and repair of scheduled historic heritage in Schedules E1, E2 and E3 subject to conditions that are considered to be efficient and effective in enabling regionally significant historic heritage to be kept in good repair, and to controlling the amount of change and loss of heritage fabric.</p> <p><u>Costs and Benefits:</u></p> <p>The costs and benefits cannot be quantified in monetary terms. The permitted activity manages the potential regulatory costs by enabling work to occur that assists with the long term retention of regionally significant historic heritage.</p> <p><u>Risk of acting or not acting</u></p> <p>The risk of acting or not acting is considered to be low, because providing</p>

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			<p><u>management general conditions specified above in Section 5.7.2.</u></p> <p><u>Note</u></p> <p><u>Repainting is permitted by this rule and this rule applies to structures listed in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) and Schedule E3 (navigation aids)</u></p>	<p>for repair and maintenance promotes good asset management practices, and reduces the risk of the loss of regionally significant historic heritage values through deterioration and neglect.</p> <p><u>Decision about most appropriate option</u></p> <p>The alternative Rule 168A addresses a resource management issue, manages regionally significant historic heritage in a manner that is consistent with RMA s.6(f) and, together with other provisions, gives better effect to the higher order planning documents than the notified version of Rule R165. Therefore, the alternative Rule R168A is considered to be efficient and effective in implementing Objective O34 and Policies P46 and P47.</p>
	5 Rules	Rule R168: Alteration of structures identified in Schedule E2 or Schedule E3 – permitted activity		
		Rule R169: Additions or alterations to structures identified in Schedule E1 or Schedule E2 – restricted discretionary activity	<p>Rule R169: Additions or alterations to structures identified in Schedule E1 or Schedule E2 – restricted discretionary activity</p> <p>The addition or alteration to a structure identified in Schedule E1 (heritage structures) or Schedule E2 (wharves and boatsheds) and the associated use of the addition in the coastal marine area, including any associated:</p> <p>(a) occupation of space in the common marine and coastal area, and</p> <p>(b) disturbance of the foreshore or seabed, and</p> <p>(c) deposition in, on or under the foreshore or</p>	<p><u>Effectiveness and efficiency</u></p> <p>The alternative Rule R169 includes an additional Matter for Discretion to ensure the potential effects on ecology from additions, alterations (including extensions) to structures with significant historic heritage values also considers the effects on the seabed and marine environment in the coastal marine area. The General Coastal Conditions do not specifically control potential effects on the habitats and ecology on the coastal marine area.</p> <p><u>Costs and Benefits:</u></p> <p>The costs and benefits cannot be quantified in monetary terms.</p>

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			<p>seabed, and</p> <p>(d) discharge of contaminants that is not permitted by Rule R168, is a restricted discretionary activity, provided the following conditions are met:</p> <p>(e) the structure is not a seawall, and</p> <p>(f) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</p> <p>Matters for discretion</p> <ol style="list-style-type: none"> 1. Use of the structure 2. Effects on public access 3. Effects on public open space and visual amenity 4. Effects of disturbance, deposition and discharge associated with construction 5. Effects on the historic heritage values of structures identified in Schedule E1 (heritage structures) or Schedule E2 (wharves and boatsheds) 6. Lighting and noise 7. Effects on coastal natural processes including effects on shoreline stability in the vicinity and adjacent areas 8. <u>Effects on the ecology and habitats in the CMA.</u> <p>Note Additions or alterations to seawalls are either a controlled activity under Rule R165, a discretionary activity under Rule R166 <u>or Rule</u></p>	<p><u>Risk of acting or not acting</u></p> <p>The risk of acting or not acting is cannot be quantified in monetary terms.</p> <p><u>Decision about most appropriate option</u></p> <p>The additional Matter for Discretion in alternative Rule 169 addresses a resource management issue, and ensures the potential effects that may arise from activities associated with regionally significant historic heritage are assessed and avoided, remedied or mitigated.</p> <p>It would be more efficient and effective to include a General Coastal Condition that ensures the effects on the seabed and marine habitats are considered as part of all restricted discretionary activities. Alternative Rule R 169 ensures the potential effects of additions and alterations to historic heritage structures in the CMA are managed in accordance with RMA section 5(c) and section 17. The alternative Rule R169 does not address a matter that implements Objective O34 and Policies P46 and P47, but does address a potential issue arising from activities associated with changes to historic heritage in the CMA..</p>

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			<p>R171 or a non-complying activity under Rule R167.</p>	
		<p>Rule R170: Additions to structures identified in Schedule E3 – permitted activity</p>		
		<p>Rule R171: Additions or alterations to structures identified in Schedule E1, Schedule E2 or Schedule E3 – discretionary activity</p>	<p>Rule R171: Additions or alterations to structures identified in Schedule E1, Schedule E2 or Schedule E3 – discretionary activity</p> <p>The addition or alteration to a structure identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigation aids) and the associated use of the addition in the coastal marine area, including any associated:</p> <ul style="list-style-type: none"> (a) occupation of space in the common marine and coastal area, and (b) disturbance of the foreshore or seabed, and (c) deposition in, on or under the foreshore or seabed, and (d) discharge of contaminants <p>that is not permitted by Rule R168, R168A or Rule R170 or controlled by Rule R165, or restricted discretionary under Rule R169 is a discretionary activity.</p>	<p>Effectiveness and efficiency</p> <p>The alternative rule is a consequential change, and is considered to be efficient and effective because it improves the workability of the recommended changes to the proposed Plan.</p> <p>Costs and Benefits:</p> <p>Adverse effects on identified historic heritage places will be assessed and managed through a more appropriate discretionary activity rule (Rule R171). The potential benefits associated with the retention of significant heritage values in the coastal marine area are considered to be higher than the potential costs of amending proposals to alter and extend the seawall to manage potential and cumulative adverse effects on these historic heritage items.</p> <p>The costs and benefits cannot be quantified in monetary terms. The regulatory costs will increase over the notified version of the proposed Plan.</p> <p>Risk of acting or not acting</p> <p>The risk of acting is low, and the risk of not acting is considered to be moderate to high, because of the risk of the loss of regionally significant historic heritage values through additions and extensions. There is sufficient information about the significant historic heritage values to justify control potential effects through a discretionary activity rule.</p>

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				<p>Decision about most appropriate option</p> <p>The alternative Rule 171 addresses a resource management issue, manages regionally significant historic heritage in a manner that is consistent with RMA s.6(f) and, together with other provisions, gives better effect to the higher order planning documents than the notified version of Rule R171. Therefore, the alternative Rule R171 is considered to be efficient and effective in implementing Objective O34 and Policies P46 and P47.</p>
		Rule R172: Removal, demolition or replacement of structures or parts of structures identified in Schedule E1, Schedule E2 or Schedule E3 – discretionary activity		
	6 Methods	Method M23: Archaeological discovery protocols		
	6 Methods	Method M23A	<p><u>Method M23A: Archaeological Authority requirements under the Heritage New Zealand Pouhere Taonga Act 2014</u></p> <p><u>When applications are received for ground disturbance activities near recorded archaeological sites, the Wellington Regional Council will advise consent holders that there are also separate consent requirements to modify or destroy an archaeological site under the Heritage New Zealand Pouhere Taonga Act 2014. This may be by including an Advice Note</u></p>	<p>Effectiveness and efficiency</p> <p>The alternative Method M23A is efficient and effective because it assists with the management of archaeological sites, and the potential for irreversible loss</p> <p>A controlled activity rule is not the most efficient and effective in for implementing the Objective O34. There are seawalls that have regionally significant historic heritage values, and a controlled activity would not provide sufficient control to protect those values from inappropriate use and development, and would not be able to manage cumulative effects from additions and alterations.</p>

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			<u>in conditions in resource consents.</u>	<p>Costs and Benefits: The alternative Method M23A assists with streamlining regulatory processes and the interface across two pieces of legislation managing archaeology of regional significance.</p> <p>The costs and benefits cannot be quantified in monetary terms.</p> <p>Risk of acting or not acting The risk of acting is low, and the risk of not acting is considered to be low, because there is sufficient information about regionally significant archaeology to justify the Method.</p> <p>Decision about most appropriate option The additional Method M23A addresses a resource management issue, manages regionally significant historic heritage in a manner that is consistent with RMA s.6(f) and, together with other legislation is considered to be efficient and effective in implementing Objective O34 and Policies P46 and P47.</p>
	12 Schedules	Schedule E: Sites with significant historic heritage values		
	12 Schedules	Schedule E1: Historic heritage structures		
	12 Schedules	Schedule E2: Historic heritage wharves and boatsheds		
	12 Schedules	Schedule E3: Historic heritage navigation aids		

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	12 Schedules	Schedule E4: Archaeological sites		
	12 Schedules	Schedule E5: Historic heritage freshwater sites		
	13 Maps	Map 8: Historic heritage structures (Schedule E1)		
	13 Maps	Map 9: Historic heritage wharves and boatsheds (Schedule E2)		
	13 Maps	Map 10: Historic heritage navigation aids (Schedule E3)		