

1. Heritage

1.0 Introduction

- 1.0.1 Heritage helps to define who we are as individuals, communities and cultures. Awareness of heritage offers insight into where we have come from and how the past should be valued into the future. The way we manage heritage reflects how we, as communities, value and identify with our history.
- 1.0.2 In Southland, heritage is represented or reflected through natural resources such as landscapes, lakes, harbours, estuaries; landforms and indigenous ecosystems including native bush, scrub and wetlands; or places, structures, landscapes and resources of historical, archaeological, cultural, territorial and ancestral significance.
- 1.0.3 As signatories to international charters and through adoption of provisions enshrined in law, successive New Zealand governments have committed to ensuring the identification, protection, conservation, presentation and transmission of cultural and natural heritage to future generations.
- 1.0.4 A broader interpretation and upgrading of heritage status demonstrating this commitment is now reflected through amendments to the Resource Management Act (RMA). A new definition of 'historic heritage' has been provided and the protection of historic heritage has been elevated to a matter of national importance that must be recognised in policy documents such as Regional Policy Statements and regional and district plans. The RMA now requires historic heritage to be protected from inappropriate subdivision, use and development as a matter of national importance. There is also provision for the protection of outstanding landscapes and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga.
- 1.0.5 Management of historical heritage at a strategic regional level and practical conservation level is therefore an important role for Southland councils. Those making decisions on policies and consents must ensure that the national interest in historic heritage is recognised and provided for. Partnerships are critical to identifying and conserving historic heritage.
- 1.0.6 The New Zealand Historic Places Trust (NZHPT) promotes the conservation of the nation's natural heritage and historic places. The Historic Places Act 1993 empowers the Trust to recommend the conservation and protection of any historic area or wāhi tapu area (a place sacred to Māori in the traditional, spiritual, religious, ritual and mythological sense). Local authorities must have particular regard to these recommendations.
- 1.0.7 In addition to the RMA and Historic Places Act 1993, sustainable development approaches have been incorporated in local government and building legislation under the Local Government Act 2002 and Building Act 2004.
- 1.0.8 The 'Our Way Southland' collaborative project between all four Southland councils in 2005 introduced seven outcomes encapsulating the issues, strengths, weaknesses and opportunities affecting the quality of life within Southland. These outcomes have in turn been adopted in each of the four Southland councils' Long-Term Council Community Plans.

10.9 Outcome 1, *'Southland is a great place to live'* encapsulates the diverse lifestyle and rich culture within our region and one of the intermediate outcomes associated with it is *'to value history and heritage'*.

2.0 Relevance of existing Regional Policy Statement and Southland District Council Plan Issues

2.0.1 The following provides a brief overview of the relevance of existing issues relating to heritage contained in the Regional Policy Statement and the Southland District Council District Plan.

2.1 *Regional Policy Statement*

2.1.2 The current Regional Policy Statement does not have a section that specifically focuses on heritage nor does it provide well for the protection of heritage as a matter of national importance. The Regional Policy Statement encompasses heritage briefly within section 5.10 'The Built Environment' and in a general way within section 5.9 'Landscapes and Natural Features'.

2.1.3 When the Regional Policy Statement was prepared in the mid 1990s it did not reflect the recent status change to 'recognise and provide for' the protection of historic heritage from inappropriate subdivision, use and development as a matter of national importance. As a result the RPS gives little guidance for the management of heritage and particularly what constitutes inappropriate subdivision, use and development. This leads to inconsistencies in preparation of regional and district plans.

2.2 *Southland District Plan*

2.2.1 Section 3.4 "Heritage" of the Southland District Plan identifies three distinct types of heritage -natural, cultural and built heritage. Issues are identified in the Plan under these types are:

- Natural Heritage - Areas of the District's significant ecosystems are under threat from land development, recreational and tourism activities.
- Cultural Heritage - Sites of importance to Maori lack appropriate protection.
- Built Heritage - Loss of significant heritage buildings and sites through redevelopment and/or inappropriate renovations.
- Built Heritage - Some Southland towns have a distinct character worthy of protection.

2.2.2 The heritage issues identified and listed in section 3.4 'Heritage' of the existing Plan are still relevant and will all need to be addressed in the second generation District Plan. However, natural heritage issues are likely to be addressed in other sections of the new Plan. In regard to the Southland District's built and cultural heritage, the RMA now imposes a greater duty on the District Council to ensure that these types of historic heritage are protected from inappropriate subdivision, use and development.

2.2.3 The existing District Plan includes a schedule of all buildings, places and sites with a Historic Places Trust classification at the time the Plan became operative, while Rule HER.1 details the regulatory requirements relating to places listed in the schedule. Although the regulatory approach of the existing District Plan is still considered relevant, the manner in which historic heritage items are listed may need to be updated.

- 2.2.4 An extensive list of references relating to archaeological sites is included in the appendices of the existing District Plan. Archaeological sites that predate 1900 are protected against any disturbance under the Historic Places Trust Act. However, some form of regulatory protection under the second generation District Plan is still considered appropriate for archaeological sites.
- 2.2.5 Schedule 6.13 lists geological sites and landforms, and Rule HER.2 requires resource consent for any activity or work that is likely to have an adverse effect on, destroy, remove or damage any of sites or items identified in that schedule. This rule has had very limited use in the administration of the existing District Plan. Many of the sites are very large, difficult to define and awkward to assess in terms of impacts of proposed developments.
- 2.2.6 Schedule 6.11 lists sites identified as being of natural or unique significance but there are no regulatory controls relating to them. It is considered that these sites should either be given formal protection under the second generation District Plan or not be listed at all.
- 2.2.7 Section 6.13 lists significant stands of trees and bush for information only, while Schedule 6.12 includes a list of the QEII covenanted areas in the District. Although QEII processes sit outside the RMA process, their listing in the second generation District would be beneficial.
- 2.2.8 Schedule 6.10 lists Sites of Local Historic Significance, which were identified by Community Boards when the current District Plan was formulated. There are no specific rules or controls that relate to these sites so they lack any meaningful level of protection under the current District Plan. Potentially some of these sites of local significance could be given formal recognition and protection under the second generation District Plan.

3.0 Emerging Regional and District Issues

3.1 *Regional Issues*

- 3.1.1 For heritage, a broader interpretation and upgrading of status is reflected through recent amendments to the RMA, as outlined in the introduction above. Given the changing environment in Southland, several issues require consideration in reviewed policy documents including protection of historic heritage at the landscape level.
- 3.1.2 These include but are not limited to:
- impacts of development and land use changes on important natural features around the region, as well as on the 'landscape' generally;
 - current pressures on the landscape and natural features including large-scale earthworks, development in the coastal environment and infrastructure associated with wind energy generation;
 - vegetation removal has visual and ecological impacts on natural character on the coast and inland. There is also potential for damage to sites of significance to Māori and archaeological sites.
- 3.1.3 Heritage listings within plans require consideration. The Historic Places Trust list of registered places has increased. Operative regional and district plans may not have an adequate geographic spread throughout the region or a consistent approach with respect to the periods of human occupation or items that reflect the various themes of that occupation (e.g. whaling, early Māori, Pakeha settlement, archaeological sites).

3.1.4 Another area of difficulty for many local authorities is determining the regional importance of historic heritage and what inappropriate subdivision, use and development encompasses. Proposals presented to councils may therefore be decided on a case by case basis.

3.1.5 The Ngāi Tahu Ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 - 'Te Tangi a Tauira' (The Cry of the People) - was formulated under the iwi management plan provisions of the Resource Management Act 1991. It will be useful in assessing resource management issues relating to cultural heritage in both the second generation District Plan and the RPS. Continued access to and protection of known wāhi tapu and wāhi taonga sites is identified as a key issue in several the sections of the iwi management plan. Other important issues include the protection of unknown sites of significance that may be discovered during sub-division, use and development; and the protection of cultural landscapes from inappropriate use and development.

3.2 *Localised district issues*

3.2.1 As the existing District Plan notes, some of the Southland District's townships have a distinctive character that is worthy of protection. Heritage buildings are often a key component of this distinctive character, as are historical associations such as Oban and Riverton's links with the sea and the fishing industry.

3.2.2 The Winton Great North Road Historic Area is an example of how heritage buildings can give a town a distinctive character. This can have economic, cultural and social benefits for the local communities. Town centres with groupings of surviving historic buildings and defined historic precincts can also act as important public areas and focal points for local communities. The quality of a town centre environment can influence its attractiveness to both residents and visitors. Loss of heritage buildings and features in town centres along with inappropriate extensions and alterations can impact on the appearance and image of a town. In addition new buildings if they are of an inappropriate design, height or scale can have a significant visual impact. The second generation District Plan needs to facilitate the protection of areas of distinctive historical character from inappropriate development.

3.2.3 The accuracy of the mapping data relating to archaeological sites has caused difficulties during the lifetime of the existing Plan. The exact location of some culturally sensitive sites have intentionally been recorded inaccurately in order to protect them. This can cause delays in resource and building consent processing as appropriate consultation is undertaken. The inaccuracy of background records relating to these sites has also caused problems when attempts have been made to clarify the exact location and nature of the site.

3.2.4 Rule HER.2 'Geological Sites and Landforms' has had very limited use in the administration of the existing District Plan. Many of the sites identified in this schedule are very large. There have been difficulties associated with defining exactly what areas they cover and how development proposals might affect them. The adoption of a similar rule in the second generation District Plan is likely to be of limited use unless much greater certainty can be provided for all parties.

3.2.5 The existing District Plan is arguably deficient regarding the identification, listing and formal protection of significant trees. While District wide regulatory controls relating to trees are not being recommended, controls relating to prominent trees and those of historical significance may be appropriate. Many of these trees may be located on public land. The second generation District Plan could look to formally protect them so as to encourage their appropriate retention and care.

4.0 Options for addressing issues

4.1 *Options for improvement of heritage protection at a regional level*

4.1.1 It is proposed that the Southland community revisits the issue of heritage management and how it be addressed in regional and district planning documents. The community's view on the importance of heritage in resource management will determine how much guidance the RPS provides.

4.1.2 The following options could help identify, recognise and protect historic heritage at a regional level.

4.1.3. 1. Regional consistency in the approach to protection of heritage requires clarification.

4.1.3.1 The RPS could direct regional and district plans to include objectives, policies and rules relating to historic heritage including the listing of sites. The RPS could also include a range of non statutory methods promoting best practice and it could include direction for district plans on cross boundary issues where integrated management and appropriate definition is required to protect historic heritage. These methods would need to be developed in consultation with the community and local authorities first.

4.1.4 2. Heritage listings within plans

4.1.4.1 At a national level, fundamental changes to the RMA as outlined by the recently elected National government could consider Heritage listings within plans. Environment Southland and the Southland District Council are both advocating that listings or schedules of heritage items (NZAA, Iwi, HPT, Significant trees, geology, and landscapes) be maintained outside of the plans. This would allow the policy framework and rules to be retained in the plan but the heritage lists, which are constantly being updated, would be retained in a "central heritage register" for each region. This register should be web-based and could be kept up to date on a daily basis without the need for continual plan changes or variations to update the lists.

4.1.4.2 The centralised web based register would enable easy public access to the information. The Act could sanction the centralised heritage list provided it is held on the regional council's web site and territorial authorities' web sites could link to it. That would ensure there was a single up-to-date list based on an all-heritage approach.

4.1.5 3. Determining the regional importance of historic heritage and inappropriate subdivision, use and development.

4.1.5.1 Another area of difficulty for many local authorities is determining the regional importance of historic heritage and what inappropriate subdivision, use and development encompasses. Determining what constitutes inappropriate subdivision, use and development, should be informed by the purpose and principles of the Historic Places Act 1993, the RMA 1991, international charters and national policy guidance. The following principles are recommended for assessing appropriate or inappropriate subdivision, use and development on historic heritage values guide authorities. These guides could form the basis of provisions within policy documents.

Respect values	Recognising the lasting values of the place or area and evidence of the origins and development of New Zealand's distinct peoples and society.
Diversity and Community	Recognising the diverse cultures of New Zealand

resources	and the diverse social and physical environments and communities.
Sustainability	Recognising the finite nature of historic heritage and the need to take the precautionary approach in order to safeguard the options for present and future generations.
Maori heritage	Recognising and providing for the relationship of Maori and their culture and traditions with their ancestral lands, waters, sites, wāhi tapu and other taonga following the spirit and intent of the Treaty of Waitangi.
Research and documentation	Ensuring interventions are informed by sufficient research, documentation and recording, where culturally appropriate.
Respect for physical material	The degree to which interventions involve the least possible loss of heritage significance and the least loss of material of heritage value, including any irreversible or cumulative affects.
Understanding significance	Whether the values of the place are clearly understood before decisions are taken may resulting change.
Respect for contents, cartilage and setting	The extent to which interventions respect the contents and surroundings associated with the place.

4.2 *Options for improvement of heritage protection in the Southland District Plan*

4.2.1 1. Regulatory Approaches

4.2.1.1 Historic Places Trust classification of buildings, places and sites does not provide automatic protection for historic heritage. Formal protection through the District Plan process is required so the use of heritage schedules and related regulatory controls should be utilised in the second generation District Plan. The existing District Plan takes a regulatory approach to heritage protection, which enables the Council to control physical changes that can be made to listed heritage sites and places as of right, as well as providing protection from demolition. Regulatory controls also ensure that appropriate consultation and expert advice can be obtained from the NZHPT, NZAA and local iwi groups.

4.2.1.2 It is worth noting that an important component of maintaining heritage buildings in the District is adequately providing for appropriate reuse. It is therefore important to ensure that any regulatory regime imposed through the second generation District Plan is not so onerous that it discourages suitable reuse.

4.2.2 2. Non Regulatory Approaches

4.2.2.1 The District Council should also engage with and, where appropriate, support local community organisations with an interest in historic heritage. Many community groups with an interest in heritage are active throughout the District. Groups may also be formed when heritage sites, areas or buildings are threatened by development proposals. These groups can facilitate the recognition and protection of buildings, sites and areas of heritage value within their communities. Community buy-in or support for the recognition and protection of local historic heritage through the activities of such groups can play an important and valuable role in the protection of historic heritage.

- 4.2.2.2 In addition, external funding for the recognition and protection of specific heritage items may be available to community groups. The important role these groups can play in the recognition and protection of heritage could be recognised in the second generation District Plan. Hence, successful maintenance and enhancement of Southland's historic heritage is likely to require a combination of regulatory and non-regulatory approaches.
- 4.2.2.3 Non-regulatory guidelines can also help inform property owners and developers about issues associated with heritage buildings. The Southland District Council currently has non-regulatory development guideline booklets with relating to the Riverton/Aparima Township and area (2005) and the Te Anau Ward (2003). These guidelines focus on specific characteristics of each of these communities and provide some design guidance and information on issues that are of particular concern to each township. They provide guidance to developers and other interested parties on the community values of each township and promote the unique nature of each local environment. Such an approach could be extended to historic heritage.
- 4.2.2.4 Education is another useful tool that the Council can use to help address heritage issues and its responsibilities under the RMA. Heritage building open days, field trips and seminars can be targeted at particular heritage issues that are relevant to a particular local environment or can take a wider heritage educational approach.

5.0 Questions for further discussion

5.1 *Regional Policy Statement*

- In what ways should the Regional Policy Statement contain specific provisions for the protection of regional heritage? Are there any regionally significant heritage areas/values that need to be recognised and provided for?
- What are the areas you consider need addressing at a regional level with respect to heritage issues, protection and enhancement?
- If the Regional Policy Statement was to include specific provisions managing heritage issues, how directive should the provisions be and to what degree should the provisions provide guidance to territorial authorities? Should there and in what way, be closer integration among local authorities to manage heritage issues?
- How should inappropriate subdivision be determined? How do you feel about the NZHPT guidance series 2007 principles for assessing appropriate or inappropriate subdivision, use and development on historic heritage? Are these a way forward for development of provisions within a revised Regional Policy Statement for Southland?

5.2 *Southland District Plan*

- What are the areas you consider need addressing at a District Council level with respect to heritage issues, protection and enhancement?
- How should the second generation District Plan address the enhanced-status and importance of historic heritage issues under the RMA? In which areas is the existing District Plan deficient?
- Are there any buildings, features and sites not currently listed in the existing District Plan that you would like to see protected under the second generation Southland District Plan?
- Is a rules-based regulatory approach that seeks to protect and preserve more stringently the District's historic heritage an approach that should be adopted in the second generation Southland District Plan?

- Should the second generation District Plan look to formally protect historically significant trees situated in public areas?
- Should the second generation District Plan look to recognise and provide for the District's unique townscapes, areas or precincts of significant historic heritage value?
- How can the second generation District Plan best address historic heritage sites of significance to Maori, including wāhi tapu?
- How can the second generation District Plan best address historic heritage issues associated with archaeological sites?