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**WAIRAU/AWATERE
RESOURCE MANAGEMENT PLAN**

**Proposed Plan Change No. 55: Heritage Buildings, Places and
Sites**

**MARLBOROUGH SOUNDS
RESOURCE MANAGEMENT PLAN**

**Proposed Plan Change No. 17: Heritage Buildings, Places and
Sites**

REPORT PREPARED TO FULFIL THE REQUIREMENTS OF
SECTION 32 OF THE
RESOURCE MANAGEMENT ACT 1991

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INTRODUCTION

This report sets out the evaluation behind the Marlborough District Council's (the Council) decision to change the Wairau/Awatere Resource Management Plan (WARMP) and the Marlborough Sounds Resource Management Plan (MSRMP) (collectively referred to as 'the Plans'), in respect to heritage resources.

The changes proposed to the Plans seek to:

- Update the existing Register of Significant Heritage Resources contained in the Appendix A of the MSRMP.
- Update and amend the existing Register of Significant Heritage Resources contained in the Appendix A of the WARMP.

The Plans recognise that heritage resources contribute to the environmental quality, and consequently community wellbeing, in many ways. Places having cultural heritage value are recognised as:

- *Have lasting values and can be appreciated in their own right;*
- *Teach us about the past and culture of those who came before us;*
- *Provide the context for community identity whereby people relate to the land and to those who have gone before;*
- *Provide variety and contrast in the modern world and a measure against which we can compare the achievements of today;*
- *Provide visible evidence of the continuity between past present and future.*

*(The International Council on Monuments and Sites (ICOMOS)
New Zealand Charter for the Conservation of Places of Cultural Heritage Value)*

Buildings, places and sites that hold little significance today, may be of historic significance in years to come. For this reason, heritage protection is an evolving matter and an on-going process in terms of management.

The Council therefore seeks to update the existing Heritage Register's contained in each Plan, to include two additional heritage resources within the MSRMP, and one additional heritage resource within the WARMP. Further, amendments to the existing WARMP register are sought to address minor inaccuracies and the planning maps contain within each Plan will be changed to reflect the schedule changes and amendments.

SECTION 32 REQUIREMENTS

In notifying any change to the Plan, the Council has a duty under section 32 of the Resource Management Act 1991 (RMA) to evaluate a number of matters.

The section 32 process of the RMA assists in ensuring that good environmental outcomes are achieved, plan provisions are targeted at achieving the purpose of the RMA by the most appropriate methods, there is sound policy analysis to base decisions and for reassessing whether the chosen provisions are necessary and appropriate once they are in use. An evaluation under section 32 has to be carried out before the Council publicly notifies a plan change and then again before making a decision on submissions received. A section 32 evaluation must examine the extent to which each objective, policy, rule and method is the most efficient and effective and/or appropriate way to achieve the purpose of this Act. It must also take into account the benefits and costs of policies, rules, or other methods, and the risk of acting or not acting.

This report fulfils the requirements of section 32(5) RMA in terms of summarising the evaluation undertaken.

STRUCTURE OF THIS REPORT

Part A: Issue Identification, including background, investigation and analysis of the issues determined through Council initiated research and public consultation.

Part B: A summary of the legislative framework, within which resource and environmental issues are currently managed.

Part C: An evaluation under section 32, as required under the RMA, of the actual changes proposed to the Plan.

The proposed Schedule of Changes to the Plan's, which sets out the proposed plan changes, are attached in **Appendix 1 and 2** of this report.

PART A: BACKGROUND AND INVESTIGATION

Background

A register of significant heritage resources is contained within Appendix A of both the WARMP and MSRMP. The criteria for the identification of specific heritage resources as contained in each Plan, is listed in **Appendix 3** of this report. The items listed on the register are subject to protection through special controls and procedures as specified by Plan rules. The protection of historic heritage from inappropriate subdivision, use and development is identified as a matter of national importance within the Act, and must be considered in conjunction with the purpose of the Act.

Investigation

The WARMP and MSRMP provide that heritage resources to be included within a Plans heritage register will include those listed on the New Zealand Historic Places Trust (NZHPT) register. The NZHPT register is a national schedule of New Zealand's treasured heritage. The buildings and sites Council are proposing to include of the Plan's Heritage Schedules, have recently been registered with NZHPT.

The buildings and sites proposed for inclusion in the MSRMP as heritage resources include:

- Oparapara (Samson Bay) Argillite Quarries
- Tory Channel Leading Lights

The buildings and sites proposed for inclusion in the WARMP as heritage resources include:

- Pilot's House

Amendments are also proposed to be made to the WARMP with respect to:

- Leefield Station

The historical relevance and significance of each of the building, place or site identified above, is discussed in turn:

Pilot's House

The Pilot's House is located on the northern bank of the Wairau River, on a land parcel legally identified as being Section 5 Sq 28 North Boulder Bank Registration District (CT MBD/986), Marlborough. The site is bounded on the west by the driveway to the property, to the north by Wairau Bar Road, and to the south and east by the Wairau River. The building is located to the far east of this property. The dwelling is a timber colonial building, which stands today as a reminder of local marine history associated with the area.

The NZHPT reports that in 1860 the Provincial Council agreed to appoint Mr MacDonald as a Marine Pilot based at mouth of the Wairau River. His position as a signalman and marine pilot involved the use of flags and beacons as signals to communicate the condition of the Wairau Bar convergence to incoming and outgoing marine vessels. However, according to the NZHPT,

as an attempt to economise expenditure, the Provincial Council of Marlborough abolished the marine pilot position at the Wairau in 1862.

Due to the importance of trade for the region and consequently the regional reliance of the shipping trade, the Marine Department re-established the pilot station at the Wairau Bar in 1868. At this time, Mr James Bulliff was appointed as a Marine Pilot for the area. Mr Bulliff was familiar with the navigation of the areas as a result of his time as the captain of the schooner Falcon on the Wellington to Blenheim run. His generous salary of 120 pounds per year is considered to reflect the economic viability of the trading at the Wairau Bar.

Marine Pilot James Bulliff lived with his family in the Pilot's House from 1868 to 1886. It is thought that the Pilot's House dates back to the time of his commission, and while it is possible that the cottage dates back before this, the NZHPT reports that there is no clear historical evidence to support this.

By 1884, the dwelling was reported to be in poor structural condition, and a second dwelling was built. Over, approximately, the next 70 years, the original Pilot's House was subject to private sale, and many repairs and alterations, including; the constructed of a lean-to, a new kitchen, changes to the windows; and changes to the chimney. Nevertheless despite these alterations, the NZHPT recognises that 'it still retains much of its original fabric (in the form of layout, internal wall linings and joinery), and the building is presently in a fair condition'¹.

The Pilot's House has been registered on the NZHPT Register as a Category 1 Historic Place. The NZHPT registration extends to the land surrounding the dwelling, but excludes other buildings located on this land.

The WARMP enables the protection of heritage buildings, places or sites, as Class A or B listings. The demolition or removal of a Class A Category 2 heritage feature is considered to be a Non-Complying Activity for which a Resource Consent is required. Any alteration or addition to a Class A heritage feature identified in Appendix A is considered to be a Discretionary Activity.

Blanket protection of the wider site surrounding the Pilot's House, would therefore include all structures, land and buildings located on the land. Given the NZHPT has selectively excluded other buildings located on this land from protection, it is recommended to protect only the Pilot's House as a **Category/Catergory A/2** Historic Building under the WARMP, and not the surrounding land. This recommendation for protection does not negate that there are value heritage aspects associated with the land surrounding the dwelling, but is proposed as a balance between the benefits of heritage protection through regulation, and in recognition private property rights anticipated and associated with land ownership.

Oparapara (Samson Bay) Argillite Quarries

Four quarry sites have been identified in the Croisilles Harbour area by the New Zealand Historic Places Trust, each being considered a Category II Historic Place. The four quarry sites include:

1. Outcrop Quarry and flaking floors – Currently protected as a Class A Historic Place in the Plan.
2. Pit Quarry and flaking floor – Currently protected as a Class A Historic Place in the Plan.
3. Plateau Quarry
4. West Pelorous Quarry

These quarries consist of outcrops of argillite that have been quarried through the removal of large tabs of stone that were reduced through flaking to form adzes. Adzes are an artefact type frequently found in archaeological sites throughout New Zealand. The quarrying of the argillite in this way, is considered to reflect the "rapid adoption and use of high quality stone material shortly after Polynesian settlement of settlement of New Zealand"². The NZHPT provides that these sites are important representative examples of quarry sites from which people were

¹ NZHPT (2007) Registration Report for a Historic Place – Pilot's House.

² NZHPT (2008) Registration Report for a Historic Place – Oparapara (Samson Bay) Argillite Quarries.

obtaining metasomatised argillite for tool manufacture very shortly after settlement, probably around the 13th century AD.

The NZHPT advises that the sites ...”formed part of a complex social network that would have included a support system for the skilled stoneworkers as well as extensive distribution networks for the finished products. They have high potential therefore, to provide information about New Zealand prehistory”³.

The location of the argillite is recognised in at least one tangata whenua legend, which acts as an oral map to stone resources². Further, these sites are of traditional significance to Ngati Kuia, whom the NZHPT recognises as the longest established iwi in the top of the South Island. “Ngati Kuia consider the use of argillite to be integral to their tribal identity and it features in many karakia, waiata and whakatauki”².

The ‘Outcrop Quarry and flaking floors’, and the ‘Pit Quarry and flaking floor’ are currently protected in the MSRMP as a Class A historic place, however have been identified in the associated planning map within the correct location. Council now seek to amend the existing planning maps to fix the planning map location errors, and extend this protection to include the ‘Plateau Quarry’ and ‘West Pelorous Quarry’, to similarly protect these quarries as Class A historic places. It is also proposed to protect the wider area surrounding and encompassing the four quarry sites. The protection of the wider area encompassing all four quarry sites is recommended for protection as a Class B heritage site.

Tory Channel Leading Lights

The Tory Channel Leading Lights were constructed in 1881 and have been operating since the 1st January 1882. They are also referred to as the Leading Beacons and ‘The Leads’. The lights are located on the Lighthouse Reserve, Whekenui (Part of Okukari Bay), Arapawa Island, Tory Channel, Marlborough (being 13 Blk V Arapawa Survey District).

‘The Lights were housed in two identical timber pyramidal structures, approx 6.4m high and 3.3m square, with a window on the front face at a mezzanine level. The front light is about 7m high above and 11m behind the high water mark, the rear light is 27m above and 166m behind the high water mark. The two lights are 151m apart. When a ships master aligns them the ship is able to make passage’⁴

The Tory Channel Leading Lights serve as both an important navigation tool within the Tory Channel, and as an historic reminder of local marine history. Following a number of ship wrecks within the Tory Channel, the lights were established as part of the coastal safety system by order of the Government in the 1880s. While the lights continue to serve their original purpose today, the lights themselves have undergone alterations in terms of being de-manned in 1930 when they were changed to a acetylene gas and automated blinking, and being changed to electric wet-cell battery powered in 1945 – being the method which is still used today. Today the lights remain in their original location, with the lighting structures being structurally unmodified in nature.

MDC seeks to register the two light structures, and the former oil store shed associated with the lights on the Register of Significant Heritage Resources under the MSRMP. The oil store structure has been moved from its original location, and is now located onto an adjoining property legal described as Lot 1 DP 3612. It is recommended that the two pyramidal light structures are protected as Class A heritage resource, and the former oil store associated with the lights as a Class A, heritage resource under the MSRMP. Given the lights themselves form part of the marine navigational system for the Tory Channel, it is not considered appropriate to register these for protection as it is likely they will be subject to on-going maintenance and repair.

³ NZHPT (2008) Register of Historic Places, Historic Areas, Wahi Tapu and Wahi Tapu Areas. Pg 1.

⁴ NZHPT (2007) Registration Report for a Historic Place – Tory Channel Leading Lights, Marlborough.

Leefield Station

Leefield Station, located in the Waihopai Valley, Blenheim, is a site rich in local history. Seven distinct heritage features are located within the Station area, and are currently registered in the WARMP as being significant heritage resources. These features are as follows:

- Leefield Station Shearers Quarters
- Leefield Station Homestead
- Leefield Station Stables
- Leefield Station Looseboxes
- Leefield Station Maids Quarters
- Leefield Station Cookhouse
- Leefield Station Woolshed

Within the Register of Significant Heritage Resources, a legal description is detailed alongside each feature, which ties each feature to that particular land parcel. Following the recent subdivision of Leefield Station, the legal descriptions stated in the Plan have consequently changed and the register therefore requires an amendment to update each land parcel reference. Further, the Leefield Station heritage features, as identified within the planning maps contained in Volume Three of the WARMP, have past been mapped inaccurately and do not reflect the correct location of each heritage feature. It is therefore proposed to undertake a plan change to amend the existing planning maps to show the correct location of these heritage buildings, and amend the legal descriptions accordingly.

PART B: LEGISLATIVE FRAMEWORK

Purpose of the Resource Management Act

The purpose of the Resource Management Act 1991 (RMA) is to promote the sustainable management of natural and physical resources. Sustainable management means:

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

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

In achieving the purpose of sustainable management, the Council must have regard to a number of principles set out in the RMA. These include recognition and provision for a number of matters of national importance described in section 6 of the RMA, which includes the protection of historic heritage from inappropriate subdivision, use and development.

The RMA enables the use and development of resources as long as such use does not adversely affect the environment in a way that impacts the foreseeable needs of future generations, the life supporting capacity of ecosystems, other users or the environment. This is the concept of “sustainability” which the RMA promotes as its overriding purpose.

Marlborough District Council Responsibilities

The Marlborough District Council is a unitary authority, that is, it has the functions, powers and duties under the RMA of both a district council and a regional council. Its functions are set out in sections 30 and 31 of the RMA. Of most relevance to this plan change are the district functions set out in section 31, particularly in relation to controlling the actual and potential effects of the use, development or protection of land. This also extends to the control of subdivision where this is a method used to carry out functions.

Marlborough Regional Policy Statement

The Marlborough Regional Policy Statement (RPS) was made operative in August 1995. It provides a community based vision and direction for the management of the natural and physical resources of Marlborough. The RPS identifies five regionally significant issues for Marlborough. These are:

- Protection of water ecosystems (which includes coastal water);
- Protection of land ecosystems;
- Enabling community wellbeing;
- Protection of visual features; and
- Control of waste.

A number of the subsequent objectives, policies and methods that were developed to deal with these issues, are relevant in the Marlborough District Council's (MDC) consideration of the heritage provisions contained within the Plans. Of particular relevance to this plan change are the objectives and policies found in Part 7 'Community'. Objective 7.1.9 aims "to enable present and future generations to provide for their wellbeing by allowing use, development and protection of resources provided any adverse effects of activities are avoided, remedied or mitigated".

The ability to protect resources such as historic buildings, places and sites, is important in achieving the community's social and cultural wellbeing. Objective 7.3.2 specifically seeks that "buildings, sites, trees and locations identified as having significant cultural or heritage value are retained for the continued benefit of the community". The method identified to achieve this objective is that the Plans will identify, and where appropriate, provide protection for significant features.

Resource Management Plans

In addition to preparing a regional policy statement, the MDC unitary authority status imposes an obligation to prepare a coastal plan, a district plan and such other regional plans as are necessary to promote the sustainable management of natural and physical resources. Due to its unitary authority status, the MDC has taken the opportunity to integrate the management of the resources of the region by preparing two combined regional, district and coastal plan, covering distinct geographical areas. These are known as the Marlborough Sounds Resource Management Plan and the Wairau/Awatere Resource Management Plan. Both these Plans contain objectives, policies, rules and methods that direct the MDC in its obligation to regulate the use of land and resources.

The proposed plan changes specifically support the objective to retain buildings and sites, which have heritage value for the benefit of the community. It does this through updating the Register of Significant Heritage Resources as contained in each Plan, which will in turn enhance protection of Marlborough's historic buildings, places and sites through statutory Plan provisions.

Marlborough Sounds Resource Management Plan

The Marlborough Sounds Resource Management Plan currently recognises 55 heritage features as being significant buildings, places or sites. The Plan contains objectives, policies and methods that direct MDC in its obligation to control the use of land and resources. The Chapter on Tangata Whenua and Heritage contains directives to identify and preserve heritage resources within the Marlborough Sounds Area that meet the Plan criteria for heritage protection.

The Plan acknowledges that heritage buildings, places, sites, waahi tapu and archaeological sites and areas, are an important contribution to the character of an area, and should be preserved (Objective 6.2.2.1). This objective is achieved (in part) by listing heritage features in the Plans and then protecting them through Plan rules.

The Plan also identifies that research be undertaken to assess additional items of heritage value (Policy 6.2.2.1.2). A plan change to update the Plan's Register of Significant Heritage Resources, as contained in Appendix A of each Plan, would ensure that the additional heritage buildings, places, sites, waahi tapu and archaeological sites and areas, have statutory protection through the relevant Plan.

Wairau/Awatere Resource Management Plan

The Wairau/Awatere Resource Management Plan recognises that heritage resources contribute to environmental quality and consequently the community's wellbeing. The Plan also acknowledges that both MDC and the community have the responsibility to ensure that heritage resources are protected and retained for future generations.

Where appropriate, objective 3.3.1 seeks the protection or preservation of heritage resources. Policy 3.3.1.1 seeks that heritage resources are accurately identified and protected to avoid, remedy or mitigate any adverse effects of activities on these resources. The minor change proposed to the WARMP, involves the update of land legal descriptions tied to existing heritage features. This will ensure that the register remains accurate and relevant to Plan users.

PART C: SECTION 32 EVALUATION

Council has responsibilities to provide for the wellbeing of the public, and the wider environment, under the RMA 1991. Protecting historic heritage from inappropriate subdivision, use and development is one aspect of this, which is considered to be a matter of national importance⁵. The Act enables Council to provide for the protection of heritage matters through territorial planning provisions, which in the case of Marlborough, is the WARMP and the MSRMP.

Several options have been explored as potential mechanisms to enable the protection of Marlborough's historic heritage. These include the options listed below, which are discussed in turn:

1. Do nothing option
2. Use of Voluntary Controls and Educational Materials
3. Expanding Incentives for Heritage Protection
4. Update the Register of Significant Heritage Resources within the relevant Plan

Option 1: Do Nothing Option:

Summary: This option explores the scenario of what would happen if there remained to be an incomplete list of heritage resources contained in the Plans. In terms of this plan change, this scenario explores the status quo with the costs associated with the loss of Marlborough's heritage, far outweighing the benefits. The 'do nothing' option would not achieve the purpose of the RMA as it would not protect valuable heritage resources from damage or destruction.

⁵ See Section 6(f) The RMA 1991.

Benefits/Advantages	Costs/Disadvantages
<ol style="list-style-type: none"> 1. Easily understood by the wider public and is similar to the present state of affairs. 2. Allows the management of heritage resources not listed in the Plans to be undertaken by the owner of the property without Council control. 3. Private landowners would have the ability to determine whether or not to preserve recognised heritage features. 	<ol style="list-style-type: none"> 1. Environmental and community wellbeing may be adversely affected through the loss of heritage resources, which could result if these resources do not have sufficient statutory protection. 2. Damage to the reputation of the Council by not fulfilling objectives of the RPS in relation to heritage protection. 3. Voluntary heritage protection and preservation may fail to take into account the wider community protection and statutory requirements associated with historic heritage preservation.

Recommendation: Not recommended

Option 2: Use of Voluntary controls and Educational Material

Summary: This option explores the scenario if the Council resolves to maintain the status quo, but increases the amount of educational material available to landowners. While there are long term benefits associated with the use of voluntary controls and educational material, it would not safeguard value heritage resource against modification, damage or destruction. Further, by the adoption voluntary controls alone, MDC would not be fulfilling its obligations under the Act.

Benefits/Advantages	Costs/Disadvantages
<ol style="list-style-type: none"> 1. Whilst initial costs during the development phase may be high, overall cost for production and distribution are low in the longer term. 2. Flexible in that it relies on education which may be more acceptable to all concerned. 3. Very little likelihood of high costs associated with a plan change, nor the need to defend the Council position in court. 4. Capacity to negotiate an agreement that meets the concerns and desires of the local community. 5. A proactive approach able to facilitate a win-win outcome for Council and private landowners. 	<ol style="list-style-type: none"> 1. Environmental and community wellbeing may be adversely affected through the loss of heritage resources, which could result if these resources do not have sufficient statutory protection. 2. Education takes time before being able to discern an impact, and may result in the loss of valuable heritage resources in the meantime. 3. Voluntary heritage protection and preservation may fail to take into account the wider statutory requirements supporting heritage preservation.

Recommendation: Recommended in part any plan change should be accompanied by the provision of educational material.

Option 3: Use of Incentives

Summary: A potential option in support of heritage preservation is the use of incentives for property owners to protect heritage resources on private property. While the implications of this scenario are difficult to assess as the exact consequences would be dependant on the form and degree of incentives used, for the purposes of this report is it assumed that incentives are financial and would mitigate the part costs associated with heritage resource management.

Benefits/Advantages	Costs/Disadvantages
<ol style="list-style-type: none"> 1. Funds are made available to private property owners requiring assistance with heritage resource management. 2. Given the financial incentive, information of the incentive scheme is readily absorbed and accessed by the community. 3. Members of the public have a tangible incentive to investigate tree appropriate management options. 	<ol style="list-style-type: none"> 1. The current Long Term Council Community Plan has not allocated funding for this purpose. Therefore this is no current financial resource available for such an incentives initiative. 2. As the cost of heritage management varies widely there may be difficulty in allocating/distributing incentives amongst members of the public. 3. Incentives may be considered inadequate by private land owners, which may result in the damage or destruction of heritage resources. 4. There may be difficulties in ensuring that an incentive is applied to the heritage feature in question and not other uses. 5. Debate may arise over whether the incentive should cover the full or partial costs of heritage resource management. 6. Costs of administering the incentive may prove onerous, and may be greater than Council resources available for this purpose.

Recommendation: Not recommended

Option 4: Update the Heritage Tree Schedule of the relevant Plan

Summary: The identification and protection of historic buildings, places and sites within Marlborough's Resource Management Plans, is the existing process used for the protection of significant Marlborough heritage resources. This form of protection mechanism has been largely successful in protecting Marlborough's heritage resources. It is therefore important that the heritage schedules are kept accurate and up to date, to ensure that valuable community heritage resources are safeguarded through the protection of the Plan. The statutory nature of the heritage register, together with the enforcement provisions applicable under the Act, provides an effective and enforceable form of protection for heritage resources. Therefore, with limited costs and numerous advantages, the update of the heritage schedule and associated planning maps, is the preferred policy option.

Benefits/Advantages	Costs/Disadvantages
<ol style="list-style-type: none"> 1. Provides an effective level of heritage protection, and allows for the on-going evolution of the heritage schedule through the plan change process. 2. The public notification process associated with any plan change, enables public participation and transparency through the decision making process. 3. Protection under the Plan is the appropriate mechanism to promote the purpose of the RMA 1991, and Council's requirement to protect heritage in 	<ol style="list-style-type: none"> 1. Potential costs as a result of enforcement and abatement measures for the breaches of Plan rules. 2. Economic costs associated with preparing a plan change. 3. Possibility of a plan change being widely challenged through the appeal process provided for in the RMA 1991. 4. Protection of the heritage resources through Plan may not be the preferred option for all land owners.

Benefits/Advantages	Costs/Disadvantages
<p>accordance with Section 6(f) of the Act.</p> <p>4. Criteria contained in each Plan provide a fair and objective basis for the identification of any heritage tree.</p> <p>5. The registration of an historic feature involves the documentation of information specific to that feature, therefore also persevering the knowledge and history associated with the heritage item.</p>	

Recommendation: Recommended

The Preferred Option

In light of the above assessment, the Council considers Option 4 to be the preferred choice. The existing Plan framework successfully provides for the protection of heritage resources in this manner, and the continual update and evaluation of the Register of Significant Heritage Resources is at this time, considered the most effective means of protecting Marlborough's heritage resources, and supports the purpose of the Act.

The Proposed Plan Change

Section 32 of the Act provides that any change a Plan, must go through a process that is transparent and well documented, with all assumptions and decisions justified. This process helps to ensure that:

- Good environmental outcomes are achieved.
- Plan provisions are targeted at achieving the purpose of the RMA by the most appropriate methods.
- Councillors (as decision makers) have sound policy analysis on which to base their decisions about resource management issues.
- A sound basis is provided for reassessing whether the chosen provisions are necessary and appropriate once they are in use.

Section 32(4) of the Act further states that this evaluation must take into account:

- (a) *the benefits and costs of policies, rules or other methods; and*
- (b) *the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.*

As already noted, the Council has a responsibility to protect historic heritage as a matter of national importance. Due to the ongoing interpretation and reinterpretation, of what denotes and signifies historic heritage, it is important that the Council actively assess, manage and protect heritage resources as these resources are discovered.

The inclusion of these resources within the Register of Significant Heritage Resources found in Appendix A of each Plan, will provide a level of certainty that they will be protected and provided for in terms of management and maintenance through Plan rules.

This section of the report draws together the various matters considered in the Plan change process, and considers them against the technical requirements of Section 32 of the Act.

Costs and Benefits

The updated list of heritage features in the Register of Significant Heritage Resources will result in the protection of these heritage resources through existing Plan rules. Socially and economically the plan changes will potentially result in considerable benefits to the Council, community and landowners, as the additional heritage resources being protected will be an asset to the community both today, and in the future.

The plan change will not result in any effects that can be foreseen to have a cost to the environment.

Potentially, if a conflict exists between private property aspirations and the protection of historic heritage, the Resource Consent process may provide an avenue for land owners to further private property aspirations while at the same time avoiding, remedying and/or mitigating any adverse effects on historic heritage. This may come at the cost to the private land owner, but is a necessary process that will be to the benefit of the wider community.

Efficiency

Efficiency means the measuring, by comparison, of the benefits to costs (environmental benefits minus environmental costs compared to social and economic costs minus their benefits⁶). Based on the above assessment of costs and benefits, it is considered that the Plans will operate in an efficient manner, once amended as proposed.

Effectiveness

Identification of heritage features on Planning Maps and listing them in Appendix A of the Plans has past proven to be an effective tool for identifying and heritage buildings, places and sites, which need specific protection through the heritage objectives, policies and rules within Volumes One and Two of the Plans. The inclusion of the additional heritage features and the update of the Plans will help to achieve one of the objectives of the RPS, being to protect the regions heritage resources.

The effectiveness of the Plans is jeopardised by having an incomplete list of heritage resources. Heritage buildings, sites and places, are provided protection through the rules in the Plans in effort to preserve these resources for future generations. Consequently, in support of Plan effectiveness, it is important the Register of Significant Heritage Resources is allowed to evolve and change as valuable heritage resources worthy of protection are discovered.

The incorporation of the plan change is relatively minor, and does not change the intent of the provisions of the Plans. For this reason, amending the existing Register of Significant Heritage Resources found in Appendix A of each Plan, by way of a plan change, is seen as the most effective way of ensuring that the existing objectives are achieved. The Plans will therefore operate in a more effective and efficient manner once the plan change has been incorporated.

Risk of Acting, or Not Acting, where there is Uncertain or Insufficient Information

The Act requires the Council to evaluate the risk of acting, or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.

The Council does not consider that it is acting in the absence of uncertain or insufficient information, although it can always be argued that further investigations and research can be carried out. A potential consequence of not acting would mean that current or future owners of heritage resources would be able to remove important historic features without going through the assessment process of obtaining resource consent. This may consequently result in the loss

⁶ <http://www.qualityplanning.org.nz/>

significant heritage features, which promote a sense of place through providing a vital link to our community's past.

Section 32 Summary

This assessment required by Section 32 of the RMA has shown that an update to the Register of Significant Heritage Resources, as contained in Volume Two of the Plans, to include update the register and include three additional heritage features, is warranted. Further, it highlights that the proposed plan changes are the most appropriate means of achieving the relevant objectives contained in each Plan.

CONCLUSION

Based on the assessment above, the overall conclusion is that the plan changes proposed, will better achieve the objectives contained within the Plans. It is also concluded that the benefits of the proposed plan changes, will outweigh the costs.

The Council considers that the process it has gone through has assisted in reaching a point where the proposed plan changes will ultimately achieve better outcomes for the community.

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