





# Part 7

## Heritage

<b>Contents</b>		<b>Page</b>
7.1	Introduction .....	3
7.2	Resource management issues .....	3
7.3	Objective.....	5
7.4	Resource management strategy .....	5
7.5	Roles and responsibilities .....	6
7.6	Notification requirements for restricted discretionary activities .....	6
7.7	Types of heritage items .....	6
7.8	Archaeological sites .....	7
7.9	Buildings, objects, properties and places of special value .....	10
7.10	Conservation areas.....	14
7.11	Ecologically significant sites.....	16
7.12	Geological items .....	18
7.13	Maori heritage.....	23
7.14	Trees.....	24
7.15	Volcanic Viewshafts.....	26
7.16	Interpretations and definitions .....	27
7.17	Glossary of Maori terms.....	29
7.18	Additional information about heritage.....	30

<b>Diagrams and tables</b>		<b>Page</b>
Figure 7.1	Heritage resources.....	3
Table 7.1	Activity table for category A scheduled geological items.....	20
Table 7.2	Activity table for category B scheduled geological items.....	21

**Plan modification annotations**

-   indicates where content is affected by proposed plan modification x. refer to plan modification folder or website for details.
  
-   indicates where the content is part of plan modification x, which is subject to appeal.
  - Underlined content to be inserted.
  - Struck through content to be deleted.

## 7.1 Introduction

The islands have a rich legacy of widely appreciated heritage resources, both natural and physical. The council has a responsibility to recognise and provide for these heritage resources for the experience and enjoyment of current and future generations. It also has a duty to preserve the intrinsic values and finite characteristics of these heritage resources from activities that may have an adverse effect on them and their values. These resources cover a wide spectrum - from sites of ecological significance, heritage buildings and geological features to sites of high archaeological value. The Plan addresses the heritage conservation and protection issues principally by detailed investigation, accurate identification and regulatory protection through scheduling.

## 7.2 Resource management issues

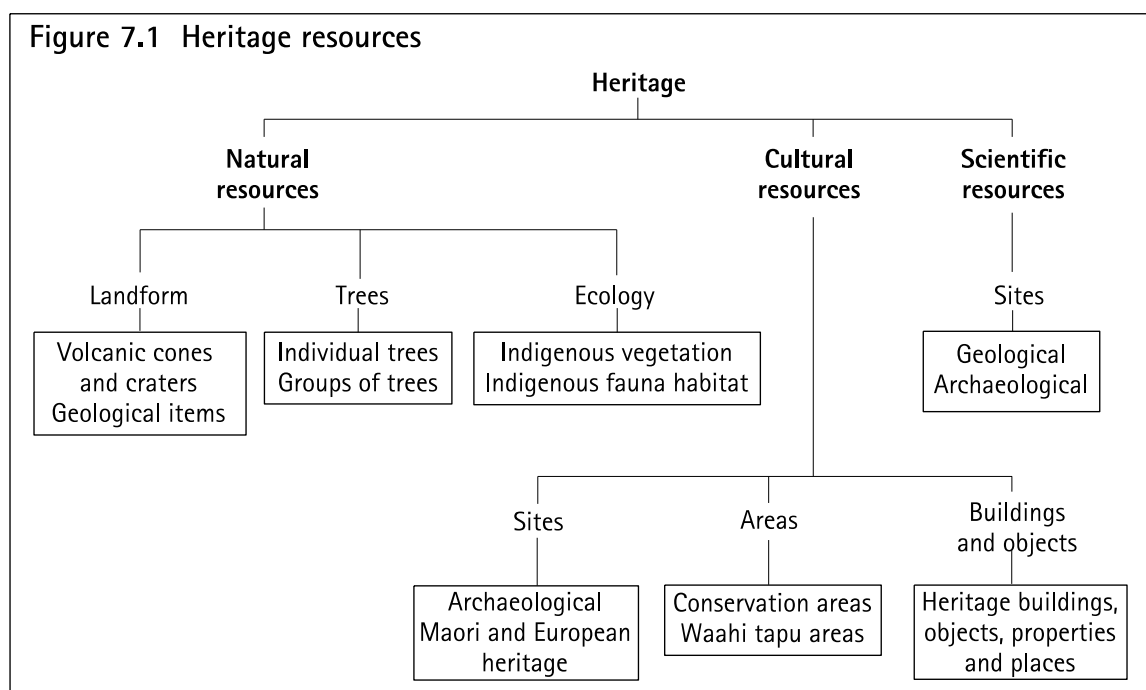
Heritage resources are an essential part of the cultural values of the islands. They serve to link successive generations. Their retention adds to the cultural experience and is part of an essential framework that helps inspire and bind the community. Heritage resources help create a sense of place, engender a sense of belonging and their retention can also promote economic benefits.

Considerable heritage resources are located within the islands. As a matter of national importance the council is required to recognise and provide for them. The purpose of protecting heritage resources in the Plan is to recognise associated heritage values, manage the effects of land use on heritage and to encourage protection of these values through appropriate techniques.

The Plan must therefore provide for the protection of a number of heritage resources. To achieve this the Plan must, within the broad purpose of the RMA:

- identify and evaluate those heritage resources worthy of preservation, and
- adopt suitable measures to secure the preservation of the identified heritage resources.
- adopt suitable measures to ensure a cautious approach is taken in respect of activities that may adversely affect unidentified heritage resources.

Heritage resources can be put into three broad groupings - natural, cultural and scientific resources. This is illustrated in [figure 7.1](#). There is some overlap between the groupings.



## **7.2.1 Natural resources**

The islands are appreciated for their unique natural qualities which contribute to their regional, national and international significance. These qualities include ecologically significant sites for both flora and fauna, individual and groups of trees and the remnants of past volcanic activity. Many of these natural resources have been depleted by a variety of land uses, especially in the inner islands. In order that these unique natural resources are maintained for the benefit of present and future generations, they must be adequately and appropriately protected. In doing so a balance must be struck between the need for total protection and the economic and social needs of the islands' communities.

### **Principal issue**

How to ensure that ecologically significant sites and notable trees which have been depleted by a variety of land uses will be adequately protected by the Plan.

## **7.2.2 Cultural resources**

### **7.2.2.1 Heritage sites**

There are significant Maori and European archaeological and Maori heritage sites in the islands. Many of these have not been accurately identified in the past in previous planning documents. Also, surface evidence may be obscure, or absent and many sites are fragile and susceptible to damage. Heritage sites have therefore been at risk due to poor identification, lack of awareness by property owners that their properties may contain heritage resources and their fragile nature. This means that they may be inadvertently damaged or destroyed.

### **Principal issue**

How to ensure that where the preservation of cultural resources can be ensured and disclosure will not put the items at risk, that they are adequately protected through the Plan.

### **7.2.2.2 Heritage buildings, objects, properties and places of special value**

There are a limited number of heritage buildings, objects, properties and places in the islands. However, those that remain are an important cultural link to the past and provide a unique, non renewable resource that should be protected and conserved for present and future generations. Most heritage buildings or objects are in private ownership. The susceptibility to change through neglect, decay or their partial or total destruction means these heritage resources are at risk.

### **Principal issue**

How to provide mechanisms in the Plan to encourage and promote the conservation of identified heritage resources, while avoiding the diminution or loss of the resource.

## **7.2.3 Scientific resources**

The islands abound with a rich variety of geological and archaeological features. Many of these have particular scientific and educational value. As such, they can provide important scientific and educational information for future generations. Scientific resources have been at risk due to poor identification, lack of awareness by property owners that their properties may contain heritage resources and their fragile nature. This means that some of these scientific resources may be inadvertently damaged or destroyed.

### **Principal issue**

How to ensure that scientific heritage resources are adequately protected by the Plan.

## 7.3 Objective

To recognise and protect heritage resources of natural, cultural and scientific value.

### Policies

1. By identifying, assessing and scheduling significant heritage resources in the Plan.
2. By controlling the use and development of natural and physical resources in a manner that preserves and protects the scheduled heritage resource, and its scheduled site surrounds.

## 7.4 Resource management strategy

The principal strategy is to systematically identify, evaluate and protect significant heritage resources, predominantly by scheduling them.

### 7.4.1 Scheduling

As part of its role in the preservation, protection and conservation of its valued features in the islands' environment, the Plan identifies certain natural, cultural and scientific resources as being significant and worthy of protection. These items are listed in [appendix 1 - Heritage schedules for the inner islands](#) and [appendix 2 - Heritage schedules for the outer islands](#).

### 7.4.2 Other heritage protection methods

The council uses other methods for maintenance and protection of its heritage resource, such as subdivisions which protect significant environmental features, heritage orders, education, advocacy, economic incentives and land acquisition. It is noted that the rules are focussed on sites and features that have been identified, assessed and scheduled. There may be other sites and features which are not known to council but which are identified under a particular land use proposal and are deserving of consideration under the RMA. The extent to which such sites and features may be relevant will depend on the nature of any proposed land use and any resource consent that may be required for that land use.

### 7.4.3 Subdivision

[Part 12 - Subdivision](#) controls the subdivision of sites that contain heritage features. It is also noted that within particular land units the council may consent to subdivision of land to create lots that will protect significant environment features. This approach is also outlined in [part 12 - Subdivision](#).

### 7.4.4 Heritage assessments

At the time of notification of the Plan it was not possible to identify and assess the heritage items for all the islands. Therefore no new heritage items have been identified for the following:

- All the outer islands
- Inner islands
  - Archaeology - Ponui, Motuihe, Pakihi, Rangitoto, Motutapu, the Noises and Browns Island (Motukorea) and Karamuramu.
  - Buildings, objects, properties and places - Ponui, Pakihi, Motuihe, Browns Island (Motukorea), Motutapu, Pakatoa and Karamuramu.
  - Ecology - Ponui, Pakihi and Karamuramu.
  - Geology - Ponui, Pakihi, Motutapu, the Noises and Karamuramu.
  - Trees - Pakatoa, Ponui, Pakihi, Motuihe, Browns Island (Motukorea), Rangitoto, Motutapu, Rakino, the Noises and Karamuramu.

Any heritage items on these islands which were scheduled in the previous district plan have been carried over without further detailed evaluation.

A variation or plan change will need to be introduced to the Plan in order for additional heritage resources on these islands to be recognised and protected in the future. As noted in [clause 7.13](#) no Maori heritage sites have been identified. It is recognised that some heritage resources (of natural, cultural and scientific value) are of importance to local communities within the Hauraki Gulf Islands. Future heritage assessments will therefore take into account any consultation undertaken with the community.

## 7.5 Roles and responsibilities

Section 6 of the RMA states the matters of national importance that must be recognised and provided for by all persons exercising functions and powers under the RMA. These matters of national importance have considerable significance in relation to heritage issues and provide direction on heritage protection. The council is also a heritage protection authority under section 187 of the RMA and under the Reserves Act 1977, as is the ARC.

Some heritage resources, particularly geological features, are located below mean high water springs and therefore fall within the ARC's authority. Some of the heritage diagrams in [appendix 1 - Heritage schedules for the inner islands](#) and [appendix 2 - Heritage schedules for the outer islands](#) may include part of the item which extends below mean high water springs and is therefore outside the jurisdiction for which this Plan applies. Any areas below mean high water springs are indicative only and are shown for information purposes only.

The role of the New Zealand Historic Places Trust relates to the recognition, protection and promotion of New Zealand's historic and cultural heritage. Their role is outlined in the Historic Places Act 1993.

The Department of Conservation is primarily responsible for managing the natural and historic heritage resources located within the crown owned estate under the Conservation Act 1987, the Reserves Act 1977 and Wildlife Act 1953. Significant parts of the islands are located within the conservation estate administered by DOC. DOC also has roles and responsibilities for heritage resources located within the coastal marine area.

The appendices of scheduled items include some areas within the DOC estate. This scheduling in the Plan does not seek to supplant the role of DOC as a consent authority for these areas. Instead it establishes a coherent, comparative level of evaluation of these items in exactly the same manner as occurs for heritage items outside DOC estate.

## 7.6 Notification requirements for restricted discretionary activities

Unless stated otherwise, within this part of the Plan, except as provided for by section 95A(4) of the RMA, applications for a resource consent for restricted discretionary activities will be considered without public notification or the need to obtain written approval of or serve notice on affected persons (in accordance with section 95A(3) and 95B(2) of the RMA).

## 7.7 Types of heritage items

The specific provisions for each of the heritage types are set out in separate topics in this part of the Plan as follows:

- archaeological sites
- buildings, objects, properties and places of special value
- conservation areas
- ecologically significant sites

- geological items
- Maori heritage sites
- trees
- volcanic cones.

## 7.8 Archaeological sites

The archaeological heritage of the islands comprises an underlying and often invisible record of past human activity. Archaeological sites are a fragile cultural resource containing scientific, cultural or historic evidence of the exploration, occupation, settlement and development of this area by indigenous and early European peoples.

Archaeological sites are characterised by the presence of physical remains, evidence or structures and modified landscapes and, by definition, can include above surface, surface and subsurface components. However, surface evidence on such sites may be obscure, or absent.

The Plan identifies particular sites that are considered to be significant and worthy of preservation and their protection will assist council in achieving the purpose of the RMA.

### 7.8.1 The archaeological provisions of the Historic Places Act

An archaeological site is defined under the Historic Places Act 1993 as a place associated with human activity that occurred before 1900, and is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand. Not all archaeological sites within the islands have been scheduled in the Plan. All known archaeological sites were evaluated against the criteria as outlined in [clause 7.8.4](#). However only those sites that have sufficient heritage value to warrant scheduling have been protected in the Plan. Notwithstanding this, all archaeological sites are protected under the provisions of the Historic Places Act 1993. An authority from the New Zealand Historic Places Trust is required prior to damaging, destroying or modifying any archaeological site, whether scheduled in the Plan or not. In addition, the Plan seeks to manage the effects of land use activities on significant archaeological sites that are not identified through scheduling (see Issue [7.2](#) and Policy [7.8.3\(5\)](#)). This is primarily achieved through earthworks standards, which require all works to cease and the Council and the New Zealand Historic Places Trust to be advised, where evidence of any archaeological site is found on an area where earthworks is occurring.

### 7.8.2 Resource management issue

How to ensure that the archaeological heritage of the islands which has important scientific, cultural or historic value is adequately protected by the Plan.

### 7.8.3 Objective

To protect significant archaeological sites which contribute to the islands' heritage, knowledge and appreciation of the past, including those that are of cultural or spiritual importance to Tangata Whenua.

#### Policies

1. By identifying and scheduling archaeological sites significant for their historic, cultural, scientific and visual amenity value.
2. By retaining scheduled archaeological sites which contribute to the historic, cultural, scientific and visual amenity values of the islands.
3. By ensuring that land use and development does not result in the damage or destruction of scheduled archaeological sites and their scheduled site surrounds.
4. By avoiding a reduction in the heritage values associated with scheduled archaeological sites and their scheduled site surrounds.

5. By managing the effects of land use and development that may adversely affect significant archaeological sites not scheduled in the Plan.

## 7.8.4 Criteria for scheduling archaeological sites

To determine whether an archaeological site is worthy of protection in the Plan, it has been assessed and evaluated against the criteria for scheduling archaeological sites listed in [appendix 4 - Criteria for scheduling heritage items](#):

The evaluation criteria are also used to determine whether a site is a category A, or category B item.

### 7.8.4.1 Category A

These are extremely valuable archaeological sites that, when assessed against the relevant criteria, were considered to have heritage significance beyond their immediate surrounds. Their loss or degradation would be unacceptable in terms of achieving the purpose of the RMA. These sites therefore need to be preserved.

### 7.8.4.2 Category B

Although these sites are considered to be less significant than category A sites, it is still important for the features to be protected from inappropriate use and development, having regard to the effect of a proposal on the heritage values of the scheduled item, and the applicant's objectives and reasons for the proposed use or development. Therefore, the partial loss or modification of category B sites may be acceptable where there is no alternative and everything has been done to avoid, remedy or mitigate any adverse effects.

## 7.8.5 Rules for archaeological sites

### 7.8.5.1 Permitted activities

The following are permitted activities in relation to any category A and B scheduled archaeological sites:

1. The routine maintenance and repair of existing lawns, gardens and structures, that will not endanger, damage, destroy or detract from the values for which the site has been scheduled.
2. Eradication, control or management of plant pests listed in [appendix 14 - Plant and animal pests](#) with hand operated tools only (including hand held power tools) that will not endanger, damage, destroy or detract from the values for which the site has been scheduled.
3. Maintenance, repair and restoration of existing buildings.
4. Grazing by light animals - eg sheep.

For category B sites which are in the management group type 'Burials' (as identified in [appendix 1a - Schedule of archaeological sites - inner islands](#) and [appendix 2a - Schedule of archaeological sites - outer islands](#)), the following is also a permitted activity:

5. Burials and any associated earthworks, subject to the Burial and Cremation Act 1964.

**Note:** All archaeological sites are protected by the Historic Places Act. Refer to [clause 7.8.1](#) for further information on the archaeological provisions of that Act.

### 7.8.5.2 Restricted discretionary activities

Except where provided for as a permitted activity in [rule 7.8.5.1](#), the following are restricted discretionary activities in relation to any category B archaeological site:

1. Earthworks (except for earthworks for burials provided for in [rule 7.8.5.1\(5\)](#)).
2. External alterations and additions to existing buildings and the construction and/or

relocation of new buildings.

3. Planting of vegetation on the scheduled site.
4. Grazing of heavy animals - eg cattle, horses.
5. Any activity that damages the scheduled archaeological site.

### 7.8.5.3 Discretionary activities

Except where provided for as a permitted activity in [rule 7.8.5.1](#), the following are discretionary activities in relation to any category A archaeological site:

1. Earthworks.
2. External alterations and additions to existing buildings and the construction and/or relocation of new buildings.
3. Planting of vegetation on the scheduled site.
4. Grazing by heavy animals - eg cattle, horses.
5. Any activity that damages the scheduled archaeological site.

### 7.8.6 Rules for scheduled site surrounds

The scheduled site surrounds will often contain other archaeological sites in addition to the scheduled site(s). The archaeological sites in the site surrounds may not have sufficient heritage value to warrant scheduling on their own, but they contribute to the heritage significance of the scheduled site(s). Therefore it is important to manage activities within scheduled site surrounds in order to protect the context of the scheduled site(s) from effects that may detract from their heritage significance and value.

#### 7.8.6.1 Permitted activities

The following are permitted activities within the scheduled site surrounds of archaeological sites:

1. Additions and alterations to existing buildings.
2. Routine maintenance, including all normal work required to use, maintain, and enjoy existing garden or landscape features.
3. The planting of vegetation that does not include forestry or horticulture.
4. The grazing of stock.
5. The construction of post and wire fences.
6. Archaeological investigation consistent with the ICOMOS New Zealand charter for the conservation of places of cultural heritage value (refer to [appendix 5](#)).

**Note:** All archaeological sites are protected by the Historic Places Act. Refer to [clause 7.8.1](#) for further information on the archaeological provisions of that Act.

#### 7.8.6.2 Restricted discretionary activities

Except where provided for as a permitted activity in [rule 7.8.6.1](#), the following are restricted discretionary activities within the scheduled site surrounds of archaeological sites:

1. The construction and/or relocation of buildings.
2. Earthworks (excluding earthworks for activities which are permitted in [rule 7.8.6.1](#))
3. Forestry
4. Horticulture
5. The construction of fences or walls other than post and wire fences.
6. Road and footpath construction or modification.

## **7.8.7 Matters of discretion and assessment criteria**

### **7.8.7.1 Scheduled sites**

For restricted discretionary activities identified in [rule 7.8.5.2](#) for category B scheduled archaeological sites, the council has restricted its discretion for restricted discretionary activities to considering the following matters:

1. The extent to which the application is consistent with objectives and policies for archaeological sites, and the overall heritage objectives.
2. The effect on the archaeological values of the site and the values for which the site has been scheduled, including Maori heritage values, as assessed by a recognised archaeologist and through consultation with mana whenua.
3. Whether the modification is necessary, and any alternative methods and location available to the applicant for carrying out the work or activities.
4. Whether there is sufficient time and expertise to record the features to be modified.
5. The provisions of any relevant management plan or conservation plan relating to the site.
6. The extent to which the application is consistent with the provisions of the ICOMOS NZ charter for the protection and management of the archaeological heritage (1990), where appropriate. This criterion includes references to associated documents, with the exception that the reference to the Venice Charter 1966 shall be substituted by equivalent reference to the ICOMOS NZ charter for the conservation of places of cultural heritage value (refer [appendix 5](#)).

The council's assessment of an application for a discretionary activity will also include consideration of the matters listed above.

### **7.8.7.2 Scheduled site surrounds**

For restricted discretionary activities identified in [rule 7.8.6.2](#), the council has restricted its discretion to considering the following matters:

1. The extent to which the works or activities detract from or damage the visual or physical context of the archaeological sites contained within the site surrounds.
2. The extent to which the application is consistent with objectives and policies for archaeological sites, and the overall heritage objectives.

### **7.8.7.3 Notification requirements**

Except as provided for by section 95A(4) of the RMA, applications for resource consent for restricted discretionary activities under [rules 7.8.5.2](#) and [7.8.6.2](#) will be considered without public notification or the need to obtain written approval of, or serve notice on affected persons (in accordance with section 95A(3) and 95B(2) of the RMA), with the exception of the New Zealand Historic Places Trust and tangata whenua.

## **7.9 Buildings, objects, properties and places of special value**

The heritage buildings, objects, properties and places of special value in the islands are an important cultural link with the past. They are a unique, non-renewable resource that should be protected and preserved for present and future generations.

As part of its role in the preservation, protection and conservation of valued heritage items in the islands' physical environment, the Plan identifies and protects certain individual buildings, objects, properties and places of special value worthy of protection in the public interest.

### 7.9.1 Resource management issue

How to prevent the potential loss of heritage buildings, objects, properties and places of special value which make an important contribution to the heritage of the islands.

### 7.9.2 Objective

To systematically recognise and protect buildings, objects, properties and places of special value that are valued as part of the islands' heritage.

#### Policies

1. By identifying, evaluating and scheduling buildings, objects, properties and places of special value that have heritage significance.
2. By avoiding the substantial demolition of scheduled buildings, objects, properties and places of special value.
3. By avoiding any modification of scheduled buildings, objects, properties and places of special value that detracts from the heritage values for which the item is scheduled.
4. By ensuring that land use and development does not detract from the values, or result in the damage or destruction of scheduled buildings, objects, properties or places of special value and their scheduled site surrounds.
5. By providing for the reuse of scheduled buildings, objects, properties and places of special value while ensuring that the heritage values and features for which they are scheduled are not impaired or destroyed.
6. By controlling activities and works in defined areas surrounding scheduled buildings, objects, properties or places of special value to ensure that they do not detract from the heritage values for which the item is scheduled.

### 7.9.3 Criteria for scheduling buildings, objects, properties and places of special value

To determine whether a building, object, property or place of special value is worthy of protection in the Plan, potential items have been evaluated against the criteria listed in [appendix 4 - Criteria for scheduling heritage items](#).

The evaluation criteria are also used to determine whether a building, object, property or place of special value is a category A or B item.

#### 7.9.3.1 Category A

This category includes heritage buildings, objects, properties or places of special value (or parts of these) which have architectural, historical and social significance well beyond their immediate environs. It is important that items listed in category A are protected from total or substantial demolition. Lesser work may be carried out as a discretionary activity subject to criteria. Category A classification gives protection to the interior and exterior of the building, object or place together with the site on which it is located, as noted in [appendix 1b - Schedule of buildings, objects, properties and places of special value - inner islands](#) or [appendix 2b - Schedule of buildings, objects, properties and places of special value - outer islands](#). The total demolition of category A heritage items is a prohibited activity in the Plan. Category A items are expected to survive without significant or damaging visible changes.

#### 7.9.3.2 Category B

This category includes heritage buildings, objects, properties or places of special value (or parts of these) of such quality and character that, although less significant than category A items, they should not be removed, damaged or altered unless there is a sound and proper reason having regard to the effect of the proposal on the heritage values of the scheduled item and the applicant's objectives and reasons for the proposal. A category B classification

gives Plan protection to the exterior of the building or object together with such other elements (eg interior, site), as are particularly specified in the schedule.

## **7.9.4 Rules for buildings, objects, properties, and places of special value**

### **7.9.4.1 Permitted activities**

The following activities are permitted in relation to any category A and B scheduled buildings, objects, properties or places of special value.

1. Any of the following works undertaken with similar materials and appearance (including colours) to when the scheduled item was established:
  - redecoration
  - maintenance
  - repair.
2. Any change of use otherwise permitted on the site.
3. In relation to scheduled site surrounds, routine maintenance including all normal work required to use, maintain, and enjoy existing garden or landscape features or structures and to make minimal modifications or additions to these features or structures (but excluding substantial new structures, buildings or excavations).
4. In relation to a scheduled interior, routine maintenance including all normal work required to use, maintain and enjoy the existing fittings, decoration, trim, surfaces, materials or structures and to make minimal modifications or additions to these (excluding demolition or substantial new work).

### **7.9.4.2 Discretionary activities**

The following are discretionary activities:

1. Any alteration or modification to a category A item, where the work does not amount to substantial demolition as defined in [rule 7.9.4.3](#).
2. The destruction, removal, addition to, alteration of, modification to, or damage to any part of a category B scheduled building, object, property or place of special value unless otherwise provided for as a permitted activity.
3. Any use or work within the site surrounds, unless otherwise provided for as a permitted activity. This includes:
  - a. Positioning, constructing or raising any structure above or below the ground.
  - b. Earthworks
    - i. exceeding a total volume of 10m<sup>3</sup>, or
    - ii. affecting a surface area greater than 10m<sup>2</sup>on any one site or in any one earthworks operation.

### **7.9.4.3 Non-complying activities**

The following are non-complying activities:

1. The substantial demolition of a category A item.

In this rule, the matters to be taken into account when considering whether proposed demolition constitutes "substantial demolition" include (but are not limited to):

  - a. The size of the part of the item which is to be demolished.
  - b. The relative proportion of the part of the item which is to be demolished, compared to the item as a whole.
  - c. The significance of the part of the item which is to be demolished and as

identified in an approved heritage assessment or conservation plan. Demolition or removal of elements of exceptional significance is prohibited.

- d. The effect that demolishing part of the item will have on the nature and character of the item as a whole.
2. Any proposal which would result in the category A item being re-scored below the category A threshold.

This rule does not apply to the site surrounds (including buildings or structures in the site surrounds) of scheduled buildings.

#### **7.9.4.4 Prohibited activities**

The total demolition of a category A item is a prohibited activity and no application for a resource consent will be considered for such an activity.

#### **7.9.5 Assessment criteria for discretionary activities**

The council's assessment of an application for a discretionary activity will include consideration of the following matters:

1. The extent to which the removal of later unsympathetic additions will detract from the assessed heritage values for which the item was scheduled.
2. The degree to which the nature, form and extent of the proposed development, alteration or change will adversely affect the heritage values of the scheduled item. In considering this regard will be given to the category in which the heritage item is scheduled and the values for which it was scheduled.
3. Whether any alternative methods were considered to achieve the applicant's objectives.
4. Whether the application is consistent with the provisions of the ICOMOS New Zealand charter for the conservation of places of cultural heritage value (refer [appendix 5](#)).
5. Whether the proposal is consistent with a current conservation plan or heritage assessment and more particularly the stated conservation policies and strategies for the item. These policies and strategies will form the basis of the council's heritage approach.
6. The extent to which it is necessary to balance heritage objectives with other resource management issues.
7. The extent to which the form, mass, scale, proportion and materials of new work will be compatible with the original building and not ignore, detract from, compete with or dominate the character of the scheduled item.
8. The degree to which the colour and texture of new work detracts from, competes with or dominates the character of the scheduled item.
9. Whether the location of the new work on the site, detracts from, competes with or dominates the character of the scheduled item and site surrounds.
10. Whether any evidence has been presented by the owner(s) about the consequences to the owner(s) of the scheduling, or other compelling reasons indicating why the work is necessary.

#### **7.9.6 Conservation plans and heritage assessments**

All resource consent applications for category A buildings, objects, properties and places of special value must include a conservation plan. A conservation plan should collate the origins and history of a scheduled item, the cultural value of the item as a whole and its various parts. The conservation plan should propose policies to be observed before significant work or alterations are considered.

The conservation plan, and more particularly the stated conservation policies and strategies for the property, will form the basis of the council's heritage assessment of the effects on the heritage item.

Conservation plans must include:

- A statement of the significance of the heritage item.
- The physical condition and structural integrity of an item.
- The physical conservation, action and care necessary for retaining or revealing the heritage significance - this may include maintenance, reconstruction or restoration.
- Activities which may be compatible with the protection of the heritage item, and those which may be constrained by them.
- Policies and strategies to enable the cultural significance of a place to be retained.

In producing a conservation plan, applicants can be guided by the document "The Conservation Plan" by James Semple Kerr, National Trust, New South Wales - Fourth (Australia and New Zealand) Edition 1996. The NZ Historic Places Trust "Guidelines for preparing conservation plans (1994)" is an acceptable alternative guide to the Kerr model. The council will evaluate the completeness and quality of the conservation plan as a part of the information required for an application for resource consent.

Where resource consent is required for works to a category B scheduled item then, as an alternative to a conservation plan, a heritage assessment is acceptable. A heritage assessment includes a brief history and record of the building, and an assessment of the significance of the building and its parts.

## 7.10 Conservation areas

It is recognised that in the islands there are certain areas which display a particular character which collectively may have sufficient heritage value to warrant protection in the Plan. Such areas may be characterised by a significant concentration and continuity of sites, buildings, structures, objects or landscape characters united historically or aesthetically by form or physical character. The area may be of value for historical, architectural, archaeological, geological, ecological, cultural, or other reasons.

The intention of conservation areas is to maintain the unique character of the whole area against development, demolition or other works which are not in sympathy with the era, style or character to be conserved. Conservation areas may include individual heritage items which are scheduled in their own right for protection.

Three conservation areas are currently identified on Rangitoto Island, around the existing bach communities at Rangitoto Wharf, Islington Bay and Beacon End (McKenzie Bay). Additional conservation areas may be added to the Plan by means of plan changes, as further information becomes available.

### 7.10.1 Resource management issue

How to protect areas which are susceptible to change through development which may deplete the collective character that defines them.

### 7.10.2 Objective

To identify, protect and enhance areas of significant historic, scientific or public interest or value.

#### Policies

1. By identifying, assessing and documenting appropriate localities as conservation areas.
2. By ensuring that land use and development within the conservation area does not detract from the values for which it was protected.
3. By retaining the heritage character and value of the conservation area.

### 7.10.3 Criteria for evaluating conservation areas

The Plan recognises the value of conservation areas as heritage assets and has adopted a system of identifying and protecting them. In determining whether localities are worthy of recognition and protection as conservation areas, the criteria for evaluating conservation areas listed in [appendix 4 - Criteria for scheduling heritage items](#) are considered.

### 7.10.4 Rules for conservation areas

#### 7.10.4.1 Permitted activities

The following are permitted activities within the Rangitoto Wharf, Beacon End (McKenzie Bay) and Islington Bay Conservation Areas:

1. The redecoration, repair and/or alteration of any existing fabric or detailing carried out in a manner and design, and with similar materials to those originally used.
2. Internal redecoration, repair or alterations.
3. Any change of use otherwise permitted by the Plan.
4. The minimal trimming or maintenance of any vegetation within the conservation area with hand-operated secateurs.
5. In addition to rule 7.10.4.1(4), eradication, control or management of plant pests listed in [appendix 14 - Plant and animal pests](#).

#### 7.10.4.2 Restricted discretionary activities

Except where provided for as a permitted activity in rule 7.10.4.1, the following are restricted discretionary activities within the Rangitoto Wharf, Beacon End (McKenzie Bay) and Islington Bay Conservation Areas:

1. Demolishing, removing or modifying an existing building, structure, vegetation, or feature.
2. Constructing a new building.

#### Matters of discretion

The council has restricted its discretion to considering the following matters:

1. The nature, form and extent of the development, alteration or change and its effect on the particular character of the conservation area.
2. Evidence presented as to the compelling reasons why the work is necessary.
3. Provisions of the ICOMOS New Zealand charter for the conservation of places of cultural heritage value (refer [appendix 5](#)) where appropriate.
4. Demonstration that any demolition or removal of a building, structure or landscape feature, will not significantly affect the appearance of the conservation area taking into account the surrounding environment, and will not destroy the conservation area's unified entity.
5. Consideration of the proposal against the relevant character statement in [appendix 3 - Character statements for conservation areas](#).
6. Whether the proposed activity will positively enhance the protection and maintenance of the building, structure or landscape feature in a manner in keeping with the particular character of the conservation area.
7. Whether the proposal is consistent with the relevant heritage objectives and policies.
8. Whether the proposal detracts from the particular character of the conservation area.

See [clause 7.6](#) for notification requirements for restricted discretionary activities.

## 7.11 Ecologically significant sites

The islands contain a number of important and distinctive natural features of ecological significance. These are described in the Plan as sites of ecological significance and sensitive areas. Sensitive areas apply to the outer islands only, but sites of ecological significance apply to both the inner and outer islands. At the time of notification of the Plan the ecological values of the outer islands had not been re-evaluated. The areas defined as sensitive areas and sites of ecological significance in the outer islands were therefore carried over from the previous district plan. In areas where the land unit rules are more restrictive than the rules applying to sensitive areas, the sensitive areas have not been carried over.

These sites of ecological significance and sensitive areas make up an important part of the natural heritage and character of the islands, as such the most significant examples require scheduling. The ecological values include indigenous plants, the habitat of indigenous fauna, threatened species and their habitat and the protective functions vegetation may have on habitat, soils, steep land or water. Sensitive areas are the more sensitive parts of the indigenous vegetation outside the sites of ecological significance. They include fragile ecosystems, indigenous fauna and pockets of mature forest.

The extent and variety of these sites of ecological significance and sensitive areas need to be conserved and their qualities maintained. The importance of protecting ecological values is outlined in section 6(c) of the RMA which, as a matter of national importance, requires the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. In order to fulfil its role outlined in the RMA the council has identified certain areas as being significant and worthy of protection.

Notwithstanding the ecological importance of these areas, council is mindful that particularly on Great Barrier, with its lack of services and infrastructure, and in a challenging environment, people and communities need to provide for their economic and social wellbeing and health and safety. As such, some additional permitted activities for works within ecologically significant areas have been provided for on Great Barrier only.

### 7.11.1 Resource management issues

1. How to ensure that ecologically significant sites, which have been depleted by a variety of land uses, will be adequately protected by the Plan.
2. How to protect the values of ecologically significant sites while providing for peoples reasonable ability to live on Great Barrier.

### 7.11.2 Objective

To identify, recognise and protect sites of ecological significance and sensitive areas within the islands while enabling people and communities to provide for their social and economic wellbeing and health and safety.

#### Policies

1. By identifying, evaluating and protecting sites of ecological significance and sensitive areas in public and private ownership.
2. By protecting sites of ecological significance and sensitive areas in a manner that retains the value of the scheduled item.
3. By ensuring that land use and development does not result in damage to sites of ecological significance and sensitive areas.
4. By avoiding the loss of threatened or protected species within sites of ecological significance and sensitive areas.
5. By enabling specific activities to occur as of right throughout the gulf islands where they will not detrimentally impact on the value of the ecological resource.
6. By enabling specific activities to occur as of right on Great Barrier only, in

recognition of the challenges of living there.

### 7.11.3 Criteria for scheduling sites of ecological significance

The Plan recognises the value of sites of ecological significance as heritage assets and has adopted a system of identifying and protecting them. The sites of ecological significance are listed in [appendix 1d - Schedule of sites of ecological significance - inner islands](#) and [appendix 2d - Schedule of sites of ecological significance and sensitive areas - outer islands](#).

In determining whether sites with ecological values are worthy of recognition and protection as scheduled sites, they have been evaluated against the criteria listed in [appendix 4 - Criteria for scheduling heritage items](#).

### 7.11.4 Rules for ecologically significant sites

#### 7.11.4.1 Permitted activities

##### 1. All land units and settlement areas

In all land units and settlement areas, the following are permitted activities within a scheduled site of ecological significance or sensitive area. This does not apply to the destruction, removal or modification of the habitat of any threatened or unusual plant or animal species listed in [appendix 6](#).

- a. The pruning, removal or works within the dripline of exotic trees and vegetation.
- b. Eradication, control or management of plant pests listed in [appendix 14 - Plant and animal pests](#).
- c. The maintenance or minor trimming of any indigenous vegetation with hand operated secateurs or pruning shears, in accordance with accepted arboricultural practice.
- d. Restoration planting and management using ecosourced plants where available and planted according to accepted ecological practice.
- e. The routine maintenance and repair of existing lawns, gardens and structures, that would not endanger, damage, destroy or detract from the values for which the area has been scheduled.

##### 2. Great Barrier

On Great Barrier, in addition to the above, the following are also permitted activities within a scheduled site of ecological significance or sensitive area. This does not apply to the destruction, removal or modification of the habitat of any threatened or unusual plant or animal species listed in [appendix 6](#).

- a. In landforms 2 (sand flats only), 3, 5, 6 and 7, the pruning or removal of kanuka and manuka of any height for domestic firewood harvesting up to 10m<sup>3</sup>, per site, per 12 month period (January to December).
- b. In all land units and settlement areas, the pruning, removal or works within the dripline of indigenous vegetation up to 3m in height, within a lawfully existing accessway and up to 1m either side of the accessway.
- c. In landforms 3 and 5, the pruning, removal or works within the dripline of indigenous vegetation up to 3m in height, 1m either side of an existing fenceline.
- d. In all land units and settlement areas, the pruning, removal or works within the dripline of kanuka and manuka of any height, within 10m of an existing habitable building.

### 3. Ponui Island

On Ponui Island, in addition to (1) above, the following are also permitted activities within a scheduled site of ecological significance. This does not apply to the destruction, removal or modification of the habitat of any threatened or unusual plant or animal species listed in [appendix 6](#).

- a. In all land units, the pruning, removal or works within the dripline of indigenous vegetation up to 1m either side of a lawfully existing accessway (with maximum modification no wider than 6m)

#### 7.11.4.2 Restricted discretionary activities

Except where provided for as a permitted activity in [rule 7.11.4.1](#), the following are restricted discretionary activities within a scheduled site of ecological significance or sensitive area:

1. Any proposal to cut, damage, alter or destroy any indigenous tree or plant (including its roots).
2. Any works within the dripline of any tree or plant.
3. The destruction, removal or modification of the habitat of any rare, threatened or endemic species listed in [appendix 6 - List of threatened and unusual plant and animal species](#).

#### 7.11.5 Matters of discretion for restricted discretionary activities

For applications under [rule 7.11.4.2](#), the council has restricted its discretion to considering the following matters:

1. The extent to which the proposed activity is consistent with the relevant objectives and policies.
2. Whether the proposed activity will adversely affect the values for which the site of ecological significance or sensitive area has been protected.
3. The extent to which the nature, extent, timing and method of modification or destruction will adversely affect the site of ecological significance, or sensitive area.
4. Whether the proposed activity adversely affects the biodiversity values of adjacent terrestrial, freshwater or saline environments.
5. Whether the proposed activity adversely affects water quality, or slope stability.
6. The extent to which modification or destruction of the site of ecological significance or sensitive area is likely to have an adverse effect on its natural character.
7. Whether the proposed activity results in better stewardship of the ecological resource.
8. The ecological significance of the particular area the works or activity are proposed to be undertaken within.

See [clause 7.6](#) for notification requirements for restricted discretionary activities.

## 7.12 Geological items

The islands abound with a diverse range of geological items that contribute to its distinctive qualities. The Plan provides for the protection of geological items which are significant for their scientific, integrity, educational and historic values. Significant examples require identification and scheduling.

### 7.12.1 Resource management issues

1. How to recognise and protect the unique nature of the islands' geological resources.

2. How to protect geological items which may be dynamic, extremely fragile or difficult to identify. Development of these items may result in their partial or total destruction, causing them to be lost forever.

### 7.12.2 Objective

To identify, recognise and protect valuable geological items which contribute to the islands' heritage.

#### Policies

1. By assessing, evaluating and scheduling geological items significant for their scientific and geological context, integrity, educational and historical association value.
2. By ensuring that land use and development does not result in the damage or destruction of scheduled geological sites and their scheduled site surrounds.
3. By avoiding a reduction in the heritage values associated with scheduled geological sites and their scheduled site surrounds.

### 7.12.3 Criteria for scheduling geological items

To determine whether a geological item is worthy of protection in the Plan, potential items have been evaluated against the criteria listed in [appendix 4 - Criteria for scheduling heritage items](#).

The evaluation criteria are also used to determine whether a geological item is a category A, or category B.

#### 7.12.3.1 Category A

These are extremely valuable geological items that when assessed against the relevant criteria were considered to have heritage significance beyond their immediate surrounds. Their loss or degradation would be unacceptable in terms of achieving the purpose of the RMA. These geological items therefore need to be preserved.

#### 7.12.3.2 Category B

Although these geological items are considered to be less significant than category A items, it is still important for the features to be protected from inappropriate use and development, having regard to the effect of the proposal on the heritage values of the scheduled item, and the applicants objectives and reasons for the proposal. Therefore, the partial loss or modification of category B item may be acceptable where there is no alternative and everything has been done to avoid, remedy or mitigate any adverse effects.

### 7.12.4 Rules for geological items

The rules for geological items with a category A rating are outlined in [table 7.1](#). The rules for category B items are in [table 7.2](#).

To use these tables it is necessary to know the feature type for the item, as well as whether it is category A or B. That information can be found in [appendix 1e - Schedule of geological items - inner islands](#) and [appendix 2e - Schedule of geological items - outer islands](#).

#### Feature type

In the following tables, the columns A-G indicate the following feature types:

##### A =Large landforms

Landforms that are sufficiently large and robust to withstand small scale earthworks or constructions without significant impact, eg scoria cone

**B =Smaller more fragile landforms**

Small landforms or other features that could be damaged or destroyed by relatively small scale earthworks or constructions, eg rock stack, hornito

**C =Dynamic landforms and features**

Landforms or features that rely on the continuation of natural physical processes beyond the feature for their continued existence, eg shell spit, sand dune, spring

**D =Exposures of geological material**

Natural or human-made exposures that are sufficiently large and robust that small scale earthworks or rock sampling will have no significant impact, eg South Rotoroa boxwork weathering

**E =Fragile exposures of geological material**

Small natural or human-made exposures or high value portions of exposures that could be damaged or destroyed by small scale earthworks, sampling or construction, eg Flax Point baked sediment

**F =Caves**

Caves (including entrances and host land within a 5m radius of the cave in all directions) may, depending upon their depth underground, be susceptible to damage from significant earthworks or constructions above them, or from changes in their catchments, eg lava caves, sea caves.

**G =Boulder fields**

Boulder fields, eg Stony Batter

**Table 7.1: Activity table for category A scheduled geological items**

Activities	Feature type						
	A	B	C	D	E	F	G
1. Earthworks greater than 2m <sup>3</sup>	D	Pr	D	D	D	D	NC
2. Earthworks less than or equal to 2m <sup>3</sup>	P	D	D	D	D	RD	D
3. External alterations or additions to existing buildings and the construction and/or relocation of new buildings	D	Pr	D	D	Pr	D	NC
4. Roothing construction	D	Pr	D	D	NC	RD	D
5. Footpath construction	RD	D	D	D	D	RD	D
6. Construction of fences or walls other than post and wire fences	RD	Pr	D	D	NC	RD	NC
7. Construction of post and wire fences	RD	RD	RD	RD	D	RD	P
8. Construction, replacement or upgrading of utility services by trenching	D	D	D	D	D	D	D
9. Construction, replacement or upgrading utility services by underground thrusting or directional drilling	RD	RD	RD	RD	RD	RD	RD
10.Planting any vegetation on the scheduled feature	D	D	NC	RD	NC	RD	NC
11.Geological sampling to a maximum of 1000cc	P	RD	P	P	RD	RD	RD
12.Grazing by heavy animals - ie cattle, horses, deer (excluding cave interiors)	RD	RD	RD	RD	RD	P	P
13.Grazing by light animals - ie sheep (excluding cave interiors)	P	RD	RD	P	RD	P	P

**Legend:**

P = Permitted

RD = Restricted discretionary

D = Discretionary  
 NC = Non-complying  
 Pr = Prohibited

**Note:**

See [clause 7.6](#) for notification requirements for restricted discretionary activities.

**Table 7.2: Activity table for category B scheduled geological items**

Activities	Feature type						
	A	B	C	D	E	F	G
1. Earthworks greater than 2m <sup>3</sup>	D	D	D	D	D	D	D
2. Earthworks less than or equal to 2m <sup>3</sup>	P	D	RD	RD	D	RD	P
3. External alterations or additions to existing buildings and the construction and/or relocation of new buildings	D	D	D	D	NC	RD	D
4. Roading construction	RD	NC	D	D	NC	RD	RD
5. Footpath construction	RD	NC	D	D	NC	RD	RD
6. Construction of fences or walls other than post and wire fences	RD	D	D	D	D	RD	RD
7. Construction of post and wire fences	P	RD	RD	RD	D	RD	P
8. Construction, replacement or upgrading of utility services by trenching	D	D	D	D	D	D	D
9. Construction, replacement or upgrading utility services by underground thrusting or directional drilling	RD	RD	RD	RD	RD	RD	RD
10. Planting any vegetation on the scheduled feature	RD	D	D	D	NC	RD	RD
11. Geological sampling to a maximum of 1000cc	P	RD	P	P	RD	RD	P
12. Grazing by heavy animals - ie cattle, horses, deer (excluding cave interiors)	RD	RD	RD	RD	RD	P	P
13. Grazing by light animals - ie sheep (excluding cave interiors)	P	RD	RD	P	RD	P	P

**Legend:**

P = Permitted

RD = Restricted discretionary

D = Discretionary

NC = Non-complying

**Note:**

See [clause 7.6](#) for notification requirements for restricted discretionary activities.

**7.12.5 Rules for scheduled site surrounds**

The scheduled site surrounds will often contain other geological items in addition to the scheduled item(s). The geological items in the site surrounds may not have sufficient heritage value to warrant scheduling on their own, but they contribute to the heritage significance of the scheduled item(s). Therefore it is important to manage activities within scheduled site surrounds in order to protect the context of the scheduled item(s) from effects that may detract from their heritage significance and value.

#### 7.12.5.1 Permitted activities

The following are permitted activities within the scheduled site surrounds of geological items:

1. Additions and alterations to existing buildings.
2. Routine maintenance, including all normal work required to use, maintain, and enjoy existing gardens or landscape features.
3. The planting of vegetation that does not include forestry or horticulture.
4. The grazing of stock.
5. Geological sampling to a maximum of 1000cc.
6. The construction of post or wire fences.

#### 7.12.5.2 Restricted discretionary activities

Except where provided for as a permitted activity in [rule 7.12.5.1](#), the following are restricted discretionary activities within the scheduled site surrounds of geological items:

1. The construction and/ or relocation of buildings.
2. Earthworks (excluding gardening for domestic purposes, which is permitted).
3. Forestry.
4. Horticulture.
5. The construction of fences or walls, other than post or wire fences.
6. The construction of roads or footpaths.

### 7.12.6 Matters of discretion and assessment criteria

#### 7.12.6.1 Scheduled items

For restricted discretionary activities identified in [table 7.1: Activity table for category A scheduled geological items](#), and [table 7.2: Activity table for category B scheduled geological items](#), the council has restricted its discretion to considering the following matters:

1. Whether the nature, form and extent of the proposed works or activity adversely affects the feature or features for which the item was scheduled.
2. The extent to which the modification is necessary.
3. What alternative methods and locations are available to the applicant for carrying out the work or activities that do not involve a scheduled item.
4. The relevant objectives and policies of the Plan relating to heritage matters.
5. The purpose of the proposed works or activity and whether it has specific connections or relevance to the scheduled item.
6. The provisions of any relevant management plan.
7. The degree to which the feature or features have already been modified to the extent that further modification will not cause significant additional loss of geological information.

The council's assessment of an application for a discretionary activity will also include consideration of the matters listed above.

See [clause 7.6](#) for notification requirements for restricted discretionary activities.

### 7.12.6.2 Scheduled site surrounds

For restricted discretionary activities identified in [rule 7.12.5.2](#), the council has restricted its discretion to considering the following matters:

1. The extent to which the works or activities detract from the visual or physical context of the scheduled geological items contained within the scheduled site surrounds.
2. The extent to which the application is consistent with objectives and policies for geological sites, and the overall heritage objectives.

See [clause 7.6](#) for notification requirements for restricted discretionary activities.

## 7.13 Maori heritage

The relationship of Maori and their culture and traditions to their ancestral lands, sites, waterways, waahi tapu, wai tapu, and other taonga is of national importance under the RMA. The Plan must therefore recognise and provide for that relationship. This can be done by identifying sites and areas of significance to Maori, and establishing appropriate protection.

At the time of notification of the Plan, Maori heritage sites were not included because essential information collected by the council about archaeological sites had not yet been considered by iwi. This information will assist iwi to determine which Maori heritage sites or areas to request for inclusion in the Plan, whether these are archaeological sites or not.

In consultation with tangata whenua, a variation or change to the Plan may be introduced to identify, protect, and recognise such sites in accordance with good RMA practice and the principles of Te Tiriti o Waitangi. These sites may include waahi tapu, tauranga waka, urupa, kauhanga riri, mahinga maataitai, wai tapu and other taonga. (Refer to [clause 7.467.17](#) for a glossary of Maori terms).



The custody of privileged information about Maori heritage sites will be retained and managed by identified heritage staff within the council. It will be held in a form that is not at risk of disclosure (unless this has been specifically authorised by iwi on a case-by-case basis). At the same time, landowners need to be provided with sufficient information about acceptable activities on the sites so as to maximise protection of the sites without unnecessarily constraining the activities of landowners.

The Plan will accurately identify all sites that iwi request be protected under the Plan. The council will work with iwi to develop criteria and protocols applicable to the individual sites or areas.

### 7.13.1 Issue

How to ensure that Maori heritage sites are not accessed or modified in such a way that detracts from their cultural value.

### 7.13.2 Objective

To recognise and protect sites of spiritual, cultural or tikanga value to Maori.

#### Policies

1. By identifying and protecting, in consultation and partnership with tangata whenua, significant Maori spiritual, cultural or tikanga sites.
2. By avoiding a reduction in the historical, cultural and spiritual values associated with Maori heritage sites.
3. By ensuring that tangata whenua (and other relevant iwi authorities) will be consulted over the use, development or protection of natural and physical resources where these affect Maori heritage sites.

### **7.13.3 Rules for Maori heritage sites**

#### **7.13.3.1 Permitted activities**

Any activity or work located within an area scheduled as a Maori heritage site which does not involve either of the following:

- ground disturbance
- toilets (including portaloos) or changing facilities.

#### **7.13.3.2 Discretionary activities**

Any activity or work within an area scheduled as a Maori heritage site which involves either or both of the following:

- ground disturbance
- toilets (including portaloos) or changing facilities.

### **7.13.4 Assessment criteria for discretionary activities**

The council's assessment of applications for a discretionary activity will include consideration of the following matters:

1. Whether the proposal is consistent with the objectives and policies for Maori heritage sites.
2. Whether the proposal has appropriate regard to the protocol for Maori heritage sites.
3. Whether an archaeological assessment has been undertaken to assess the archaeological values of the site.
4. Whether the modification is necessary, and any alternative methods available to the applicant for carrying out the work and activities.
5. Whether there has been consultation with the relevant tangata whenua.
6. Whether tangata whenua will have access to the site for karakia and monitoring.

## **7.14 Trees**

Trees are an important element of the islands' resources. They contribute positively to the amenity values experienced by visitors and residents alike, and their retention helps enable the people and communities of the islands to provide for their social and cultural wellbeing.

Individual trees and groups of trees can have significant arboricultural, community, amenity and historic values, which collectively endow the landscape with distinctive environmental quality and charm. The Plan recognises the value of significant trees and groups of trees as community assets and has adopted a system of identifying and protecting them, both as individual specimens and as groups of specimens. These are denoted as scheduled trees. The continued existence of scheduled trees is important to the heritage and legacy left to future generations.

As well as scheduling trees with particular heritage value, other parts of the Plan have more general controls protecting indigenous vegetation throughout the islands, and larger exotic trees on Waiheke.

### **7.14.1 Issue**

How to address the potential loss of trees and subsequent loss to the general environment and amenity values, health and wellbeing of the community and heritage values of the islands.

## 7.14.2 Objective

To identify and protect trees and groups of trees which significantly contribute to the islands' arboricultural, community, amenity and historic values.

### Policies

1. By identifying, recognising and protecting scheduled trees and groups of scheduled trees in public and private ownership.
2. By ensuring, where possible, that scheduled trees and groups of scheduled trees that contribute to the heritage values of the islands are retained.
3. By protecting scheduled trees as a habitat and food source to retain and attract valued wildlife.

## 7.14.3 Criteria for scheduling trees

The Plan recognises the value of scheduled trees as community assets and has adopted a system of identifying and protecting them, both as individual specimens and as groups. These trees are listed in [appendix 1g - Schedule of trees - inner islands](#) and [appendix 2g - Schedule of trees - outer islands](#).

In determining whether trees are worthy of recognition and protection as scheduled trees, they are evaluated against the criteria contained in [appendix 4 - Criteria for scheduling heritage items](#).

Trees in the islands have been identified as worthy of recognition and protection as scheduled trees for a variety of the reasons given above. They may be identified for their arboricultural, community, amenity and/or historic value. By scheduling them they should be preserved as part of the heritage of the islands for the benefit of present and future generations.

The evaluation criteria are also used to determine whether a tree is a category A or B item.

## 7.14.4 Rules for scheduled trees

### 7.14.4.1 Permitted activities

The minimal trimming or maintenance of any scheduled tree undertaken with hand-operated secateurs.

### 7.14.4.2 Restricted discretionary activities

The following are restricted discretionary activities:

1. Maintenance or trimming of limbs up to 50mm in diameter for category A trees, and 75mm in diameter for category B trees, provided it does not detract from any qualities for which the tree has been scheduled.
2. The removal of dead wood or parts of a tree that are dying or suffering from an untreatable disease.

### Matters of discretion

The council has restricted its discretion to considering the following matters:

1. The necessity for carrying out the works.
2. The extent of the trimming or maintenance of the tree and the method to be employed.
3. The effect on the integrity of the tree's form, its health and its intrinsic and heritage values.

See [clause 7.6](#) for notification requirements for restricted discretionary activities.

#### 7.14.4.3 Discretionary activities

The following are discretionary activities:

1. The maintenance or trimming of limbs greater than 50mm diameter for a category A tree, or 75mm in diameter for a category B tree.
2. The destruction or removal of any scheduled tree.
3. Any work within the rootzone area of any scheduled tree (irrespective of any legal boundary, fence or structure).

#### 7.14.5 Assessment criteria for discretionary activities

The council's assessment of an application for a discretionary activity will include consideration of the following matters:

1. Whether the application is consistent with the objectives and policies of the Plan.
2. The extent of the effects on the heritage values for which the tree has been scheduled.
3. The extent to which the tree or trees contribute to the amenity of the area both visual and physical, including contributions as habitats for birds and other animals.
4. Whether the application affects the context of the tree.
5. The extent to which the application may have adverse effects on the conservation of water, soil or soil stability.
6. Whether the works are necessary.
7. Whether or not the proposed activities in the rootzone area are likely to damage the tree or endanger its health.
8. Whether any alternative methods and/or locations are available to the applicant for carrying out the work or activities, or for meeting reasonable objectives including the variation of development controls, where appropriate, to encourage retention and enhancement of the tree or trees and to avoid or minimise adverse effects.
9. The extent to which the application is consistent with the provisions of the ICOMOS New Zealand charter for the conservation of places of cultural heritage value (refer [appendix 5](#)), where appropriate.
10. Whether the council is able to impose conditions to ensure the tree or group of trees are not unduly damaged or its health endangered and including limits on the extent of trimming or maintenance and the methods employed.

### 7.15 Volcanic Viewshafts

Views of the Rangitoto and Motukorea (Browns Island) volcanic cones are valued by residents and visitors to the Hauraki Gulf, and their scenic amenity and heritage value contributes much to the character of Auckland. Geological items and landforms are protected by the Plan, but views to and from these features also need protection.

The maximum height for a particular site is usually below the height permitted by the volcanic viewshaft protection. Where viewshafts are below the maximum height, it may be necessary to impose special height limits. Height Sensitive Areas (HSA) are areas of land beneath volcanic viewshafts where the height of the development permitted by the underlying zone breaches the floor of the viewshaft, or land located on the slopes and surrounds of volcanic cones where height is controlled to protect the visual integrity of the cone.

Height Sensitive Areas have been applied to the slopes of Rangitoto and Browns Island to protect the visual integrity of these volcanic cones. The height sensitive areas have been set at 6.5m, the same as the maximum height limit for the Conservation Land Unit.

## 7.15.1 Resource management issue

The potential loss of views to and between volcanic landmarks within the Hauraki Gulf Islands.

## 7.15.2 Objective

To protect the visual and physical integrity and values of the volcanic features of the Hauraki Gulf Islands, and to protect significant views to and between volcanic cones

### Policies

1. Ensure that the overall contribution of the Hauraki Gulf's volcanic features to the landscape character of Auckland is maintained, including physical and visual connections to, and views between, the volcanic cones.
2. Avoid the introduction of buildings or structures within viewshafts defined on the planning maps and above the specified building heights in the Height Sensitive Areas to protect views to and between the maunga/volcanic cones.

## 7.15.3 Rules for Volcanic view shafts

### 7.15.3.1 Permitted activities

1. Buildings and structures located within a volcanic viewshaft which breach the floor of the viewshaft but do not exceed the height of the HSA.
2. Additions or alterations to existing buildings or structures within a volcanic viewshaft, which breaches the floor of the viewshaft but does not exceed the height of the HSA.

### 7.15.3.2 Non-complying activities

1. Buildings and structures or any additions or alterations to existing buildings or structures within an HSA which exceeds the height of the HSA.

## 7.16 Interpretations and definitions

Interpretations and definitions which particularly relate to this part of the Plan are listed below. These definitions are in addition to those contained in [part 14 - Definitions](#).

<b>Conservation</b>	means all the processes of managing a place so as to retain its cultural significance. It includes general maintenance and may, according to the circumstance, include preservation, restoration, reconstruction and adaptation to new uses, and will commonly be a combination of more than one of these.
<b>Conservation plan</b>	means a document which sets out in detail what is significant in a place, what level of community value applies to the parts and the whole of the place, and what policies are appropriate to guide any future changes and to enable that significance and value to be retained.
<b>Cultural significance</b>	means aesthetic, historic, spiritual, traditional, scientific or social value for past, present or future generations.
<b>Fabric</b>	means all the physical material of a building, site, substrate, object, or place of cultural significance (as defined above).
<b>ICOMOS NZ Charter</b>	The ICOMOS New Zealand charter for the conservation of places of cultural heritage value is set out in <a href="#">appendix 5</a> . This charter provides a frame of reference and guidelines for all people who are involved in the conservation of places of cultural heritage value in New Zealand including scheduled items. Where not otherwise prescribed in the Plan, the terminology and philosophies of the charter are considered to be included in the Plan's approaches to heritage.

<b>Maintenance</b>	means the continuous protective care of the fabric, and is to be distinguished from repair.
<b>Preservation</b>	means maintaining the fabric in its existing state and retarding deterioration.
<b>Reconstruction</b>	means returning a place as nearly as possible to a known earlier state and is distinguished by the introduction of materials (new or old) into the fabric. (This is not to be confused with restoration, replication, or conjectural reconstruction.)
<b>Redecoration</b>	means the renewal, restoration, or new applications of, surface finishes, coatings, decorative elements, minor fittings and fixtures, and floor coverings; provided these actions do not destroy, compromise, damage, or impair the appreciation of the heritage values of the element being redecorated.
<b>Repair</b>	means restoration or reconstruction beyond the definition of maintenance.
<b>Restoration</b>	means returning the existing fabric of a place to a known earlier state by removing additions and/or by reassembling existing components without the introduction of new material.
<b>Rootzone area</b>	means the full extent of the root system for a tree.
<b>Scheduled archaeological site</b>	means any site which would normally come within the scope of professional interest in the field of archaeology and that is scheduled in <a href="#">appendix 1a - Schedule of archaeological sites - inner islands</a> or <a href="#">appendix 2a - Schedule of archaeological sites - outer islands</a> . The location of each archaeological site is identified on the planning maps and the relevant appendices.
<b>Scheduled building, object, property or place of special value</b>	means any building, object, property, place of special value, or groups of heritage items scheduled in <a href="#">appendix 1b - Schedule of buildings, objects, properties and places of special value - inner islands</a> or <a href="#">appendix 2b - Schedule of buildings, objects, properties and places of special value - outer islands</a> . The location of each building, object, property, place of special value is identified on the planning maps and the relevant appendices.
<b>Scheduled conservation area</b>	means an area identified in the Plan whose cumulative heritage characteristics are of such value as to warrant a high level of protection from visible change. There are currently no conservation areas scheduled in the Plan. If any conservation areas are scheduled in the future their location will be identified on the planning maps and in <a href="#">appendix 1c - Schedule of conservation areas - inner islands</a> and <a href="#">appendix 2c - Schedule of conservation areas - outer islands</a> .
<b>Scheduled ecologically significant site</b>	means any site of ecological significance or sensitive area scheduled in <a href="#">appendix 1d - Schedule of sites of ecological significance - inner islands</a> or <a href="#">appendix 2d - Schedule of sites of ecological significance and sensitive areas - outer islands</a> . The location of these sites is identified on the planning maps.
<b>Scheduled geological item</b>	means any item which would normally come within the scope of professional interest of the field of geology, together with the land on or under the surface of which that item is located, which is scheduled in <a href="#">appendix 1e - Schedule of geological items - inner islands</a> or <a href="#">appendix 2e - Schedule of geological items - outer islands</a> . The location of the geological item is identified on the planning maps and in the relevant appendices.
<b>Scheduled interior</b>	includes the whole or any nominated part of the interior of a building, object or place (as shown in <a href="#">appendix 1b - Schedule of buildings, objects, properties and places of special value - inner islands</a> and <a href="#">appendix 2b - Schedule of buildings, objects, properties and places of special value - outer islands</a> ) which is particularly relevant or valuable in demonstrating the heritage significance of a place, the alteration of which would detract from the inherent heritage significance and value of the place. Such items will be spaces, components and materials, all finishes and fixtures (but excluding unattached items such as furniture) which are original to the place and/or identifiable as having significant heritage value. Such items may be identified in an approved conservation plan or heritage assessment, and policies for future conservation, adaptation, and preservation identified in these documents will apply.

<b>Scheduled item</b>	<p>means</p> <ul style="list-style-type: none"> <li>• an archaeological site</li> <li>• a building, object, property, or place of special value</li> <li>• a conservation area</li> <li>• an ecologically significant site, ie a site of ecological significance or a sensitive area</li> <li>• a geological item</li> <li>• a Maori heritage site</li> <li>• a tree or group of trees</li> </ul> <p>scheduled for protection in the Plan for its heritage values. The location of scheduled items are identified by annotations on the planning maps and further described in <a href="#">appendix 1 - Heritage schedules for the inner islands</a> and <a href="#">appendix 2 - Heritage schedules for the outer islands</a>.</p>
<b>Scheduled Maori heritage site</b>	<p>means any Maori heritage site scheduled in <a href="#">appendix 1f - Schedule of Maori heritage sites - inner islands</a> and <a href="#">appendix 2f - Schedule of Maori heritage sites - outer islands</a>.</p>
<b>Scheduled site surrounds</b>	<p>includes all land within a defined area around the scheduled item(s), as illustrated in the diagrams in <a href="#">appendix 1 - Heritage schedules for the inner islands</a> and <a href="#">appendix 2 - Heritage schedules for the outer islands</a>. Site surrounds includes all those things, such as (but not limited to) land, trees, gardens, buildings and structures that are part of the heritage significance of the place and are located within the site surrounds.</p> <p>The site surrounds are identified to protect the context of an item (or items) from effects that detract from the inherent heritage significance and value of the scheduled item.</p>
<b>Scheduled trees</b>	<p>means any tree or group of trees scheduled in <a href="#">appendix 1g - Schedule of trees - inner islands</a> or <a href="#">appendix 2g - Schedule of trees - outer islands</a>. The location of scheduled trees and groups of scheduled trees is identified on the planning maps and in the relevant appendices.</p>

## 7.17 Glossary of Maori terms

<b>Iwi</b>	Tribe or people.
<b>Karakia</b>	Prayers and blessings.
<b>Kauhanga riri</b>	Battle sites.
<b>Mahinga maataitai</b>	Food gathering areas.
<b>Mana whenua</b>	Customary authority exercised by an iwi in a particular area.
<b>Tangata whenua</b>	In relation to a particular area, means that the iwi holds mana whenua over that area.
<b>Taonga</b>	Treasure, property. Taonga are prized and protected as sacred possessions of the tribe. The term carries a deep spiritual meaning and taonga may be things that cannot be seen or touched.
<b>Tauranga waka</b>	Canoe landing sites.
<b>Tiriti o Waitangi</b>	Treaty of Waitangi.
<b>Urupa</b>	Burial sites.
<b>Waahi tapu</b>	Sacred places.
<b>Wai tapu</b>	Sacred waters, including tidal areas, lakes waterways, springs and wetlands. ( <b>Note:</b> Areas below mean high water springs are outside the authority of this Plan)

## **7.18 Additional information about heritage**

For additional background information about heritage, refer to the following annexures:

**Annexure 1a - The history of human settlement of the islands**

**Annexure 1b - The archaeology of the islands. This annexure also includes a glossary of archaeological terms.**

**Annexure 1c - The geology and landforms of the islands. This annexure also includes a glossary of geological terms.**