

AK Taihia

From: Robert Adams <longbeachrussellnz@gmail.com>
Sent: 30 May 2024 18:10
To: AK Taihia; Andrew Riddell; Dbra Rewiri; Jane Hindle
Subject: Re S156 Robert Adams
Attachments: scan Robert Adams comments on Planners Report Urban Design.pdf; Cultural sites within Kororaareka (1).doc

Categories: Jaimee

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Hi Alicia,

I attended the hearings on tuesday 28th May at 2.15 (was 1.15 pm)

At the hearing I indicated that I would be sending a copy of my oral submission along with supporting materials to assist the commissioners. Included is a separate letter from the Chair of Kororareka Marae who was unable to attend in person.

Attached



1. Comments on Planners response to my submission
2. Relevant parts of the Regional Policy Statement with my comments and highlights.
3. Part of schedule 5 heritage overlay of the Auckland Unitary plan. West Lynn Richmond Road. This is 5 pages and is a good example of a heritage overlay with analysis. The logical step from there is to produce design guidelines to guide restoration and maintenance, protection and guiding appropriate development.
4. Photos with my comments showing the difficulties of planners trying to proscribe design rules in heritage areas and their outcomes in the hands of designers without an aptitude for urban design.


Council doesn't need to spend a lot of money on heritage overlays and design guidelines.

It took me 1 hr to do a basic snapshot of what is good and what is bad and why. A full heritage overlay (like Richmond Road) would take one day. Producing guidelines would take about one day's work. Many in the community including myself would volunteer our time to assist the council to get this work done, We would like to work with Council but really they have to be willing to do that.

Kind Regards

Robert Adams

_scan_The reality of protecting historical heritage and applying urban design .pdf 

_scan.Schedule 5 Unitary Plan West Lynn pdf 

Planners Report on submissions.

283. While I acknowledge these submission points that seek amendments to consider climate change generally, there is no suggested wording. In addition, the level of detail required to do this would not sit comfortably within the strategic directions objectives and instead should be addressed through the relevant topic chapters. I recommend this is brought to the attention of the topic specific chapters, and it may be necessary to be rediscussed in other chapters where there is scope to address this. For the Strategic Direction chapter, I recommend that these submissions are rejected.

Urban Design

total 47 → Submissions

284. Te Rūnanga o Ngāti Rēhia (S599) requests design guidelines for the Kerikeri town centre to be done in conjunction with the community and hapū (S559.032).
285. Kapiro Residents Association (S427), VKK (S522), Our Kerikeri Community Charitable Trust (S338), Kapiro Conservation Trust (S449) and Carbon Neutral NZ Trust (S529) request amendments to include provisions that support urban design principles for quality and innovative developments that cater for mixed use, mixed dwellings and mixed income levels, whilst protecting and preserving the characteristics of respective townships and the things that communities value (S427.007, S522.007, S338.007, S449.008, S529.007).
286. Our Kerikeri Community Charitable Trust (S338), VKK (S522), Kapiro Residents Association (S427), Kapiro Conservation Trust (S449) and Carbon Neutral NZ Trust (S529) all request the insertion of the Urban Design Protocol and Good Solution Guide 2007 North Shore City Council into the PDP (S338.006, S522.006, S427.006, S449.007, 529.006).
287. VKK (S522), Our Kerikeri Community Charitable Trust (S338), Kapiro Conservation Trust (S449), Carbon Neutral NZ Trust (S529) and Kapiro Residents Association (S427) all request to amend the PDP to maintain and enhance amenity values and include provisions that will protect the traditional and/or distinctive character of townships and rural areas, and other characteristics that are valued by local communities (S522.016, S338.018, 449.025, S529.024, S427.017).
288. Kapiro Residents Association (S427), Our Kerikeri Community Charitable Trust (S338), Kapiro Conservation Trust (S449) and Carbon Neutral NZ Trust (S529) all request to amend the PDP to preserve local character through the control of building types, qualities, quantity and design (S427.018, S338.019, S449.026, S529.025).
289. Our Kerikeri Community Charitable Trust (S274) requests urban design strategies and guidelines and to give effect to these in the PDP (S274.006).
290. Kristine Kerr (S302) seeks amendments to provide for design guidelines for urban design and form, identify a hierarchy of towns and districts with

suitable design measures, and plan the specific type of services and facilities to be offered (S302.001, S302.002).

291. Robert Adams (S156) requests urban design overlays and urban design assessments for all of Northland's towns that are compromised such as Rāwene, Russell, Kawakawa, Mangonui, Kohukohu, and then move on to the other towns (S156.001).

Analysis

Not arduous if community involved

292. I agree urban design guidance for the district, would be desirable. However, the development of Urban design guidelines for the Far North District would be an arduous task as it is not a one size fits approach. It is likely that The Kerikeri / Waipapa spatial plan that is currently under development, would include urban design guidance as part of its implementation.

293. Urban design is sufficiently managed in the PDP through zone objectives and policies around character and amenity. The PDP has been drafted to give effect to the RPS, and a discretionary or non-complying activity must also comply with the RPS. The RPS statement policies and Appendix which guide subdivision use and development.

The RPS is a template and structure for FNDC to provide policies/objectives AND to create urban design guidelines. Appendix 2 is not a guideline but a template to create a guideline.

- Policy 5.1.1 – "Planned and Coordinated development, where by subdivision, use and development should be located, designed and built in a planned and co-ordinated manner which:

- Is guided by the 'Regional Form and Development Guidelines' in Appendix 2;

- Is guided by the 'Regional Urban Design Guidelines' in Appendix 2 when it is urban in nature;.....

294. The provisions in the General Residential and mixed-use zones and the Subdivision chapter allow for a variety of densities, housing typologies and lot sizes. The PDP contains nine scheduled heritage area overlays, with each overlay having specific objectives policies and rules in relation to the unique heritage values, context and landscapes which require protection. Additionally, the Coastal environment overlay includes design control representative of the sensitive environment.

- The nine overlays do not have rules only intentions.
- only 6 overlays are completed
3 outstanding

Zoning Framework

Submissions

Kawakawa
Kaero
Kaikohe
Kaitiaki
also need to be included.

295. Kapiro Conservation Trust (S449), Carbon Neutral NZ Trust (S529), VKK (S522), and Our Kerikeri Community Charitable Trust (S338) all request to amend the zoning framework to introduce more subzones or precincts as per the National Planning Standards to achieve good connectivity, good functionality and protect character and amenity values (S449.003, S529.003, S522.002, S338.047).
296. Paihia Properties (S344), Sarah Ballantyne and Dean Agnew (S386) Bunnings Limited (S371), McDonalds Restaurants (NZ) Limited (S385), Foodstuffs (363), New Zealand Maritime Parks Ltd (S251) and Ngā Tai Ora

2.8 Natural character, features / landscapes and historic heritage

Many of Northland's natural features and landscapes, natural character, and historic heritage have been compromised and remain at risk as a result of:

- (a) The impacts of inappropriate subdivision, use and development. The primary activities of concern are built development, earthworks, significant water extractions / discharges to water, vegetation clearance and coastal structures;
- (b) A lack of active management; and
- (c) Inconsistent identification and protection.



Issue 2.8 is addressed by the following objectives:

- | | |
|--|--|
| 3.1 Integrated catchment management | 3.14 Natural character, outstanding natural features, outstanding natural landscapes and historic heritage |
| 3.2 Region-wide water quality | |
| 3.3 Ecological flows and water levels | 3.15 <u>Active management</u> * |
| 3.4 Indigenous ecosystems and biodiversity | |

Explanation:

Section 6 of the Resource Management Act 1991 (RMA) states that the preservation of the natural character of the coastal environment and water bodies, and their margins, is a matter of national importance. Section 6 also requires the protection of natural character, outstanding natural features / landscapes and historic heritage from inappropriate subdivision, use and development. These directives are reinforced through the New Zealand Coastal Policy Statement in Policies 13, 15 and 17.

Northland's natural features and landscapes, natural character and historic heritage are some of our most important assets. They are a source of cultural and social identity, providing a unique 'sense of place' and a source of intrinsic public value. They can also provide tangible economic benefits and contribute to the attractiveness of this region as a place to live and visit.



Our coast is particularly valued by Northlanders, but is sensitive and at risk as this is where development pressure is typically greater. Subdivision, built development, earthworks, significant water extractions / discharges to water, vegetation clearance and coastal structures are the main activities which can degrade or compromise the values of these areas.

While regulation can provide protection from inappropriate development, active management is often required as well to protect and maintain or restore the values of these areas (for example, pest and weed control and the maintenance of heritage buildings / features).



One of the main impediments to active management is that a significant proportion of these high value natural and physical resources are on private land and therefore the costs of active management (for example, pest or erosion control, fencing bush / water bodies and maintenance of historic heritage) fall on the landowners.



A management issue is the inconsistent and ad hoc approaches to identifying these resources, which has often relied on the consent process.

The level of protection required and / or provided has also been variable and differs across councils. This can result in lengthy and often costly disputes between communities, landowners, developers and councils. There has also been very little monitoring of the changes that have occurred to these resources. To date, evidence is largely anecdotal and inferred from the number of subdivision, land use, water, discharge and coastal permits granted. However, these areas are special and should be managed and maintained (for their special values) in accordance with the RMA.

The Regional Policy Statement recognises that production land and other lawfully established activities are amongst the characteristics and qualities which make up the outstanding values of areas of that land. It is also recognised that, by their very nature, production land and other lawfully established activities change over time and that such changes may not result in the deterioration of these values.

3.14 Natural character, outstanding natural features, outstanding natural landscapes and historic heritage

Identify and protect from inappropriate subdivision, use and development;

- (a) The qualities and characteristics that make up the natural character of the coastal environment, and the natural character of freshwater bodies and their margins;
- (b) The qualities and characteristics that make up outstanding natural features and outstanding natural landscapes;
- (c) The integrity of historic heritage.

Objective 3.14 addresses the following issues:

- 2.1 Fresh and coastal water
- 2.2 Indigenous ecosystems and biodiversity
- 2.6 Issues of significance to tangata whenua – natural and physical resources
- 2.8 Natural character, features / landscapes and historic heritage

Objective 3.14 is achieved by the following policies:

- 4.1 Integrated catchment management
- 4.2 Region-wide water quality management
- 4.3 Region-wide water quantity management.
- 4.4 Maintaining and enhancing indigenous ecosystems and species
- 4.5 Identifying the coastal environment, natural character, outstanding natural features, outstanding natural landscapes, and historic heritage resources
- 4.6 Managing effects on natural character, features / landscapes and heritage
- 4.7 Supporting management and improvement

* Pa sites

Explanation:

The objective identifies matters that are central to the sustainability objectives of the Resource Management Act 1991 (RMA). Regional and district councils must recognise and provide for the protection of these resources from inappropriate subdivision, use and development as a matter of national importance under sections 6(a), (b) and (f) of the RMA. The New Zealand Coastal Policy Statement 2010 (NZCPS) reinforces these duties and requires regional policy statements and plans to identify where this protection is needed.

The objective does not seek absolute protection in all cases, as in many circumstances individual elements of these resources (for example, a specific landscape unit) can accommodate a degree of modification. The level of protection will depend on the values if these areas.

Legal obligations aside, these resources are very important for Northland's unique character and sense of place and they contribute to our social, economic and cultural wellbeing.

To protect these areas, they must first be identified and then managed.

Using a regionally-consistent approach to identify and protect the areas listed in the objective will:

- Provide certainty that the requirements of the RMA and NZCPS are being met throughout the region;

* not happening in FNDC PDP.

- * • Provide certainty that the values which contribute to Northland's unique sense of place are protected to a defined standard and that the activities which are of most concern are addressed;
- Limit the duplication and associated costs and inefficiencies which arise when individual councils address these matters in isolation;
- Avoid the potential for conflicting provisions across council boundaries;
- * • Provide the basis for community-wide agreement on what is regionally significant in relation to those matters listed in the objective; and
- Provide certainty for landowners and developers as to where these areas are.

Community
not
involved

For the purposes of the Regional Policy Statement, historic heritage is as defined in s2, RMA.

* 3.15 Active management

Maintain and / or improve;

- (a) The natural character of the coastal environment and fresh water bodies and their margins;
- * (b) Outstanding natural features and outstanding natural landscapes;
- * (c) Historic heritage;
- (d) Areas of significant indigenous vegetation and significant habitats of indigenous fauna (including those within estuaries and harbours);
- (e) Public access to the coast; and
- (f) Fresh and coastal water quality

by supporting, enabling and positively recognising active management arising from the efforts of landowners, individuals, iwi, hapū and community groups.

↳ planners not supporting enabling and positively recognising active management by the community.

Objective 3.15 addresses the following issues:	
2.1 Fresh and coastal water	2.6 Issues of significance to tangata whenua – natural and physical resources
2.2 Indigenous ecosystems and biodiversity	2.8 Natural character, features / landscapes and historic heritage
2.5 Issues of significance to tangata whenua – participation in resource management	
Objective 3.15 is achieved by the following policies:	
4.2 Region-wide water quality management	4.4 Maintaining and enhancing indigenous ecosystems and species
4.3 Region-wide water quantity management	4.7 Supporting management and improvement

Explanation:

The objective identifies elements of Northland's environment that have been identified in other objectives as being fundamental to the region's unique character, and / or the most vulnerable to the effects of inappropriate subdivision, use and development. They tend to be those natural and physical resources valued most by communities and / or given particular weight under the Resource Management Act 1991 (RMA). These elements therefore require special attention and the RMA provides for controls over the use of land (through district and regional plan rules) to manage impacts on them.

Rules can be effective in protecting these resources from the adverse effects of inappropriate subdivision, use and development. However, rules are less effective for remedying or preventing other adverse effects not associated with development, such as those from pest plants and animals. The management of these effects is often best done through the work of individuals and communities.

For example, Northland is particularly susceptible to ongoing pressures and risks that cannot realistically be remedied through rules. These include:

- Impacts of pest organisms;
- "Legacy effects" resulting from reduced extent of riparian vegetation and wetlands and subsequently elevated sediment and nutrient loads;
- Reduced diversity / extent of native habitat;
- Limited public access to and along the coast in some areas; and
- Costs to maintain, manage and / or restore historic heritage.

These effects (on their own and in combination) reduce natural character, indigenous biodiversity, water quality, and aesthetic and amenity values and without intervention, may continue to degrade the quality of Northland's environment.

Appropriate subdivision, use and development can be the most effective means to achieve on-going management and improvement of these resources and can provide opportunities to address ongoing impacts / risks and result in net positive effects that may not otherwise occur. Landowners and community groups are generally best placed to undertake active management because:

- Councils have limited resources and do not have the capacity for the day-to-day on-site management that is often required, particularly for managing pest plants and animals;

* While rules may go some way to maintaining special areas, maintenance enhancement cannot be compelled by rules and relies on motivated people; *

We do.

- Landowners have the ability to make decisions on how to use their land;
- Landowners, iwi, hapū and communities are better placed to use local knowledge, networks and resources; and
- Communities and iwi, hapū have a better idea of what they want and / or need regarding the matters listed.

We can.

Another issue is that landowners (particularly rural landowners) are often faced with the costs of active protection and / or enhancement of these areas on their land for what is in effect the wider public benefit and in these cases support / recognition is warranted.

Why not

Therefore, the objective does not seek to 'compensate' landowners where land use restrictions apply; rather, the intention is to assist those who wish to actively manage and / or enhance aspects of the environment over and above the requirements of the RMA. The use of public resources (like rates, council staff time) and incentives to assist and encourage individuals and community groups can be justified where:

We want to

→ • It helps councils to achieve their functions and duties under the RMA; and

but

→ • The social, cultural, economic or environmental benefits for the public are greater than the costs of the public investment.

PDP

needs to provide a framework.

4.5.2 Policy – Application of the Regional Policy Statement - Maps

The Regional Policy Statement Maps of high and outstanding natural character and outstanding natural features and outstanding natural landscapes identify areas that are sensitive to subdivision, use and development. The maps of these areas identify where caution is required to ensure activities are appropriate. However, suitably qualified assessment at a site or property-specific level can be used to demonstrate lesser (or greater) sensitivity to particular subdivision, use and development proposals given the greater resolution provided.

Micro level
Planning
by
community

Explanation:

The Regional Policy Statement Maps of high and outstanding natural character, outstanding natural features and outstanding natural landscapes identify those areas where caution is required to ensure subdivision, use and development is appropriate. They have been developed using the best information available and ground tested where practicable.

This policy recognises that despite best endeavours, the maps may not always be accurate at individual property or site-scale. Therefore qualified site or property-specific assessment at greater resolution and accuracy may be able to demonstrate that the values are not present or are of less (or more) significance than depicted on the maps or that a lesser (or greater) degree of sensitivity and / or caution is warranted in relation to specific proposals. However this does not equate to re-litigation of the maps or a requirement to amend maps.

4.5.3 Policy – Assessing, identifying and recording historic heritage

Historic heritage resources (areas, places, sites, buildings, or structures either individually or as a group) are identified taking into account one or more of the following criteria:

- (a) *Archaeological and / or scientific importance: the resource contributes significantly to our understanding of human history or archaeological research;*
- (b) *Architecture and technology: the structure or building is significant due to design, form, scale, materials, style, period, craftsmanship, construction technique or other unique element / characteristic;*
- (c) *Rarity: the resource or site is unique, uncommon or rare at a district, regional or national level;*
- (d) *Representativeness: the resource is an excellent example of its class in terms of design, type, use, technology, time period or other characteristic;*
- (e) *Integrity: the resource retains a high proportion of its original characteristics and integrity compared with other examples in the district or region;*

*
what
the
PDP
should
be
doing
but
isn't

only happening at or basic level in PDP

- (f) Context: the resource forms part of an association of heritage sites or buildings which, when considered as a whole, become important at a district, regional or national scale;
- (g) People and events: the resource is directly associated with the life or works of a well-known or important individual, group or organisation and / or is associated with locally, regionally or nationally significant historic events;
- (h) Identity: the resource provides a sense of place, community identity or cultural or historical continuity;
- (i) Tangata whenua: the resource place or feature is important to tangata whenua for traditional, spiritual, cultural or historic reasons; and
- (j) Statutory: the resource or feature is recognised nationally or internationally, including: a World Heritage Site under the World Heritage Convention 1972; is registered under the Historic Places Act 1993; or is recognised as having significant heritage value under a statutory acknowledgement or other legislation.

Explanation:

or ignored

Historic heritage resources that meet the criteria under Policy 4.5.3 warrant protection from inappropriate development in accordance with section 6(f) of the RMA. These are the historic heritage resources to be identified in regional and district plans. [The decision on which other heritage features (that do not meet the criteria in this policy) to include in plans is left to individual councils.] The criteria used are based on those developed by the New Zealand Historic Places Trust. The term historic heritage has the same meaning as the definition in section 2 of the Resource Management Act.

4.5.4 Method – Statutory plans and strategies

FNDC has not done this

- (1) Within two years of this Regional Policy Statement becoming operative (or the first relevant plan change after the Regional Policy Statement becoming operative, whichever is the earlier) the regional and district councils shall notify a plan change to their relevant regional and district plans to incorporate the Regional Policy Statement – Maps subject to Method 4.5.4(2).
- (2) The coastal environment, and areas of high and outstanding natural character within the coastal environment, and outstanding natural features and outstanding natural landscapes as shown in the Regional Policy Statement – Maps may be changed, provided the changes are:
 - (i) Undertaken using the attributes and criteria listed in Appendix 1; and
 - (ii) Shown in the regional or district plan.
- (3) As soon as practicable after this Regional Policy Statement becoming operative the regional and district councils (in collaboration with the Department of Conservation, tangata whenua, and New Zealand Historic Places Trust, and in consultation with affected landowners (and where relevant, local communities) will identify historic heritage accordance with the criteria in Policy 4.5.3. Once identified, the historic heritage that meets the criteria in Policy 4.5.3 will be included within the relevant regional and district plan by way of maps and / or schedules or alert layers where appropriate. Where a heritage area, site, building or other feature spans a council

jurisdictional boundary (for example, the coastal marine area) it will be recorded in the schedules and / or maps of both relevant plans.

- (4) *Within two years of the Regional Policy Statement becoming operative the regional and district councils shall undertake a joint exercise to identify and implement the most cost effective and efficient process to map the physical extent of those outstanding natural features listed in Appendix 4, and include the resulting maps into appropriate district and regional plans.*

Explanation:

The New Zealand Coastal Policy Statement 2010 (NZCPS) applies specific requirements in the coastal environment, which means the coastal environment must also be defined to effectively implement the NZCPS. This method therefore requires that district plans and relevant regional plans include the maps as a first step to protection. The maps identifying these areas are included in the Regional Policy Statement to provide consistency and efficiency. The Regional Policy Statement also provides for these maps to be refined. Maps must be incorporated into regional and district plans within the timeframes specified in Method 4.5.4(1). It is intended that the maps and plan provisions be inserted into the plans at the same time.

Method 4.5.4(2) allows for the mapped areas to be changed at any time (using the Schedule 1 process), including before the plan change required by Method 4.5.4(1). However, any changes need to be consistent with the attributes and criteria listed in Appendix 1.

Method 4.5.4(3) gives effect to Policy 4.5.3 and requires a collaborative approach to identification of significant heritage resources. The multi-agency / council approach will also provide greater consistency and efficiency in applying criteria (as opposed to each council undertaking a separate independent process).

no
collaboration
with
community
by
FNDC

Method 4.5.4(4) recognises that there is some further work required in relation to outstanding natural features. Outstanding natural features have been identified using the Geopreservation Inventory for Northland as a basis (Inventory and Maps of Important Geological Sites and Landforms in the Northland Region; Kenny J. A. and Hayward B. W.; Geological Society of New Zealand 1996). However, not all sites identified in the inventory have been mapped by the Geological Society. Such sites where the spatial extent is not defined are not identified on the Regional Policy Statement Maps given the uncertainty this creates.

This is an acknowledged gap and Method 4.5.4(3) intends to remedy this by progressively providing maps of those features that meet the criteria for outstanding natural features or warrant further investigation. The features that require further assessment and mapping are listed in Appendix 4. This project relies on particular expertise and will involve research and field work; hence no time limits are specified.

4.6 Managing effects on natural character, features / landscapes and heritage

The objectives relevant to policy and method package 4.6 are:

- | | |
|--|---|
| 3.4 Indigenous ecosystems and biodiversity | 3.14 Natural character, outstanding natural landscapes, outstanding natural features, and historic heritage |
|--|---|

4.6.1 Policy – Managing effects on the characteristics and qualities natural character, natural features and landscapes

(1) In the coastal environment:

- a) Avoid adverse effects of subdivision use, and development on the characteristics and qualities which make up the outstanding values of areas of outstanding natural character, outstanding natural features and outstanding natural landscapes.
- b) Where (a) does not apply, avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of subdivision, use and development on natural character, natural features and natural landscapes. Methods which may achieve this include:
 - (i) Ensuring the location, intensity, scale and form of subdivision and built development is appropriate having regard to natural elements, landforms and processes, including vegetation patterns, ridgelines, headlands, peninsulas, dune systems, reefs and freshwater bodies and their margins; and
 - (ii) In areas of high natural character, minimising to the extent practicable indigenous vegetation clearance and modification (including earthworks / disturbance, structures, discharges and extraction of water) to natural wetlands, the beds of lakes, rivers and the coastal marine area and their margins; and
 - (iii) Encouraging any new subdivision and built development to consolidate within and around existing settlements or where natural character and landscape has already been compromised.

(2) Outside the coastal environment avoid significant adverse effects and avoid, remedy or mitigate other adverse effects (including cumulative adverse effects) of subdivision, use and development on the characteristics and qualities of outstanding natural features and outstanding natural landscapes and the natural character of freshwater bodies. Methods which may achieve this include:

- a) In outstanding natural landscapes, requiring that the location and intensity of subdivision, use and built development is appropriate having regard to, natural elements, landforms and processes, including vegetation patterns, ridgelines and freshwater bodies and their margins;
- b) In outstanding natural features, requiring that the scale and intensity of earthworks and built development is appropriate taking into account the scale, form and vulnerability to modification of the feature;

Many pa sites not mapped or registered in the PDP
FNDC planners have not engaged with community on this.
See Koroare Morae submission attached.

- c) Minimising, indigenous vegetation clearance and modification (including earthworks / disturbance and structures) to natural wetlands, the beds of lakes, rivers and their margins.
- (3) When considering whether there are any adverse effects on the characteristics and qualities⁹ of the natural character, natural features and landscape values in terms of (1)(a), whether there are any significant adverse effects and the scale of any adverse effects in terms of (1)(b) and (2), and in determining the character, intensity and scale of the adverse effects:
- a) Recognise that a minor or transitory effect may not be an adverse effect;
 - b) Recognise that many areas contain ongoing use and development that:
 - (i) Were present when the area was identified as high or outstanding or have subsequently been lawfully established
 - (ii) May be dynamic, diverse or seasonal;
 - c) Recognise that there may be more than minor cumulative adverse effects from minor or transitory adverse effects; and
 - d) Have regard to any restoration and enhancement on the characteristics and qualities of that area of natural character, natural features and/or natural landscape.

No management plans for significant Pa on onessa beach ridgeline

Explanation:

This policy seeks to manage adverse effects on natural character, landscape and natural features. It specifies the level of protection to be achieved for the resources in question. It applies a hierarchy of protection based on context and value following the direction in Policies 13 and 15 of the New Zealand Coastal Policy Statement (NZCPS) and s6 of the Resource Management Act (RMA). In effect, the policy states the level or scale of effect that is inappropriate for the resource in question.

Policy 4.6.1 gives effect to the NZCPS, taking into account the decision of the Supreme Court in King Salmon (*Environmental Defence Society Inc v The New Zealand King Salmon Co Ltd* [2014] NZSC 38)

This approach is also specifically contemplated in Objective 2 and Policies 13(1)(d) and 15(d) of the NZCPS that direct regional policy statements and plans to identify where protection of natural character, natural features and landscapes is required (and by default, where it is not) and what forms of use and development would be inappropriate in those areas (and, by inference, forms of use and development which are appropriate in those areas).

4.6.2 Policy – Maintaining the integrity of heritage resources

- (1) Protect the integrity of historic heritage resources that have been identified in plans in accordance with Policy 4.5.3 and Method 4.5.4(3):
- a) By avoiding significant adverse effects of subdivision, use and development and avoiding, remedying or mitigating other adverse effects (including cumulative adverse effects) on historic heritage in the following way:

See Kororarua marine submission FNDC not active in this area

⁹ For areas that have been mapped, the worksheets referred to in Appendix 1 identify characteristics and qualities.

*FNDC
PDP
lacking
active
management
and mapping
of these
resources.*

- (i) Requiring careful design and location of subdivision, use and development to retain heritage buildings and other physical elements of historic heritage and where practical enhance public use and access;
 - (ii) Restricting the demolition / relocation of and / or inappropriate modifications, additions or alterations to physical elements of historic heritage;
 - (iii) Recognising that the integrity of many historic heritage resources relies on context and maintain these relationships in the design and location of subdivision, use and development;
 - (iv) Recognising the collective value of groups of heritage buildings, structures and / or places, particularly where these are representative of Northland's historic settlements, architecture or periods in history and maintain the wider character of such areas; and
 - (v) Restricting activities that compromise important spiritual or cultural values held by Māori / Mana Whenua and / or the wider community in association with particular heritage places or features.
- (2) Despite the above:
- a) Clause 1 does not apply where natural hazards threaten the viability of regionally significant infrastructure and / or public health and safety; or
 - b) Regionally significant infrastructure proposals that cannot meet 4.6.2(1) may still be appropriate after assessment against the matters in Policy 5.3.3(3).



Explanation

This policy reflects the direction in section 6(f) of the Resource Management Act (RMA) that historic heritage is to be protected from inappropriate subdivision, use and development. This policy sets out the level of protection to be provided for historic heritage that meet the criteria in Policy 4.5.3. It states that significant adverse effects on these historic heritage resources are to be avoided (in other words significant adverse effects on these historic heritage resources are inappropriate). It also sets out the means by which the integrity of these resources is to be protected. However, the policy provides exceptions from the protection sought in certain circumstances. These circumstances are those where the intent of the RMA as a whole is better served by providing for certain activities given the wider benefits of doing so. The case for these exceptions would need to be demonstrated through plan change or consent processes.

4.6.3 Method – Statutory plans and strategies

Regional and district plans shall be amended to the extent necessary to include objectives, policies and methods (and rules where necessary) to give effect to Policy 4.6.1 and 4.6.2:

(1) *Methods in district plans shall include control of:*

- (i) *The location, intensity and form of subdivision;*
- (ii) *The location, scale and form of buildings and structures (outside freshwater bodies and the coastal marine area);*

- (iii) The location and scale of earthworks and indigenous vegetation removal (outside wetlands and the beds of lakes, rivers and the coastal marine area); and
 - (iv) The disturbance, demolition or alteration of physical elements and / or structures of historic heritage that meet Policy 4.5.3 (outside the coastal marine area and beds of lakes and rivers).
- (2) Methods in regional plans shall include control of:
- (i) The location, scale and form of buildings and structures (within freshwater bodies and the coastal marine area);
 - (ii) Vegetation removal within and on the margins of the coastal marine area and freshwater bodies;
 - (iii) Earthworks, deposition and disturbance to and within beds of water bodies and the coastal marine area;
 - (iv) Drainage, diversion and extraction of and discharges to water; and
 - (v) The disturbance, demolition or alteration of physical elements and / or structures of historic heritage that meet Policy 4.5.3 (in the coastal marine area and beds of lakes and rivers).
- (3) Methods (as relevant to council functions) may include:
- (i) Assessment criteria, development standards and / or thresholds to control the scale, intensity, form and location of activities and (including for the purposes of controlling cumulative adverse effects);
 - (ii) The control of the character, scale, form and appearance of new built development in areas of historic heritage identified in plans;
 - (iii) A requirement for qualified heritage or cultural impact assessments where activities have the potential to adversely affect historic heritage;
 - (iv) Use of alert layers to advise of sensitive historic heritage or cultural sites without disclosure in plans; and
 - (v) Conditions on consents to provide buffers and / or setbacks between historic heritage and other incompatible activity.
- (4) In implementing 4.6.1 district and regional plans shall:
- (i) Permit the maintenance of existing authorised structures, buildings, accessways, infrastructure and production land; and
 - (ii) Not unduly restrict existing authorised use of land or render land incapable of reasonable use.
 - (iii) Recognise that there are urban development and/or specific use* zonings and/or designations in plans existing at the time that the Regional Policy Statement was made operative that seek to achieve consolidated development and efficient use of land and infrastructure. Where such a zoning or designation does not give effect to Policy 4.6.1, and there are viable alternatives for giving effect to Policy 4.6.1, then existing provisions relating to subdivision, use and development will not need to change.

PDP lacks insight into urban design to carry out this function.

FNUC council has a hands off approach and relies on outside parties assessments often by consultants for hire. This process needs to be independent and assessed by qualified professionals in urban design and heritage.

*Urban development and/or specific uses include:

4.7 Supporting management and improvement

The objectives relevant to policy and method package 4.7 are:

- | | |
|--|---|
| 3.1 Integrated catchment management | 3.14 Natural character, outstanding natural landscapes, outstanding natural features, and historic heritage |
| 3.2 Region-wide water quality | |
| 3.3 Ecological flows and water levels | 3.15 Active management |
| 3.4 Indigenous ecosystems and biodiversity | |

4.7.1 Policy – Promote active management

In plan provisions and the resource consent process, recognise and promote the positive effects of the following activities that contribute to active management:

- a) *Pest control, particularly where it will complement an existing pest control project / programme;*
- b) *Soil conservation / erosion control;*
- c) *Measures to improve water quality in parts of the coastal marine area where it has deteriorated and is having significant adverse effects, or in freshwater bodies targeted for water quality enhancement;*
- d) *Measures to improve flows and / or levels in over allocated freshwater bodies;*
- e) *Re-vegetation with indigenous species, particularly in areas identified for natural character improvement;*
- f) *Maintenance of historic heritage resources (including sites, buildings and structures);*
- g) *Improvement of public access to and along the coastal marine area or the margins of rivers or lakes except where this would compromise the conservation of historic heritage or significant indigenous vegetation and / or significant habitats of indigenous fauna;*
- h) *Exclusion of stock from waterways and areas of significant indigenous vegetation and / or significant habitats of indigenous fauna;*
- i) *Protection of indigenous biodiversity values identified under Policy 4.4.1, outstanding natural character, outstanding natural landscapes or outstanding natural features either through legal means or physical works;*
- j) *Removal of redundant or unwanted structures and / or buildings except where these are of historic heritage value or where removal reduces public access to and along the coast or lakes and rivers;*
- k) *Restoration or creation of natural habitat and processes, including ecological corridors in association with indigenous biodiversity values identified under Policy 4.4.1, particularly wetlands and / or wetland sequences;*
- l) *Restoration of natural processes in marine and freshwater habitats.*

Explanation:

This policy recognises that regulation is typically only effective at preventing adverse effects and that other more proactive means are required if ongoing pressures / risks

4.7.5 Method – Non-statutory plans and strategies

Regional and district plans may consider the use of non-regulatory mechanisms to assist in achieving policies 4.7.1, 4.7.2 and 4.7.3 for outstanding natural features, landscapes, natural character and regionally and nationally significant heritage using one or more of the following:

- (a) Funding assistance for restoration projects (for example, the environment fund);
- (b) Purchase of land (for example, use of development contributions);
- (c) Development / design guidelines; +
- (d) Rates relief; +
- (e) Education and advice; + = urban design & heritage protection.
- (f) Assistance with investigations for heritage protection orders or marine protection initiatives; and
- (g) Waiver or reduction of processing fees.

Explanation:

This policy identifies other means for councils to achieve the objectives for outstanding natural features and landscapes, natural character and heritage features but does not direct their use as these are Local Government Act 2002 decisions.

Particular consideration should be given to these measures where development pressure is low and development incentives are likely to be less effective.

- (s) Encourage waste minimisation and efficient use of resources (such as through resource-efficient design and construction methods); and
- (t) Take into account adopted regional / sub-regional growth strategies; and
- (u) Where appropriate, encourage housing choice and business opportunities, particularly within urban areas.

Part B) Regional urban design guidelines

Context

Quality urban design sees buildings, places and spaces not as isolated elements but as part of the whole town or city. In this regard, quality urban design:

- (a) Takes a long-term view; and
 - (b) Recognises and builds on landscape context and character; and
 - (c) Results in buildings and places that are adapted to local climatic conditions; and
 - (d) Celebrates cultural identity and recognises the heritage values of a place.
- This is a template to assist creating a guideline. FNDC cannot use this as a guideline in itself as indicated in the PDP.*

Character

Quality urban design reflects and enhances the distinctive character and culture of our urban environments, and recognises that character is dynamic and evolving, not static. In this regard, quality urban design:

- (a) Reflects the unique identity of each town, city and neighbourhood and strengthens the positive characteristics that make each place distinctive; and
- (b) Protects and manages our heritage, including buildings, places and landscapes; and
- (c) Protects and enhances distinctive landforms, water bodies and indigenous plants and animals.

Choice

Quality urban design fosters diversity and offers people choice in the urban form of our towns and cities, and choice in densities, building types, transport options, and activities. Flexible and adaptable design provides for unforeseen uses, and creates resilient and robust towns and cities. In this regard, quality urban design:

- (a) Ensures urban environments (including open spaces) provide opportunities for all, including people with disabilities; and
- (b) Encourages a diversity of activities within mixed use developments and neighbourhoods; and
- (c) Supports designs which are flexible, adaptable and which will remain useful over the long-term.

Connections

Good connections enhance choice, support social cohesion, make places lively and safe, and facilitate contact among people. Quality urban design recognises how all networks – streets, railways, walking and cycling routes, services, infrastructure, and communication networks – connect and support healthy neighbourhoods, towns and cities. Places with good connections between activities and with careful placement of facilities benefit from reduced travel times and lower environmental impacts. In this regard, quality urban design:

- (a) Creates safe, attractive and secure pathways and links between neighbourhoods and centres; and
- (b) Facilitates green networks that link public and private open space; and
- (c) Places a high priority on walking, cycling and where relevant, public transport; and
- (d) Improves accessibility to public services and facilities.

Creativity

Quality urban design encourages creative and innovative approaches. Creativity adds richness and diversity, and turns a functional place into a memorable place. Creative urban design supports a dynamic urban cultural life and fosters strong urban identities. In this regard, quality urban design:

- (a) Builds a strong and distinctive local identity; and
- (b) Uses new technology; and
- (c) Emphasises innovative and imaginative solutions.

Custodianship

Quality urban design reduces the environmental impacts of our towns and cities through environmentally sustainable and responsive design solutions. Custodianship recognises the lifetime costs of buildings and infrastructure, and aims to hand on places to the next generation in as good or better condition. In this regard, quality urban design:

- (a) Maintains landscape values, ecological services and cultural values; and
- (b) Considers the ongoing care and maintenance of buildings, spaces, places and networks; and
- (c) Manages the use of resources carefully, through environmentally responsive and sustainable design solutions; and
- (d) Incorporates renewable energy sources and passive solar gain; and
- (e) Incorporates the enhancement of the health and safety of communities.

Collaboration

Towns and cities are designed incrementally as we make decisions on individual projects. Quality urban design requires good communication and co-ordinated actions from all decision-makers: central government, local government, professionals, transport operators, developers and users. In this regard, quality urban design:

- (a) Supports a common vision that can be achieved over time; and
- (b) Uses a collaborative approach to design that acknowledges the contributions of many different disciplines and perspectives; and
- (c) Depends on leadership at many levels.

Part C) Māori urban design principles

Building Mana Whenua Partnerships for Urban Design is a policy brief developed by Manaaki Whenua Landcare Research. It identifies ways urban design can be

where is PNDC Māori
urban design
principles.

informed by mātauranga Māori. Developers, tangata whenua and councils may wish to refer to this document when planning or assessing development projects. *Building Mana Whenua Partnerships for Urban Design* can be located at www.landcareresearch.co.nz.

Kororareka Marae

Corner of the Strand & Pitt Street
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Web: www.kororareka.nz

*Ko Maiki te Maunga, Ko Pikopiko i Whiti te Moana
Ko Kororareka te Pakainga, Ko Rahiri te Tupuna
Ko Haratu te Whare*



Thursday 30th May 2024

Kororāreka Marae represents the people of the Russell Peninsula and beyond who have family and historic connections to this rohe. We hold kaitiakitanga for the Kororāreka Russell peninsula with support from hapū in Taumarere and wider Ngāpuhi Nui Tonu. The tangata whenua of our town whakapapa to several hapū and iwi of the area – Ngāti Manu, Ngāti Kuta, Patukeha, Te Kapotai, and Ngā Puhi to name a few. Our marae is also ngā hau e whā so connect and works with the wider community of Kororāreka Russell.

To whom it may concern

Listed below are some of the significant Historical sites that are within the Rohe of Pewhairangi however there are more than those named here therefore we would like to advise that Kororareka is not only one of the Historical areas in the formation of this Nation but so are the other areas ie Paroa Bay and the Islands that dominate this area

Te Hikuwai wahi tapu - Significant for Ngati Manu and Nga Puhi in relation to the Girls War of 1830. Kohatu marks the site where nga mate were lain and prepared for burial. Refer Arapeta Hamilton for Ngati Manu.

Oneroa Wahi Tapu - Oneroa/Long Beach - ancient urupa, koiwi unearthed recently due to erosion of foreshore. Likely others still lying there. Area cordoned off to protect from further disturbance. Pou to be installed to mark the site which will connect to a pou yet to be installed at Russell Cemetery where the koiwi uncovered were re-interred along with another from Opito. Refer James Robinson for Pouhere Taonga Heritage New Zealand, Arapeta Hamilton as above.

Maunga te Maiki - wahi tapu - Flagstaff Hill - site of the felling of the flagstaff in 1845 as a protest. Pou Kara / Flagstaff "Ko Te Whakakotahitanga o Nga Iwi e Rua" erected 1858.

Other sites of interest:

Oneroa Pa - ancient pa c15th C - on high point of ridge between Oneroa and Kororareka. Much destroyed by the construction. of the Telecom tower but areas remaining include kumara pits on a ridge spur to the west, and other pits and terracing on the ridge to the north accessed off Russell Heights. Refer Bill Edwards and/or James Robinson as above.

Te Ke-e-mua pa - an ancient pa between Kororareka and Matauwhi (above Pompallier), associated with Ngati Hine and Ngati Manu refer Arapeta Hamilton as above.

Kororareka Kainga/Rewa's Kainga - the land now occupied by Kororareka Marae and Te Whare Taonga o Kororareka Russell Museum was the site of a Kainga as seen is several drawings and paintings of Kororareka from the 1930s and 1840s. Rewa of the Patukeha hapu (Ngai Tawake) had his whare there. His whare was called Haratu after which the current Kororareka Marae whare is named in his honour.

Kororareka Marae

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*Ko Maiki te Maunga, Ko Pikopiko i Whiti te Moana
Ko Kororareka te Pakainga, Ko Rahiri te Tupuna
Ko Haratu te Whare*

Ngaa mihi
Deb Rewiri [Chair Kororaareka Marae]



Should any taonga tuturu or ko-iwi be discovered work will need to stop and Heritage New Zealand and Kororareka Marae be notified.

Please note: Kororāreka Mare Society is a registered collector of ko-iwi and taonga tuturu.

We have one request which is a cultural one, which is about the disposal of soil from any excavation. It is our kaupapa that soil from our area should ideally remain on site or if that is not practical that it should be disposed of on the Russell Peninsula not taken off it

AK Taihia

From: Robert Adams <longbeachrussellnz@gmail.com>
Sent: 30 May 2024 20:42
To: AK Taihia; Andrew Riddell
Subject: Fwd: Submission on urban design and protection of heritage sites S156 Robert Adams

Categories: Jaimee

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----- Forwarded message -----

From: David McKenzie <merkenzie@gmail.com>
Date: Thu, 30 May 2024, 7:10 pm
Subject: Re: Submission on urban design and protection of heritage sites
To: DEBRA REWIRI <rewiri.boyce@xtra.co.nz>
Cc: Robert Adams <longbeachrussellnz@gmail.com>

Probably too late now but one I omitted to mention is the stream which runs through Russell and enters the sea at Te Hikuwai. It's not a wahi tapu or landmark/site as such so may not qualify for your submission. I believe it's listed by FNDC as a drain when it is a living stream with eels and fish in it. Giving it the status of drain potentially relegates it to infrastructure which could be piped or culverted to the detriment of the fauna in it. The neighbouring landowner has already tried to get the whole stretch through his property culverted but the marae fought that. My point is its designation should be raised from infrastructure to waterway.

David

On Thu, 30 May 2024 at 08:16, DEBRA REWIRI <rewiri.boyce@xtra.co.nz> wrote:

Kiaora Robert

David put this together and because I'm busy with my own mahi this has to be good enough?

Ngaa mihi

Deb

On 28/05/2024 16:56 NZST Robert Adams <longbeachrussellnz@gmail.com> wrote:

Hi Deb

I spoke to the planning commissioners and they are happy to accept your comments on protection of heritage and cultural sites as part of my submission.

We only have two days to provide our information.

Send it to me and I will forward it with my material.

Thanks

Robert