

7 HERITAGE

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7A Purpose of Heritage Provisions

Part of the *Council's* obligations under the Resource Management Act 1991 is to recognise and provide for the protection of *historic heritage* and the relationship of Maori to sites of cultural significance. The purpose of the heritage provisions is to identify those individual buildings, objects, places and sites that are significant enough to warrant recognition and protection in the public interest. These items are listed in:

- a) *Appendix 7A: Register of Built Heritage* (buildings, objects and places);
- b) *Appendix 7B: Register of Significant Maori Areas* (sites of significance to Maori);
- c) *Appendix 7C: Register of Heritage Trees*.

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With regard to archaeological sites the position of *Council* is to rely on the New Zealand Historic Places Trust and Reserve Management Plans to manage the destruction, damage or modification of these *sites* under the provisions of the Historic Places Act 1993, and Reserve Management Act 1977. To assist the New Zealand Historic Places Trust fulfill its functions the Council will have regard to the location of archaeological sites, where they are identified on the *Council's* GIS database, through the resource consent and building consent processes.

7A.1 General Objectives and Policies for Historic Heritage

The following general objective and policies are to be applied to all *historic heritage*.

7A.1.1 Objective – Historic Heritage

The factors, values and associations that define *the City's historic heritage* are identified and protected.

Objective
Appealed

7A.1.1.1 Policy – Identification of Historic Heritage

By identifying and protecting the City's historic heritage and its factors, values and associations by the extent that the following criteria are met:

- a) Generic Values (criteria to be applied in all assessments of historic heritage):
 - i) Period
 - Development sequence of a place or area;
 - Likely age, duration of use or chronology of a place or area.
 - ii) Rarity or Special Features
 - Unique, uncommon or rare features of a place or area which may be as a result of the cultural context of the place or area;
 - Technical interest of all or any part of the place or area;
 - Previous existence and nature of lost or obliterated components or aspects;
 - Function of the place and its parts, and the relationship of the place and its parts with its setting.
 - iii) Integrity
 - Condition, quality and state of original features of a place or area;
 - Comparison with other examples of its class;
 - Quality of any restoration, addition or modification of the place or area.
 - iv) Representativeness
 - Characteristics and relationship of the place or area to other places or areas in its class, for example, in respect of design, type, features, technology, use, activity, location or origin.
 - v) Context or Group Value
 - Association with other places, areas or elements of its context;
 - Association with and illustration of broad patterns of history;
 - Places or areas in which evidence of the association or event survives in situ, or in which the settings are substantially intact.

- vi) Diversity (Form and Features)
 - Characteristics, diversity and pattern of a place or area;
 - Cultural influences which have affected the form and components of the place or area;
 - Form, scale, colour, texture and materials;
 - Historical content of the place or area with particular reference to the ways in which it has been influenced by historical forces or has itself influenced the course of history.
- vii) Fragility or Vulnerability
 - Components, form and structure of the place or area and the effect of this on its survival;
 - Vulnerability to deterioration or destruction;
 - Degree to which it is threatened and its context in terms of protection and services.
- b) Archaeological Qualities
 - i) Information
 - Potential of the place or area to define or expand knowledge of earlier human occupation, activities or events through investigation using archaeological methods.
 - ii) Research
 - Potential of the place or area to provide evidence to address archaeological research questions
 - iii) Recognition or Protection
 - Registered by the New Zealand Historic Places Trust for its archaeological values, or is recorded by the New Zealand Archaeological Association Site Recording Scheme, or is an 'archaeological site' as defined by the Historic Places Act 1993.
- c) Architectural Qualities
 - i) Style or Type
 - Style of the building or structure is representative of a significant development period in the region or the nation;
 - The building or structure is associated with a significant activity (for example institutional, industrial, commercial or transportation).
 - ii) Design
 - The building or structure has distinctive or special attributes of an aesthetic or functional nature. These may include massing, proportion, materials, detail, fenestration, ornamentation, artwork, functional layout, landmark status or symbolic value.
 - iii) Construction
 - The building or structure uses unique or uncommon building materials, or demonstrates an innovative method of construction, or is an early example of the use of a particular building technique.
 - iv) Designer or Builder
 - The building or structure's architect, designer, engineer or builder was a notable practitioner or made a significant contribution to the region or nation.
- d) Cultural Qualities
 - i) Sentiment
 - The place or area is important as a focus of spiritual, political, national or other cultural sentiment.
 - ii) Identity
 - The place or area is a context for community identity or sense of place, and provides evidence of cultural or historical continuity.
 - iii) Amenity or Education
 - The place or area has symbolic or commemorative significance to people who use or have used it, or to the descendants of such people;
 - The interpretative capacity of the place or area and its potential to increase understanding of past lifestyles or events.

- e) Historic Qualities
 - i) Associative Value

The place or area has a direct association with, or relationship to, a person, group, institution, event or activity that is of historical significance to Bay of Plenty or the nation.
 - ii) Historical Pattern

The place or area is associated with broad patterns of local or national history, including development and settlement patterns, early or important transportation routes, social or economic trends and activities.
- f) Scientific Qualities
 - i) Information

The potential for the place or area to contribute information about an historic figure, event, phase or activity.
 - ii) Potential – Scientific Research

The degree to which the place or area may contribute further information and the importance of the data involved, its rarity, quality or representativeness.
- g) Technological Qualities
 - i) Technical Achievement

The place or area shows a high degree of creative or technical achievement at a particular time or is associated with scientific or technical innovations or achievements.

7A.1.1.2 Policy – Protection of Historic Heritage

By ensuring the particular factors, values and associations of *the City's historic heritage* are protected from the adverse effects of *subdivision*, use and development by having regard to:

- a) The character and degree of modification, damage, loss or destruction;
- b) The duration and frequency of an effect (for example long-term or recurring effects);
- c) The magnitude or scale of an effect in relation to the values and significance of the feature;
- d) The irreversibility of an effect (for example the loss of unique features);
- e) The opportunities for remediation or mitigation and the costs and technical feasibility of remediation or mitigation;
- f) The resilience of a heritage feature to change (for example the ability of the feature to assimilate change, or the vulnerability of the feature to change);
- g) The probability of an effect (for example the likelihood of unforeseen effects, ability to take a precautionary approach);
- h) Cumulative effects (for example the loss of multiple features, factors, values or associations).

7A.1.1.3 Policy – Removal or Amendment of an Item on a Heritage Register

The City Plan Heritage Registers shall be amended and updated without undue formality where:

- a) A resource consent has been granted to remove an item from a Register;
- b) A resource consent has been granted to alter an item on a Register;
- c) The underlying legal description for that feature changes.

7B Purpose of Built Heritage Provisions

Built heritage in the context of *the Plan* refers to buildings and their sites, structures, monuments and objects with a predominant association to the European settlement of the Tauranga area. Built heritage items afforded special protection by *the Plan* are identified within the *Register of Built Heritage (see Appendix 7A)* which identifies what the item is, where it is located, whether it has a New Zealand Historic Places Trust classification and its City Plan heritage value on a national (Category A), regional (Category B) or local scale (Category C).

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The built heritage provisions recognise these values by ensuring they are given appropriate consideration through *subdivision*, use and development. Those items that have been given a Category A or Category B classification will be most sensitive to change and so it is important that their values are afforded a higher level of protection. It is important to note that these categorisations do not reflect any significance or value to Maori where that significance or value may exist.

7B.1 Objectives and Policies for Built Heritage

7B.1.1 Objective – Built Heritage

The factors, values and associations that define *the City's* built heritage are identified and protected.

7B.1.1.1 Policy – Protecting Built Heritage

By protecting the factors, values and associations of built heritage from inappropriate *subdivision*, use and development by considering:

- a) The extent to which repairs and maintenance will adversely affect any recognised factors, values and associations;
- b) The extent to which alterations and additions will adversely affect any recognised factors, values and associations;
- c) The extent to which the proximity of an activity and its scale, form and character will adversely affect any recognised factors, values and associations;
- d) The extent to which it is practical for an activity to retain and use built heritage without adversely affecting its recognised factors, values and associations.

7B.1.1.2 Policy – Relocation of Category A and B Built Heritage

By discouraging the relocation of Category A or B built heritage whilst having particular regard to:

- a) The extent to which the relocation is necessary to preserve the recognised factors, values and associations of the item;
- b) The significance of the site and setting in contributing to the recognised factors, values and associations of the item;
- c) Opportunities to relocate the item within the site;
- d) The recognised factors, values and associations are not (and will not be) adversely affected through the relocation.

7B.1.1.3 Policy – Demolition of Category A or B Built Heritage

By restricting the demolition or partial demolition of Category A or B built heritage unless:

- a) The item has suffered extensive damage caused by a natural disaster or man-made disaster;
- b) There is a risk to public health and safety posed by the item.

7B.1.1.4 Policy – Relocation of Category C Built Heritage

By assessing the relocation of built heritage having regard to:

- a) Whether the item can be relocated within the existing site;
- b) The extent to which the recognised factors, values and associations will be adversely affected through the relocation;
- c) The significance of the existing site to the recognised heritage values of the item;
- d) The risk of significant damage or destruction to the item if it is not relocated.

7B.1.1.5 Policy – Demolition of Category C Built Heritage

By assessing the demolition or partial demolition of Category C built heritage having regard to:

- a) The extent of damage caused by a natural disaster or man-made disaster;
- b) The risk to public health and safety posed by the item;
- c) The costs of retaining or rebuilding, and whether that work can preserve the recognised factors, values and associations;
- d) The extent to which partial demolition will adversely affect the recognised factors, values and associations of that item.

7B.1.1.6 Policy – Recording Demolition and Relocation of Built Heritage

By considering, in the case of applications for demolition, partial demolition or relocation of any item on the *Register of Built Heritage*, the provision of historic record (including but not limited to photographs, plans, the erection of monuments or plaques) documenting the values of that item.

Appendix Appealed

7B.2 Activity Status Rules

7B.2.1 Activities Affecting Items on the Register of Protected Features

All activities affecting an item on *Appendix 7A: Register of Built Heritage* shall have the status identified in *Table 7B.1*. Symbols used in *Table 7B.1* have the meaning described in *Table 1A.2: Activity Status*.

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Table 7B.1: Historic and Heritage Activity Status – Built Heritage

Use/Activity	Relevant Rule	Activity Status
Minor maintenance to an item on the <i>Register of Built Heritage</i>	7B.3.1	P
Minor repairs to an item on the <i>Register of Built Heritage</i> using the same material(s)	7B.3.2	P
Signs attached to an item or within the site of an item on the <i>Register of Built Heritage</i>	<i>Refer Chapter 4 – General Rules</i>	
Repairs to an item on the <i>Register of Built Heritage</i> using similar material(s)	7B.4	RD
Erection of any <i>building or structure</i> on the same <i>site</i> as an item listed on the <i>Register of Built Heritage</i>	7B.4	RD
Internal and/or external alterations and additions to an item on the <i>Register of Built Heritage</i> listed as Category C	7B.4	RD
Relocation of an item on the <i>Register of Built Heritage</i> listed as Category C	7B.4	RD
<i>Subdivision</i> of a <i>site</i> containing an item on the <i>Register of Built Heritage</i>	<i>Refer Chapter 12 - Subdivision</i>	
Demolition or partial demolition of an item on the <i>Register of Built Heritage</i> listed as Category C	7B.5	D
Internal and/or external alterations and/or additions to a an item on the <i>Register of Built Heritage</i> listed as Category A or B	7B.5	D
Relocation of an item on the <i>Register of Built Heritage</i> listed as Category A or B	7B.5	D
Demolition or partial demolition of an item on the <i>Register of Built Heritage</i> listed as Category A or B	7B.6	NC

7B.3 Permitted Activity Rules

Note: Where an activity does not comply with a Permitted Activity Rule it shall be considered a Restricted Discretionary Activity unless stated otherwise.

Note: Disturbance of archaeological sites not listed in the Plan requires an authority from the New Zealand Historic Places Trust under the Historic Places Act 1993.

7B.3.1 Minor Maintenance to an Item on the Register of Built Heritage

Minor maintenance shall be limited to:

- a) Works for the purpose of weatherproofing;
- b) Plumbing and electrical work.

7B.3.2 Minor Repairs to an Item on the Register of Built Heritage

Minor repairs shall be for the purpose of repair, patching, piecing in, splicing or consolidating and shall use materials that are the same colour, texture and design as the materials being replaced.

7B.3.3 Rules in Other Sections of the Plan

Activities within a *site* containing an item on **Appendix 7A: Register of Built Heritage** shall also comply with the following sections of *the Plan*:

- a) The provisions of the underlying zone;
- b) The provisions of *Chapter 4 – General Rules*;
- c) The provisions of *Chapter 5 – Natural Environment*;
- d) The provisions of *Chapter 6 – Natural Landscapes and Features*;
- e) The provision of *Chapter 8 – Natural Hazards*;
- f) The provisions of *Chapter 9 – Hazardous Substances and Contaminated Land*;
- g) The provisions of *Chapter 12 – Subdivision, Services and Infrastructure*;
- h) The provisions of any Plan Area.

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7B.4 Restricted Discretionary Activity Rules

The following are Restricted Discretionary Activities:

- a) Any Permitted Activity that does not comply with:
 - i) *Rule 7B.3.1 – Minor Maintenance to an Item on the Register of Built Heritage*;
 - ii) *Rule 7B.3.2 – Minor Repairs to an Item on the Register of Built Heritage*.
- b) Any activity identified as a Restricted Discretionary Activity in *Table 7B.1*.

Appendix
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7B.4.1 Restricted Discretionary Activities – Matters of Discretion

The *Council* restricts the exercise of its discretion to the following matters:

7B.4.1.1 Restricted Discretionary Activities Affecting Built Heritage

The extent to which the proposal is consistent with:

- a) *Policy 7A.1.1.2 – Protection of Historic Heritage*;
- b) *Objective 7B.1.1 – Built Heritage*;
- c) *Policy 7B.1.1.1 – Protecting Built Heritage*;
- d) *Policy 7B.1.1.4 – Relocation of Category C Built Heritage*.

7B.5 Discretionary Activity Rules

The following are Discretionary Activities:

- a) Any activity which is not a Permitted, Controlled, Restricted Discretionary, Non-Complying or Prohibited Activity;
- b) Any activity identified as a Discretionary Activity in *Table 7B.1*.

7B.5.1 Assessment of Discretionary Activities

In considering a Discretionary Activity the *Council's* discretion is unrestricted. The *Council* will consider any relevant matter with particular regard to the relevant objectives and policies of *the Plan*.

7B.6 Non-Complying Activity Rules

Any activity identified as a Non-Complying Activity in *Table 7B.1* is deemed to be a Non-Complying Activity.

7C Purpose of Maori Heritage Provisions

Tauranga has a rich history of pre-European Maori occupation and as a result there are numerous areas of significance to local *iwi* and *hapu* throughout *the City*. Under section 6(e) and (f) of the *RMA* the *Council* is required to recognise and provide for the protection and cultural relationships of these areas. The *Council* acknowledge that it is only appropriate for Maori to identify their relationship and that of their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga; and the extent of the values associated with these areas.

The Plan identifies a number of areas that are culturally significant to tangata whenua as 'significant Maori Areas'. Significant Maori Areas are only included in *the Plan* where sufficient supporting information is available to identify that the subdivision, use and development of the Area could compromise the protection and recognition of the cultural values and relationships within that Area, so that action is warranted under *the Plan*. It is probable that sites of equal significance are not included within *the Plan* due to being unknown or having insufficient information available to determine if protection under *the Plan* is appropriate. The General and Maori heritage provisions provide guidance not only to the management of identified sites but also of consideration to be given to the opportunity for additional Significant Maori Areas to be identified in *the Plan* in the future.

Given the historic Maori occupation of Tauranga Moana the identified Significant Maori Areas include a variety of land which is zoned for different purposes. As such the Maori heritage provisions recognise that there must be flexibility to enable appropriate activities to occur within these Areas where those activities are lawfully established or are otherwise unlikely to compromise the protection and recognition of the cultural values and relationships within that Area. Where a resource consent is required for an activity within a Significant Maori Area then that activity will need to consider effects on the recognised values associated with that Area. This may require pre-application consultation with the relevant *hapu*. However where this has not occurred the Council will consider whether notification, which may be limited to the relevant *hapu*, is warranted.

Although *the Plan* has identified a number of significant areas, the *Council* acknowledges that this list is not exhaustive. Where other culturally significant or sensitive areas may exist then determining potential adverse effects of *subdivision*, use and development on these areas may require consultation with a *hapu* in accordance with the *Council's* 'Tangata Whenua Consultation Policy'.

7C.1 Objectives and Policies for Maori Heritage

Appealed:
Additions

7C.1.1 Objective – Significant Maori Areas

The values and associations that define *the City's* identified Significant Maori Areas are protected from inappropriate subdivision, use and development.

7C.1.1.1 Policy – Identifying the Value of Significant Maori Areas

By identifying the values of Significant Maori Areas by the extent to which the following criteria are met:

- a) Mauri
Ko te mauri me te mana o te waahi, te taonga ranei, e ngakaunuitia ana e te Maori;
The mauri (life force and life-supporting capacity) and mana (integrity) of the place or resource holds special significance to Maori.
- b) Waahi
Tapu
Ko tera waahi, taonga ranei he waahi tapu, ara, he tino whakahirahira ki nga tikanga, ki nga puri mahara, me nga wairua a te Maori;
The place or resource is a waahi tapu of special, cultural, historic and or spiritual importance to Maori.
- c) Korero Tuturu / Historical
Ko tera waahi e ngakaunuitia ana e te Maori ki roto i ona korero tuturu;
The place has special historical and cultural significance to Maori.

- d) Rawa Tuturu/Customary Resources
He waahi tera e kaweai ai nga rawa tuturu a te Maori;
The place provides important customary resources for Maori.
- e) Hiahiatanga Tuturu / Customary Needs
He waahi tera e eke ai nga hiahia hinengaro tuturu a te Maori;
The place or resource is a venue or repository for Maori cultural and spiritual values.
- f) Whakaaronui o te Wa / Contemporary Esteem
He waahi rongonui tera ki nga Maori, ara, he whakaahuru, he whakawaihanga, me te tuku matauranga;
The place has special amenity, architectural or educational significance to Maori.

7C.1.1.2 Policy – Protecting Significant Maori Areas

By ensuring the recognised values of Significant Maori Areas are protected from the adverse effects of *subdivision*, use and development by having regard to those criteria in *Policy 7A.1.1.2 - Protection of Historic Heritage*.

7C.1.1.3 Policy – Consultation

By encouraging meaningful consultation with tangata whenua so the potential adverse effects of the *subdivision*, use and development on the values and associations of a Significant Maori Area can be considered.

7C.1.2 Objective – Other Areas of Importance to Maori

The relationships of tangata whenua with sites of spiritual, cultural or historical significance, other than *Significant Maori Areas* are recognised and provided for.

7C.1.2.1 Policy – Other Areas of Importance to Maori

By encouraging the relationship of tangata whenua with other areas of spiritual, cultural or historical importance to be considered through subdivision, use and development, particularly where those activities are within:

- a) An area identified within an Iwi / hapu management plan or protocol recognised by the *Council*;
- b) An identified *archaeological site* as defined by the Historic Places Act 1993.

7C.2 Activity Status Rules

7C.2.1 Activities Affecting Items on the Register of Protected Features

All activities affecting an item on *Appendix 7B: Register of Significant Maori Areas* shall have the status identified in *Table 7C.1*. Symbols used in *Table 7C.1* have the meaning described in *Table 1A.2: Activity Status*.

Appendix Appealed

Table 7C.1: Historic and Heritage Activity Status – Significant Maori Areas

Use/Activity	Relevant Rule	Activity Status	
<i>Minor public recreational facilities and activities</i> on land zoned Open Space	-	P	Definition Appealed
<i>Public recreational facilities and activities</i> on land zoned Open Space excluding: a) Skate bowls and outdoor skate parks; b) Boat ramps, jetties and boat launching facilities.	-	P	
Maintenance of <i>network utilities and minor upgrading</i>	-	P	
Activities on <i>multiple owned Maori Land</i> that include or are associated with: a) Urupa; b) Marae based activities; c) <i>Community gardens</i> ; d) <i>Primary production</i> activities; e) Harvesting of forestry and replanting of forestry areas.	-	P	
The following activities on land zoned Rural–Residential, Rural or Greenbelt: a) An accessory <i>building, structure</i> or <i>activity</i> associated with an existing lawfully established primary production activity; b) Harvesting of <i>forestry</i> and replanting of previous <i>forestry areas</i> ; c) <i>Primary production</i> activities.	-	P	
<i>Minor structures and activities</i>	-	P	
<i>Mineral prospecting</i>	-	P	
<i>Subdivision</i> which is not a: a) Cross-lease to freehold <i>subdivision</i> ; b) Amendment to a cross-lease, company lease or unit title plan to show additions, alterations or accessory <i>buildings</i> ; c) Boundary adjustments amalgamations and relocations of existing title; d) Unit titles and allotments to accommodate network utilities.	12A.6	RD	
<i>Construction, erection</i> or placement of any <i>building, structure</i> or <i>activity</i> not otherwise provided for in <i>Table 7C.1</i> and which is not an <i>accessory building, structure</i> or <i>activity</i>	7C.3	RD	
<i>Construction</i> of new <i>stormwater reserves</i>	7C.3	RD	

7C.3 Restricted Discretionary Activity Rules

The following are Restricted Discretionary Activities:

- a) Any activity identified as a Restricted Discretionary Activity in *Table 7C.1*.

7C.3.1 Non-Notification – Activities Affecting Significant Maori Areas

Any application for a resource consent made under *Rule 7C.3.3.1 – Activities Affecting Significant Maori Areas* shall not be notified, or served on affected persons subject to sufficient evidence of consultation being undertaken with the affected *hapu* identified in *Appendix 7B: Register of Significant Maori Areas* in relation to the effects of proposed land use or development on an identified Site of Maori Significance is provided, and the applicant and affected *hapu* acknowledge that a meaningful consultation process has been undertaken.

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7C.3.2 Restricted Discretionary Activities – Standards and Terms

Restricted Discretionary Activities shall comply with the following standards and terms:

7C.3.2.1 Significant Maori Areas

Where a resource consent is required for use or development within a *Significant Maori Area* the applicant shall provide an assessment of the effects of land use or development on the recognised values of that area, and detail the outcomes of consultation with the relevant *hapu* identified in *Appendix 7B: Register of Significant Maori Areas*.

7C.3.3 Restricted Discretionary Activities – Matters of Discretion

The *Council* restricts the exercise of its discretion to the following matters:

7C.3.3.1 Activities Affecting Significant Maori Areas

- a) Assessment of the proposed activity against *Policy 7C.1.1.2*;
- b) The outcomes of any pre-application consultation undertaken with the relevant *hapu* and whether additional meaningful consultation needs to be undertaken; and
- c) The extent to which the proposal will adversely effect the recognised values associated with the Significant Maori Area and whether these can be mitigated through conditions of consent.

7C.4 Discretionary Activity Rules

The following are Discretionary Activities:

- a) Any activity which is not Permitted, Controlled, or Restricted Discretionary.

7C.4.1 Assessment of Discretionary Activities

In considering a Discretionary Activity the *Council's* discretion is unrestricted. The *Council* will consider any relevant matter with particular regard to the relevant objectives and policies of *the Plan*.

7D Purpose of Heritage Tree Provisions

Particular trees may have historic associations with *the City* and as such contribute to *the City's* amenity values through their historic and cultural attributes. These historic or cultural values may be associated with an historic event, a prominent historic person or they may be of spiritual or cultural value to *the City's* tangata whenua.

7D.1 Objectives and Policies for Heritage Trees

7D.1.1 Objective – Heritage Trees

The factors, values and associations that define *the City's Heritage Trees* are identified and protected.

7D.1.1.1 Policy – Identification of Heritage Trees

By identifying and assessing *heritage trees* to the extent that they contain the factors, values and associations listed in *Policy 7A.1.1.1 – Identification of Historic Heritage*.

7D.1.1.2 Policy – Protecting Heritage Trees

By protecting the particular factors, values and associations of a *Heritage Tree* from inappropriate *subdivision*, use and development by assessing:

- a) The need for *emergency removal*;
- b) The extent that any proposed maintenance will adversely affect the health of the tree and the surrounding *landscape character*;
- c) The potential adverse effects of the activity on the health of the tree, and the nature and extent of any proposed activities to be undertaken within the *drip-line* of the tree.

7D.1.1.3 Policy – Removal of a Heritage Tree

By restricting the removal of a *Heritage Tree*, to ensure there are no adverse effects resulting from:

- a) The loss of cultural values and heritage values on a local, regional or national scale;
- b) The loss of any surrounding *landscape character*, particularly where the tree is also registered as a *notable tree*.

7D.2 Activity Status Rules

7D.2.1 Activities Affecting Items on the Register of Protected Features

All activities affecting an item on *Appendix 7C: Register of Heritage Trees* shall have the status identified in *Table 7D.1*. Symbols used in *Table 7D.1* have the meaning described in *Table 1A.2: Activity Status*.

Table 7D.1: Historic and Heritage Activity Status – Heritage Trees

Use/Activity	Relevant Rule	Activity Status
<i>Minor pruning</i>	-	P
<i>Emergency removal</i>	7D.3	RD
Pruning (not otherwise defined as <i>minor pruning</i> or <i>damage</i>)	7D.3	RD
The following activities located within the <i>drip-line</i> of any <i>notable tree</i> : a) <i>Earthworks</i> ; b) The laying or forming of any impervious surface; c) Additions to, or the replacement of any existing lawfully established <i>building</i> or <i>structure</i> that is proposed to exceed the envelope or footprint of any existing <i>building(s)</i> or <i>structure(s)</i> ; d) The placement and/or <i>construction</i> of any <i>building</i> or <i>structure</i> ; e) Directional drilling or boring; f) The storage of chemicals or other toxic substances; g) Damage to root systems; h) Release of toxic substances.	7D.4	D
The removal, destruction or damaging of any <i>heritage tree</i>	7D.5	NC

7D.3 Restricted Discretionary Activity Rules

The following are Restricted Discretionary Activities:

- a) Any activity identified as a Restricted Discretionary Activity in *Table 7D.1*.

7D.3.1 Restricted Discretionary Activities – Standards and Terms

Restricted Discretionary Activities shall comply with the following standards and terms:

7D.3.1.2 Heritage Trees

- a) A qualified arborist and/or qualified landscape architect shall prepare an assessment for any application for resource consent in respect of a *heritage tree*;
- b) The assessment shall have particular regard to the values that make the tree a *heritage tree*.

7D.3.2 Restricted Discretionary Activities – Matters of Discretion

The Council restricts the exercise of its discretion to the following matters:

7D.3.2.1 Emergency Works to a Heritage Tree

Where there is an existing or imminent threat to life or property, consideration shall be made of:

- a) Whether the *heritage tree* carries a fatal disease;
- b) The extent and cost of damage (or potential damage) the *heritage tree* will cause to any existing *network utility* having particular regard to whether maintenance of the *heritage tree* will avoid the need for its removal without adversely affecting any recognised factor, value or association, or adversely affecting the surrounding *landscape character*.

7D.3.2.3 Pruning (not otherwise defined as minor pruning or damage) of any Heritage Tree

Consideration shall be made of whether the proposal would be consistent with the objectives and policies for *notable trees*:

- a) The extent to which the proposal will affect the health of the tree;
- b) The extent to which pruning will adversely affect the surrounding landscape character;
- c) The extent to which the pruning will adversely affect any identified factor, value or association.

7D.4 Discretionary Activity Rules

The following are Discretionary Activities:

- a) Any activity which is not Permitted, Controlled, Restricted Discretionary or Non-Complying;
- b) Any activity identified as a Discretionary Activity in *Table 7D.1*.

7D.4.1 Assessment of Discretionary Activities

In considering a Discretionary Activity the *Council's* discretion is unrestricted. The *Council* will consider any relevant matter with particular regard to the relevant objectives and policies of *the Plan*.

7D.5 Non-Complying Activity Rules

Any activity identified as a Non-Complying Activity in *Table 7D.1* is deemed to be a Non-Complying Activity

Appendix 7A: Register of Built Heritage

Site No	Planning Map (site No)	Name	Address	Legal Description	District Plan Classification	NZHPT Classification
1	E2	Adams Cottage	4 Adams Avenue	Lot 5 DP 19313	A	Category 2
2	D9	Experimental Farm (Office)	6 Botanical Road	Lot 1 DPS 594	C	
3	D9	Experimental Farm (Stables)	46 Botanical Road	Pt Lot 10 DPS 594	B	
4	S05	Canon Jordan Statue	1 Cameron Road (Tauranga-Wharepai Domain)	Lots 273, 393 Sec 1 Tauranga Town	A	
5	S05	War Memorial Gates	1 Cameron Road (Tauranga-Wharepai Domain)	Lots 273, 393 Sec 1 Tauranga Town	B	Category 2
6	S07	Brain Watkins House	233 Cameron Road Tauranga Town	Lot 147 Sec 1 Tauranga Town	A	Category 2
7	S08	The Crabbe Shop	664 Cameron Road (Tauranga Boys' College)	Lot 556 Sec 2 Tauranga Town	B	Category 2
8	C9	Gate Pa Domain (Historic and Recreation Reserves)	1100 Cameron Road	Pt Lot 2, Allots 13, 41, 41a, 42 Suburbs of Tauranga	A	
9	S05	Monmouth Redoubt and Te Tapihana (naval gun)	7 Cliff Road	Part Lot 247 Sec 1 Tauranga Town	A	
10	B8	Bethlehem College Chapel	R22 ElderLane	Lot 2 DPS 32682	B	
11	S09	Taiparoro (Dwelling)	11 Fifth Avenue	Lot 2 DPS 44123	A	Category 2
12	D6	Woodhill (Dwelling)	167 Grange Road Otumoetai	Lot 1 DPS 8309	B	Category 2
13	S05	Government Building ("Old Post Office")	41 Harington Street	Lot 2 DPS 56643	A	Category 1
14	S04	Mission Cemetery (Otamataha Pa)	2 Marsh Street	Pt Allot 1 SO 14191	A	
15	S04	The Elms Missions Station (Historic Area)	15 Mission Street	Pt Lots 49, 50, 53; DP 13870	A	Historic Area

Site No	Planning Map (site No)	Name	Address	Legal Description	District Plan Classification	NZHPT Classification
16	S04	The Elms: Mission House and Library	15 Mission Street	Pt Lots 53, DP 13870	A	Category 1
17	S04	The Elms: Kitchen and Dairy	15 Mission Street	Pt Lots 53, DP 13870	A	Category 2
18	E2	Old Stone Steps and Former Military Camp	Mount Maunganui	Sec 3, 12 Pt 1 Blk VI Tauranga	B	Category 2
19	E2	Boulder Jetty	5 Pilot Quay	Sect 3, 12 Pt 1 Blk VI Tauranga	A	Category 2
20	C6	Maungawhare (Dwelling and Garden)	34 Parkvale Road	Lots 6 & 27 DPS 14106, Lot 2 DPS 10276, Lot 1 DPS 10704	A	Category 2
21	F10	Topcroft (Dwelling)	105 Ranginui Road	Lot 2 DPS 62448	B	Category 2
22	D8	Faulkner House	155a Seventeenth Avenue. (Tauranga Historic Village)	Pt Lot 3 DPS 7545, Pt Lots 696, 856-872, 876 Sec 2 Tauranga Town	A	
23	D8	Forresters Hall	155a Seventeenth Avenue (Tauranga Historic Village)	Pt Lot 3 DPS 7545, Pt Lots 696, 856-872, 876 Sec 2 Tauranga Town	A	
24	D8	Pompallier Hall	Tauranga Historic Village, 155a Seventeenth Avenue.	Pt Lot 3 DPS 7545, Pt Lots 696, 856-872, 876 Sec 2 Tauranga Town	B	
25	D8	The Blacksmiths	Tauranga Historic Village, 155a Seventeenth Avenue.	Part Lot 3 DPS 7545 Part Lots 696, 865-872, 876 Sec 2 Tauranga Town	C	
26	S08	The Old House (Former Native Hostel / School)	83 Seventh Avenue	Lot 280 of Sec 2 Tauranga Town	A	Category 2
27	S07	St Peter's Manse	136 Spring Street	Lot 389 Sec 1 Tauranga Town	B	
28	S05	The Bond Store	1 The Strand	Allots 4, 5 Sec 1 Tauranga Town	A	Category 1
29	S05	Herries Park Memorial Archway	60 The Strand	Lot 424 Sec 1 Tauranga Town	A	
30	S05	St Amand Hotel	105 The Strand	DP 8300, Allot 70 & Pt Allot 71 Sec 1 Tauranga Town	B	Category 2

Appendix 7B: Register of Significant Maori Areas

All hapu of Ngati Ranganui Iwi , Ngaiterangi Iwi and Te Arawa Iwi

Site No	Planning Map No	Name of area	Area Description	Area Values	NZHPT Classification
M1	R1	Mauao	Mauao is tapu in the traditional, spiritual and mythological sense. It is sacred to the iwi of Tauranga Moana as the maunga korero and it integrally connects the history and identity of Ngati Ranginui, Ngaiterangi and Ngati Pukenga to Tauranga. Waitaha Iwi are also acknowledges as having an enduring relationship with Mauao.	Mauri, Waaho Tapu, Korero Tuturu, Rawa Tuturu, Hiahiatanga Tuturu, Whakaaronui o te Wa	Waahi tapu

Iwi : Ngati Ranginui

Hapu : Ngati Kahu

Site No	Planning Map No	Name of area	Area Description	Area Values	NZHPT Classification
M2	R29	Urupa	Urupa.	Mauri, Waahi Tapu, Korero Tuturu, Rawa Tuturu	
M3	R40	Te Ruahinahina	A sacred spring area (Puna wairua) used for healing battle wounds, in particular wounds received from the Battle of Gate Pa.	Mauri, Waahi Tapu, Korero Tuturu, Rawa Tuturu, Whakaaronui o te Wa	

Iwi : Ngati Ranginui

Hapu : Ngati Hangarau

Site No	Planning Map No	Name of area	Area Description	Area Values	NZHT Classification
M4	R19	Houhainga Pa	This is a significant pa site of Ngati Hangarau that is known as Hauhaenga. This is a pa tuu waatawata that overlooked the Wairoa River Mouth and west to Te Puna, Motuhoa, Matakana and Rangiwaea.	Mauri, Waahi Tapu, Korero Tuturu, Rawa Tuturu	

Iwi : Ngati Ranginui

Hapu: Ngai Tamarawaho

Site No	Planning Map No	Name of area	Area Description	Area Values	NZHT Classification
M5	R32	Ranginui Te Kaponga	Ngai Tamarawaho Tupuna.	Mauri, Waahi Tapu, Korero Tuturu, Rawa Tuturu, Whakaaronui O Te Wa	
M6	R52, 112	Pukehinahina, Pukerohutu (Gate Pa)	The Battle of Pukehinahina on 29 April 1864 is a highly significant time and site to Tangata Whenua. This is the first battle between Maori and the Crown in Tauranga that then lead to Te Ranga and other skirmishes that ultimately to the confiscation of the lands in Tauranga. The name Pukehinahina refers is the type of grass that was growing in the area and Pukerohutu is a tree that also grew in this area.	Mauri, Waahi Tapu, Korero Tuturu, Rawa Tuturu	Waahi Tapu
M7	R6, 13	Otumoetai Pa	This is the Pa of Kuraroa and is recognised as the first marriage between Ngati Ranginui and Ngaiterangi Iwi.	Mauri, Waahi Tapu, Korero Tuturu	
M8	R63, 64	Puketoromiro Pa	Pa site.	Mauri, Waahi Tapu, Korero Tuturu, Whakaaronui o te wa	
M9	R112	Waro, burial area, waahi tapu	Area where some of the fallen Maori warriors were buried after the battle of Pukehinahina (Gate Pa).	Mauri, Waahi Tapu, Korero Tuturu	

Iwi : Ngati Ranginui

Hapu : Nga Te Ahi

Site No	Planning Map No	Name of Area	Area Description	Area Values	NZHPT Classification
M10	R65	Poike Urupa	Active urupa used by Ngai Te Ahi and Ngati He whanau.	Mauri, Waahi Tapu, Korero Tuturu, Hiahiatanga Tuturu	
M11	R65	Tutarawanaga Pa	Ngai Te Ahi Pa site.	Mauri, Korero Tuturu	
M12	R66	Waitaia Urupa and waahi tapu	The Waitaia urupa (cemetery) is used by Ngai Te Ahi and Ngati He and is recognised as a waahi tapu area. The site includes the lower esturine wetland area below the urupa.	Mauri, Korero Tuturu, Rawa Tuturu, Hiahiatanga Tuturu	
M13	R67	Waipapa Pa site	Ngai Te Ahi Pa that was located along the Kaitemako Stream.	Mauri, Korero Tuturu, Rawa Tuturu, Hiahiatanga Tuturu	
M14	R91	Titirua Pa site	Ngai Te Ahi Pa site.	Mauri, Korero Tuturu	
M15	R66	Te Motu O Puhi	Te Motu O Puhi is associated to the traditions of Ngai Te Ahi.	Mauri, Korero Tuturu, Rawa Tuturu, Hiahiatanga, Tuturu, Whakaaronui o TeWa.	
M16	R66	Te Pahou	Te Pahou was once a Ngai Te Ahi pap site that overlooked the Te Pahou valley, the Kaitemako Stream, Te Tehe and the Rangataua estuarine harbours. The site is currently utilised by Ngai Te Ahi and Ngati He as an urupa (cemetery).	Mauri, Waahi Tapu, Korero Tuturu, Rawa Tuturu, Hiahiatanga Tuturu, Whakaaronui o TeWa.	

Iwi : Ngaiterangi

Hapu : Ngati He

Site No	Planning Map No	Name of Area	Area Description	Area Value	NZHPT Classification
M17	R91	Pa site	Pa site.	Mauri, Waahi Tapu, Korero Tuturu	
M18	R67	Waipapa Pa	Pa site.	Mauri, Waahi Tapu, Korero Tuturu	
M19	R66	Waitaia - Waahi tapu area (Old burial site)	Urupa and Waahi Tapu.	Mauri, Waahi Tapu, Korero Tuturu, Hiahiatanga Tuturu	
M20	R36, 97	Oruamatua	Pa site.	Mauri, Waahi Tapu, Korero Tuturu, Whakaaronui O Te Wa	
M21	R91	Pa site	Pa site.	Mauri, Korero Tuturu	
M22	R54	Te Arika Pa	Pa site and Pa complex.	Mauri, Waahi Tapu, Korero Tuturu, Whakaaronui O Te Wa	
M23	R54	Te Hono Pa	Pa site.	Mauri, Korero Tuturu	
M24	R55	Te Maire Pa site	Te Maire Pa site above Rotary Park.	Criterion: Mauri, Korero Tuturu	
M25	R45	Te Ngaio Pa	Pa site.	Mauri, Korero Tuturu	
M26	R54, 55	Te Puru / Opupu Pa	Pa site.	Mauri, Korero Tuturu	
M27	R55	Te Tokitoki Pa	Pa site.	Mauri, Waahi Tapu, Korero Tuturu	
M28	R91	Tiitiirua Pa	Pa site.	Mauri, Korero Tuturu	

Iwi : Ngaiterangi

Hapu : Ngai Tukairangi

Site No	Planning Map No	Name of area	Area Description	Area Value	NZHPT Classification
M29	R24	Omanu Pa and Urupa	Once the site of the Omanu Pa. The site is now an urupa used by the haukainga.	Mauri, Waahi Tapu, Korero Tuturu, Hiahiatanga Tuturu, Whakaaronui O Te Wa	
M30	R36, 97	Oruamatua Pa	Oruamatua Pa site and kainga. Te Mate ki Waho, a hapu of Ngai Tukairangi. The name "Te Mate ki Waho" refers to the death of Puhirake II who was killed in battle with Ngati Pukenga.	Mauri, Waahi Tapu, Korero Tuturu, Whakaaronui o Te Wa	
M31	R35, 36	Otumoko	This shows the extent of the Otumoko Block east across Matapihi Road and contains the Otumoko Pa site and an Urupa.	Mauri, Waahi Tapu, Korero Tuturu, Hiahiatanga Tuturu, Whakaaronui o Te Wa	

Iwi : Ngaiterangi

Hapu : Ngati Tapu

Site No	Planning Map No	Name of area	Area Description	Area Value	NZHPT Classification
M32	R45	Te Ngaio Pa	A Ngati Tapu/Ngati He pa site is located on the southern tip of the Matapihi Peninsula. This is the area from the northern end of the Maungatapu Bridge, includes the road and area on both sides of the motorway.	Mauri, Korero Tuturu	

Iwi : Ngaiterangi

Hapu: Nga Potiki

Site No	Planning Map No	Name of area	Area Description	Area Value	NZHPT Classification
M33	R46	Maungamana	Site of Tamapahore Pa.	Mauri, Waahi Tapu & Korero Tuturu	
M34	R97	Karikari	Urupa.	Mauri, Waahi Tapu, Korero Tuturu, Hiahiatanga Tuturu	
M35	R97, 98	Tauwhakatiki	Urupa.	Mauri, Waahi Tapu, Korero Tuturu, Hiahiatanga Tuturu	
M36	R46	Tamapahore	Urupa.	Mauri, Waahi Tapu, Korero Tuturu, Hiahiatanga Tuturu	
M37	R27	Urupa	Urupa.	Mauri, Waahi Tapu, Korero Tuturu, Hiahiatanga Tuturu	Wahi tapu
M38	R36, 97	Oruamatua Pa	Pa site.	Mauri, Waahi Tapu, Korero Tuturu, Whakaaronui o Te Wa	

Iwi : Te Arawa

Hapu : Tapuika

Site No	Planning Map No	Name of area	Area Description	Area Value	NZHPT Classification
M39	R100	Pa site	Tapuika Pa site located on the western banks at the mouth of the Kaituna River.	Mauri, Waahi Tapu & Korero Tuturu	
M40	R99, 100	Pa site	Tapuika Pa site on the Papamoa, Te Tumu banks of the Kaituna River.	Mauri, Waahi Tapu & Korero Tuturu	
M41	R99	Pa site	Tapuika Pa site on the northern banks of the Kaituna River, 500 metres down stream of the Kaituna River boat ramp.	Mauri, Waahi Tapu & Korero Tuturu	

Iwi : Te Arawa

Hapu : Tapuika

Site No	Planning Map No	Name of area	Area Description	Area Value	NZHPT Classification
M42	R99	Pa site	Tapuika Pa site on the banks of the Kaituna River Boat ramp.	Mauri, Waahi Tapu & Korero Tuturu	
M43	R99	Pa site	Tapuika Pa site on the bank at the start of the Kaituna River Ox Bow.	Mauri, Waahi Tapu & Korero Tuturu	
M44	R99	Urupa	Tapuika urupa site in the sand dunes.	Mauri, Waahi Tapu & Korero Tuturu	
M45	R60, 73	Te Houhou ki Owairakei	Tapuika Pa site.	Mauri, Waahi Tapu, Korero Tuturu, Whakaaronui O Te Wa	Wahi tapu

Iwi : Te Arawa

Hapu : Waitaha

Site No	Planning Map No	Name of area	Area Description	Area Value	NZHPT Classification
M46	R46	Hikurangi	Pa.	Mauri, Waahi Tapu, Korero Tuturu, Hiahiatanga Tuturu, Wahakaaronui O Te Wa	
M47	R54	Te Ouwe	Pa.	Mauri, Waahi Tapu, Korero Tuturu, Wahakaaronui O Te Wa	
M48	R55	Te Tokitoki	Pa.	Mauri, Korero Tuturu	
M49	R45	Te Ngaio	Pa.	Mauri, Korero Tuturu	
M50	R60, R73	Te Houhou	Pa/Nohoanga kainga.	Mauri, Waahi Tapu, Korero Tuturu, Whakaaronui O Te Wa	Wahi tapu
M51	R60, R73	Kiore	Pa.	Mauri, Waahi Tapu, Korero Tuturu	
M52	R60, R73	Paraoa	Pa.	Mauri, Waahi Tapu, Korero Tuturu	

Appendix 7C: Register of Heritage Trees

Site No.	Map No.	Common Name	Botanical Name	Address	I-Map Grid Ref
T45	L109	Totara	Podocarpus totara	728 CAMERON ROAD	E - 1,878,171 N - 5,822,297
T46		Totara	Podocarpus totara		E - 1,878,101 N - 5,822,355
T47		Totara	Podocarpus totara		E - 1,878,138 N - 5,822,324
T48		Totara	Podocarpus totara		E - 1,878,127 N - 5,822,333
T49		Totara	Podocarpus totara		E - 1,878,119 N - 5,822,339
T50		Totara	Podocarpus totara		E - 1,878,111 N - 5,822,347
T51		Totara	Podocarpus totara		E - 1,878,191 N - 5,822,283
T52		Totara	Podocarpus totara		E - 1,878,180 N - 5,822,289
T53		Totara	Podocarpus totara		E - 1,878,163 N - 5,822,304
T54		Totara	Podocarpus totara		E - 1,878,241 N - 5,822,238
T55		Totara	Podocarpus totara		E - 1,878,232 N - 5,822,245
T56		Totara	Podocarpus totara		E - 1,878,223 N - 5,822,252
T57		Totara	Podocarpus totara		E - 1,878,216 N - 5,822,259
T58		Totara	Podocarpus totara		E - 1,878,206 N - 5,822,267
T59		Totara	Podocarpus totara		E - 1,878,199 N - 5,822,274
T60		Totara	Podocarpus totara		E - 1,878,258 N - 5,822,223
T61		Totara	Podocarpus totara		E - 1,878,250 N - 5,822,231
T62		Totara	Podocarpus totara		E - 1,878,154 N - 5,822,311
T63	Totara	Podocarpus totara	E - 1,878,145 N - 5,822,319		
T64	Totara	Podocarpus totara	E - 1,878,258 N - 5,822,213		
T65	Totara	Podocarpus totara	E - 1,878,250 N - 5,822,220		
T66	Totara	Podocarpus totara	E - 1,878,242 N - 5,822,228		

Site No.	Map No.	Common Name	Botanical Name	Address	I-Map Grid Ref
T67		Totara	Podocarpus totara		E - 1,878,232 N - 5,822,234
T68		Totara	Podocarpus totara		E - 1,878,224 N - 5,822,241
T69		Totara	Podocarpus totara		E - 1,878,215 N - 5,822,251
T70		Totara	Podocarpus totara		E - 1,878,206 N - 5,822,257
T71		Totara	Podocarpus totara		E - 1,878,198 N - 5,822,264
T72		Totara	Podocarpus totara		E - 1,878,189 N - 5,822,271
T73		Totara	Podocarpus totara		E - 1,878,180 N - 5,822,280
T74		Totara	Podocarpus totara		E - 1,878,171 N - 5,822,285
T75		Totara	Podocarpus totara		E - 1,878,162 N - 5,822,294
T76		Totara	Podocarpus totara		E - 1,878,154 N - 5,822,299
T77		Totara	Podocarpus totara		E - 1,878,146 N - 5,822,306
T78		Totara	Podocarpus totara		E - 1,878,137 N - 5,822,315
T79		Totara	Podocarpus totara		E - 1,878,128 N - 5,822,321
T80		Totara	Podocarpus totara		E - 1,878,119 N - 5,822,328
T81		Totara	Podocarpus totara		E - 1,878,111 N - 5,822,337
T82		Totara	Podocarpus totara		E - 1,878,102 N - 5,822,344
T83	Totara	Podocarpus totara	E - 1,878,095 N - 5,822,351		
T84	Totara	Podocarpus totara	E - 1,878,085 N - 5,822,358		
T125	L65, L115	Japanese cedar	Cryptomeria japonica	490 FRASER STREET (YATTON PARK)	E - 1,877,332 N - 5,820,019
T153	L6, L13	Titoki	Alectryon excelsus	29 LEVERS ROAD	E - 1876878 N - 5826940
T178	L104	Cottonwood	Populus deltoides var. virginiana	12 MCLEAN STREET	E - 1879466 N - 5824849
T183	L103	English Oak	Quercus robur	15 MISSION STREET (THE ELMS)	E - 1879348 N - 5825377
T184		Norfolk Island Pine	Araucaria heterophylla		E - 1879415 N - 5825355