

# Section 32 Summary Evaluation Report – Variation 6 – Amendments to the Proposed Hastings District Plan - Section 18.1 Heritage Items and Notable Trees and Appendix 49 Heritage Buildings in the Te Mata Special Character Zone.

## 1 Introduction

### 1.1 Purpose of this Report

This report presents the summary evaluation of proposed Variation 6 to the Proposed Hastings District Plan (Proposed Plan), in accordance with Section 32 of the Resource Management Act 1991 (RMA).

Proposed Variation 6 incorporates amendments to Section 18.1 Heritage Items and Notable Trees and Appendix 49 Heritage Buildings in the Te Mata Special Character Zone of the Proposed District Plan. Proposed Variation 6 expressly seeks to establish and implement plan provisions to ensure that the effects of activities on identified heritage buildings within the Te Mata Special Character Zone are appropriately managed in a consistent manner. The proposed changes are to include a newly identified heritage building 'Vidal House' to Appendix 49 and to ensure that internal alterations to heritage buildings in the Te Mata Special Character Zone are expressly identified in the rules of Activity Table 18.1.5A of the District Plan.

This report is required to accompany proposed Variation 6 at the time of public notification under Schedule 1 of the RMA.

### 1.2 Outline of Proposed Variation 6 to the Proposed Hastings District Plan

Specifically, variation 6 proposes a minor amendment to Rule H2 of Table 18.1.5A to include items listed in Appendix 49 (Heritage Buildings within the Te Mata Special Character Area). The amendments to Rule H2 seeks the inclusion of internal alterations to historic buildings listed in Appendix 49 so that these are considered as permitted activities.

As it stands currently, the District Plan is silent in respect of this type of activity and therefore the catch-all rule (H19 – *“Any activity not otherwise provided for as a Permitted, Controlled, Restricted Discretionary (Non-notified), Restricted Discretionary, or Discretionary’ is a Non-complying activity)*) applies making internal alterations to buildings listed in Appendix 49 a non-complying activity. This was not the intention and is incongruent with the rules relating to external alterations for heritage buildings listed in Appendix 49 (which are a Restricted Discretionary Activity).

The proposed amendment to Rule H2 is outlined below:

*“Internal alterations and/or internal safety alterations necessary for the primary purpose of improving structural performance, fire safety or physical access of Category II Heritage Items identified in Appendix 48 **and of buildings identified in Appendix 49** – Permitted Activity”.*

Variation 6 also recommends the inclusion of 'Vidal House' (291 Te Mata Road) to the list of heritage buildings identified in Appendix 49 with consequential changes to the Planning Maps to show the location of this heritage building.

An assessment of Vidal House has been undertaken by Graham Linwood (a Hawke's Bay Architect) and reviewed by Chris Cochrane (Conservation Architect, Wellington). This assessment (attached as Appendix A) identifies that the house has architectural, historical and social value. Architecturally, the house is an early example of the English Domestic Revival

style. The report states that *“the house is reputed to have been constructed in 1908 and designed by William Rush”*. The report concludes that the house has strong social value because of its close associations with the growth and development of the wine industry in Hawkes Bay. In terms of historical value the report outlines the history of previous landowners and their connection with the origins of the wine industry in Hawkes Bay. Furthermore the report states that *“the architectural and cultural values [which stem from the origins of its location within Havelock North which was established as an English styled village by the early settlers] of the house combine to strengthen its historical value”*.

In addition, the report concludes that the integrity of the house is relatively high because of its condition and as *“it is a very good example of its time and style with all of the important original features of the house retained”*.

Overall it is considered that Vidal House meets the District Plan criteria for listing for its architectural, social and historical values that are intrinsic to the special character of the Te Mata Special Character Zone. As such it is considered most appropriate that Vidal House be identified as an historic building within Appendix 49 of the Proposed District Plan.



## 2 Section 32 Evaluation Requirements

Clause 5(1) of Schedule 1 of the RMA, requires preparation of an evaluation report for any proposed plan (including any proposed variation to a proposed plan) in accordance with section 32, and for Council's to have particular regard to that report when deciding whether to proceed with the statement or plan.

Section 32 evaluations effectively 'tell the story' of what is proposed and the reasoning behind it. The Section 32 evaluation aims to communicate the thinking behind the proposal to the community and to decision-makers. The evaluation also provides a record for future reference

of the process, including the methods, technical studies, and consultation that underpin it, including the assumptions and risks.<sup>1</sup>

An evaluation report is required to examine both:

- the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA (s32(1)(a)); and
- whether the provisions in the proposal are the most appropriate way in which to achieve the objectives in terms of their efficiency and effectiveness by identifying other reasonably practicable options for achieving the objectives; assessing the efficiency and effectiveness of the provisions in achieving the objectives; and summarizing the reasons for deciding on the provisions (s32(1)(b)).

The evaluation report must contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal (s32(1)(c)).

Such an evaluation must take into account:

- the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment that are anticipated to be provided or reduced (s32(2)(a)) and, if practicable, quantify them (s32(2)(b)); and
- the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions (s32(2)(c)).

In this case, proposed Variation 6 (the proposal) does not, of itself, contain or state 'objectives'. Therefore, pursuant to section 32(6), 'objectives' in this setting relate to 'the purpose of the proposal', which is:

***Purpose of the Proposal:***

***To ensure the efficient and effective administration of the District Plan by amending provisions to ensure the retention and maintenance of identified historic heritage and ensure consistency in the District Plan provisions relating to internal alterations of identified heritage buildings within Appendix 49.***

Similarly, the 'provisions' to be evaluated are essentially:

***Provisions: i) Those specific provisions identified above (Rule H2 of Table 18.1.5A and the inclusion of 'Vidal House' as a listed heritage building within the relevant Appendix of the District Plan) which give effect to the proposal.***

The first part of the evaluation therefore has to address:

- *'Whether making amendments to the identified provisions of the Hastings Proposed District Plan is the most appropriate way to achieve the purpose of the RMA'.*

Secondly, in evaluating the provisions of the proposal in terms of efficiency and effectiveness, the evaluation has to address:

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<sup>1</sup> Ministry for the Environment. 2014. *A guide to section 32 of the Resource Management Act: Incorporating changes as a result of the Resource Management Amendment Act 2013*. Wellington: Ministry for the Environment.

- *‘Whether amending the identified provisions is the most appropriate way to improve the administration of the District Plan, reduce inconsistencies and aid understanding and interpretation’.*

The following evaluation fulfils Council’s statutory obligations under Clause 5(1) of Schedule 1 of the RMA, in accordance with section 32, for proposed Variation 6 to the Proposed Plan.

### 3 Statutory Basis for Addressing the Proposed Amendments to the District Plan

Section 74 of the RMA outlines the requirements for District Councils in terms of the preparation of, and any change to, their district plan in accordance with their functions under section 31 and the provisions of Part 2 of the RMA.

#### 3.1 Part 2 (Purpose & Principles) of the RMA

Ensuring the District Plan is administered in an efficient manner and that the effects of activities are managed consistently within the District Plan framework aligns with the purpose of the RMA, which is *‘the sustainable management of natural and physical resources’*. Section 5 of the RMA defines ‘sustainable management’ as:

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

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations;*
  - (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
  - (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*
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Proposed Variation 6 directly relates to enabling the District Plan to be easily understood and administered ensuring that the sustainable management of natural and physical resources across the District occurs in an efficient manner and that the local community can effectively provide for their social, economic and cultural wellbeing without undue delays caused by misunderstandings surrounding District Plan provisions.

Section 6 outlines matters of national importance that shall be recognized and provided for in managing the use, development and protection of natural and physical resources. Of particular relevance is:

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- f) the protection of historic heritage from inappropriate subdivision, use and development*
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Section 7 identifies other matters requiring particular regard. Of particular relevance are:

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- b) the efficient use and development of natural and physical resources:*
  - c) the maintenance and enhancement of amenity values:*
  - f) maintenance and enhancement of the quality of the environment:*
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The purpose of Variation 6 is to ensure that the natural and physical resource of the District can be utilized and developed in an efficient manner while enabling people and communities to provide for their social, economic and cultural wellbeing and for their health and safety. Reducing inconsistencies in the plan and making it easier to understand and interpret will ensure greater efficiencies in the use and development of the District’s resources. Including Vidal House in the list of Heritage Buildings will also ensure that this heritage resource is

maintained and protected into the future contributing to the maintenance and enhancement of local amenity values and the quality of the quality of the environment.

### 3.2 Part 4 (Functions, Powers & Duties) of the RMA

The particular statutory functions of the District Council in giving effect to the Act as contained in section 31 of the Resource Management Act 1991 also provide a clear mandate for managing the effects of land use activities and ensuring that District Plan provisions provide an effective and efficient tool for managing such effects.

In particular:

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- “(1)(a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:***
- (b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—***
- (iia) the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:***
- ...”***
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Proposed Variation 6 expressly seeks to establish and implement plan provisions to ensure that the effects of activities on identified heritage buildings are appropriately managed. Existing zone and district wide rules and standards in the Proposed Plan (and proposed amendments to provisions within the variation) provide the mechanism for controlling any actual or potential effects of the subdivision, use and development within the District.

### 3.3 Hawke’s Bay Regional Policy Statement

In addition, Section 75 of the RMA states that a district plan ‘*must give effect to*’ any regional policy statement (RPS).

Of particular relevance in terms of the changes proposed to Section 18.1 and Appendix 49 are the Hawke’s Bay Regional Policy Statement objectives in Chapter 3.1B which relate to managing the built environment. In particular Objective UD1 seeks the creation of an “*urban form throughout the Region, that:*

- (a) achieves quality built environments that:***
- (ii) have a sense of character and identity;***
- (iii) retain heritage values....”***

The proposed amendments to section 18.1 and the inclusion of Vidal House in Appendix 49 will give effect to the RPS objectives relating to managing the built environment. In particular the proposed amendments will assist in retaining heritage values and creating a sense of character and identity within the Te Mata Special Character Zone.

## 4 Background to request for Vidal House to be identified as a Heritage Building

### 4.1 Bradshaw Appeal to the Proposed District Plan (ENV-2015-WLG-000077)

Mr Bradshaw made a submission and then subsequently appealed the cumulative floor area threshold limit of 150m<sup>2</sup> for activities on a site within the Te Mata Special Character Zone of the Proposed District Plan (Standard 8.4.6F). In his submission and appeal he asserted that this standard would have an impact on economic development and activity in the area.

Mr Bradshaw further stated that the floor area limits would likely have a perverse effect in that it would probably result in the demolition of existing historical homes to allow for new homes to be built on the same site. The Operative District Plan had previously allowed an existing residence to be used as a commercial activity (e.g. homestay) and for a new residence to be built on the same site. However under the Proposed District Plan rules this was not possible.

Previously the Operative Plan rules allowed for multiple industrial and commercial activities to be carried out on one site and did not address the potential cumulative effects of such activities. For example, there could be a café, retail shop, coolstore, vehicle mechanic workshop, visitor accommodation and professional office all on a single site. While the effects of one of these activities may not be significant, in combination, they have the potential to adversely affect neighbours and the amenity of this unique rural environment.

The inclusion of a cumulative floor area standard in the Proposed District Plan sought to achieve a greater level of amenity protection for adjoining neighbours, aid the protection of the soil resource and still allow for a range of supplementary land use activities (to land based primary production and residential activities) and the maintenance of the special character of the area.

The decision to adopt this cumulative threshold limit standard as a means of controlling scale while still allowing a range of supplementary land use activities to be undertaken was seen as the best and most appropriate tool to address the effects of such activities on the amenity and character of the zone.

Environment Court assisted mediation of this appeal occurred on 21 June 2016. As a result of mediation, an agreement was reached to amend the District Plan provisions by consent order and as such resolve the appeal.

## 4.2 Consent Order to resolve the Appeal

The Bradshaw appeal was resolved by consent order on 12 December 2016. The consent order outlined agreed changes to the Proposed Plan provisions to allow commercial activity to occur within any heritage building and for these activities not to be subject to the threshold limits. The changes to the District Plan provisions as a result of the consent order are shown below:

- Amend Rule TM2A of the Rule Table 8.4.41 Te Mata Special Character Zone to make commercial activities within any heritage building a controlled activity;
- Amend section 8.4.6 Specific Performance Standards and terms as follows:
  - **8.4.6B Residential Activities**
    1. Residential Buildings
      - (a) One residential building shall be allowed per site provided that the site be a minimum area of 2500m<sup>2</sup>  
Where the site contains a heritage building being used for commercial activities, one residential building shall be allowed per site provided that the site shall be a minimum area of 5000m<sup>2</sup>.
  - **8.4.6C Supplementary Residential Buildings**
    - (a) One Supplementary Residential Building shall be allowed per site on a residential farm park, except that no Supplementary Residential Building shall be allowed where the site contains a heritage building being used for commercial activities.
  - **8.4.6D Commercial Activities**

The following activity threshold limits shall apply (Table 8.4.6D)

These activities can be carried out singly or in combination. However there is a cumulative limit of 150m<sup>2</sup> per site for all activities other than those established under rule TM2A (refer Rule 8.4.6F sites area threshold limits).

- **8.4.6F Site Area Threshold Limits**

The activity thresholds for Rules 8.4.6C, 8.4.6D, 8.4.6E apply to an individual site.

The activities under these Rules can therefore be carried out singly on a site or in combination, until the cumulative limit of 150m<sup>2</sup> per site is reached except that any activity established under Rule TM2A is excluded from the cumulative limit.

- Amend Section 8.4.7 Assessment Criteria – Controlled Activities as follows:

- **8.4.7.3 Commercial Activities within any heritage building and any new buildings over 50m<sup>2</sup> constructed within 50 metres of a heritage building used for commercial activities.**

- An assessment of the effects of the activity shall be made considering the following:

- (a) Whether the commercial activity is compatible with the heritage building and whether it would maintain or enhance the heritage features and historic nature of the building;
- (b) The extent to which the scale, nature and effects of the commercial activity could detract from or compromise the wider amenity and unique character of the Te Mata Special Character Zone or the setting in which it is located. Additional landscaping may be appropriate to integrate the commercial activity into this environment.

Guidance:

Commercial activities can compromise the visual amenity of a setting in which a heritage item is located, particularly through large scale carparking and loading, storage and rubbish collection areas and through the use of inappropriate corporate colours and signage. It is important that the location and design of any carparking / loading / storage/ rubbish area seeks to integrate with and be sympathetic to the heritage qualities of the building and its surrounding setting. Keeping these areas to an appropriate size and scale and ensuring that a landscape plan includes sufficiently mature trees and elements to integrate with and/or screen these areas from, the heritage building and its setting will be important. Fencing materials and design should take cues from any existing fencing on the site and the era and style of the heritage building. Colours used to repaint the building or for fencing on the site and the era and style of the heritage building. Colours used to repaint the building or for fencing or signage should be recessive in nature and relate to the surrounding landscape of the Te Mata Special Character Area. Corporate colours should be toned down and used sparingly and sympathetically.

Note: Any signage proposed will need to meet the standards and assessment criteria in Section 28.1.

- (c) The potential for the activity to create effects on the environment in relation to traffic, parking demand, noise or visitor numbers and the extent to which these can be mitigated;

Where New Buildings (including additions) over 50m<sup>2</sup> in area are located within 50 metres of a heritage item consideration will be given to the following:

- (d) Whether the new building or structure is of a size that would detract from the Heritage Item;
- (e) The location of the new building or structure in relation to the Heritage Item and whether the distance of separation from the Heritage Item would have a detrimental impact on the overall setting of the Heritage Item;
- (f) Whether the size of the site is large enough to accommodate a new structure such that the new structure will not have a detrimental impact on the Heritage Item in terms of closeness, size and the overall setting of the Item.
- (g) Whether the design of the new building or structure is compatible with the Heritage Item in terms of materials used and colour.

#### Guidance

New buildings or structure can compromise the visual amenity of a setting in which Heritage Item(s) dominate. New structures should not attempt to 'copy' the heritage feature on the same site or within the setting, but should be distinct enough to recognise that it does not form part of the Heritage Item whilst being sympathetic to the design of the Heritage Item and setting.

New buildings should be no higher than the existing Heritage Item and if possible should be located at the rear of the site, behind the heritage building. Where this is not possible, sufficient landscaping shall be provided to screen the new structure from view, such that the effect on the aesthetic appeal of the setting is not compromised and is softened. The size of the new building should not attempt to be of a similar scale to that of the heritage building (if the Heritage Item is a building) and should not dwarf the heritage feature.

## 5 Appropriateness, Efficiency & Effectiveness of Proposed Variation 6 in Achieving the Purpose of the RMA

### 5.1 Is the Proposal the Most Appropriate Way to Achieve the Purpose of the RMA?

As outlined in section 2 of this report, the first part of this evaluation is:

- *'Whether making amendments to the identified provisions of the Hastings Proposed District Plan are the most appropriate way to achieve the purpose of the RMA'.*



The assessments above in section 3 of this report, demonstrate the following:

1. The proposal will assist in ensuring consistency of administration of plan provisions in respect of exterior and interior alterations to heritage buildings identified in Appendix 49 of the Proposed District Plan
2. The proposal will reduce inconsistencies in the plan, making it easier to understand and interpret and will ensure greater efficiencies in the use and development of the District's resources.
3. Including Vidal House in the list of Heritage Buildings will ensure that this heritage resource is maintained and protected into the future (Section 6 RMA) and will contribute to the maintenance and enhancement of local amenity values and the quality of the environment of the Te Mata Special Character Zone (Section 7 of the RMA).
4. Overall, Proposed Variation 6 directly relates to enabling the District Plan to be easily understood and administered ensuring that the sustainable management of natural and physical resources across the District occurs in an efficient manner and that the local community can effectively provide for their social, economic and cultural wellbeing without undue delays caused by misunderstandings surrounding District Plan provisions.

Ultimately, the proposal gives effect to the RPS, and is efficient and effective in managing effects on heritage buildings in the Te Mata Special Character Zone in a way which enables people and communities to provide for their social, economic and cultural wellbeing; meets the reasonably foreseeable needs of future generations; safeguards the life-supporting capacity of air, water, soil and ecosystems; and avoids, remedies or mitigates adverse effects on the environment.

**The proposal is confirmed as representing the most appropriate way to provide for the sustainable management of the District's resources – the purpose of the RMA.**

## 5.2 Are the Provisions the Most Appropriate Way to Achieve the Purpose of the Proposal?

As outlined in section 2 of this report, the second part of the evaluation is:

*“Whether amending the identified provisions is the most appropriate way to improve the administration of the District Plan, reduce inconsistencies and aid understanding and interpretation’.*

The following evaluation examines whether the provisions in the proposal are the most appropriate way in which to achieve the existing relevant objectives of the District Plan and the purpose of the proposal in terms of their efficiency and effectiveness (s32(1)(b)).

To date, section 32 case law has interpreted ‘most appropriate’ to mean “suitable, but not necessarily superior”<sup>2</sup>. Therefore, the most appropriate option does not need to be the most optimal or best option, but must demonstrate that it will meet the objectives in an efficient and effective way.

As a variation to a proposed plan, this is regarded as an ‘amending proposal’ under Section 32 of the RMA. In terms of section 32(1)(a) no objectives are proposed and the existing objectives

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<sup>2</sup> Rational Transport Soc Inc v New Zealand Transport Agency HC Wellington CIV-2011-485-2259, 15 December 2011.

of Section 18.1 of the Heritage Items and Notable Trees and Appendix 49 of the Proposed Plan remain relevant.

Therefore, the focus of this Evaluation is on the differences between what was adopted under the Proposed Plan) and what is now being proposed under Variation 6.

It is important to note that the provisions of Section 18.1 and Appendix 49 that are not being altered by the Variation do not need to be reconsidered.

This Evaluation will assess the following aspects of the Variation:

- How the Activity Table 18.1.5A deals with internal alterations of heritage buildings in the Te Mata Special Character Zone;
- Whether to list Vidal House as a Heritage Building within the Proposed District Plan;

The evaluation is at a level of detail that corresponds to the scale and significance of the effects anticipated from implementation of the proposal.

Much of the background and assessment in the preceding sections of this report contributes to the overall evaluation of the specifics of this proposal.

### 5.2.1 [Internal alterations to heritage buildings in the Te Mata Special Character Zone \(Appendix 49\)](#)

#### 5.2.1.1 [Options](#)

Options are:

1. **Do Nothing** – this option would involve retaining the current rules which are silent on this activity and as a result make it non-complying given the structure of the rule table;
2. **Amend Rule H2** – this would involve the inclusion of buildings identified in Appendix 49 within Rule H2 as a permitted activity.

### 5.2.2 [Inclusion of Vidal House as a Heritage Building in the Proposed District Plan;](#)

#### 5.2.2.1 [Options](#)

Options are:

1. **Do Nothing** – this option would involve not listing Vidal House as a heritage building within the Proposed District Plan;
2. **Amend Appendix 49** – this option would involve the inclusion of Vidal House as a heritage building in the Te Mata Special Character Zone;
3. **Amend Appendix 48** – this option would involve the inclusion of Vidal House as a Category II heritage item in Appendix 48;

## 5.2.2.2 Evaluation of Options

**Table 1: Issue: Internal Alterations to Heritage Buildings in the Te Mata Special Character Zone (Appendix 49)**

	<b>OPTION 1: No change Retain the current rules of Activity Table 18.1.5A</b>	<b>OPTION 2: Amend Rule H2 of Activity Table 18.1.5A</b>
<p>EFFECTIVENESS</p> <p>In achieving:</p> <ul style="list-style-type: none"> <li>- the purpose of the Proposal; and</li> <li>- existing relevant objectives of the District Plan.</li> </ul>	<p>Retaining the current activity table rules will not be effective in achieving the purpose of the proposal as the activity status for internal alterations for heritage buildings will remain non-complying making it difficult for this activity to occur. Furthermore, such an activity status is incongruent with and will not support the following existing objectives of the District Plan:</p> <p><b>HO2 To promote the continued use of recognised heritage buildings in the District where this encourages their retention, restoration and maintenance.</b> A non-complying activity status for internal alterations would make re-use activities more difficult and costly to occur, increasing the likelihood that heritage buildings would be left unused and could potentially fall into disrepair.</p>	<p>Including heritage buildings in identified Appendix 49 into Rule H2 will provide a clear direction of how internal alterations (including internal safety alterations) of such buildings should be considered under the District Plan. A permitted activity status aids the ability to change the use of the building for example from a residential use to a commercial use, while still ensuring that the exterior architectural style and detailing is retained and not compromised. This option is therefore considered effective in achieving existing objective HO2 – to promote the continued use of recognised heritage buildings. Such a status will also assist in achieving HP5 <i>“Allow heritage buildings to be used for a range of activities where this promotes the retention of the building”</i>.</p> <p>Allowing a permitted status for internal alterations also promotes the retention of heritage buildings and as a consequence assists in the achievement of objective HO1 <i>“Significant Heritage items are protected and the character and history of the District is preserved”</i>.</p> <p>A permitted status would also assist, facilitate and encourage internal alterations to improve structure performance, fire safety and physical access to be undertaken to heritage buildings within the Te Mata Special Character Zone. As such this would achieve objective HO4 <i>“Encourage the upgrade of heritage buildings where there is an identified safety risk”</i>. And consequentially Policy HP8 <i>“To facilitate and encourage alteration to heritage items to improve structure performance, fire safety and physical access while minimising the significant loss of associated heritage values”</i>.</p> <p>Currently (other than those heritage buildings within Appendix 49) the District Plan only identifies internal alterations to Category I heritage items (places of special or outstanding historical or cultural heritage significance or value) as requiring a resource consent assessment.</p> <p>This option would therefore ensure a consistent approach to internal alterations across buildings identified in Appendix 48 as Category II heritage items (places of historical or cultural heritage significance or value), and identified heritage buildings in the Te Mata Special Character</p>

		<p>Zone. The significance of buildings within these appendices primarily relates to their exterior architectural style and materials used rather than any interior feature. Buildings identified within Appendix 49 are considered significant in that their heritage value is intrinsic to the special character of the Te Mata Special Character Zone. So while their exterior architectural value is significant it is also their social and historical value in the land use and development of this area that is sought to be retained. In this way it is considered that a permitted activity status for internal alterations of heritage items in Appendix 49 (the Te Mata Special Character Zone) will uphold and achieve Policy HP2 “<i>Ensure activities do not adversely affect the character of Heritage Items</i>” and Policy HP4 “<i>Ensure new development and alterations to existing buildings do not compromise the architectural significance of historic buildings</i>”.</p>
<p><b>COSTS</b></p> <p>Effects anticipated from implementation, including:</p> <ul style="list-style-type: none"> <li>- Environmental</li> <li>- Economic (incl. on economic growth &amp; employment)</li> <li>- Social</li> <li>- Cultural</li> </ul>	<p>The non-comply activity status placed Increased economic cost on internal alterations that would make re-use activities of heritage buildings in the Te Mata Special Character area more difficult and therefore less likely to occur. This could have the consequential result that buildings may be left to deteriorate and could potentially reduce options available for the continued use of the building. Inconsistency of treatment of internal alterations to heritage buildings in the Te Mata Special Character Zone versus those within other areas of the District. This inconsistency has the potential to make heritage buildings within this area more vulnerable.</p>	<p>Potential for original interior features of heritage buildings to be removed and lost under a permitted activity status</p> <p>Planning administration costs associated with variation preparation</p>
<p><b>BENEFITS</b></p> <p>Effects anticipated from implementation, including:</p> <ul style="list-style-type: none"> <li>- Environmental</li> <li>- Economic (incl. on economic growth &amp; employment)</li> <li>- Social</li> <li>- Cultural</li> </ul>	<p>No need to amend the District Plan</p>	<p>This option provides the ability to easily alter an historic building internally without additional consenting costs making the retention and upgrade of heritage buildings more economically feasible</p> <p>Activity status for internal alterations of heritage buildings identified in all appendices are treated consistently within Rule Table 18.1.5A.</p> <p>Cultural and social benefits resulting from the increased likelihood of the retention and upgrade of heritage buildings in the Te Mata Special Character Zone including upgrades to improve safety</p>
<p><b>EFFICIENCY</b></p> <p>In achieving:</p>	<p>Low efficiency – results in economic costs for building owners and could lead consequentially to the loss or degradation of heritage features</p>	<p>Highly efficient – results in economic savings and benefits to landowners as a result of providing greater flexibility for options for reusing heritage buildings</p>

- the purpose of the Proposal; and existing relevant objectives of the District Plan.		
OVERALL APPROPRIATENESS  In achieving: - the purpose of the Proposal; and existing relevant objectives of the District Plan.	Not appropriate	Appropriate
RISK OF ACTING OR NOT ACTING  (if uncertain or insufficient information)	N/A (information is sufficient and certain)	N/A (information is sufficient and certain).
<b>CONCLUSION</b> The above evaluation demonstrates that including heritage buildings within Appendix 49 into Rule H2 is an effective and efficient way of ensuring a consistent approach to internal alterations across heritage buildings and thereby promoting the continued use and retention of heritage buildings within the District. Option 2 is considered the most appropriate way to achieve the purpose of the proposal.		

**Table 2: Issue: Inclusion of Vidal House as a Heritage Building the Proposed District Plan.**

	<b>OPTION 1: No Change to Appendix 49</b>	<b>OPTION 2: Amend Appendix 49 to include Vidal House</b>	<b>OPTION 3: Amend Appendix 48 to include Vidal House</b>
<b>EFFECTIVENESS</b>  In achieving: - the purpose of the Proposal; and - existing relevant objectives of the District Plan.	The option would involve not including Vidal House as a heritage building in the District Plan. Such an option would not be effective in achieving the purpose of the proposal nor the existing objectives of the Heritage section including HO1 <i>“Significant Heritage items are protected and the character and history of the District is preserved”</i> .	Including Vidal House in Appendix 49 which relates to heritage buildings located within the Te Mata Special Character Zone would be effective in achieving the purpose of the proposal and will assist in achieving existing relevant objectives of the District Plan including: HO1 <i>“Significant Heritage Items are protected and the heritage character and history of the District is preserved”</i> . In addition Policy HP1 <i>“Identify and classify Heritage Items in the District according to their relative importance”</i> would be achieved. The heritage assessment	Including Vidal House in Appendix 48 which relates to category II heritage buildings the District would be effective in achieving the purpose of the proposal and will assist in achieving existing relevant objectives of the District Plan including: HO1 <i>“Significant Heritage Items are protected and the heritage character and history of the District is preserved”</i> . In addition Policy HP1 <i>“Identify and classify Heritage Items in the District according to their relative importance”</i> would be achieved. The heritage assessment report prepared by Graham Linwood and reviewed by Chris Cochrane evaluated Vidal House and concluded that it warranted

		<p>report prepared by Graham Linwood and reviewed by Chris Cochrane evaluated Vidal House and concluded that it warranted protected on the basis of its architectural, social and historical value in the context of the Te Mata Special Character Zone and in terms the retention of heritage within the District as a whole. Listing Vidal House as a heritage building within Appendix 49 will ensure that activities do not adversely affect the character and value of this building. This will give effect to Policy HP2 “Ensure activities do not adversely affect the character of Heritage Items”.</p>	<p>protection on the basis of its architectural, social and historical value in the context of the Te Mata Special Character Zone and in terms of its connection to the emergence of wine industry within the District. Listing Vidal House as a heritage building within Appendix 48 will ensure that activities do not adversely affect the character and value of this building. This will give effect to Policy HP2 “Ensure activities do not adversely affect the character of Heritage Items”.</p>
<p><b>COSTS</b></p> <p>Effects anticipated from implementation, including:</p> <ul style="list-style-type: none"> <li>- Environmental</li> <li>- Economic (incl. on economic growth &amp; employment)</li> <li>- Social</li> <li>- Cultural</li> </ul>	<p>Potential for unsympathetic additions or alterations to reduce the architectural, historical and social values associated with the building, potential for any new use to be incompatible with or unsympathetic to the architectural and historical integrity of the building.</p> <p>Potential for the demolition, relocation and/or removal of the building resulting in a loss of social, cultural and architectural heritage in the District and particularly in the Te Mata Special Character Zone</p>	<p>Cost of resource consent applications for exterior alterations or additions to the house;</p>	<p>Cost of resource consent applications for exterior alterations or additions to the house</p> <p>Costs of resource consent application to locate a new building or structure on the same site and within 50m of as a heritage item in Appendix 48</p>
<p><b>BENEFITS</b></p> <p>Effects anticipated from implementation, including:</p> <ul style="list-style-type: none"> <li>- Environmental</li> <li>- Economic (incl. on economic growth &amp; employment)</li> <li>- Social</li> </ul>	<p>No costs incurred to change the District Plan to include Vidal House</p> <p>No restrictions on development or removal of this dwelling making it more adaptive to reuse in future.</p>	<p>Environmental, social and cultural benefits from the retention and maintenance of this heritage building and the character and values associated with it. These values particularly relate and contribute to the Te Mata Special Character Zone identity. They are</p>	<p>Environmental, social and cultural benefits from the retention and maintenance of this heritage building and the character and values associated with it as part of the resource of Category II historic buildings within the District.</p>

<p>- Cultural</p>		<p>intrinsic to the special character and amenity of the area and therefore retention of this building will provide for the on-going maintenance of this special character</p> <p>The rules of the Te Mata Special Character zone amended by the consent order will also provide consequential economic benefits if this building is identified as a heritage item as it will be able to be used for commercial purposes (subject to a resource consent process) which would in turn provide employment in the area.</p>	<p>Potential economic benefits (including provision of employment) as the building could be used for commercial purposes as part of the rules amended under the consent order.</p>
<p><b>EFFICIENCY</b></p> <p>In achieving:</p> <ul style="list-style-type: none"> <li>- the purpose of the Proposal; and existing relevant objectives of the District Plan.</li> </ul>	<p>Low efficiency</p>	<p>High Efficiency</p>	<p>Moderate Efficiency given that placing a category II listing over this building has not been stipulated within the heritage assessment and while it would not be inappropriate, it is more appropriate for this building to be identified as a heritage building within the Te Mata Special Character Zone as its social and historical value stem from the development of the wine industry within that particular area.</p>
<p><b>OVERALL APPROPRIATENESS</b></p> <p>In achieving:</p> <ul style="list-style-type: none"> <li>- the purpose of the Proposal; and existing relevant objectives of the District Plan.</li> </ul>	<p>Not appropriate</p>	<p>Appropriate</p>	<p>Appropriate</p>
<p><b>RISK OF ACTING OR NOT ACTING</b> (if uncertain or insufficient information)</p>	<p>N/A (information is sufficient and certain)</p>	<p>N/A (information is sufficient and certain)</p>	<p>N/A (information is sufficient and certain)</p>
<p><b>CONCLUSION</b></p> <p>The above evaluation demonstrates that including heritage buildings within Appendix 49 is the most effective and efficient way of protecting the architectural, social and historical values of this building and thereby promoting the retention of heritage buildings within the District. Option 2 is considered the most appropriate way to achieve the purpose of the proposal.</p>			





## 6 Summary & Conclusions

This section 32 summary evaluation confirms the following:

- a) The proposed variation will assist in making the plan more easily understood in terms of internal alteration activities to heritage buildings within the Te Mata Special Character Zone (Appendix 49);
- b) Proposed changes to the activity table will ensure a consistency of administration of plan provisions in respect of exterior and interior alterations to heritage buildings identified within Appendix 49 of the Proposed District Plan;
- c) The proposal will reduce inconsistencies in the plan, making it easier to understand and interpret and will ensure greater efficiencies in the use and development of heritage buildings within Appendix 49 making it more attractive to retain these special buildings;
- d) Including Vidal House in the list of Heritage Buildings will ensure that this heritage resource is maintained and protected into the future and that it will continue to contribute to the maintenance and enhancement of local amenity values and the quality of the environment of the Te Mata Special Character Zone;
- e) Vidal House has architectural, social and historical values that are important and intrinsic to the character of the Te Mata Special Character Zone. As such, it is appropriate that this building be identified as a heritage building in Appendix 49;
- f) The amendments sought by the proposed variation are efficient and effective in managing effects on heritage buildings in the Te Mata Special Character Zone in a way which enables people and communities to provide for their social, economic and cultural wellbeing while mitigating adverse effects of activities on heritage resources within this Zone; and
- g) Overall, Proposed Variation 6 directly relates to enabling the District Plan to be easily understood and administered ensuring that the sustainable management of natural and physical resources across the District occurs in an efficient manner and that the local community can effectively provide for their social, economic and cultural wellbeing without undue delays caused by misunderstandings surrounding District Plan provisions.

Therefore, adoption of proposed Variation 6 to the Proposed Hastings District Plan is efficient, effective, and appropriate in terms of section 32 of the RMA.

## Appendices