



**KAIPARA
DISTRICT**
PLAN REVIEW

AUGUST 2021



Kaipara District Plan Review
Discussion Document

**Historical Heritage, Sites and Areas of
Significance to Māori and Notable Trees**

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BACKGROUND

The Kaipara District has a wealth of historical buildings, landmarks, notable trees and sites and areas of significance to Māori. Provisions related to protection of these assets need to be included in the following historical and cultural values chapters of the new District Plan, to apply across the whole District:

- historical heritage
- sites and areas of significance to Māori
- notable trees.

Historical Heritage

Given the rich history of the Kaipara District from early Māori settlement, the pioneering days, and more recent modern history, there are many items, buildings and areas within the District which are of significance to our communities because of their associations with the past. Some examples include: wāhi tapu sites from early Māori settlement; sites associated with timber milling and gum digging areas; and historic homes, where European settlers lived and contributed to their



respective communities. Many of the Kaipara District's sites are also considered to be of national importance and have protection as registered buildings or sites with Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014.

Section 6(f) of the Resource Management Act requires local authorities to protect this historic heritage from inappropriate subdivision, use and development.

Sites and areas of significance to Māori

The Kaipara District has a rich Māori history. Historical and archaeological sites, ancestral lands, waterways, wāhi tapu and other taonga are significant to Māori.

Numerous pa sites, terraces, pits and middens are present along the coasts, and further inland in some areas as the Kaipara District was one of the first areas settled by Māori in New Zealand. These sites and areas need to be protected from damage or destruction as a result of subdivision, use and development of land.

The Heritage New Zealand Pouhere Taonga Act 2014 provides legal protection for all archaeological sites in New Zealand, and any activities seeking to damage, modify or destroy an archaeological site need to be authorised by the New Zealand Historic Places Trust.

District plans provide an additional layer of protection regarding the identification of these sites. Rules can ensure Mana Whenua have an opportunity to provide an assessment of both cultural and archaeological values associated with significant sites and areas to Māori.

Notable Trees

Notable trees make a valuable contribution to the history and amenity of the Kaipara District. They often have historic, scenic or scientific significance. One of the district's existing notable trees (the Morton Bay Fig tree at Pahi Domain) is subject to a Heritage Order.

Any subdivision, use, and development which affects a notable tree listed in the District Plan needs to be carefully assessed in conjunction with the proposed landuse development. To be considered notable and worthy of protection, trees need to be identified and evaluated using the Standard Tree Evaluation Method (STEM) developed by Ron Flook in 1996. This assessment method is widely accepted and has been adopted by the New Zealand Institute of Horticulture and the NZ Arboricultural Association.

Trees (or stands of trees) with a score of 150 or greater under STEM were considered suitable to be included in the Operative District Plan as notable trees (subject to landowner consent to their inclusion). This scoring method resulted in six stands of trees and five individual trees being identified as notable trees and listed in Appendix 19.1 of the Operative District Plan.

KEY ISSUES

Historical Heritage

- The only sites that are protected in the Operative District Plan are those which already have protection through Heritage New Zealand (HNZ) under the Heritage New Zealand Pouhere Taonga Act 2014.
- A number of heritage homes and buildings across the District which are not listed with HNZ are potentially at risk of modification or removal and have no protection afforded to them through the District Plan. For instance, there are a number of villas in Dargaville which may be considered for inclusion in the District Plan due to the heritage, amenity, and community values associated with them.

Sites and areas of significance to Māori

- The current provisions relating to sites and areas of significance to Māori are not aligned with current best practice in terms of involving iwi and hapū in identifying sites that are culturally significant.
- There needs to be more recognition and protection of sites and areas of cultural and historical significance in the District Plan.

Notable Trees

- A review of the existing list of notable trees in the District Plan is needed.
- The review also needs to consider whether the existing STEM score number of 150 is still the most appropriate score to use when deciding whether a tree can be considered notable.

IWI INTERESTS AND IWI MANAGEMENT PLANS

Heritage and sites of significance to Māori are held in great esteem to Māori and hapū and Iwi wish to protect their sites from destruction or modification.

Two Iwi Management Plans (IMPs) must be taken into account:

- Te Uri o Hau Kaitiakitanga o te Taiao 2011
- Nga Ture mo Te Taiao o Te Roroa 2009

Both IMPs refer to the protection of wāhi tapu sites and taonga and emphasise protection against adverse effects where land use, subdivision and development occur.

SUMMARY OF THE OPERATIVE DISTRICT PLAN PROVISIONS

Chapter 17 of the Operative District Plan covers Historic Heritage, including archaeological sites. A Schedule of Heritage Resources is provided in Appendix 17.1, and Nohoanga Areas and Areas of Significance to Māori are listed in Appendix 17.2. A Schedule of Notable Trees is in Appendix 19.1. Further details of the provisions are included in Appendix 1.

THINGS TO THINK ABOUT

The content of a district plan ranges from fulfilling legal requirements made by Central Government and regional councils to proposing specific provisions that meet the needs of our District and its communities. This list includes any changes required to meet legal obligations as well as some ideas Council wants to explore further with our communities.

- The District Plan needs to include provisions to protect and maintain historical heritage sites, sites and areas of significance to Māori, and notable trees. This may include provisions related to undertaking minor works on heritage buildings or trimming notable trees.
- Proposed earthworks and disturbance activities close to sites and areas of significance to Māori need to be carefully managed to ensure adverse effects are appropriately managed. The new provisions are likely to include triggers for cultural assessments to be undertaken by Mana Whenua to ensure they are appropriately consulted.

NEXT STEPS

No technical experts have been engaged at this stage. However, Council is planning to engage technical experts to review and assess historic heritage sites and review the notable tree assessment framework, during the preparation of the draft District Plan and section 32 reports.

Technical expertise is also being sought from Te Roroa and Te Uri o Hau Iwi Authorities for advice and guidance regarding the identification of sites and areas of significance to Māori and developing provisions to protect these sites and areas.



APPENDIX 1

RELEVANT LEGISLATION AND NATIONAL DIRECTION

Resource Management Act 1991	
Section 6(e) Matters of National Importance	Provides recognition as a matter of national importance the relationship of Maori and their culture and tradition as with their ancestral lands, water, tapu, and other taonga.
Section 6(f) Matters of National Importance	Provides recognition as a matter of national importance the protection of historic heritage from inappropriate subdivision, use and development.
Heritage New Zealand Pouhere Taonga Act 2014	
Section 3 Purpose	To promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand.
Section 4 Principles (a) – (d)	Recognises that the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand takes into all relevant cultural values, knowledge and disciplines. It also takes into account cultural heritage value and safeguards the options of present and future generations and requires that information be fully researched, documented and recorded where culturally appropriate.

REGIONAL GUIDANCE

Regional Policy Statement for Northland	
Issue 2.8	Natural character, features/landscapes and historic heritage.
Objective 3.14	Requires the integrity of historic heritage to be identified and protected from inappropriate subdivision, use and development.
Policy 4.6.2	Provides strong policy direction to Council to avoid significant adverse effects of subdivision, use and development on historic heritage.

OPERATIVE KAIPARA DISTRICT PLAN 2013 – RELEVANT PROVISIONS

Chapter 17	Covers Historic Heritage, including archaeological sites. It refers to Category A and Category B heritage resources. Category A includes heritage resources registered with the Historic Places Trust, and these are given some protection in District Plan rules related to the maintenance or repair of a Category A resource or feature. In contrast, Category B heritage resources are of local significance. They are not registered with the Historic Place Trust and are not protected through District Plan rules. They are listed in the Plan to encourage recognition and protection, and to raise awareness of them
Multiple Chapters across the District Plan	There are District Plan provisions related to development within the vicinity of a Category A resource or feature, earthworks within an Area of Significance to Māori and development on a site listed in Schedule 17.2–Nohoanga Areas and Areas of Significance to Māori.
Appendix 17.1	Includes the Schedule of Heritage Resources, with 85 entries.
Appendix 17.2	Nohoanga Areas and Areas of Significance to Māori.
Chapter 19	Notable Trees.
Appendix 19.1	Schedule of Notable Trees has 10 entries.



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