Section 32 Report

Historic Heritage

Contents

1. Introduction

This report presents the Section 32 evaluation in accordance with the Resource Management Act 1991, "Consideration of alternatives benefits and costs" for the proposed Regional Policy Statement on the topic of historic heritage. Section 32 states:

32   Consideration of alternatives, benefits, and costs

(1) In achieving the purpose of this Act, before a proposed plan, proposed policy statement, change, or variation is publicly notified, a national policy statement or New Zealand coastal policy statement is notified under section 48, or a regulation is made, an evaluation must be carried out by.....

(c) the local authority, for a policy statement or a plan (except for plan changes that have been requested and the request accepted under clause 25(2)(b) of Part 2 of Schedule 1); or

(3) An evaluation must examine—

(a) the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and

(b) whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.

....

(4) For the purposes of [[the examinations referred to in subsections (3) and (3A)]], an evaluation must take into account—

(a) the benefits and costs of policies, rules, or other methods; and

(b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

(5) The person required to carry out an evaluation under subsection (1) must prepare a report summarising the evaluation and giving reasons for that evaluation.

(6) The report must be available for public inspection at the same time as the document to which the report relates is publicly notified or the regulation is made.

1.1   Structure of this report

Section 2 of this report outlines the regionally significant issues identified and the process of identification.

Section 3 outlines the objectives proposed in response to each issue and evaluates the appropriateness of each objective in accordance with the Resource Management Act.

Section 4 evaluates the appropriateness of the policy and method options proposed to achieve the objective. When evaluating the policy and method options, the range of options available is outlined first, and then each option is evaluated. There are four types of options discussed in each instance. These are:

(a)   Regulatory direction to district and/or regional plans

This is where a regional policy directs matters that must be provided for within district and/or regional plans. The method sets out when the provisions are to be included.

(b)   Regulatory direction as to matters to be given particular regard in resource management decision making

This is where a regional policy sets out specific matters that are to be given "particular regard" when making resource management decisions. The method sets out when these matters are to be considered. This may include resource consent decisions, decisions on notices of requirements or when making decisions about reviewing, varying, replacing or otherwise changing district and/or regional plans.

(c)   Non-regulatory options

This is where a regional policy and a method specifies non-regulatory programmes or action that will be put in place. The non regulatory methods include:

- provision of information or guidance
- integrating management
- identification or investigation
- providing support.

(d)   Doing nothing

This is where no intervention, either regulatory or non-regulatory will occur.

Determining the most appropriate policies and methods is based on an assessment of the *effectiveness* and *efficiency* of the policy and method options, and the risks of acting or not acting when there is uncertain or insufficient information.

Effectiveness is a measure of how much influence a resource management intervention has or how successful it is in addressing the issues, in terms of achieving the desired environmental outcome. Effectiveness is a cumulative value, derived from the range of types and scope of influences or impacts of an

intervention, towards achieving intended results and environmental outcomes. The effectiveness of an option is not able to be assessed as an absolute value. Rather, options are appraised as to whether they exhibit the qualities which contribute to 'effectiveness' and to what degree, and a determination is made as to the cumulative effect of the pertinent attributes in terms of high, medium or low 'effectiveness'.

When evaluating the *efficiency* of the policy and method options both the benefits (social, economic and environmental) and costs (social, economic and environmental) are outlined. Each option is then deemed to be either efficient or inefficient. The following diagram outlines how this assessment is undertaken.
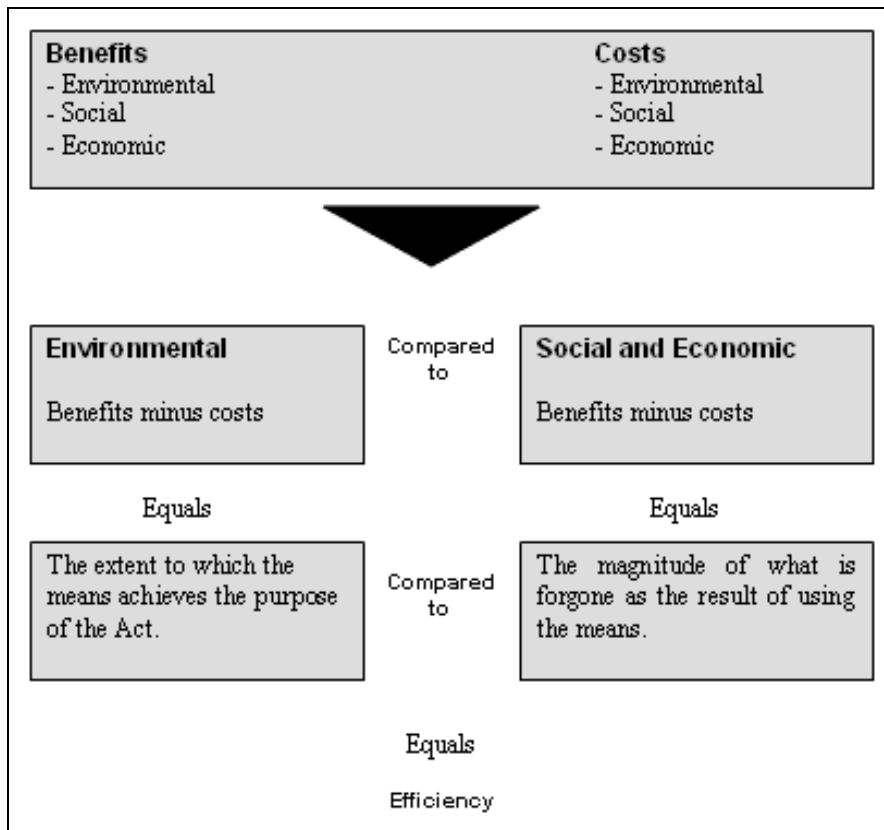
Figure 1: Deriving efficiency from benefits and costs

The evaluation of 'efficiency' will result in either a positive or negative result in terms of efficiency. Alternatively, if efficiency is expressed as a cost/benefit ratio, it will be either greater than or less than 1. In the event the ratio is considered to be less than 1, the option can be considered efficient, in that the sum of the benefits outweigh the sum of the costs. In the event the ratio is deemed to be greater than 1, the option can be considered to be inefficient, in that the sum of the costs outweigh the sum of the benefits. It is important to note that in this evaluation of 'efficiency', absolute values for each of the variables considered pertinent (i.e. identified as either a cost or a benefit within the evaluation of the options) are not available. Rather, the analysis has endeavoured to present an accurate appraisal of the relative costs and benefits

between the options, in order to determine which are efficient and which are not. A simple yes or no is used to differentiate the options as efficient or inefficient.

2.   Regionally significant issues

As part of the review of the landscape and heritage chapter in the Regional Policy Statement for the Wellington Region 1995, the issues were evaluated and reviewed using:

- Measuring up: The state of the environment report for the Wellington region (2005)

- Regional Policy Statement Evaluation Report for Landscape and Heritage (2006)

- Wellington Region State of the Environment Historic Heritage Technical Report (New Zealand Historic Places Trust, 2005)

- Our region – their future: A discussion document on the review of the Regional Policy Statement for the Wellington Region (2006)

- Criteria to ensure the issues were regionally significant, were 'resource management' matters and appropriate for inclusion in the Regional Policy Statement (see Appendix 1 for a copy of the criteria).

The resulting issue recommended for inclusion in the proposed Regional Policy Statement on historic heritage is:

Issue 1: Inappropriate modification and destruction of historic heritage

Loss of heritage values as a result of inappropriate modification, use and destruction of historic heritage.

3. Extent to which the objective is the most appropriate

The proposed historic heritage objective is:

Objective 15: Historic heritage is identified and protected from inappropriate modification, use and development.

To follow is an outline of the extent to which the historic heritage objective is the most appropriate way to achieve the purpose of the Resource Management Act.

3.1 Objective 15

- Objective 15 addresses the regionally significant resource management issue, that historic heritage is being modified and destroyed by inappropriate subdivision, use and development. This is likely to be a result of the region's historic heritage not being thoroughly identified. In order to develop protection mechanisms, the stock of historic heritage resources must be identified so that appropriate policy responses can be developed in consultation with communities. This will allow each community to better differentiate how best to protect the variety of heritage resources within their district, according perhaps to type, significance or social and cultural 'value'.

- More specific discussion of tangata whenua heritage can be found in the Section 32 Report about *Resource management with tangata whenua,* in relation to the analysis pertinent to objectives 22 and 27.

- The state of the environment report, Measuring up (2005)*,* recorded that the quality of information about many historic heritage sites is poor and many places are at risk.

- Monitoring of the operative Regional Policy Statement showed that while many historic heritage features had been recognised in district plans, such places were not necessarily protected from inappropriate subdivision, use or development.

- The Regional Policy Statement Evaluation Report for Landscape and Heritage (2006) recognised that "a broader based interpretation of what constitutes heritage, consistent with the Resource Management Act, would be suitable for the next Regional Policy Statement."

- In the Wellington Region State of the Environment Historic Heritage Technical Report, the New Zealand Historic Places Trust states:

    The district plan rule procedure under the Resource Management Act *has generally protected heritage places from demolition. Since 1995 this activity has been rare and this is a positive indicator of historic heritage protection. The rules, however, have been less successful in regulating inappropriate partial demolition, relocation, additions and alterations…The condition and integrity of all archaeological sites in*

the Wellington Region is a concern...entire townscapes and streetscapes remain at risk.[1]

The New Zealand Historic Places Trust recommended that Wellington Regional Council (Greater Wellington henceforth) review the definition of regionally significant heritage.

- Objective 15 meets Part II of the Resource Management Act by seeking to sustainably manage historic heritage, a limited physical resource. The purpose of the Resource Management Act recognises the need to enable people and communities to provide for their social, economic and cultural wellbeing, health and safety while also sustaining natural and physical resources, safeguarding life supporting capacity and avoiding, remedying and mitigating adverse effects on the environment.

- Under the Resource Management Act, Greater Wellington is required to recognise and provide for the following as a matter of national importance:

  6(f) The protection of historic heritage from inappropriate subdivision, use, and development

In accordance with section 12(1)(g), within the coastal marine area it is not permitted to

Destroy damage, or disturb any foreshore or seabed (other than for the purpose of lawfully harvesting any plant or animal) in a manner that has or is likely to have an adverse effect on historic heritage...unless expressly allowed [by a rule in a regional coastal plan and in any relevant proposed regional coastal plan] or a resource consent.

Historic heritage is defined in Section 2 to mean

(a) those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:
        (i) archaeological:
        (ii) architectural:
        (iii) cultural:
        (iv) historic:
        (v) scientific:
        (vi) technological; and
(b) includes—
        (i) historic sites, structures, places, and areas; and
        (ii) archaeological sites; and
        (iii) sites of significance to Maori, including wahi tapu; and
        (iv) surroundings associated with the natural and physical resources.

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[1] Pages 57-59.

- Relevant sub sections to Section 30 "Function of regional councils" for the objective include:

  30(1)(a) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region.

  30(1)(b) The preparation of objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance.

  30(1)(gb) the strategic integration of infrastructure with land use through objectives, policies and methods.

- The following policies of the New Zealand Coastal Policy Statement 1994 are relevant to Objective 15:

  1.1.3 - It is a national priority to protect the following features, which in themselves or in combination, are essential or important elements of the natural character of the coastal environment: ...

  b) characteristics of special spiritual, historical or cultural significance to Maori identified in accordance with tikanga Maori; and

  c) significant places or areas of historic or cultural significance.

  3.1.2 - Policy statements and plans should identify (in the coastal environment) those scenic, recreational and historic areas, areas of spiritual or cultural significance, and those scientific and landscape features, which are important to the region or district and which should therefore be given special protection; and that policy statements and plans should give them appropriate protection.

On this basis of the above, objective 15 is the most appropriate for achieving the purpose of the Resource Management Act.

3.2 Analysis of which is the most appropriate objective

Final chosen objective	Other alternatives	Why not most appropriate to achieve the Resource Management Act
Objective 15. Historic heritage is identified and protected from inappropriate modification, use and development.	Alternative 1. No objective in the Regional Policy Statement on historic heritage. Alternative 2. Retain the objective in the existing 1995 Regional Policy Statement which seeks that: *The cultural heritage of the Region which is of regional significance is:* *(1) Recognised as being of importance to the region;* *(2) Managed in an integrated manner with other resources; and* *(3) Conserved and sustained for present and future generations.* Alternative 3. No further loss of historic heritage. Alternative 4. To maintain and enhance historic heritage.	Alternative 1 is not the most appropriate option as the Regional Policy Statement would not play a role in providing regional direction about the protection of historic heritage resources. Alternative 2 is not the most appropriate option as the objective was assessed during the review of the Regional Policy Statement to be ineffective. Alternative 3 is not the most appropriate as there is no baseline data as a basis for "further", and "loss" can mean many things. Alternative 4 is not the most appropriate objective as it is likely to be interpreted as going beyond the mandate provided in the Section 6 requirement to "protect historic heritage" and therefore, such an objective would be contested. It is possible that 'maintenance' and/or 'enhancement' are considered appropriate management responses in some circumstances, depending on the criteria yet to be developed in further formulating the most appropriate resource management response, through regional and district plans.

Table 1: Analysis of which is the most appropriate objective

4. Evaluation of policies and methods to achieve objective 15

The appropriateness of the policies and methods to achieve the objective are evaluated by looking at the <u>effectiveness</u> and <u>efficiency</u> of the policy and method options and the risks of acting or not acting if there is uncertain or insufficient information.

4.1 Range of options considered

Objective 15 seeks to ensure that historic heritage is identified and protected from inappropriate modification, use and development.

In addressing this objective, the primary focus is to determine the most appropriate way(s) to achieve the objective. That is, whether it can be best achieved through regulatory direction to plans, or through regulatory direction as to matters to be considered when making resource management decisions, or through non-regulatory programs, or by doing nothing.

4.1.1 Regulatory direction to district and/or regional plans

Option 1 – Direction to identify significant historic heritage using a specified set of criteria

This option requires the identification in regional and district plans of significant historic heritage using specified criteria to evaluate the values associated with significant historic heritage places, sites and areas

Option 2 – Direction to identify all historic heritage using a specified set of criteria

This option requires the identification in regional and district plans of all historic heritage using specified criteria to evaluate the values associated with all historic heritage places, sites and areas.

Option 3 – Direction to identify historic heritage (without using a specified set of criteria)

This option requires the identification of historic heritage in regional and district plans without providing a consistent set of criteria.

Option 4 - Protection of historic heritage values, places, sites and areas

This option requires plans to have provisions to protect identified historic heritage values, places, sites and areas from inappropriate subdivision, use, and development, as well as avoid adverse effects from activities that could destroy unidentified archaeological sites and wahi tapu.

4.1.2   Regulatory direction as to matters to be given particular regard in resource management decision making

Option 5 – Direction to consider effects on historic heritage values, places, sites and areas

This option requires local authorities to have particular regard to specified criteria to determine whether an activity may affect historic heritage and whether an activity is inappropriate when making resource management decisions.

4.1.3   Non-regulatory options

Option 6 – Provision of information about the identification of significant historic heritage values

This approach is to prepare and disseminate information to assist with the interpretation of specified criteria to identify significant historic heritage places, sites and areas and the values associated with them.

Option 7 – Engagement with tangata whenua and the community in the identification and protection of significant values

This approach is to include tangata whenua and the community in the identification, protection and/or management of places, sites and areas with significant historic heritage values.

4.1.4   Doing nothing

Option 8 – No intervention

In this option, there are no regulatory or non-regulatory actions to identify, protect or manage adverse effects on historic heritage values, places, sites or areas.

4.2 Evaluation as to the effectiveness and efficiency of the policy and method options to achieve Objective 15

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
Regulatory direction to district and/or regional plans					
Option 1 Direction to identify significant historic heritage using a specified set of criteria	Establishes a regionally consistent set of criteria for both the identification and evaluation of significance of historic heritage. Sets out a clear direction for identifying historic heritage and the relevant matters to be considered. It would provide clarity about the location and values of significant historic heritage. If fully implemented, this option would result in certainty about the values of identified historic heritage for both property owners and the community. Increases understanding of relevant characteristics (as criteria) to consider when evaluating historic heritage. With clear statements of values, consent processes to modify historic heritage should be more streamlined. The criteria are easy to interpret and thus to implement, and have been developed by qualified professionals and tested in the field. Effect would be staggered across the region, as changes to district and regional plans would not be required until the next plan review.	High	Decisions about what to include in district or regional plans would be made on a case by case basis at the local level, but within a consistent policy framework across the region. All relevant parties must work together to identify significant historic heritage, resulting in improved social and environmental outcomes. In some instances, economic benefits could occur through better appreciation of historic heritage values. Establishes clear parameters for evaluating historic heritage and the criteria will assist local authorities to identify significant historic heritage. Provides information for the community, including tangata whenua, about what is to be considered when identifying significant historic heritage. Clarification helps to expedite the process. Provides certainty for all interested parties. Reduces resources needed by applicants to evaluate effects of proposals on historic heritage values as these values would already be identified. Increases transparency about why identified historic heritage is significant, and what the	There are social and economic resource costs for councils and communities associated with research, analysis, interpretation, consultation, governance and decision making processes to identify significant historic heritage in plans. Social and/or economic costs may be associated with identifying or specifying precise locations with significant historic heritage, which might fall upon individuals. However, such costs are transparent. An environmental cost would be that not all historic heritage would be identified as only significant historic heritage is captured. The policy will have a staggered roll-out across the region, as different planning timeframes apply around the region, so responses to the requirements will be at different times.	Yes

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	When in the coastal environment this would give effect to New Zealand Coastal Policy Statement policy 3.1.2.		heritage values are. Improves consistency, as criteria act as a standard allowing all identified historic heritage to be evaluated in the same way. Flexible timing for giving effect provides an ability to align with other required processes, to better manage resources and costs associated with implementation, and to improve collaboration with Greater Wellington and other territorial authorities. Less conflict or debate over what factors to consider when determining the values of historic heritage.		
Option 2 Direction to identify all historic heritage using a specified set of criteria	Establishes a regionally consistent set of criteria for both the identification and evaluation of historic heritage. Sets out a clear direction for identifying historic heritage and the relevant matters to be considered. It would provide clarity about the location and values of all historic heritage. When fully implemented, this option would result in certainty about the values of identified historic heritage for both property owners and the community. Increases understanding of relevant characteristics (as criteria) to consider when evaluating historic heritage.	High	Decisions about what to include in district or regional plans would be made on a case by case basis at the local level, but within a consistent policy framework across the region. All relevant parties must work together to identify all historic heritage, resulting in improved social and environmental outcomes. In some instances, economic benefits could occur through better appreciation of historic heritage values. Establishes clear parameters for evaluating historic heritage and the criteria will assist local authorities to identify all historic heritage. Provides information for the community, including tangata whenua, about what is to be	There are high social and economic resource costs for councils and communities associated with research, analysis, interpretation, consultation, governance and decision making processes to identify all historic heritage in plans. Social and/or economic costs may be associated with identifying or specifying precise locations of historic heritage, which might fall upon individuals. However, such costs are transparent. The policy will have a staggered roll-out across the region, as different planning timeframes apply around the	No

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	With clear statements of values, consent processes to modify historic heritage should be more streamlined. The criteria are easy to interpret and thus to implement, and have been developed by qualified professionals and tested in the field. Effect would be staggered across the region, as changes to district and regional plans would not be required until the next plan review. When in the coastal environment this would give effect to New Zealand Coastal Policy Statement policy 3.1.2.		considered when identifying all historic heritage. Clarification helps to expedite the process. Provides certainty for all interested parties. Reduces resources needed by applicants to evaluate effects of proposals on historic heritage values as these values would already be identified. Increases transparency about the values associated with identified historic heritage. Improves consistency, as criteria act as a standard allowing all identified historic heritage to be evaluated in the same way. Flexible timing for giving effect provides an ability to align with other required processes, to better manage resources and costs associated with implementation, and to improve collaboration with Greater Wellington and other territorial authorities. Less conflict or debate over what factors to consider when determining the values of historic heritage.	region, so responses to the requirements will be at different times.	

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
Option 3 Direction to identify historic heritage (without using a specified set of criteria)	Would not establish a regionally consistent set of criteria for either identifying or evaluating the significance of historic heritage resources and/or values. Does not set out a clear direction for identifying heritage and the relevant values to be considered. It could, however, provide clarity about the location of any and all historic heritage resources. This option would not provide certainty about the values of identified historic heritage for interested parties. Without specified criteria, each historic heritage place could be evaluated differently, which would reduce understanding and transparency of the values present. Effect would be staggered across the region, as changes to district and regional plans would not be required until the next plan review. When in the coastal environment this would give effect to New Zealand Coastal Policy Statement policies 1.1.3 and 3.1.2.	Med	Decisions about what to include in district or regional plans would be made on a case by case basis at the local level. Potentially, all historic heritage resources and values associated with places, sites and areas would be identified. Variable approaches to identification and evaluating significance would emerge from the variant processes undertaken across the region, by local authorities and their respective communities. Environmental, social and economic benefits arise from the identification of historic heritage. Flexible timing for giving effect provides an ability to align with other required processes, to better manage resources and costs associated with implementation, and to improve collaboration with Greater Wellington and other territorial authorities.	There are social and economic resource costs for councils and communities associated with research, analysis, interpretation, consultation, governance and decision making processes to identify historic heritage in plans. Social and/or economic costs may be associated with identifying or specifying precise locations with historic heritage, which might fall upon individuals. However, such costs are transparent. Social and economic costs involved in establishing evaluation criteria. The lack of direction could lead to conflict and incomplete consideration of heritage values. Environmental costs could occur as not all historic heritage would be evaluated in the same way. In particular, where a place, site or area crosses a local authority boundary. The policy will have a staggered roll-out across the region, as different planning timeframes apply around the region, so responses to the requirements will be at different times.	No

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
Option 4 Protection of historic heritage values, places, sites and areas.	Establishes a consistent regional policy framework and requires all pertinent plans to apply the same specific principles. Sets out a clear direction for regulatory provisions, both in intent and in terms of the parameters considered relevant in further development of the planning framework. Consistency and clarity promote greater certainty for individual applicants, communities of interested parties, and for councils. Increases understanding of relevant factors to consider when protecting historic heritage. This intervention is able to reduce the influence of both known and unknown quantities upon the resource management process. Predictability promotes more rapid, unimpeded and streamlined processes, as resource management results or responses to specific triggers can be anticipated. Adverse effects arising from particular activities are able to be attributed to specific prompts and avoided. The relationship between causes and effects within resource management activity are able to be explained and are observable. The provisions are targeted to influence activities affecting identified historic heritage. When in the coastal environment, this would	High	Resource management decisions are still made on a case by case basis at the local level, but within a consistent policy framework across the region. Establishes a clear intent for the regulatory interventions and the key parameters pertinent to further development of resource management solutions are identified—this assists local authorities in establishing local regulatory frameworks. Provides information about what are the important considerations when designing proposals for use and development. Clarification helps to expedite the statutory processes. Reduces resources needed by applicant to interpret what is required and why, and to achieve compliance with the regulatory framework. Provides certainty for all interested parties. Increases clarity as to what are the prompts or triggers for regulatory intervention, and of the likely planning responses, provides greater transparency within the process. Transparency, in turn, increases equity in both developing and thence implementing regulatory plan provisions. Increases consistency, as it acts as a standard — allowing proposal to be measured or benchmarked against each other, in terms of likely effects and responses.	There are human and economic resource costs for councils and communities associated with research, analysis, interpretation, consultation, governance and decision making processes to formulate and establish the consequent regulatory frameworks, which must implement the regional policy statement. On-going implementation costs for councils to implement, monitor compliance, take enforcement action, and monitor delivery and environmental outcomes to enable an evaluation of the effectiveness of the intervention. Potential users and developers are informed about the full extent of information required in association with new activities, and the type of interventions likely, which may bring additional cost. There are potential opportunity costs associated with certainty and not allowing innovation if the resultant regulatory framework is too prescriptive or directive. High social and/or economic costs may be associated with identifying or specifying precise locations affected	Yes

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	give effect to New Zealand Coastal Policy Statement policies 1.1.3 and 3.1.2.		The causative influences within the process are clearly established, in that causes (types of effects) and effects (types of regulatory responses) are clearly outlined. Increases transparency as to what is required and why, helping to reduce time, money and other resources expended on process. Provides local authorities with the ability to signal what use and development possibilities and opportunities exist across the region as well as what restrictions apply. In the case of reuse of historic buildings, there are environmental benefits associated with continued use. The embodied energy in the building itself (what was expended in its initial construction) as well as the lack of waste being disposed when a building is demolished.	by this policy, which might fall upon individuals. However, such costs are transparent. If the cause-effect relationship is direct and clear, then the costs of any remedy are able to be attached directly to specific activities or effects and so are likely to be charged to individuals, rather than to the community at large.	

Regulatory direction as to the matters to be given particular regard in resource management decision making

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
Option 5 Direction to consider effects on historic heritage values, places, sites and areas	Establishes a set of specific matters which must be given particular regard in any pertinent resource management consideration, leading to well informed and more consistent decision making. Clarifies matters to be given particular regard in decision making—so both the policy intent and parameters needing to be considered are clear to all interested parties. Provides an ability to critique what is	High	Provides a consistent framework with regard to considerations across the region. Requires development to address specified matters. Allows some discretion and thus variation in interpretation and implementation. The management responses can be adapted to the specific proposal under consideration. Less conflict and debate about what is relevant	Economic costs will be borne by some individuals in the preparation of resource consent applications and by councils in considering the information within decision making processes. Costs associated with investigations to deliver sufficient information to the decision making process. Transparency may reduce discretion	Yes

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	considered important and relevant within decision making processes, and thus increase understanding of pertinent factors and intent.		or pertinent to considerations and what is not.	within responses, as treatments may become standardised.	
	Transparency as to how these matters are treated in decision making improves understanding and enhances equity within resource management activity.		The information that is necessary within considerations and to inform decisions is made available, which enhances transparency.	Might demand more information and investigation than absolutely necessary, if a proposal is pushing the boundaries or marginal in its ability to comply with the likely responses.	
	Setting out the matters which must be considered promotes consistency and clarity in terms of information required to inform the decision making process, and while discretion is anticipated in considering these matters, this option does provide some certainty for interested parties as to what the relevant matters are.		Less unknown quantities arise within the process, as the matters thought relevant are specified at the outset. The decision will account for each of the matters specified and the rationale as to how decisions were made will be available. This improves transparency in the process, which further helps inform and guide future proposals, and thus improves the ability to develop appropriate solutions or responses.	A lot of information may be contributed to the process, but the resulting decision and/or resource management response may hinge on only a small part of the total sum of information. That is, the process may incur additional unnecessary cost, if the critical factors are not accurately identified at the outset.	
	As the specified matters are for consideration, the management response or outcome (i.e. the decision) is less predictable, but all matters will be accounted for.		Being able to identify the concerns and likely responses allows efforts to find solutions to be targeted.	The costs of developing solutions to address causes and/or to avoid, remedy or mitigate adverse effects may fall on individual applicants, but then be generally available for use in other circumstances or by other applicants.	
	The directive is easily able to be interpreted and implemented, and limits the ability to contest or reinterpret what it intends to achieve, or how it intends to influence resource management activity.		Timing is able to be established to reduce costs and inconvenience and to maximise opportunity associated with aligning the provision to other processes. The use of this option as an interim option prior to new plans being promulgated can provide a safety net or back stop towards arresting the issue and achieving the objective.	There are costs associated with informing the deliberations which might be complex, particularly when there are a lot of matters to be considered in relation to a proposal, such that the weighing up of all matters and deriving appropriate	
	Timing of intervention coming into effect is determined by coincidence of consent applications, or for 'plan review', changes, or variations. The timing provides for an 'interim' provision (that will have immediate, but temporary effect).		Purpose built solutions to fit the specific proposal, and the causes and effects within it, as they relate to the matters for consideration. This allows variety, discretion and innovation within the response to matters, on a case by		

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	When considering matters at the resource consent stage, the response is able to be very targeted to a particular proposal. When in the coastal environment this gives effect to New Zealand Coastal Policy Statement policies 1.1.3 and 3.1.2.		case basis.	responses may be complex. Flexibility carries some costs, as it might be thought necessary to treat each application as unique, rather than allowing a standardised response to develop. Individual proposals or applications act as pilots or trials as to how the matters for considerations contribute to eliciting particular management responses – which might add to costs of applications during the 'interim' period, that otherwise would be borne by the community in formulating new plan provisions.	

Non regulatory options

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
Option 6 Provision of information about the identification of significant historic heritage values	This non-regulatory approach provides information and guidance for interpretation and implementation of the historic heritage evaluation criteria, or more simply "best practice" to achieve the objective. Though use of the information is voluntary, it should assist in achieving regional consistency in how the criteria are applied. This option will help clarify the criteria that might otherwise be contestable or open to variable interpretation. Provides communities and developers with information to assist with understanding and	Med	Establishes clear parameters for evaluating historic heritage, and the criteria will assist local authorities to identify significant historic heritage. Provides information for the community, including tangata whenua, about what is to be considered when identifying significant historic heritage. A well informed community has enhanced ability to engage effectively in identification and protection of heritage resources and values. Clarification helps to expedite the process. Increase in community appreciation of values	The costs for preparing the information are expected to be low as Greater Wellington is able to implement this option in-house.	Yes

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	recognising values, and to assist in formulating proposals that avoid, remedy or mitigate effects on them. Information and guidance provides an ability to assess the quality of the response, but does not demand certain responses. So, it enables a critique, in terms of what can be considered important and relevant, but does not drive what must be accounted for in delivering a response. Providing or disseminating information and guidance can raise an expectation of improved performance, but there is an inability to monitor use of the information. There is a lack of certainty as to whether the provision of information is effective, in terms of its influence on activities (responses). The information is easy to interpret and apply.		can contribute to a greater involvement in and commitment to protecting them.		
Option 7 Engagement with tangata whenua and the community in the identification and protection of significant values	Identification of historic heritage with significant tangata whenua or social values is not possible without the involvement of tangata whenua and the community. Tangata whenua are the only suitable people to determine the appropriateness of activities on sites sacred to them. When in the coastal environment this gives effect to New Zealand Coastal Policy Statement policies 1.1.3 and 3.1.2.	High	All relevant parties must work together to identify historic heritage, resulting in improved social and environmental outcomes. In some instances, economic benefits could occur through better appreciation of historic heritage values. Thorough identification of significant historic heritage helps ensure the environmental result that significant historic heritage is protected from inappropriate subdivision, use and development. Provides increased certainty for all interested	There are social and economic resource costs for councils and communities associated with research, analysis, interpretation, consultation, governance and decision making processes to identify and protect significant historic heritage in plans. Social and/or economic costs may be associated with identifying or specifying precise locations with significant historic heritage, which might fall upon individuals. However,	Yes

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
			parties.	such costs are transparent.	
Doing Nothing					
Option 8 No intervention	Unlikely to address issue for historic heritage if there are no policies or methods in place to achieve the objective. This option would therefore not be effective. As the issue has been found to be regionally significant (refer to criteria in Appendix 1) – this would be a dereliction of function and duty under the Resource Management Act.	Low	Economic costs would be saved through not having to implement polices or methods. Local authorities are able to work with their communities to identify on a case-by-case basis what types of historic heritage resources and values are important, and what, if any, resource management intervention is required, without a predetermined regional policy direction.	It can be anticipated that the issue will continue in the same trend or pattern, and that the objective will not be achieved. Doing nothing will not achieve the purpose of the Resource Management Act. Local authorities would have to formulate their own approach and response to the issue.	No

Table 2: Evaluation of effectiveness and efficiency of policy and method options to achieve Objective 15

4.3   Results of evaluation as to the most appropriate policy and method options to achieve Objective 15

Policy and method options	Effectiveness	Efficient?	Selected (most appropriate) option(s)	Proposed policies and methods
Regulatory direction to district and/or regional plans				
Option 1 Direction to identify significant historic heritage using a specified set of criteria	High	Yes	✓	Policy 20 and Methods 1 and 2
Option 2 Direction to identify all historic heritage using a specified set of criteria	High	No	✗	
Option 3 Direction to identify historic heritage (without using a specified set of criteria)	Med	No	✗	
Option 4 Protection of historic heritage values, places, sites and areas	High	Yes	✓	Policy 21 and Methods 1 and 2
Regulatory direction as to the matters to be given particular regard in resource management decision making				
Option 5 Direction to consider effects on historic heritage values, places, sites and areas	High	Yes	✓	Policy 45 and Method 4
Non regulatory options				
Option 6 Provision of information about the identification of significant historic heritage values	Med	Yes	✓	Method 20
Option 7 Engagement with tangata whenua and the community in the identification and protection of significant	High	Yes	✓	Method 31

Policy and method options	Effectiveness	Efficient?	Selected (most appropriate) option(s)	Proposed policies and methods
values				
Doing Nothing				
Option 8 No intervention	Low	No	✗	

Table 3: Results of evaluation as to the most appropriate policy and method options to achieve Objective 15

4.4   Discussion of options

There are different options for identifying historic heritage in district and regional plans. Both options 1 and 2 involve using a specified set of criteria for determining the values associated with historic heritage. Option 1 limits identification to *significant* historic heritage, whereas option 2 would require the identification of *all* historic heritage in district and regional plans. The environmental and social benefits of identifying the values associated with significant historic heritage using a set of consistent criteria outweigh the economic costs of doing so. Identification of *all* historic heritage is assessed as being less efficient, because the cost of identification and the level of community and tangata whenua engagement would be very high, with potentially little gain relative to the identification of only the *significant* historic heritage.

An alternative approach is option 3, which is to require the identification of historic heritage without the assistance of specified criteria. There are many different sets of criteria in use in the region, including the ICOMOS Charter and guidance from the New Zealand Historic Places Trust. The criteria are often revisited each time an identification project occurs. To remove this inefficiency, Greater Wellington has adapted criteria specifically for the region, to provide a definitive and consistent means of both identifying and evaluating historic heritage. These criteria were developed in close consultation with heritage professionals and have been tested in the field. These criteria are considered important for achieving a consistent approach to heritage identification throughout the region; therefore, option 1 is preferred over options 2 and 3, and options 2 and 3 are rejected as being inefficient.

Option 1 (policy 20 and methods 1 and 2) requires the identification of places, sites and areas with significant historic heritage values in district and regional plans.

Option 4 (policy 21, and methods 1 and 2) requires district and regional plans to protect identified historic heritage and unidentified archaeological sites and wahi tapu. All councils have some existing protection for historic heritage in

their district plans. This option provides council with the direction necessary to improve protection for historic heritage. Option 4 is both efficient and effective, as the environmental and social benefits of protecting significant historic heritage and avoiding the destruction of unidentified archaeological sites and wahi tapu outweigh the economic and social costs of doing so.

Option 5 (policy 45, and method 4), requires specified criteria to be used when determining whether or not an activity affects historic heritage and, if so, whether or not the activity is appropriate. This option will also provide that relevant matters will be considered when determining what changes are required for district and regional plans. The criteria contained in the resultant policy 45 were developed with heritage professionals and took into consideration the ICOMOS NZ Charter and New Zealand Historic Places Trust guidance. The principles were adapted into one concise set of criteria tailor-made for the region. This option is highly effective, but only marginally efficient, as there could be significant costs involved with preparing and reviewing the information required for planning decisions. Option 5 therefore, is only an interim provision within the proposed Regional Policy Statement. That is, once options 1 and 4 (policies 20 and 21) are fully implemented, this option (policy 45) will no longer be required to achieve the objective for historic heritage and it will cease to apply.

Options 6 and 7 are non-regulatory actions to achieve objective 15. Option 6 (method 20) is to provide information about evaluating and identifying significant historic heritage, which will help to ensure greater consistency in the application of the criteria in policy 20. Option 7 (method 31) is to engage tangata whenua and the wider community in the identification and protection of historic heritage. It is important that tangata whenua and the wider community be involved in the identification and protection of sites significant to them.

There are costs involved in the preparation and distribution of information to help interpret the criteria, as well as community and tangata whenua consultation. However, these costs are modest compared with the benefits. The two non-regulatory options are not anticipated to act in isolation, as they are most effective when developed to support and supplement the implementation of the regulatory options 1, 4 and 5. Options 6 and 7 are selected, therefore, as they assist the implementation of options 1, 4 and 5.

Option 8 is to do nothing. There is a high risk of further degradation to historic heritage if no action is taken. This is not effective resource management. Nor could it be argued to be efficient, given the issue would continue unabated, and presumably would lead to increasingly unsustainable environmental outcomes, resulting in economic, social and environmental costs. The wellbeing of the community would not be supported. As the issue has been found to be regionally significant (refer to criteria in appendix 2), doing nothing would be a dereliction of function and duty under the Resource Management Act.

A mix of regulatory and non-regulatory options, that includes options 1, 4, 5, 6 and 7 (policies 20, 21 and 45 and methods 1, 2, 4, 20 and 31) in combination,

are considered the most appropriate means to achieve objective 15 and to address the regionally significant resource management issue.

4.5 Risk of acting or not acting if information is uncertain or insufficient

Section 32(4)(b) of the Resource Management Act requires the evaluation of appropriateness to take into account the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies and methods.

There is both uncertain and insufficient information about historic heritage, the values associated with it, and the loss that may be occurring because those values are not always recognised. It can be difficult to monitor historic heritage because the values associated with it cannot be scientifically measured, and are sometimes not even identified prior to demolition. This is particularly so for archaeological sites, which can be unwittingly destroyed before anyone realises it. There is evidence that historic heritage is being lost in the region.

The risk of acting in the way proposed is that costs will be imposed on local authorities and on resource consent applicants or property owners for potentially little gain in some instances.

The risk of not acting in the way proposed is that historic heritage in the Wellington region will be inconsistently identified and managed and continue to be degraded and lost. This may mean that territorial authorities, communities and individuals are not always able to make choices about the use of resources informed by the knowledge of what may be lost. There may be irreversible and unrecognised loss of historic heritage of potential importance to the Wellington region.

It is clear to Greater Wellington that the risk of acting is much less than the risk of not acting.

Appendix 1: Criteria used to determine regionally significant issues

The criteria used for determining whether an issue was a resource management issue of regional significance were:
- The issue was a natural or physical resource management problem.
- The issue was to be of regional significance (see further criteria below).
- The issue was about achieving the purpose of the Resource Management Act.
- The issue did not "repeat" the Resource Management Act, the New Zealand Coastal Policy Statement, any other national policy, or another issue in the Regional Policy Statement.
- The issue was explained in the context of the Wellington region.

Regional significance was determined using the following criteria

- The issue concerns a resource which is regionally significant, and the issue requires integrated management at a regional level ; and
- There is a potential shortage of the resource and resultant allocation issues; or
- There is a significant level of conflict over the resource which is either occurring or is foreseeable over the next 10 years; or
- The resource is potentially subject to significant adverse effects at a regional level; or
- There are significant issues in terms of Part 2 of the Resource Management Act which are, or are likely to, arise at a regional scale (eg maintenance and enhancement of access along waterways); or
- The community has signalled that it regards a particular issue as being of regional significance; or
- The issue is one of national significance (eg preservation of natural character) and requires regional intervention; or
- The issue is one of district significance but requires regional intervention; or
- The matter is one which a National Policy Statement or National Water Conservation Order requires to be addressed.

Appendix 2: References

Department of Conservation (1994) New Zealand Coastal Policy Statement. Wellington. ISB 0-478-01589-S

Greater Wellington Regional Council (2005) Measuring up: the state of the environment report for the Wellington region 2005. Wellington. Publication No. GW/ENV-G-05-278

Greater Wellington Regional Council (2006) Our region – their future: A discussion document on the review of the Regional Policy Statement for the Wellington Region. Wellington. Publication No. GW/RP-G-06/83

Greater Wellington Regional Council (2006). Regional Policy Statement Evaluation Report for Landscape and Heritage. Wellington. Publication No. GW/EP-G-09/23

International Council on Monuments and Sites (ICOMOS) New Zealand (1993) ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value. Auckland. ISBN 978-0-908577-52-1

New Zealand Historic Places Trust (2007) Sustainable Management of Historic Heritage Guidance Series. Wellington. ISBN 0-473-03270-8

New Zealand Historic Places Trust (2005) Wellington Region State of the Environment Historic Heritage Technical Report. Wellington.