

Decision Report

Plan Change 28 - Heritage - Archaeological Sites

1.0 Introduction

- 1.1** This report shows the decisions made on the topics in the Planning Report and then shows the whole of the Plan Change i.e. how the full notified Plan Change and subsequent decisions on topics are proposed to change the District Plan First Review.
- 1.2** For topics, any changes to rules are shown as follows; existing District Plan text in black, proposed changes as included in the Section 32 Report in [red](#), and any changes resulting from decisions in [blue](#).
- 1.3** For the whole of the Plan Change, any changes to rules are shown as follows; existing District Plan text in black, and changes (being the culmination of the notified Plan Change and subsequent decisions) in [red](#).

2.0 Topic 1: Cultural Heritage Features 106-113 and 115-125 and Built Heritage Features 60-65

2.1 Decision

All proposed heritage features

- 2.1.1** That Cultural Heritage Features 106-113 and 115-125 and Built Heritage Features 60-65 are retained as notified, with the following exceptions.

Cultural Heritage Feature 109 (ECMT Bridge Embankment T13/328)

- 2.1.2** That the site boundary map for Cultural Heritage Feature 109 in Appendix 3 is amended as shown in **Attachment A**.
- 2.1.3** That a new Built Heritage Feature 66 is added to Appendix 3 to account for the built aspect (piles) of what was proposed as Cultural Heritage Feature 109, as shown below.

Built Heritage

Item	Legal Description/Location	Significance
66	Bridge T13/341	Bridge on former ECMT.

- 2.1.4** That a new site boundary map for Built Heritage Feature 66 is added to Appendix 3 as shown in **Attachment A**.

2.1.5 That Planning Map U44 is amended to show the revised site boundary of Cultural Heritage Feature 109 and the site boundary for new Built Heritage Feature 66, as shown in **Attachment A**.

Cultural Heritage Feature 116 (Pukemaire Pa/Fort Colville V14/6)

2.1.6 That the description for Cultural Heritage Feature 116 in Appendix 3 be amended as follows:

Item	Legal Description/Location	Significance
116	Pukemaire Pa Fort Colville V14/6	Maketu A121 MI 15308 Maketu A131 ML 15308 Pt Maketu A144 ML 15308
		Pa site roughly triangular in shape with two sides along steep gullies and protected by a ditch on the third side. Located in a strategic location overlooking the Maketu Estuary. which was Converted to a redoubt under Major Colville during occupation of Maketu.

Appendix 3

2.1.7 The following advice note be added to Appendix 3.

["For Cultural Heritage Features 106-113 and 115-125 the identified site boundaries only represent a portion of the full extent of the archaeological site as recorded by the NZAA and administered by the NZHPT."](#)

The following submissions are therefore:

Accepted

Submission	Point Number	Name
26	1	Dawe, Chris (Omarama Forestry Partnership)
FS75	1	New Zealand Historic Places Trust
19	1	New Zealand Transport Agency
5	2	Tapuika Iwi Authority

Accepted in Part

Submission	Point Number	Name
12	1	Bay of Plenty Regional Council
16	2	New Zealand Historic Places Trust

2.2 Reason

All proposed heritage features

2.2.1 All proposed features have been supported (including Cultural Heritage Feature 111) so are to be retained as notified with the exception of amendments to Cultural Heritage Features 109 and 116.

Cultural Heritage Feature 109 (ECMT Bridge Embankment T13/328)

2.2.2 The site boundary for Cultural Heritage Feature 109 has been reduced because a site visit determined that the embankment covered a smaller area than what was first thought at notification.

2.2.3 A new Built Heritage Feature 66 has been added to separately account for the built aspect (piles) of what was proposed as Cultural Heritage Feature 109, having been identified at a site visit.

Cultural Heritage Feature 116 (Pukemaire Pa/Fort Colville V14/6)

2.2.4 The alternative significance description suggested by Tapuika for Cultural Heritage Feature 116 provides a description of the pa that was not included in Appendix 3 as notified.

Appendix 3

2.2.5 Provides clarification for landowners.

3.0 Topic 2: Cultural Heritage Feature 114 – Papamoa Hills Regional Park

3.1 Decision

3.1.1 That the proposed addition to the opening paragraph of 7.3 “Activity Lists” is deleted, as follows.

“These rules apply to Identified Significant Historic Heritage Features. ~~(except the Papamoa Hills Regional Park)~~. Refer to the Planning Maps for location and Appendix 3 for further details.”

3.1.2 That the following new permitted activity is added to Section 7 – Activity Lists 7.3.1.

7.3.1 Permitted Activities

h) The following minor public recreational facilities and activities within Cultural Heritage Feature 114 (Papamoa Hills Regional Park):

- (i) Maintenance of walking tracks (including resurfacing), steps and boardwalks where no subsurface disturbance occurs;
- (ii) Re-vegetation and vegetation removal including: removal/control of indigenous, exotic, noxious or nuisance plant species, weed control and tree and vegetation planting;

- (iii) [Fencing, including replacement fencing and signage attached to fencing;](#)
- (iv) [New interpretation and directional signage which does not require ground disturbance.](#)
- (v) [Soil erosion protection and slip protection works to protect cultural/archaeological sites, provided they do not include surface disturbance.](#)
- (vi) [Maintenance and replacement of existing park furniture including: bollards, gates, stiles, seating, picnic tables and interpretative and directional signs and binocular stands;](#)
- (vii) [Maintenance of public toilets, carparks and access roads;](#)
- (viii) [General maintenance of reserves and public open space areas for the use and enjoyment of the public.](#)
- (ix) [Farming activities including grazing and realigning fences;](#)
- (x) [Animal pest control.](#)

3.1.3 That the following new permitted activity is added to Section 7 – Activity Lists 7.3.1.

7.3.1 Permitted Activities

i) [Any works or activities within Cultural Heritage Feature 114 \(Papamoa Hills Regional Park\) for which an authority has been granted under the Historic Places Act 1993. \(See 7.6.2 "Archaeological Sites"\).](#)

3.1.4 That the suggested explanatory note is **not** added to the end of the permitted activities list.

3.1.5 That the proposed addition to the "other methods" part of Section 7 relating to Papamoa Hills Regional Park is retained as notified.

The following submissions are therefore:

Accepted

Submission	Point Number	Name
12	2, 4	Bay of Plenty Regional Council
16	3	New Zealand Historic Places Trust

Accepted in Part

Submission	Point Number	Name
12	5	Bay of Plenty Regional Council
16	4	New Zealand Historic Places Trust

Rejected

Submission	Point Number	Name
12	3	Bay of Plenty Regional Council
16	5	New Zealand Historic Places Trust

3.2 Reason

- 3.2.1** The Park no longer needs to be exempted from the Section 7 – Historic Heritage rules because an alternative option has been suggested by NZHPT and the Regional Council.
- 3.2.2** The alternative option suggested by NZHPT and the Regional Council is preferred over the notified option because it has the benefit of permitting the anticipated activities for the Park (through the list of **“minor public recreational activities and facilities”**) which gives the Regional Council certainty that the Park can be operated without unnecessary restrictions, whilst **giving NZHPT certainty that any of the Park’s activities which fall outside the definition of “minor public recreation facilities and activities” will require resource consent unless NZHPT have already given an authority.**
- 3.2.3** It would be tidier to list the activities from the suggested **definition of “Minor Public Recreation Facilities and Activities”** within the Section 7 Activity Lists, rather than referring plan users back to Section 3 – Definitions. The four excluded activities (buildings and farm buildings, activities that require resource consent as a Place of Assembly, quarrying, and exotic forestry harvesting) would not need to be specifically listed elsewhere. These fall under Discretionary Activity Rules 7.3.3 (c) and 7.3.3 (f) which respectively require resource consent for **“excavation, alteration, or reconstruction of any scheduled historic heritage feature”** and **“excavation, construction, and any other work on or within a 20m radius of the scheduled feature”**.
- 3.2.4** The alternative option should only apply to the Park rather than District-wide because the submissions relate only to the Park. Any new District-wide rules may have unintended effects, which affected parties would not have anticipated through this Plan Change with it being limited in scope to the addition of new Heritage Features.
- 3.2.5** The explanatory note relating to NZHPT authority is not required as the suggested permitted rule relating to works and activities with an NZHPT authority is only relevant to the Park and **isn’t** considered necessary given the Regional Council as the landowner is fully aware of the requirement and NZHPT are a **part of the Park’s Advisory Committee.**
- 3.2.6** **The proposed wording in the “other methods” part of Section 7** relating to the Park is recommended to be retained as notified, as it would formally acknowledge the existing protection for the Park which is the reason why the Park is treated differently to other Heritage Features.

4.0 Topic 3: Request for new cultural heritage features

4.1 Decision

That no new cultural heritage features are added to Plan Change 28 in response to the submissions by Tapuika Iwi Authority and Waitaha Iwi.

That Council includes Tapuika and Waitaha in the preparation of the upcoming Plan Change relating to cultural sites.

The following submissions are therefore:

Accepted

Submission	Point Number	Name
5	1	Tapuika Iwi Authority

Accepted in Part

Submission	Point Number	Name
7	1	Waitaha Iwi

4.2 Reason

Plan Change 28 is limited to the consideration of archeological sites put forward by NZHPT in their submission to the District Plan Review.

Council intends to prepare a separate Plan Change with the District's iwi and hapu (including Tapuika and Waitaha) to schedule cultural sites identified by them.

5.0 Topic 4: NZAA Site Numbers – Appendix 3

5.1 Decision

That the NZAA references are permanently included in Appendix 3.

The following submission is therefore:

Accepted

Submission	Point Number	Name
16	1	New Zealand Historic Places Trust

5.2 Reason

NZAA numbers should be included in Appendix 3 as they provide context, add further description for the sites and are recognized by landowners.

6.0 Topic 5: Exemption from 20m buffers under Discretionary Activities 7.3.3 (f) and (g)

6.1 Decision

That the exemptions for Cultural Heritage Features from the 20m buffers under Discretionary Activities 7.3.3 (f) and (g) are retained as notified.

The following submission is therefore:

Accepted

Submission	Point Number	Name
16	6	New Zealand Historic Places Trust

6.2 Reason

NZHPT support the exemptions from the buffers and there are no submitters in opposition.

7.0 Whole of Plan Change 28 - Changes to the District Plan First Review

Appendix 3 and Planning Maps

7.1 That the following sites be added to Appendix 3 as heritage features, as shown in the table below.

7.2 That the following advice note be added to Appendix 3.

For Cultural Heritage Features 106-113 and 115-125 the identified site boundaries only represent a portion of the full extent of the archaeological site as recorded by the NZAA and administered by the NZHPT.

7.3 That site boundary maps for each of these sites are added to the back of Appendix 3 as shown in Attachment A.

7.4 That these sites are added to the Planning Maps as heritage features as shown in Attachment B.

Cultural Heritage

Item	Legal Description/Location	Significance	
106	Ongare Point Pa U13/8	Pt Allot 5 SO 1765	A large fortified pa with ditch and bank defenses.
107	Tawhitinui Pa Gunfighter Pa U14/160	Lot 5 DPS 44151 Allot 44 SO 17268	Hill top pa surrounded by ditches and interconnected pits.
108	Te Irihanga Pa U14/328	Irihanga 2 ML 5321	Hill top pa with ring ditch fortification.
109	Bridge Embankment T13/341	Lot 198 DP 369442 Sec 4 SO 23764 Sec 4 SO 25382	Bridge embankment on former ECMT.
110	Te Wharo Pa	Lot 3 DPS 80763	A ridge and headland pa site

Item	Legal Description/Location	Significance
	U14/166	Pt 2 Sec 5B ML12560 constructed along the rim of a volcanic crater.
111	Te Wharo Pa U14/167	Lot 1 DPS 90694 A ridge and headland pa site constructed along the rim of a volcanic crater.
112	Maungarangi Pa U14/234	Lot 3 DPS 86405 Headland pa with trench and parapet.
113	Te Inahi Pa U14/244	Lot 9 DP 367866 Small pa sheltered by surrounding hills comprising a defended knoll and ditch.
114	Papamoa Hills Regional Park	Lot 2 DP 345423 Lot 5 DP 309001 Sec 2 SO 315254 Sec 1 SO 315254 A continuous archaeological and cultural landscape of national significance as there are few examples of historical occupation of such complexity in such a relatively small area.
115	Owhara Pa Herekaki Pa V14/2 V14/10	Pt Maketu A 144 ML 15308 Pt Maketu A126 ML 15308 Maketu A 127 ML 15308 Sec 1 SO 32090 Owhara Pa - large pa site with large central platform with ditch and bank defenses. Herekaki Pa - small headland pa.
116	Pukemaire Pa Fort Colville V14/6	Maketu A121 ML 15308 Maketu A131 ML 15308 Pt Maketu A144 ML 15308 Pa site roughly triangular in shape with two sides along steep gullies and protected by a ditch on the third side. Located in a strategic location overlooking the Maketu Estuary. Converted to a redoubt under Major Colville during occupation of Maketu.
117	Pukepoto Pa V14/13	Maketu A151 ML 13508 Pt Maketu A51 Maketu A49 ML 15308 Pa with several terraces and two transverse ditches diving pa into two main platforms.
118	Okurei Pa V14/22	Pt Maketu A144 ML 15308 Headland pa with ditch and bank system providing deep defensive trench.
119	Scarp/Pit V14/23	Pt Maketu A144 ML 15308 Possibly an outer defense for Okurei Pa.
120	Pa Site V14/24	Pt Maketu A144 ML 15308 Large pa extending along cliffs.
121	Tirotirowhetu Pa V14/25	Pt Maketu A144 ML 15308 Pa extending along cliffs connected to another pa by a scarp.
122	Pa Site V14/26	Pt Maketu A144 ML 15308 Pa with steep scarp, ditch and bank.
123	Pa Site V14/31	Pt Maketu A144 ML 15308 Pa located on cliffs with a bank and ditch surrounding a large platform divided into two.
124	Pukehina Pa/Redoubt V14/3	Pukehina M1B3 ML20373 Very large pa extending along the coastal cliffs south-east of Pukehina with defensive ditch.
125	Waeheke Pa Karamurumu Pa V14/5	Pukehina M1B4 ML20373 Pa defended by an outer ditch. Rifle pits were dug when converted into a gunfighter pa.

Built Heritage

Item	Legal Description/Location	Significance	
60	Bridge (Category B) T13/339	SO 55808	Bridge on former ECMT.
61	Bridge (Category B) T13/340	Pt Allot 50 SO 25380	Bridge on former ECMT.
62	Bridge (Category B) T14/602	Lots 3 & 4 DPS 80226	Bridge on former ECMT.
63	Bridge (Category B) T14/633	Lot 4 DPS 88015	Bridge on former ECMT.
64	Bridge (Category B) T14/634	Lot 2 DP 378276	Bridge on former ECMT.
65	Bridge (Category B) U14/3100	Lot 2 DP 425497 Lot 1 DPS 80881	Bridge on former ECMT.
66	Bridge T13/341	Sec 4 SO 23764	Bridge on former ECMT.

Section 7 – Historic Heritage

7.5 That the opening paragraph of Rule 7.3 Activity Lists is not amended as notified and therefore is retained as follows;

These rules apply to Identified Significant Historic Heritage Features Refer to the Planning Maps for location and Appendix 3 for further details.

7.6 That the following new permitted activity is added to Section 7 – Activity Lists 7.3.1.

[h\) The following minor public recreational facilities and activities within Cultural Heritage Feature 114 \(Papamoa Hills Regional Park\):](#)

- [\(xi\) Maintenance of walking tracks \(including resurfacing\), steps and boardwalks where no subsurface disturbance occurs;](#)
- [\(xii\) Re-vegetation and vegetation removal including: removal/control of indigenous, exotic, noxious or nuisance plant species, weed control and tree and vegetation planting;](#)
- [\(xiii\) Fencing, including replacement fencing and signage attached to fencing;](#)
- [\(xiv\) New interpretation and directional signage which does not require ground disturbance.](#)
- [\(xv\) Soil erosion protection and slip protection works to protect cultural/archaeological sites, provided they do not include surface disturbance.](#)
- [\(xvi\) Maintenance and replacement of existing park furniture including: bollards, gates, stiles, seating, picnic tables and interpretative and directional signs and binocular stands;](#)

- (xvii) Maintenance of public toilets, carpark and access roads;
- (xviii) General maintenance of reserves and public open space areas for the use and enjoyment of the public.
- (xix) Farming activities including grazing and realigning fences;
- (xx) Animal pest control.

7.7 That the following new permitted activity is added to Section 7 – Activity Lists 7.3.1.

- i) Any works or activities within Cultural Heritage Feature 114 (Papamoa Hills Regional Park) for which an authority has been granted under the Historic Places Act 1993. (See 7.6.2 “Archaeological Sites”).

7.8 That Rules 7.3.3 (f) and (g) are amended as follows;

- (f) Excavation, *construction* or any other work on or within a 20m radius of the scheduled feature including the use of heavy machinery and the planting of trees on or adjoining an archaeological site. Land for which historic heritage issues have already been assessed and consent granted shall be exempt from this rule.

Note: This rule shall not apply to land within a 20m radius of cultural heritage features that are identified on the Planning Maps and/or in Appendix 3 with specific boundaries.

- (g) Subdivision of land on which exists any scheduled Historic Heritage Feature where the new lot boundary will come within 20m of that scheduled feature.

Note: This rule shall not apply to the subdivision of land where a new *lot* boundary comes within 20m of cultural heritage features that are identified on the Planning Maps and/or in Appendix 3 with specific boundaries.

7.9 That a new ‘Other Method’ be added to Rule 7.6 Other Methods as follows;

Papamoa Hills Regional Park

The Papamoa Hills Regional Park is recognised as an Identified Significant Historic Heritage Feature because of its significant archaeological and cultural heritage values. The Bay of Plenty Regional Council purchased this land and established the Park primarily because of these values and protects these through the implementation of the Papamoa Hills Regional Park Management Plan, Papamoa Hills Regional Park Conservation Plan and Papamoa Hills Regional Park Re-Vegetation Plan. The Papamoa Hills Advisory Committee also guides works within the Park and consists of representatives from hapu and the New Zealand Historic Places Trust.

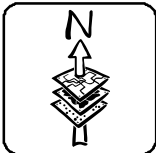


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BRIDGE (CATEGORY B)



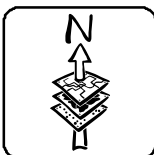


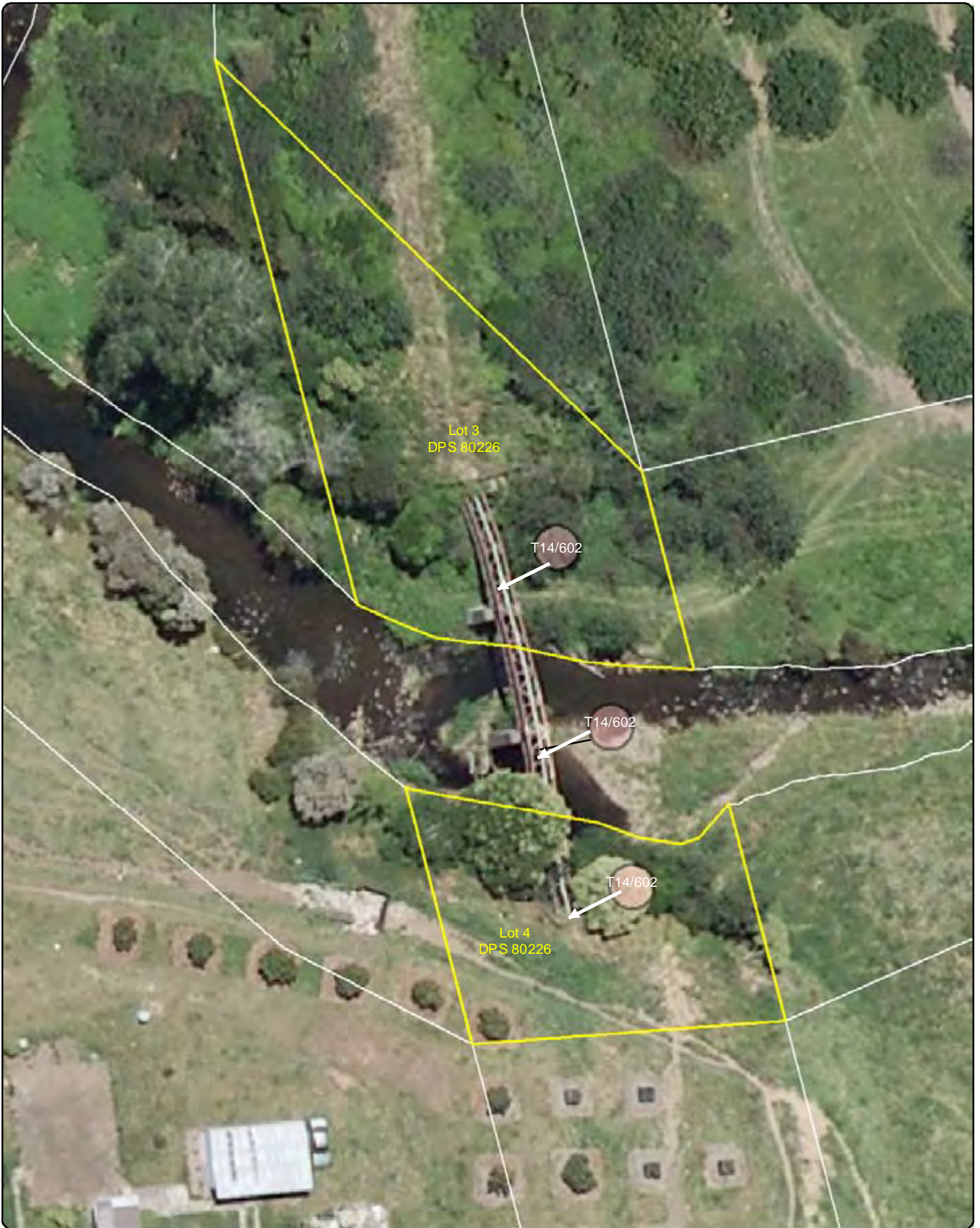
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 BUILT HERITAGE FEATURE 61
 BRIDGE (CATEGORY B)





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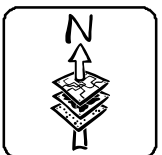
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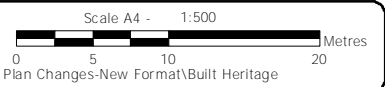
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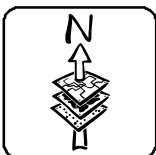


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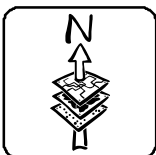


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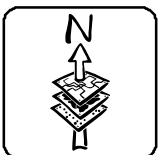
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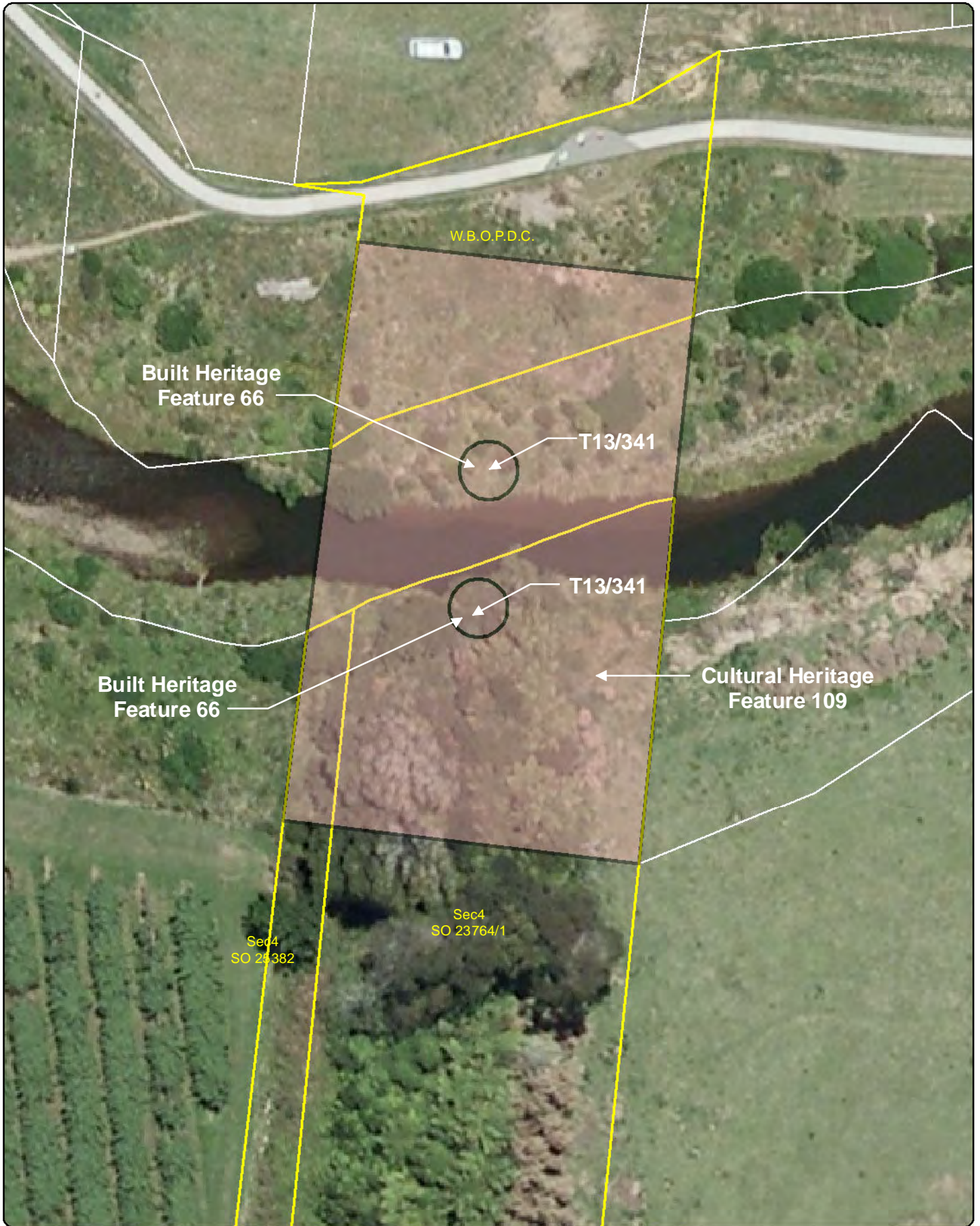
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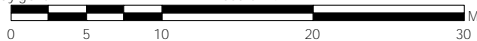
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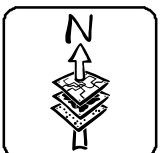


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DISTRICT PLAN
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 BRIDGE (CATEGORY B)





U13/8

Pt Allot 5
SO 1765

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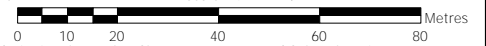
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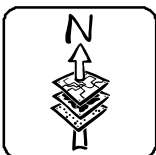
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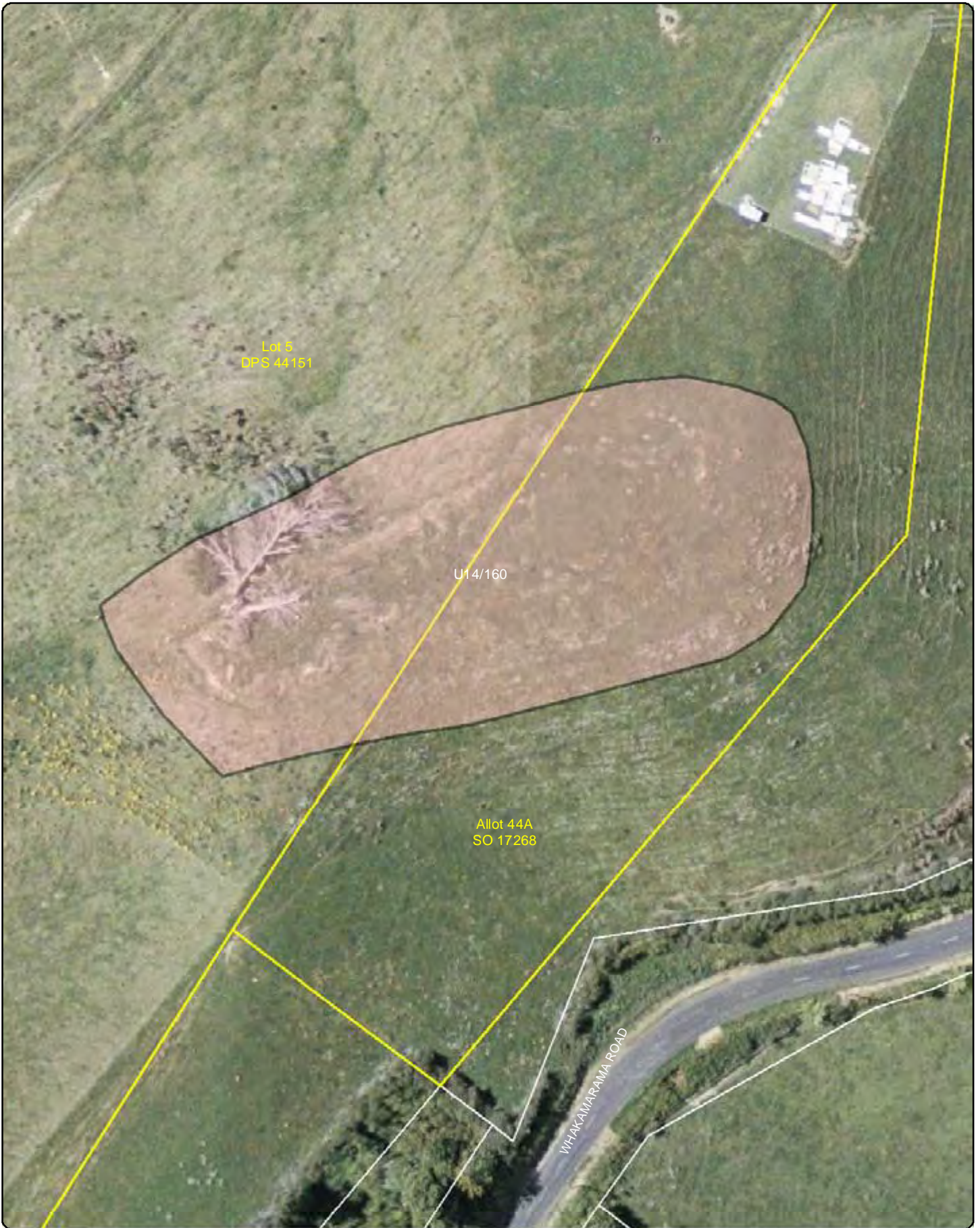
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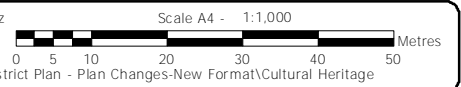
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ONGARE POINT PA



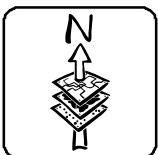


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 TAWHITINUI PA



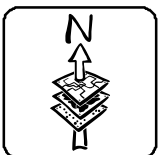


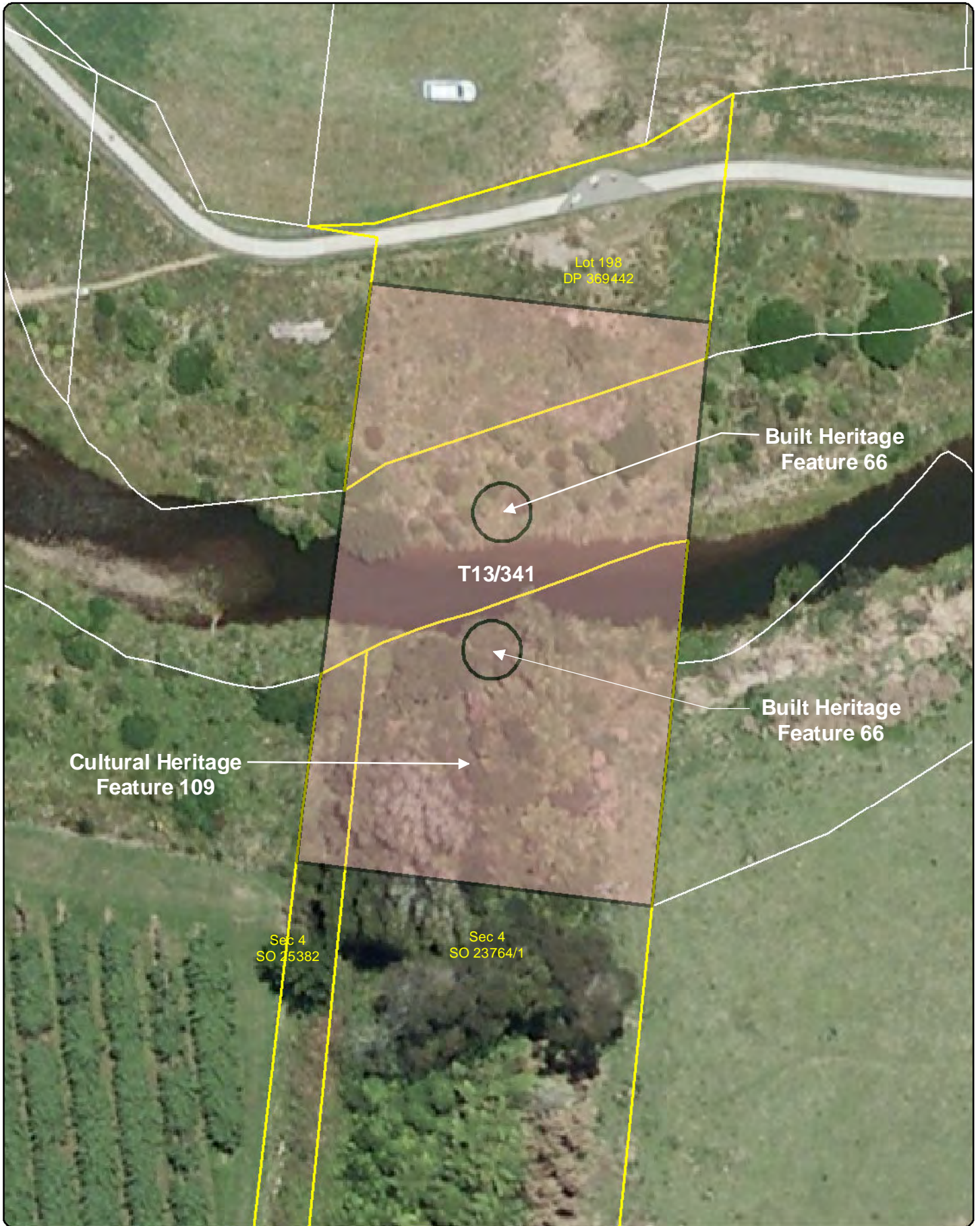
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TE IRIHANGA PA



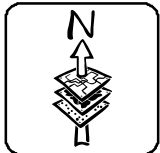


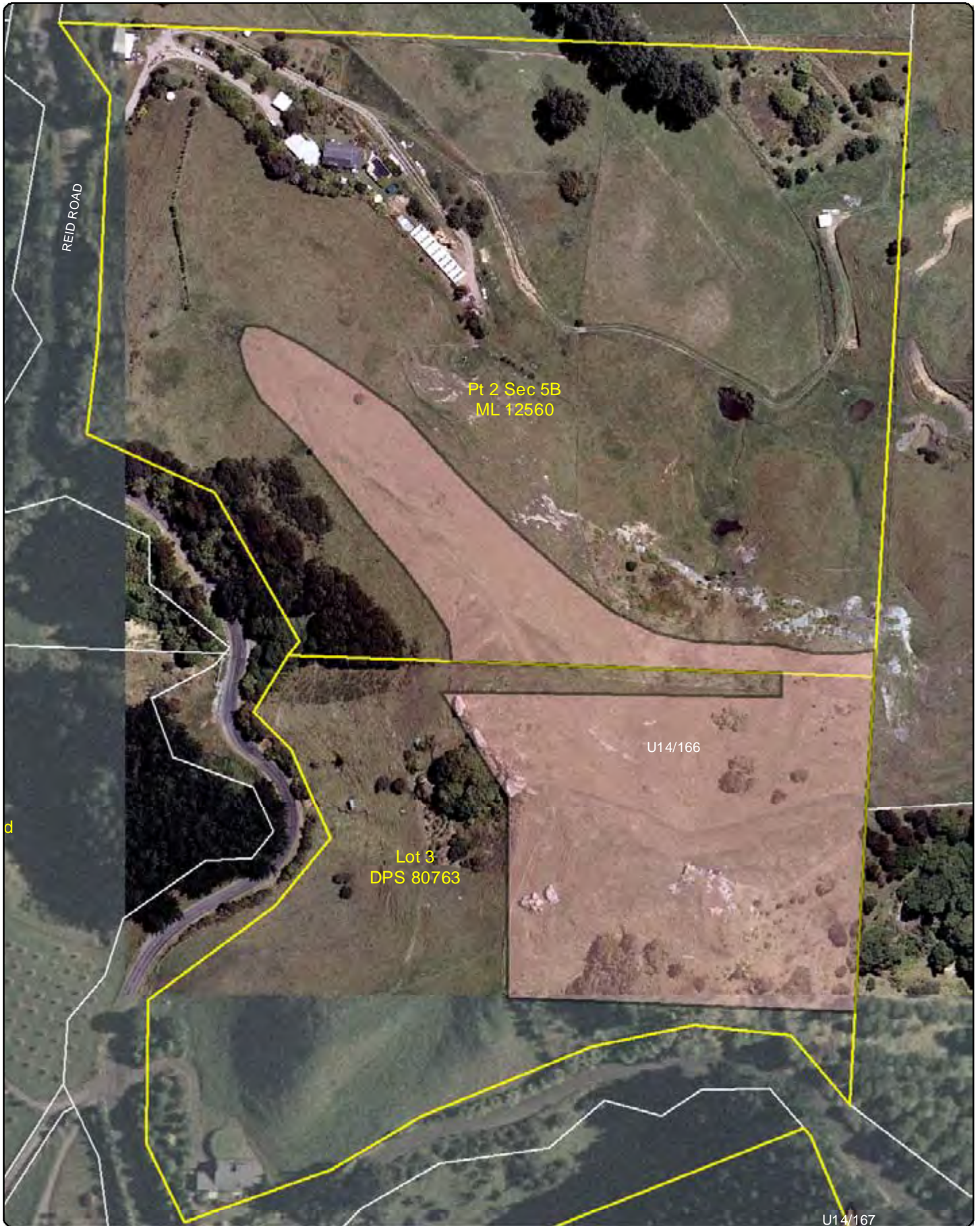
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Email: gis@westernbay.govt.nz Scale A4 - 1:500
 Date: 13/06/2013
 Operator: mib
 Map: E:\Shape\DistrictPlan\District Plan - Plan Changes-New Format\Cultural Heritage



DISTRICT PLAN
 CULTURAL HERITAGE FEATURE 109
 BRIDGE EMBANKMENT





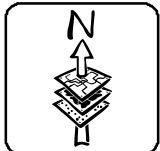
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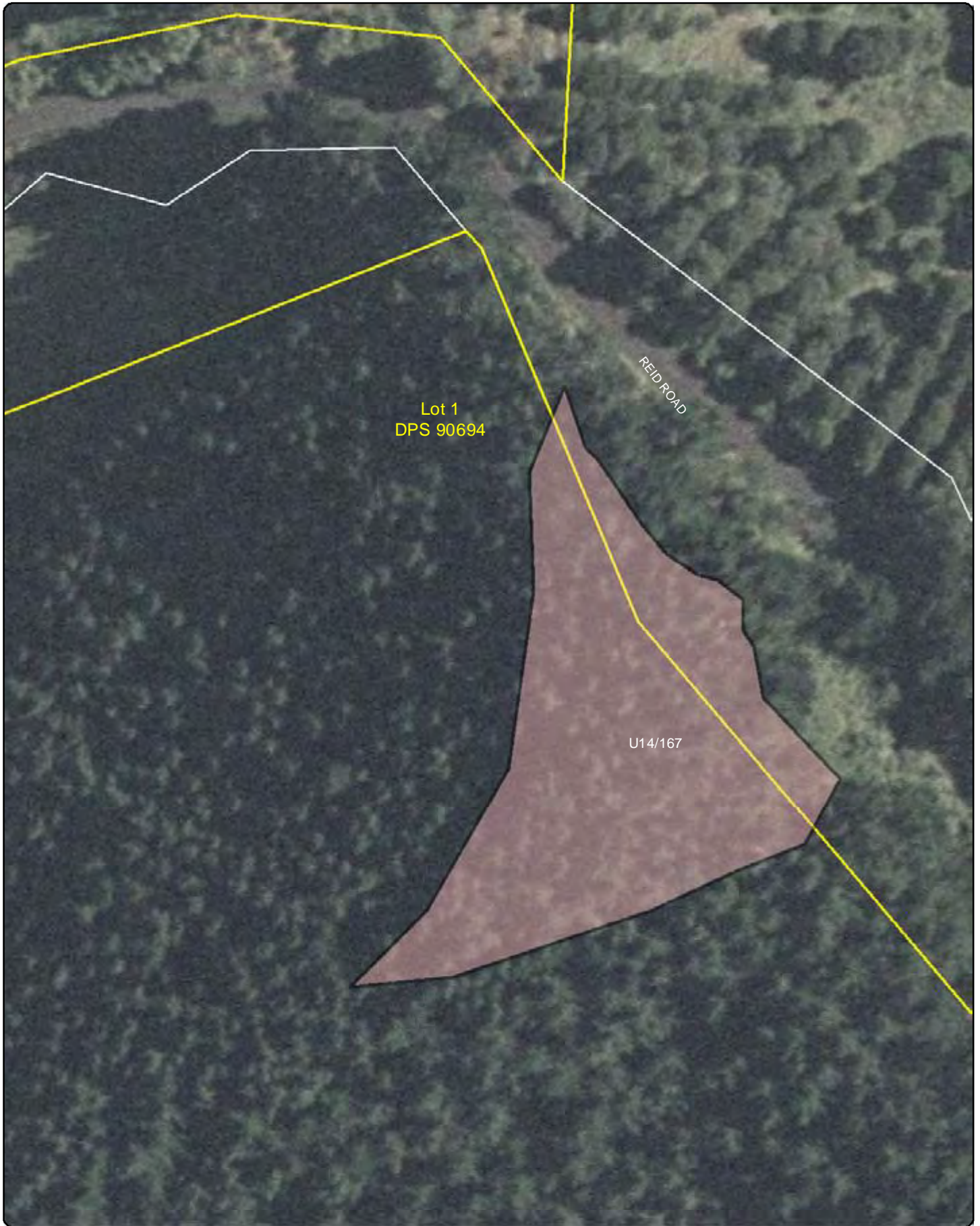
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 Date: 23/11/2012
 Operator: mlb
 Map: E:\Shape\DistrictPlan\District Plan - Plan Changes-New Format\Cultural Heritage




DISTRICT PLAN
 CULTURAL HERITAGE FEATURE 110
 TE WHARO PA



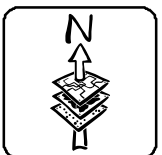


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Date: 23/11/2012
Operator: mlb
Map: E:\Shape\DistrictPlan\District Plan - Plan Changes-New Format\Cultural Heritage



DISTRICT PLAN
CULTURAL HERITAGE FEATURE 111
TE WHARO PA



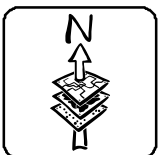


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Date: 22/11/2012
Operator: mlb
Map: E:\Shape\DistrictPlan\District Plan - Plan Changes-New Format\Cultural Heritage



DISTRICT PLAN
CULTURAL HERITAGE FEATURE 112
MAUNGARANGI PA





Lot 9
DP 367866

U14/244

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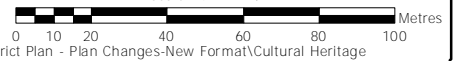
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Date: 22/11/2012

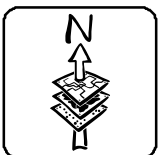
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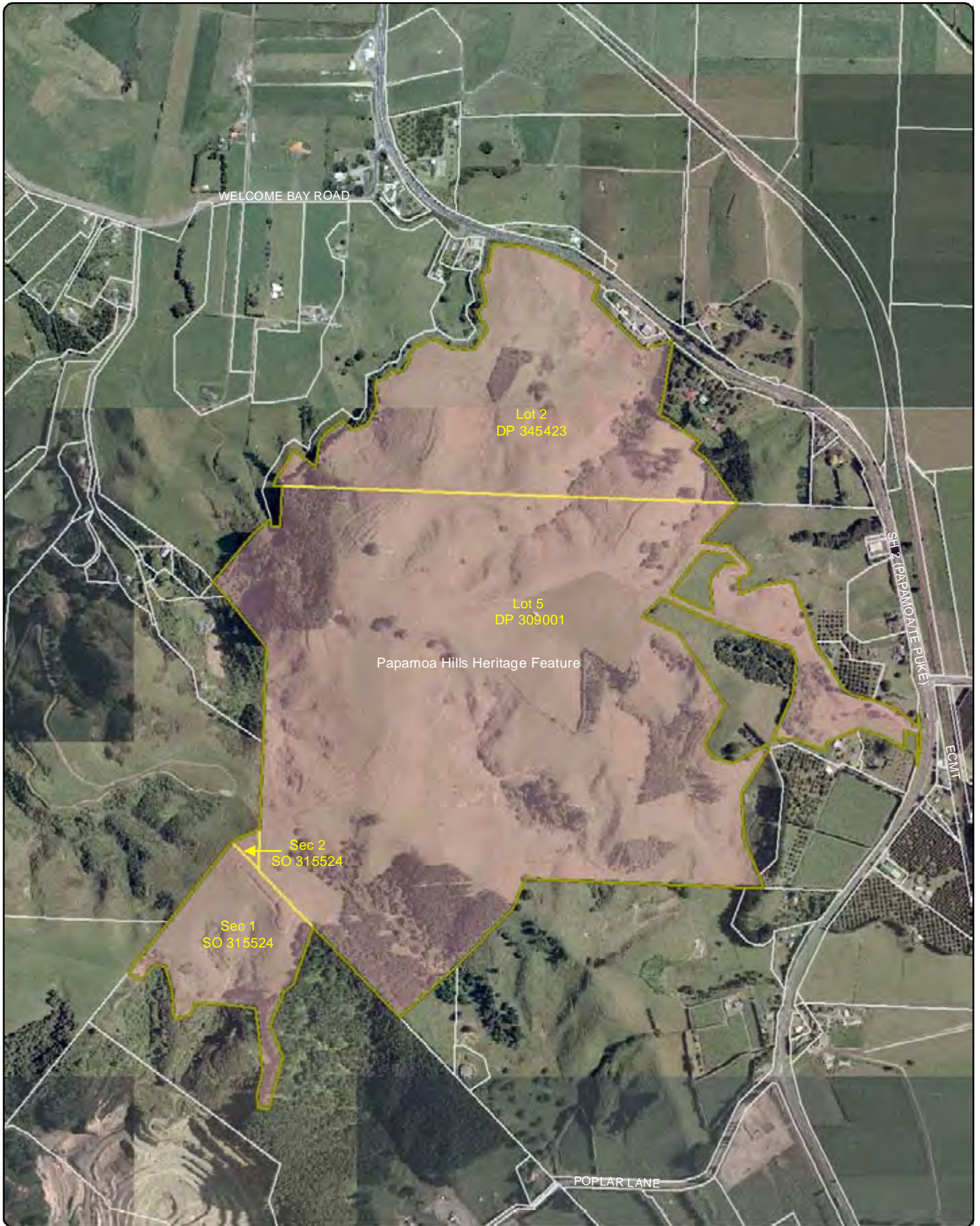
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DISTRICT PLAN
CULTURAL HERITAGE FEATURE 113
TE INAHI PA





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Scale A4 - 1:11,000

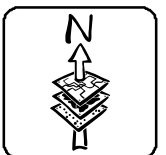
Date: 23/11/2012

Operator: mib

Map: E:\Shape\DistrictPlan\District Plan - Plan Changes-New Format\Cultural Heritage



DISTRICT PLAN
 CULTURAL HERITAGE FEATURE 114
 PAPAMOHA HILLS REGIONAL PARK





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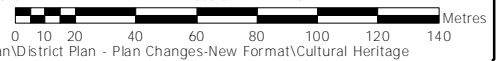
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Scale A4 - 1:2,500

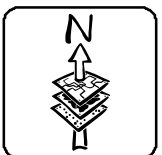
Date: 23/11/2012

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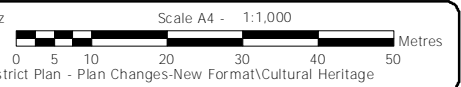
DISTRICT PLAN
 CULTURAL HERITAGE FEATURE 115
 OWHARA PA - HEREKAKI PA



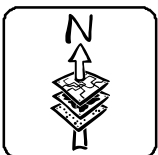


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 Date: 22/11/2012
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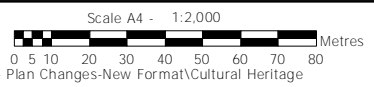
DISTRICT PLAN
 CULTURAL HERITAGE FEATURE 116
 PUKEMAIRE PA - FORT COLVILLE



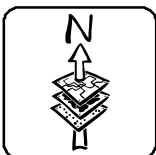


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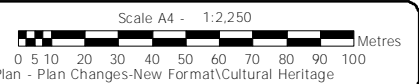
DISTRICT PLAN
 CULTURAL HERITAGE FEATURE 117
 PUKEPOTO PA



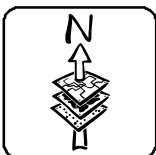


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Date: 23/11/2012
Operator: mib
Map: E:\Shape\DistrictPlan\District Plan - Plan Changes-New Format\Cultural Heritage



DISTRICT PLAN
CULTURAL HERITAGE FEATURE 118 - OKUREI PA,
119 - SCARP/PIT, 120 - PA SITE,
121-TIROTIROWHETU PA



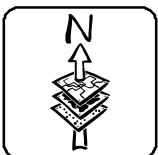


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 Date: 23/11/2012
 Operator: mib
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DISTRICT PLAN
 CULTURAL HERITAGE FEATURE 122
 PA SITE





Pt A144
ML 15308

V14/31

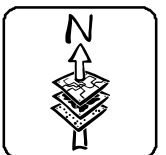
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 Operator: mib
 Map: E:\Shape\DistrictPlan\District Plan - Plan Changes-New Format\Cultural Heritage

Scale A4 - 1:800



DISTRICT PLAN
 CULTURAL HERITAGE FEATURE 123
 PA SITE



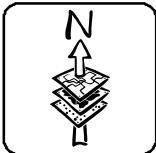


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 Date: 23/11/2012
 Operator: mlb
 Map: E:\Shape\DistrictPlan\District Plan - Plan Changes-New Format\Cultural Heritage



DISTRICT PLAN
 CULTURAL HERITAGE FEATURE 124
 PUKEHINA PA/REDOUBT



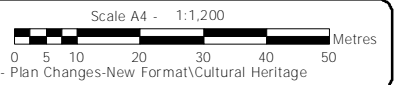


V14/5

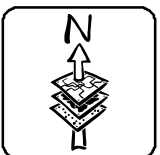
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ML 20373

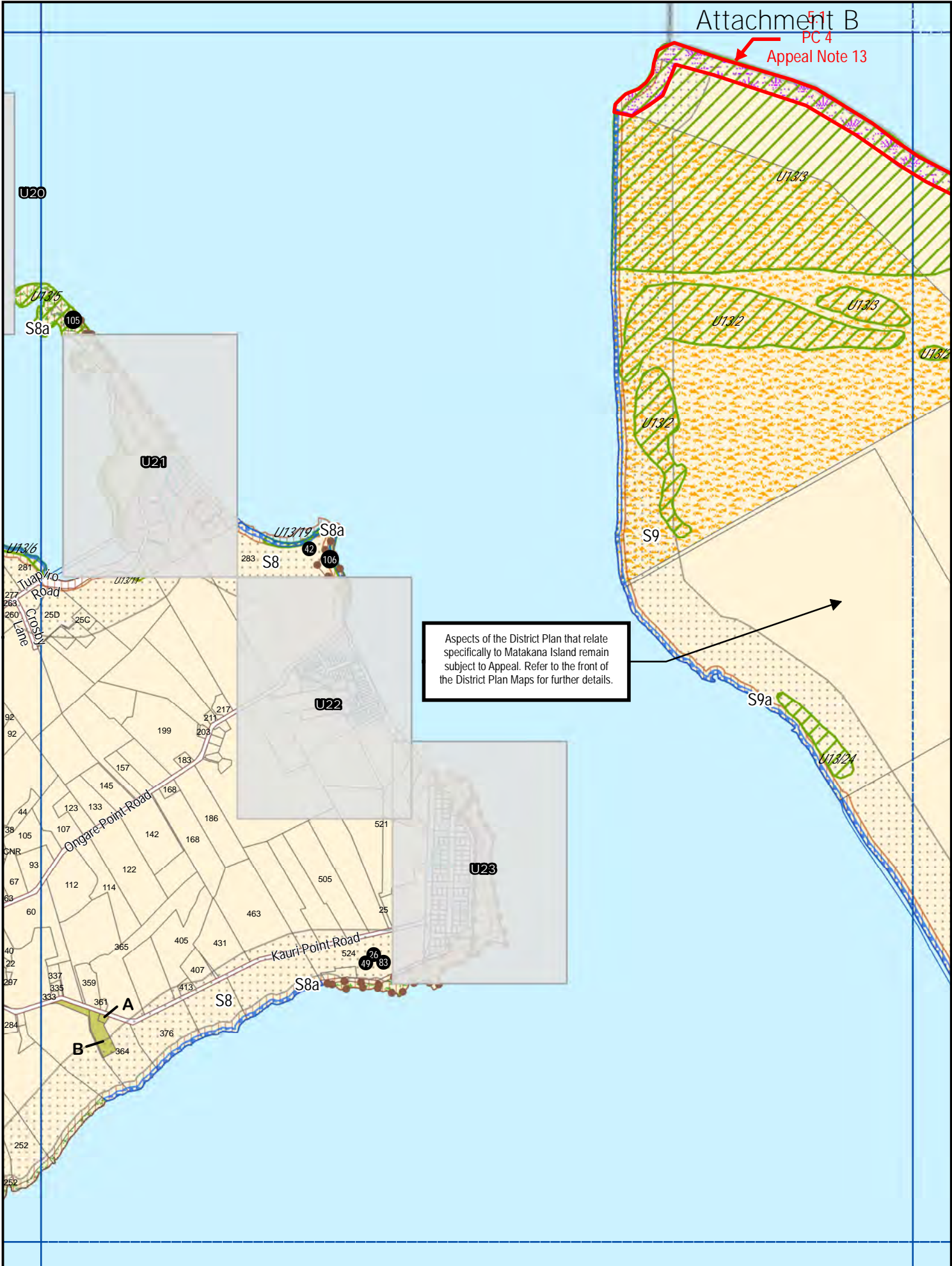
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 Date: 23/11/2012
 Operator: mlb
 Map: E:\Shape\DistrictPlan\District Plan - Plan Changes-New Format\Cultural Heritage



DISTRICT PLAN
 CULTURAL HERITAGE FEATURE 125
 WAEHEKE PA/KARAMURUMA PA

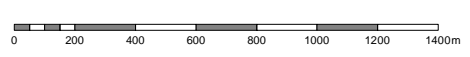




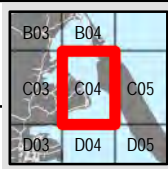
Aspects of the District Plan that relate specifically to Matakana Island remain subject to Appeal. Refer to the front of the District Plan Maps for further details.

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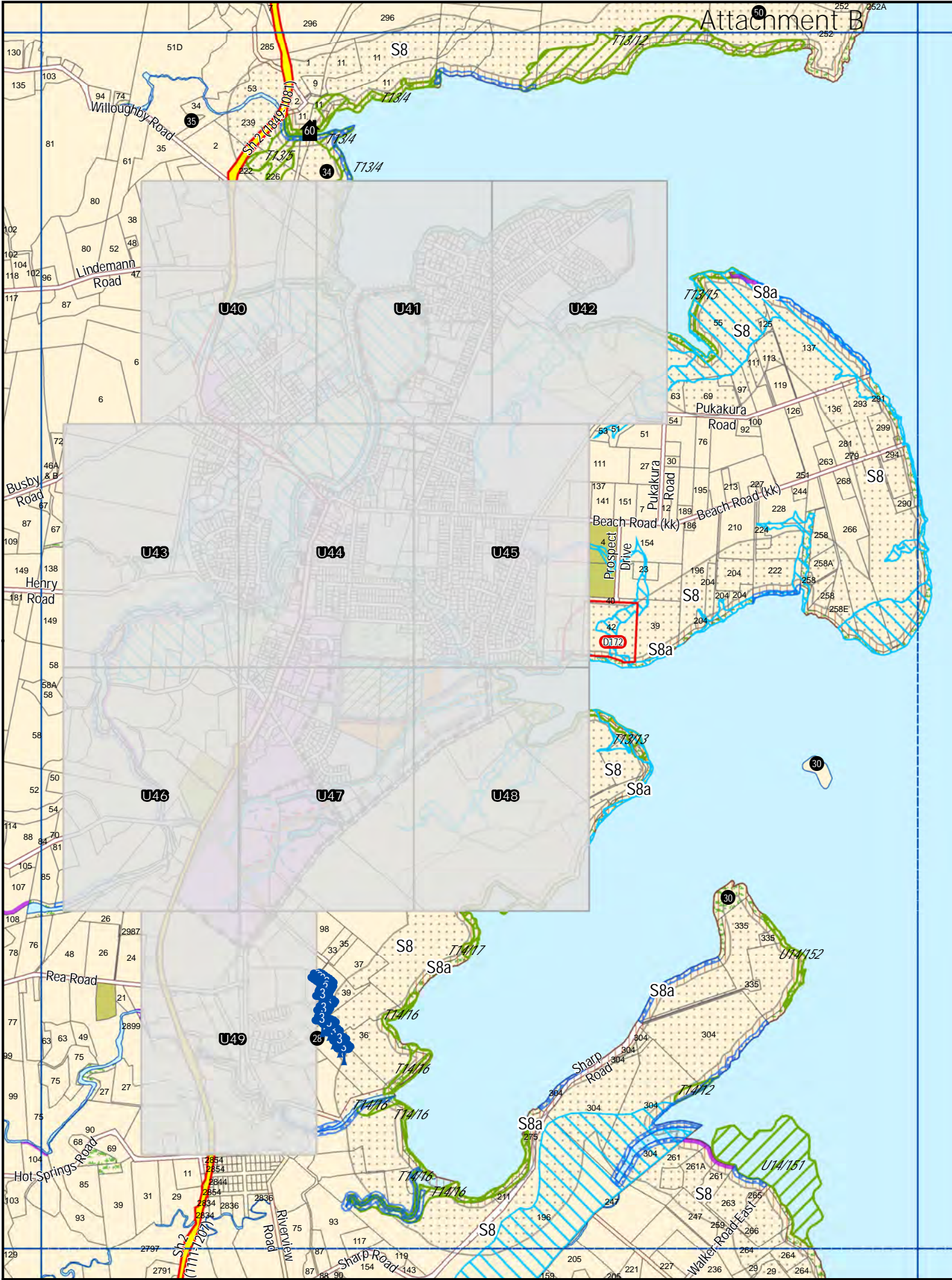
C04 Rural Series



Scale 1:25000 (A4)

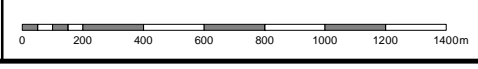


Revision Date: 6 February 2012
PC28-44: 27 July 2013 - Decisions



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D03 Rural Series



Scale 1:25000 (A4)

C02	C03	C04
D02	D03	D04
E02	E03	E04



Revision Date: 6 February 2012
PC28-44: 27 July 2013 - Decisions