

**28 May 2025 10:15am**  
**Mitzie Bisnar**  
**Mackenzie District Plan Stage 4 Hearing**

Heritage New Zealand Pouhere Taonga was consulted early in the Plan review process and provided the Mackenzie District Council with considerable guidance during the drafting of the Historic Heritage Chapter, in August / September 2024. I understand that not all of guidance provided by Heritage New Zealand was actioned within the notified Historic Heritage Chapter. Regardless of that, the Heritage New Zealand submission was generally supportive of the notified Historic Heritage Chapter, and the Proposed Mackenzie District Plan overall. I also acknowledge the efforts that have been made to strengthen the identification and protection of historic heritage within the district. The small number of opposing points are related to areas of the Plan I consider where stronger provisions would result in either a better understanding of heritage or better outcomes in its management and protection.

I was part of a pre-hearing meeting with members of the Church of the Good Shepherd Tekapo Committee and Council staff where the submission points relating to the Heritage Overlays were discussed. This is reflected in the s42A report. I accept majority of the recommendations in the s42a report, but would like to further discuss the four remaining issues.

Firstly, the Historic Heritage introduction informs plan users about archaeology and related requirements whilst offering guidance. The s42A report rejected Heritage New Zealand's submission, stating that the NZAA map helps plan users identify known archaeological sites and that "conducting earthworks" is simply an example of ground disturbance.

It is my opinion, providing the NZAA mapping tool could lead to the assumption that, if no archaeological sites are identified on the map, ground disturbance works can proceed without further consultation. The NZAA tool does not always capture the full extent of archaeological potential across all sites, and the absence of a recorded site does not necessarily indicate a lack of archaeological value. This may result in plan users proceeding with earthworks without properly considering the need for archaeological assessments, and therefore, damaging significant heritage.

In our initial submission, Heritage New Zealand highlighted that "ground disturbance" is only one specific scenario for potential archaeological findings. To clarify, I have no objection to the term "ground disturbance" as a plain English example, but rather the scenario it paints. This submission point relates to other situations where the archaeological value of a site and the type of development

proposal, may warrant earlier consultation with Heritage New Zealand. Simply assuming that consultation is only required after discovering archaeological remains can lead to missed opportunities for proactive protection of archaeological sites. Consultation prior to ground disturbance can ensure archaeological sites are appropriately managed and preserved from the outset.

I'd like to also just address the proposed wording in the '*Response to Panel Questions in Minute 6*'. The key difference between the information provided on the Heritage New Zealand frequently asked questions page - is that it provides a list of works that could affect archaeology. Further on the page, it also recommends "Contact us early in your project planning stage (i.e. before you submit an application) so we can advise you about whether an archaeological authority is needed". Whereas the proposed amended wording in the '*Response to Questions in Minute 6*' implies that consultation with HNZPT need only occur once archaeology is encountered during any of the listed activities.

The second issue is related to our submission on the demolition rules HH-R6 and HH-R7. The impact of demolition of a heritage item is irreversible and as more heritage buildings are lost, we increasingly lose touch with the history and origins of our surroundings. Heritage New Zealand has strongly advocated for demolition to be included as a non-complying activity throughout the whole plan review process. This has been rejected in the s42a report, but I consider this to be the only solid method to adequately protect the tangible remains of the Mackenzie's rich and unique history.

A non-complying activity status is, in my opinion, the most effective means of protecting scheduled heritage items from demolition, as it provides a clear and robust framework for ensuring these structures are not demolished without thorough assessment and approval. Demolition should only be granted in exceptional scenarios as this will result in an irreversible loss of heritage values. This status effectively acts as a safeguard, ensuring that any proposal to demolish a scheduled heritage item is subject to a higher level of scrutiny. In contrast, a discretionary activity status does not offer the same level of certainty or protection, as it allows for greater flexibility and discretion, potentially leading to inconsistent decisions.

The "gateway test" for a non-complying activity also plays a crucial role in this context by acting as a threshold that must be passed before a demolition proposal can proceed. Under a non-complying activity status, the gateway test ensures that any application for demolition of a scheduled heritage item must demonstrate that the proposed activity is truly in the public's interest, balancing heritage protection with development needs.

Also, on a district or local authority level, it is my opinion that category 2 items on the NZ Heritage List or Rārangī Kōrero warrant a non-complying status for demolition given their regional significance. Category 1 items are historic places which hold a national significance, while Category 2 items are historic places which hold a local significance. When looking at this from a closer district-level perspective, I would argue that it is only appropriate that Category 2 items which hold direct significance to the Mackenzie district, deserve the same level of protection within the Mackenzie District Plan as Category 1 items.

The last two issues relate to the proposed Schedule 2.

A heritage assessment for each scheduled item in the District Plan is crucial to justify its inclusion within the schedule. It helps inform plan users, property owners and the Council's processing planners about why the item is scheduled, therefore guiding appropriate management decisions and ensuring the protection of its values.

The s42a report also rejected Heritage new Zealand's submission on the definition, identification and inclusion of settings for scheduled items. In my opinion, Identifying the "setting" for scheduled heritage items in a District Plan is important because the context surrounding a heritage item significantly contributes to its overall heritage. The setting often enhances the cultural, historical, or aesthetic qualities of the site. Protecting the setting ensures that any development respects the heritage item's integrity and contextual value. Identification of settings would also help to enact policy 4 earlier in the chapter relating to settings and in the definition of contextual values in schedule 1.

Thank you for your attention.