

**BEFORE A PANEL OF INDEPENDENT HEARING COMMISSIONERS
AT WELLINGTON**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHEKE
O TE WHANGANUI-A-TARA**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the hearing of submissions on Te Mahere
- Rohei Tūtohua the Wellington City
Proposed District Plan

HEARING TOPIC: Stream 3 – Historic Heritage

**STATEMENT OF PRIMARY EVIDENCE OF VICTORIA WOODBRIDGE
ON BEHALF OF KĀINGA ORA – HOMES AND COMMUNITIES**

(PLANNING)

24 APRIL 2023

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1. EXECUTIVE SUMMARY

1.1 My name is Victoria Emily Jane Woodbridge, and I am a Senior Planner at The Property Group Limited. I have been engaged by Kāinga Ora - Homes and Communities (**Kāinga Ora**) to provide evidence in support of its primary and further submissions to Wellington City Council's Proposed District Plan (**the PDP**).

1.2 My evidence will address the following matters:

- (a) **Mount Victoria North Townscape Precinct** – Based on the evidence from Ms Cassin, I recommend that provisions within the Historic Heritage Chapter of the PDP would be more appropriate to manage and protect the iconic townscape values of the Mount Victoria North Townscape area, in place of the Residential Zone Precinct provisions in the PDP which only manage amenity values;
- (b) **Role of Design Guides** - I recommend that the proposed Design Guides should be used as non-statutory guides which sit outside the District Plan. The extent to which development is required to achieve particular outcomes to manage effects on historic heritage should be clearly articulated in policies / referenced in matters for discretion to enable clear and transparent assessment. The Design Guides should be utilised as a tool to support the residential zone policies and matters of discretion and ultimately inform any assessment of resource consent applications;
- (c) **Historic Heritage Chapter Provisions** – I recommend amendments to the management of height within heritage areas (HH-P11 and HH-S4) and identify where the Chapter is unclear in terms of inconsistent terminology;
- (d) I have recommended wording changes to the Policies, Rules and Standards as set out in **Appendix A**; and

(e) Where appropriate I have prepared a Section 32AA assessment as set out in **Appendix B** of my evidence.

1.3 In my opinion, the underlying principles that have informed the proposed changes set out in the Kāinga Ora submissions and discussed in my evidence will better align the PDP with the NPS-UD and the purpose, principles and provisions of the Resource Management Act 1991 (**RMA**) as amended by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**Amendment Act**).

2. INTRODUCTION

2.1 My full name is Victoria Emily Jane Woodbridge. I am a Senior Planner at The Property Group Limited, based in Nelson.

2.2 I am providing planning evidence on behalf of Kāinga Ora on the PDP. I was involved in the preparation of primary and further submissions by Kāinga Ora in relation to the PDP and other plans in the Wellington region as part of the ISPP plan changes. I am familiar with the Kāinga Ora corporate intent in respect of the provision of housing within the Wellington region. I am also familiar with the national, regional and district planning documents relevant to the PDP.

2.3 My experience has been set out in my primary evidence filed on Hearing Stream 2 – Residential for the PDP.¹

Code of Conduct

2.4 Although this is a Council hearing, I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

¹ Hearing Stream 2 – Residential - Statement of Primary Evidence of Victoria Woodbridge dated 16 March 2023 paragraphs 2.2 and 2.3.

Scope of Evidence

- 2.5 Hearing Stream 3 addresses submission points relating to the PDP Historic Heritage Chapter (**HH**) and the Heritage Design Guides, amongst other matters.
- 2.6 In preparing this evidence I have read the relevant Section 32 and Section 42A reports² together with the associated appendices prepared by Council staff and the evidence prepared by Moira Smith (Heritage Consultant).
- 2.7 My evidence will address the following matters:
- (a) The management and protection of historic heritage within Mount Victoria North Townscape Precinct (**Townscape Precinct**);
 - (b) The role and status of the Heritage Design Guide. This includes suggested amendments to the relevant policies to clearly articulate the critical design outcomes in heritage areas;
 - (c) Recommendations for amendments to PDP provision for management of height for new development within heritage areas; and
 - (d) Identification of inconsistency in relation to terminology used within the Historic Heritage Chapter.
- 2.8 My evidence will reference the evidence of Ms Veronica Cassin, Heritage Consultant.
- 2.9 I note that the relevant statutory documents have been identified and outlined within the Section 42A reports and I agree with the identification of those matters.

² See the Section 32 Evaluation Report, Part 2: Character Precincts and the Mount Victoria North Townscape Precinct; Section 42A, Stream 3 – Historic Heritage, Notable Trees, Sites and Areas of Significance to Māori.

3. AREAS OF AGREEMENT WITH SECTION 42A REPORT

3.1 Having reviewed the relevant Section 42A reports, I generally support the following recommendations by the reporting officer on various submissions and further submissions by Kāinga Ora:

- (a) Kāinga Ora opposed³ Historic Places Wellington submission⁴ that bulk and shading controls at, and near, the boundary of sites adjoining heritage listed sites should be included to protect the context and curtilage of heritage listed buildings. Council's reporting officer considers that appropriate boundary standards to manage the effects on heritage values have been included in the relevant zone chapters and that the inclusion of further bulk and location controls within the Historic Heritage Chapter would result in interpretatively confusing and unnecessary duplication. I agree with this opinion;

- (b) Kāinga Ora opposed⁵ the Historic Places Wellington submission⁶ that a heritage demolition control should be applied to all areas identified in the pre-1930s character area review as 'Primary', 'Contributory' or 'omitted' and those identified in Heritage New Zealand's submission on the Draft Spatial Plan. The Council reporting officer considered there was no compelling reason or supporting evidence provided by Historic Places Wellington to justify this position and that Hearing Stream 2 considered the spatial extent of the Character Precinct areas could be extended if the Panel reached a view that the position was reasonable and justifiable. I agree with the Reporting Officer that no evidence has been provided to justify further demolition controls within the Pre-1930s Character review areas. I refer to my primary evidence for Hearing Stream 2 where I provided evidence on the Character Precincts;⁷ and

³ Further Submission point FS89.77.

⁴ Historic Places Wellington Submission point 182.14.

⁵ Further submission point FS89.78-FS89.79.

⁶ Historic Places Wellington Submission point 182.15-182.16.

⁷ Hearing Stream 2 – Residential - Statement of Primary Evidence of Victoria Woodbridge dated 16 March 2023 paragraphs 4.1 – 7.15.

(c) Kāinga Ora sought⁸ that Rule HH-R2 be retained as notified. Council's reporting officer recommends that Rule HH-R2 is retained as notified and I agree with this recommendation.

3.2 The remainder of my evidence addresses key matters of particular interest to Kāinga Ora that remain of concern.

4. BACKGROUND AND CONTEXT

4.1 For Hearing Stream 2 – Residential, I provided evidence on the following matters which I consider has relevance to this evidence for Hearing Stream 3:

- (a) I consider that the Council failed to adequately assess the Character Precincts and the Townscape Precinct as a Qualifying Matter in accordance with Sections 77J and 77L of the RMA;
- (b) I reviewed National Direction, the Greater Wellington Regional Council Regional Policy Statement (**RPS**) and the PDP strategic direction in relation to management of townscape values in the Townscape Precinct which recognises the important townscape values.⁹ I concluded that it would be consistent with the RPS and PDP Strategic Objectives to provide a higher level of protection for the Townscape Precinct area although further work was required from an appropriate expert;
- (c) I consider the scope of options assessed within the Section 32 Evaluation,¹⁰ in relation to the underlying Residential zoning and application of Character Precincts and the Townscape Precinct was too narrow as it only sought to manage specific amenity values;
- (d) I concluded that without the robust assessment required by the RMA it is unclear whether the PDP provisions in relation to the Townscape Precinct, and other Character Precincts, are the most

⁸ Submission point 391.173.

⁹ Hearing Stream 2 – Residential - Statement of Primary Evidence of Victoria Woodbridge dated 16 March 2023 paragraphs 7.1 – 7.9.

¹⁰ Section 32 Evaluation Report, Part 2: Character Precincts and the Mount Victoria North Townscape Precinct.

appropriate means of giving effect to the NPS-UD and achieving the purpose of the RMA, as amended by the Amendment Act; and

- (e) I supported the Kāinga Ora submission that a High Density Residential Zone would be appropriate within the Townscape Precinct. I acknowledged further work was required, both to assess the appropriateness of the Precinct and also to understand what the most appropriate mechanism for balancing growth and higher density development with protecting townscape values should be. I acknowledged that the significant townscape values of the Townscape Precinct may include historic heritage values under section 6 of the RMA and an appropriate mechanism may include protection through historic heritage mechanisms within the PDP.

5. MOUNT VICTORIA NORTH TOWNSCAPE PRECINCT– ALTERNATIVE OPTIONS

- 5.1 The PDP proposes to manage amenity values associated with Pre-1930 Character Areas through Character Precincts. The PDP also proposes to manage important and iconic townscape values associated with the urban landscape surrounding the St Gerard’s Monastery and escarpment through the Townscape Precinct. These provisions are distinct from the management of historic heritage as a section 6(f) matter under the RMA.
- 5.2 Within the Mount Victoria North Townscape area, the PDP identifies the following provisions which manage amenity values:
 - (a) A Character Precinct;
 - (b) The Townscape Precinct; and
 - (c) Viewshaft VS15, which is a viewshaft from the cable car station viewing platform across the harbour to the west. Schedule 5 of the PDP identifies St Gerard’s Monastery as the focal element of the viewshaft.
- 5.3 MRZ-PREC02 Introduction identifies that the Townscape Precinct is separate from the Character Precincts which focus on streetscape

characteristics from a predominance of buildings constructed prior to 1930. Conversely the Townscape Precinct focuses on townscape values which differ from streetscape values.

- 5.4 The PDP also identifies the following section 6(f) heritage protection provisions in the Mount Victoria North Townscape area:
- (a) The Doctors' Common Heritage Area, including the contributing buildings that make up the area;
 - (b) Scheduled heritage buildings, including St Gerard's Monastery and St Gerard's Church.
- 5.5 The National Policy Statement on Urban Development 2020 (**NPS-UD**) is directive regarding the requirements for urban intensification, particularly in areas close to public transport and commercial centres. My primary evidence for Hearing Stream 2¹¹ identified a conflict between giving effect to the NPS-UD in respect of urban intensification requirements (Objective 3 and Policy 3) and managing amenity values as required by Objective 4 and Policy 6.
- 5.6 The purpose of the Townscape Precinct differs from the purpose of the Character Precincts (which are applied to multiple locations around the City). The Townscape Precinct recognises the important and iconic townscape views, and also the proximity of the Mount Victoria North area to St Gerard's Monastery and the escarpment below.¹²
- 5.7 The PDP states that the Townscape Precinct does not seek to protect historic heritage values.¹³ However, its purpose appears to be intrinsically linked to the protection of heritage values associated with the Monastery and its setting within the surrounding urban landscape,

¹¹ Hearing Stream 2 – Residential - Statement of Primary Evidence of Victoria Woodbridge dated 16 March 2023.

¹²PDP Part 3 – Area Specific Matters: Zones: Residential: Medium Density Residential Zone – MRZ-PREC02 Mount Victoria North Townscape Precinct Introduction; Mount Victoria Heritage Study Report, page 8 “*The Mount Victoria North Character Area is important to the city because it covers an area of high visual appeal, particularly when viewed from the city and harbour. It is a characteristic Wellington residential environment of closely packed hillside housing, enhanced by the prominence of St Gerard's Monastery. The monastery building, in its setting at the top of the coastal escarpment above Oriental Bay, is the object of many of the central area view shafts identified in the plan. This special composition is one which the Council seeks to protect and enhance.*”

¹³ PDP Part 3 – Area Specific Matters: Zones: Residential: Medium Density Residential Zone – MRZ-PREC02 Mount Victoria North Townscape Precinct Introduction.

including the Doctors' Common Heritage Area. The PDP relies on the Character Precinct, the Townscape Precinct and Doctors' Common Heritage Area to manage these significant townscape values. However, with the exception of the Heritage Area, the provisions are focused on **managing amenity values** and not **protecting historic heritage**.

- 5.8 Furthermore, with no decision made on the appropriateness of the Character Precincts and Townscape Precinct as a qualifying matter, I consider it important to assess other options for protecting this area.
- 5.9 In its submission,¹⁴ Kāinga Ora sought to delete the Townscape Precinct provisions. However, in my primary evidence for Hearing Stream 2, I recommended further work was required to consider whether there were historic heritage values which should be protected within the area, as an alternative to the Precinct provisions.
- 5.10 In my opinion, as part of the Section 32 Evaluation and Section 77J assessment for historic heritage and the Mount Victoria North area, Council did not consider all reasonably practicable options for protecting townscape values in the Mount Victoria North area. The options assessed lean towards management of amenity values of the Townscape Precinct area without consideration of the appropriateness of protecting the significant values of the area as a whole through more stringent historic heritage provisions.
- 5.11 Furthermore, I note that the expert assessment¹⁵ to support the Character Precinct and the Townscape Precinct Section 32 Evaluation¹⁶ was undertaken by an Urban Design expert and not a Heritage expert. Ms Cassin refers to the Mount Victoria Heritage Study 2017 and considers that the assessment tools developed through the methodology for this study were developed to principally identify townscape character (i.e. amenity values) rather than historic heritage values. Ms Cassin also

¹⁴ Submission point 391.315 and 391.319.

¹⁵ Mount Victoria North Townscape Precinct Urban Design Review, April 2022, See <https://wellington.govt.nz/-/media/your-council/plans-policies-and-by-laws/district-plan/proposed-district-plan/files/supporting-docs/mt-victoria-north-townscape-precinct-urban-design-review---april-2022.pdf?la=en&hash=8CB2C0D2C9E2DECC482A15C0965B7D18754A8724>.

¹⁶ Section 32 – Part 2 – Character Precincts and the Mount Victoria Townscape Precinct, <https://wellington.govt.nz/-/media/your-council/plans-policies-and-by-laws/district-plan/proposed-district-plan/reports/section-32-part-2-character-precincts-and-mount-victoria-north-townscape-precinct.pdf?la=en&hash=A8C2B4988367011ECE57B23804683964B1265BA5>.

highlights the lack of historic heritage assessment in relation to the Mount Victoria North area and the lack of assessment of townscape values in relation to historic heritage values.

- 5.12 Ms Cassin considers that there are heritage values present within the Mount Victoria North Townscape area which warrant more stringent protection. Ms Cassin's evidence considers that the PDP Townscape Precinct provisions disproportionately focus on visual character and appearance (amenity values) and so would be insufficient to protect any latent historic heritage.
- 5.13 This is consistent with Council's Planning for Growth – District Plan Review – Historic Heritage Issues and Options Report, which identified that further work was required to review significant settings as the ODP rules did not always consider a heritage building surroundings or relationships between items. The report identifies that this would be consistent with Policy 20 of the RPS. Policy 20 requires the identification of *“surroundings: the setting or context of a place contributes to an appreciation and understanding of its character, history and/or development.”*
- 5.14 Greater Wellington Regional Council's 'A Guide to Historic Heritage Identification' identifies townscape values as a place which has significance based on its prominence, visibility or association with a particular landscape as well as an area where there is a concentration of similar places which can result in heritage values being derived from the association between these places.¹⁷ This section of the guide is also cited in the evidence for Ms Smith on behalf of Council.
- 5.15 In light of the direction within the RPS, including the Historic Heritage identification guide, it is unclear how Council determined that the most appropriate means of achieving the purpose of the RMA was to manage the townscape values within the Mount Victoria North Townscape area through an amenity based provision rather than protection of historic heritage when the assessments undertaken were focused on character rather than historic heritage.¹⁸ On this basis, and considering

¹⁷ Greater Wellington Regional Council 'A Guide to Historic Heritage Identification' Para 3.2.6 page 22.

¹⁸ Statement of Primary Evidence of Veronica Cassin for Hearing Stream 3 on behalf of Kāinga Ora.

Ms Cassin's position, I consider the Council's assessments for considering heritage values were flawed.

5.16 I further note that MRZ-PREC02 Introduction includes a description of the Townscape Precinct and the values that the precinct is trying to manage. In my opinion, as worded and proposed in PDP, the townscape values that have been identified and their significance, further exemplify why a thorough heritage assessment should have been undertaken in relation to the townscape values. The MRZ-PREC02 Introduction includes the following wording that I consider to be particularly indicative of potential heritage values [emphasis added]:

- (a) The purpose of the Mt Victoria North Townscape Precinct is to provide for the management of **townscape values** within the Mt Victoria North area.

The Mt Victoria North Townscape Precinct has been identified as **important due to its high visibility and proximity to St Gerard's Monastery** and the escarpment below. **When viewed from the City Centre (and the waterfront) the houses, monastery and escarpment combine to form one of Wellington's most iconic urban landscapes.**

The District Plan seeks to manage the design of new **buildings** and **additions** and **alterations** to existing **buildings** in this area. The controls are provided to ensure that **new development is well designed, respects the predominant patterns of the area and the setting of St Gerard's Monastery.**

Statutory Context

5.17 In my primary evidence for Hearing Stream 2 I assessed the statutory context, relevant to the townscape values of Mount Victoria North area.¹⁹ In particular the following is relevant for consideration as part of Hearing Stream 3:

¹⁹ Hearing Stream 2 – Residential - Statement of Primary Evidence of Victoria Woodbridge dated 16 March 2023.

- (a) Policy 21(b)(v) of the RPS identifies a townscape value as a place that contributes to the heritage values of a wider townscape setting and / or is a landmark. St Gerard's Monastery and the escarpment below are undoubtedly a landmark feature and the townscape setting surrounding them should be protected as part of the wider townscape setting.
- (b) PDP Strategic Direction Objectives UFD-07 and CC-O2 seek to protect values and characteristics which are an important part of the City's identity and sense of place²⁰ and provide for well-functioning urban environment which respect the City's historic heritage.²¹

Summary and conclusions

- 5.18 I consider that Council has evaluated a range of options for managing the Mount Victoria North Townscape area that rely heavily on amenity provisions without adequately considering alternative options relating to the management and protection of historic heritage values within the area.
- 5.19 I consider the RPS provides direction that townscape values contribute to the heritage values of a wider townscape or landscape setting and / or landmark and this provides direction to consider the heritage values associated with the Mount Victoria North Townscape Area which has been identified as having townscape values.
- 5.20 Overall, I support the evidence of Ms Cassin and recommend that the Council undertakes further assessment and consideration of options to protect the significant townscape values within the Mount Victoria North area as a section 6(f) matter.

²⁰ PDP Part 2 Strategic Direction – Capital City - Objective CC-O2 – “*values and characteristics that area an important part of the City's identify and sense of place are identified and protected.*”

²¹ PDP Part 2 Strategic Direction – Urban Form and Development – Objective UFD-O7 “*Development supports the creation of a liveable, well-functioning urban environment that enables all people and communities to provide for their social, economic, environmental, and cultural wellbeing, and for their health and safety now and into the future. Development will achieve this by:..... 6. Respecting the City's historic heritage.....*”.

6. ROLE AND STATUS OF DESIGN GUIDES

- 6.1 Kāinga Ora made several submissions seeking to clarify the role and status of the design guides.²² These submissions are consistent with the approach Kāinga Ora has taken on this issue both nationally and regionally.
- 6.2 Kāinga Ora agrees that high quality design is important to successfully achieve a well-functioning urban environment, and to support walkable living environments. Kāinga Ora also recognises that in relation to historic heritage clear guidance on design outcomes is required to protect the unique heritage values. However, there is a difference of opinion about the most efficient and appropriate method to achieve this.
- 6.3 Overall, Kāinga Ora supports design guidance, but seeks that the design Guidelines generally sit outside the PDP as a non-statutory document to assist the plan user as a guide in assessment of a proposal against the planned outcomes of the District Plan. The Plan should then more clearly and specifically articulate the intended design outcomes in the relevant guiding policies and relevant matters of discretion for activities and rules. I support this approach.
- 6.4 The reporting officer did not support the Kāinga Ora position that the Design Guides should have non-statutory status.²³
- 6.5 In my primary evidence for Hearing Stream 2 I provided evidence on a statutory vs non-statutory design guide approach. I also outlined the higher order documents which the PDP should give effect to in relation to design guidance:²⁴
- (a) Policy 67(a) of Plan Change 1 to the Regional Policy Statement for the Wellington Region (RPS) which supports non-regulatory measures such as urban design guidance to contribute to the qualities and characteristics of a well-functioning urban

²² Submission point 391.765.

²³ Section 42A, Stream 3 – Historic Heritage, Notable Trees, Sites and Areas of Significance to Māori section 4.6.14.2 para. 361 page 75.

²⁴ Hearing Stream 2 – Residential - Statement of Primary Evidence of Victoria Woodbridge dated 16 March 2023 paragraphs 8.1-8.16.

environment. The operative RPS also anticipates design guidance to be a non-regulatory method; and

- (b) Policy 54 to the RPS, which requires district plans to have particular regard to achieving the region's urban design principles, as set out in Appendix 2 to the RPS.

Amendments to policies to support high quality design outcomes

- 6.6 Ultimately, if there are critical outcomes that the Design Guidelines are trying to achieve, then these matters should be expressly outlined in the guiding provisions of the PDP. The extent to which a proposal then achieves those outcomes can be measured against the Design Guideline itself, in reference to the relevant policy. This approach also ensures that key built form and amenity outcomes being sought within the zones are clearly identified in the engine room of the plan rather than being embedded within a lengthy design guide.
- 6.7 This approach also allows for flexibility in respect of urban design mechanisms utilised to protect heritage values and allows for amendments and updates to reflect best practice principles (which change over time) be made to the Design Guides without a Plan Change process.
- 6.8 I have reviewed the Kāinga Ora submission²⁵ in respect of amendments to HH-P7, HH-P8 and HH-P14 which sought the deletion of the wording '*fulfils the intent of the Heritage Design Guide*'.
- 6.9 The submission from Kāinga Ora did not propose any alternative wording, however, I have reviewed the Wellington Heritage Inventory and the Heritage Design Guide and where appropriate I have provided recommendations for amendments to HH-P7, HH-P8 HH-P13²⁶ and HH-P14 (refer to **Appendix A**). These amendments incorporate the objectives and intended outcomes sought by the Heritage Design Guide into the Policies to provide clear direction for decision makers and Plan users.

²⁵ Submission point 391.171.

²⁶ Kāinga Ora did not submit on HH-P13 which also seeks that additions, alterations and partial demolition of buildings and structures within heritage areas fulfil the intent of the Heritage Design Guide. However, for completeness I recommend an amendment to HH-P13 to align with the recommended amendments to HH-P8 and HH-P14.

- 6.10 In respect of Policy HH-P7 it is my opinion that this policy already includes significant design outcomes which align with the Heritage Design Guide and so limited amendments are required. I recommend point (j) is deleted in favour of a note referring Plan users to both the Heritage Design Guide and the Wellington Heritage Inventory, which is a valuable tool developed by the Council and which is not clearly referenced within the Historic Heritage Chapter.
- 6.11 Policies HH-P8 and HH-P14 (HH-P15 in Section 42A Appendix A) have a more general reference to design outcomes to ensure new development or alterations do not detract from the identified heritage values²⁷ and respect the relationship between the heritage building / structure and its setting²⁸. In achieving points (a) and (b) of these policies the more specific intent of the Design Guide would automatically be achieved. Therefore, in my opinion there is no requirement to specifically require that the intent is fulfilled²⁹. However, it would assist Plan users to refer to the Design Guide and the Wellington Heritage Inventory as sources of further information to inform more detailed design to give effect to the policies.
- 6.12 I have prepared a section 32AA assessment as set out in **Appendix B** of my evidence.

7. HISTORIC HERITAGE PROVISIONS

Definition of 'demolition'

- 7.1 Kāinga Ora sought³⁰ that the definition of 'demolition' was deleted from the PDP. Council's reporting officer disagrees with this submission.
- 7.2 The PDP definition of 'demolition' states "*for the purposes of Character Precincts....*"³¹

²⁷ PDP - Part 2 – District Wide Matters: Historical and Cultural Values – Historic Heritage - HH-P8(1)(a).

²⁸ PDP - Part 2 – District Wide Matters: Historical and Cultural Values – Historic Heritage - HH-P8(1)(b).

²⁹ PDP - Part 2 – District Wide Matters: Historical and Cultural Values – Historic Heritage - HH-P8(1)(c).

³⁰ Submission point 391.34.

³¹ PDP Part 1 – Introduction and General Provisions: Interpretation: Definitions "*for the purposes of Character Precincts means the removal, destruction, or taking down of the primary form of any building, or additions and alterations (including partial demolition) that are so substantial that the*

- 7.3 I consider there is some confusion as to whether the definition of demolition is applicable to the Historic Heritage Chapter which refers to ‘*demolition*’, ‘*total demolition*’ and ‘*partial demolition*’. I note that within the Chapter the hyper link for ‘demolition’ does not appear to work and that different definitions are provided for ‘total demolition’ and ‘partial demolition’ (working hyperlinks are provided). The policies and rules appear to only to relate to ‘total demolition’ or ‘partial demolition’, which, as noted, have their own definitions.
- 7.4 In my opinion, whether or not the PDP definition of ‘demolition’ is appropriate a matter which should have been addressed through Hearing Stream 2 given the definition relates to the Character Precincts.
- 7.5 In my opinion, the definitions for the terms ‘total demolition’ and ‘partial demolition’ are relatively self-explanatory. However, I consider the defined terms may provide clarity to some Plan users and so I recommend they remain.

Height of new development within heritage areas

- 7.6 Kāinga Ora sought³² to amend Policy HH-P11 as follows:

Manage the height of development to recognise and respect the unique setting of the form and scale heritage areas in conjunction with the City Centre Zone, Centre Zones and the Waterfront Zones in which the development occurs.

- 7.7 I have reviewed this submission and I agree that an amendment to HH-P11 would provide greater clarity for Plan users and decision makers as to the anticipated outcomes in relation to height. Furthermore, use of the word ‘setting’ will allow for consideration of the context of the heritage area within the Centre Zones in light of the increased heights provided for within the PDP and sought through the Kāinga Ora submission (refer to Hearing Stream 2 evidence with more evidence to be provided in Hearing Stream 4 in relation to height in the Centre Zones).³³

primary form of the building is rendered illegible; or the removal, destruction, or taking down of architectural features or elements on the primary elevation(s) of any building. It does not include any work that is permitted as repair or maintenance.”

³² Submission point 391.169.

³³ Hearing Stream 2 – Residential - Statement of Primary Evidence of Matthew Heale dated 16 March 2023 paragraphs 5.7 page 12.

- 7.8 The Council Reporting Officer considers that retaining the word 'form' is necessary to identify that buildings within heritage areas may be different shapes with differing rooflines and mass all of which contribute to the overall height in a heritage area.³⁴ I agree that height, roofline and mass make a contribution to the heritage area. However, they contribute to the overall values of the heritage area. In my opinion it is the identified values of the heritage area which should be considered in relation to the effects of increased building height.
- 7.9 I therefore recommend the following amended wording:
- ~~Manage Require~~ the height of development to ~~recognise and~~ respect the setting and identified values of heritage areas the City Centre Zone, Centre Zones and the Waterfront Zones.
- 7.10 In my opinion these amendments will ensure that the unique heritage values of a heritage area are respected whilst also reflecting that the surrounding environment within those zones are likely to be subject to significant change as a result of intensification outcomes required by the NPS-UD.
- 7.11 Kāinga Ora also opposed³⁵ Standard HH-S4 (HH-S1 in Section 42A Appendix A) '*minimum and maximum heights for heritage areas in the City Centre Zone, Centre Zones and Waterfront Zone*' and sought that the height limits are amended to align with their relief sought for heights within those zones.
- 7.12 I query whether HH-S4 is required given new buildings within heritage areas in those zones require resource consent as a Restricted Discretionary Activity and there is a policy framework for assessing the development in relation to the form and scale of the heritage areas (which would include height). The standard appears to provide a baseline but I do not consider this is necessary when a merit based assessment applies to individual sites and developments.
- 7.13 However, in the event that the Panel determines that HH-S4 should remain I recommend that the heights within HH-S4 be reviewed for

³⁴ Section 42A, Stream 3 – Historic Heritage, Notable Trees, Sites and Areas of Significance to Māori section 4.6.11.2 para. 337 page 72.

³⁵ Submission points 391.185-391.186.

appropriateness once a final decision is reached on maximum height limits for the City Centre Zone, Centres Zones and Waterfront Zone.

Clarity for Plan Users

- 7.14 Kāinga Ora sought³⁶ that the Historic Heritage Chapter was made clearer for Plan users, particularly in relation to which objectives, policies, rules and standards apply to a scheduled heritage building, a non-scheduled building, and a non-scheduled non-contributory building.
- 7.15 I acknowledge that some amendments to the Chapter are proposed in Appendix A of the Section 42A report and these do improve clarity and Plan useability. However, I consider there are additional areas where the Chapter could be improved to ensure greater clarity and avoid confusion. The following are examples:
- (a) Heritage buildings and heritage structures are defined in the Plan as being buildings or structures identified in SCHED1 or SCHED2 respectively. Non-heritage buildings are defined as being a building or structure within a heritage area identified in SCHED3 as non-heritage. Contributing buildings and structures are defined as *“buildings and structures that contribute to the heritage values of a heritage area and have not otherwise been identified as a heritage building, heritage structure or non-heritage building or structure.”* However, there is a further term ‘non-scheduled buildings and structures’ which is not defined (the term is used in HH-R2, HH-R5 (R6 in Section 42A Appendix A) and HH-S3). It is assumed this relates to a building which is not listed on SCHED1, 2 or 3 but is not entirely clear if this then refers to ‘contributory buildings and structures’. In my opinion consistent terminology should be used or a further definition of ‘non-scheduled buildings’ included;
 - (b) The Section 42A report proposes an amendment to HH-R11 and the introduction of 4 new rules (HH-R15 through to HH-R18) which apply to heritage areas. However, it is not clear whether these rules relate to heritage buildings and structures, non-

³⁶ Submission points 391.163 – 391.164.

heritage buildings or contributory buildings and structures or all of these. In my opinion, the rules should be amended to clarify what they apply to; and

- (c) Rule HH-R12 (HH-R20 in Section 42A Appendix A) refers to an 'identified non-heritage building' it is unclear why the word 'identified' is required given non-heritage buildings are defined as identified those in SCHED3.

8. CONCLUSION

- 8.1 In order to fully understand the most appropriate means of achieving the purpose of the RMA, as amended by the Amendment Act, to protect the historic heritage values associated with Mount Victoria North Townscape area, the Council must assess a range of options to give effect to the NPS-UD whilst protecting historic heritage as a Section 6 matter.
- 8.2 In my opinion, supported by the evidence of Ms Cassin, the matters raised through the Kāinga Ora submission in respect of the Mount Victoria North Townscape area demonstrate that Council has not considered all reasonably practicable options to protect and indicate that Council should have considered more stringent protection of the important and iconic urban landscape within this area.
- 8.3 Furthermore, the amendments sought by Kāinga Ora to the Historic Heritage Chapter, which I have assessed throughout my evidence will strike an appropriate balance between managing adverse effects of development and enabling opportunities and change to provide for well-functioning urban environments as required by the NPS-UD.
- 8.4 Overall, I consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents including the NPS-UD.

Victoria Emily Jane Woodbridge

24 April 2023

Appendix A – Proposed Text Changes

Black Text – Original wording from Proposed District Plan

Blue Text – Officer's recommended amendments, as set out in the Section 42A report.

Red Text – Additional amendments proposed by Kāinga Ora

ISPP indicated by * (black as notified, blue for officer's recommendation and red for Kāinga Ora's recommendation)

Te Takenga ā-Hītori Historic Heritage

	Historic Heritage
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P1 Sch1

Introduction

Section 6(f) of the RMA identifies "the protection of historic heritage from inappropriate subdivision, use, and development" as a matter of national importance. Buildings, structures, areas and archaeological sites associated with Wellington's past are a precious and finite resource and are part of what makes Wellington unique. They help the community understand and learn about culture and history, provide a sense of place, identity and well-being and contribute to the evolving story of Wellington City. Evidence of heritage in the environment provides a sense of time, and a connection between the past and the future as the city changes and grows. The whakataukī (Māori saying), "Me huri whakamuri ka titiro whakamua" / "In order to plan for the future, we must look to the past" encapsulates this principle.

Wellington City has several layers of culture and heritage. Buildings, structures and areas in this chapter do not recognise mana whenua heritage. However, development within sites and areas of significance to Māori needs to be progressed through a process that actively engages mana whenua to increase the prominence of mana whenua heritage in these areas. Sites and areas of significance to mana whenua are managed by the provisions contained in the Sites and Areas of Significance to Māori Chapter.

The Wellington Regional Policy Statement Policy 21 includes a list of criteria to ensure significant historic heritage resources are identified in district and regional plans in a consistent way. Nominations must be assessed against all of the following criteria and fit one (or more) of the following criteria to have significant historic heritage values:

1. Historic values;
2. Physical values;
3. Social values;
4. Tangata whenua values;
5. Rarity; or
6. Representativeness.

Sustainable long-term use

One of the best ways to protect [the recognised heritage values of](#) built heritage is to ensure that it remains in a sustainable long-term use. The original use of a building can be part of the reason why it is important and helps retain special associations between people and place. When the original use of a building changes to a new one, this is defined as 'reuse' and can help continue the story of that place. The range of uses that are appropriate for a given site is managed by zone provisions. Both the [original ongoing](#) use [and any future](#) reuse can be a sustainable long term use for built heritage and can be facilitated by compatible additions and alterations and/or carefully done partial demolition [to support its ongoing functionality](#). Existing buildings contain embodied energy, and their retention can save carbon associated with the construction of new buildings, including in materials, transport, demolition and landfill.

This chapter of the District Plan includes provisions relating to:

1. **Heritage buildings and heritage structures** – These are individual buildings and structures that have been assessed as having significant heritage values. The exterior of most heritage buildings and heritage structures are protected in their entirety (including roofs). Some heritage buildings only have specific features protected, such as façades. A smaller number have their interiors or interior features protected.

For the avoidance of doubt:

- a. Works to any heritage building or heritage structure that is also located within a heritage area will be assessed against the provisions for heritage buildings and structures and not the heritage area provisions.
- b. Regardless, any related resource consent assessment will also consider the values of the heritage area, including the relative contribution of building height to those values and the extent of compliance with any height standard.
- c. Works to any heritage building or heritage structure (where only specific features are protected) that is also located in a heritage area (and the work also affects those parts of the building not specifically scheduled) will be assessed against the heritage area provisions; and

SCHED1 and SCHED2 identifies heritage buildings and heritage structures.

2. **Heritage areas** – These are areas that contain a concentration ~~and continuity~~ of buildings and structures with similar heritage values. ~~Heritage areas contain contributing buildings and structures which have not been listed in SCHED1 Heritage buildings or SCHED2 Heritage Structures but have significant heritage value which~~ when considered as a collection have significant heritage value. 'Contributing buildings and structures' are those which support the heritage values of the area. ~~Scheduled Heritage buildings and heritage structures may be located within heritage areas, as can b~~ Buildings and structures that do not contribute to the heritage values of the area, ~~and~~ are identified as non-heritage in SCHED3 - Heritage Areas. ~~Demolition rules do not apply to non-heritage buildings and structures.~~

For the avoidance of doubt:

- a. ~~Works to any heritage building or heritage structure that is also located within a heritage area will be assessed against the provisions for heritage buildings and structures and not the heritage area provisions;~~
- i. ~~However, the resource consent assessment will also consider the values of the heritage area, including the relative contribution of building height to those values and the extent of compliance with any height standard;~~
- b. ~~Works to any heritage building or heritage structure (where only specific features are protected) that is also located in a heritage area (and the work also affects those parts of the building not specifically scheduled) will be assessed against the heritage area provisions; and~~
- a. Works to buildings and structures located adjacent to a heritage area, but not within, are not assessed against the provisions of this chapter.

SCHED3 identifies heritage areas.

3. **Scheduled archaeological sites** – An archaeological site is any place (including buildings, structures or shipwrecks) that was associated with pre-1900 human activity, where there is evidence relating to the history of New Zealand that can be investigated using archaeological methods. The archaeological sites scheduled in this District Plan are not an extensive record of the total number of sites that exist, but a smaller number that have been assessed in detail as having significant heritage value. The extent of each scheduled archaeological site has been identified and mapped. The provisions of this chapter apply to the use, development and activities within this identified extent.

SCHED4 identifies archaeological sites subject to the provisions of the District Plan.

4. **Heritage orders** – Under section 189 of the RMA a heritage protection authority may give notice to the Council of its requirement for a heritage order. Where a heritage order is included in the District Plan regardless of the provisions of the Plan or resource consents, no person may do anything, without the prior written consent of the relevant heritage protection authority named in the Plan in respect of the order.

APP1 – Historic Heritage Advice Notes contains useful information on assessing effects on heritage values and the different ways in which historic heritage is addressed by regulation and advocacy. [APP1 also contains reference to the provisions of the Heritage New Zealand Pouhere Taonga Act 2014 which protect all archaeological sites.](#)

Where a heritage building, heritage structure, heritage area or scheduled archaeological site is entered on the New Zealand Heritage List/Rārangi Kōrero, the Council will inform Heritage New Zealand Pouhere Taonga in respect of any resource consent or District Plan change. Council will expect an application for resource consent in respect of these listings to include written comments from Heritage New Zealand Pouhere Taonga.

Cross references to other relevant District Plan provisions

P1 Sch1

It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide chapters also contain provisions that may be relevant, including:

Subdivision - The Subdivision Chapter contains provisions which manage subdivision of land including the sites of heritage buildings and heritage structures, within heritage areas and the extent of scheduled archaeological sites.

- **Earthworks** - The Earthworks Chapter manages the adverse effects of earthworks including on the sites of heritage buildings and heritage structures, [and within heritage areas.](#) ~~and the extent of scheduled archaeological sites.~~
- **Signs** - The signs chapter manages signs on heritage buildings, heritage structures and their sites, within heritage areas and the extent of scheduled archaeological sites.
- **Infrastructure - Other overlays** – The Infrastructure chapter manages the effects of infrastructure on heritage buildings, heritage structures and their sites, within heritage areas and the extent of scheduled archaeological sites.

Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule or in this chapter, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

Objectives

ISPP

HH-O1	Recognising historic heritage
	Historic heritage is recognised for its contribution to an understanding and appreciation of the history, culture and sense of place of Wellington City, the Wellington region and New Zealand.

ISPP

HH-O2	Protecting historic heritage Historic heritage is retained and protected from inappropriate use, subdivision and development.
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ISPP

HH-O3	Sustainable long-term use Built heritage is well-maintained, resilient and kept in sustainable long-term use.
Policies	
All historic heritage	

ISPP

HH-P1	Identifying historic heritage Identify buildings, structures, areas and archaeological sites with significant historic heritage values, or that contribute to an understanding and appreciation of Māori history and culture.
Built Heritage	

ISPP

HH-P2	Conservation Plans <u>Encourage the preparation of conservation plans and take them into account when considering the effects of development proposals on the identified heritage values of built heritage.</u>
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ISPP

HH-P2 HH-P3	Maintenance and repair Encourage the maintenance and repair of built heritage where undertaken in accordance with recognised conservation principles and methods.
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ISPP

HH-P3 HH-P4	Internal works <u>Enable Control works internal to heritage buildings, including any built heritage, interiors or interior features that are specifically scheduled; or:</u> <ol style="list-style-type: none">1. The works involve interiors or interior features which are specifically scheduled; or2. New floor levels that will be visible from the exterior of buildings.
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ISPP

HH-P4	Enabling approach to works
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HH-P5	<p>Enable works to built heritage that:</p> <ol style="list-style-type: none"> 1. Increase resilience through seismic strengthening, either in isolation or as part of additions and alterations; 2. Support providing a sustainable long-term use or the ongoing functionality of the building; 3. Are undertaken in accordance with recognised conservation principles and methods; 4. 3. Increase accessibility and support means of escape from fire; or 5. 5. Provide the opportunity to promote, enhance, recover or reveal heritage values.
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ISPP

HH-P5	<p>Conservation Plans</p> <p>Encourage the preparation of conservation plans and take them into account when considering the effects of development proposals on the identified heritage values of <u>built heritage</u>.</p>
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ISPP

HH-P6	<p>Removal of unreinforced masonry chimneys</p> <p>Provide for the removal of unreinforced masonry chimneys from built heritage where it can be demonstrated that either:</p> <ol style="list-style-type: none"> 1. The chimney(s) to be removed are not part of a primary elevation and have not been specifically identified in the heritage schedule; or 2. The chimney(s) to be removed are part of a primary elevation but are damaged beyond reasonable repair or cannot reasonably be seismically strengthened; and 3. A replacement chimney will be constructed that: <ol style="list-style-type: none"> a. Is an accurate replica in design, location, size, colour, finish and ornamentation; and b. Reuses fabric from the original chimney, where practicable.
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Heritage buildings and structures

ISPP

HH-P7	<p>Additions, alterations and partial demolition of heritage buildings and structures</p> <p>Provide for additions and alterations to, and partial demolition of heritage buildings and heritage structures where it can be demonstrated that the work does not detract from the identified heritage values, having regard to:</p> <ol style="list-style-type: none"> 1. The extent to which the work: <ol style="list-style-type: none"> a. Supports the heritage building or heritage structure having a sustainable long term use and its ongoing functionality; b. Promotes, enhances, recovers or reveals heritage values; c. Retains the main determinants of the architectural style or design of the heritage building or heritage structure;
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	<ul style="list-style-type: none"> d. Is compatible with the scale, form, proportion, <u>design</u> and materials of the heritage building or heritage structure; e. Respects the identified relationship of the heritage building or heritage structure with its setting; f. Enables any adverse effects on identified heritage values to be reversed; g. Minimizes the loss of fabric and craftsmanship; h. Is in accordance with any conservation plan that has been prepared by a suitably qualified heritage professional; i. Increases structural stability, accessibility and means of escape from fire; j. Fulfils the intent of the Heritage Design Guide <ul style="list-style-type: none"> 2. The visibility of the work from street frontages; 3. Whether the works would lead to cumulative adverse effects on identified heritage values; 4. Whether there has been any change in circumstances since scheduling in the District Plan, including damage from natural disaster; 5. Any advice that has been obtained from a suitably qualified heritage professional including Heritage New Zealand Pouhere Taonga; and 6. The identified heritage values of the heritage area where located within a heritage area. <p><u>Note – The Heritage Design Guide and Wellington Heritage Inventory provide guidance and information on the historic heritage values which should be considered in relation to additions, alterations or partial demolition of heritage buildings and structures.</u></p>
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ISPP

<p>HH-P8</p>	<p>New buildings and structures, and modifications to existing non-scheduled buildings on the site of a heritage building or structure</p> <p>Provide for new buildings and structures, and modifications to existing nonscheduled buildings and structures on the same site as heritage buildings or heritage structures where it can be demonstrated that the work does not detract from the identified heritage values, having regard to:</p> <ul style="list-style-type: none"> 1. The extent to which the work: <ul style="list-style-type: none"> a. Is compatible with the scale, form, proportion, <u>design</u> and materials of the heritage building or heritage structure; b. Respects the identified relationship of the heritage building or heritage structure with its setting; and c. Fulfils the intent of the Heritage Design Guide.
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ISPP

<p>HH-P9</p>	<p>Repositioning and relocation of a heritage building or structure</p> <p>Only allow heritage buildings and heritage structures to be repositioned on their existing site or relocated to another site where it can be demonstrated that:</p> <ol style="list-style-type: none">1. <u>It will align and be undertaken in accordance with recognised conservation principles and methods;</u>
	<ol style="list-style-type: none">2. The work <u>It is</u> necessary to save the heritage building or heritage structure from damage or destruction from natural hazard; or3. The work <u>It will</u> not detract from the identified heritage values, and the proposed <u>alternative</u> siting will be appropriate; and4. In the case of <u>For relocation, alternatives have been explored and relocation is considered by Council to be a reasonable option</u> there are no practical alternatives to avoid total demolition.

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<p><u>HH-P10</u></p>	<p><u>Relocation of a heritage building or structure</u></p> <p><u>Only allow heritage buildings and heritage structures to be relocated to another site where it can be demonstrated that:</u></p> <ol style="list-style-type: none">1. <u>It will align and be undertaken in accordance with recognised conservation principles and methods;</u>2. <u>It is necessary to save the heritage building or heritage structure from damage or destruction from natural hazard; or</u>3. <u>There are no practical alternatives to avoid total demolition; and</u>4. <u>The proposed alternative site will be appropriate.</u>
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ISPP

<p>HH-P10 <u>HH-P11</u></p>	<p>Total demolition of heritage buildings and heritage structures</p> <p>Avoid the total demolition of heritage buildings and heritage structures unless it can be demonstrated that there are no reasonable alternatives to total demolition, including:</p> <ol style="list-style-type: none">1. Maintenance and repair, <u>including the extent to which it has been regularly undertaken;</u>2. Seismic strengthening;3. Additions, alterations or partial demolition, including to enable reuse;4. Repositioning; and5. Relocation.
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Heritage areas

ISPP

[HH-P11](#)
[HH-P12](#)

Height of development within heritage areas

~~Manage~~ Require the height of development to ~~recognise and~~ respect the **setting and identified values ~~unique form and scale~~** of heritage areas in the City Centre Zone, Centre Zones and the Waterfront Zone.

ISPP

[HH-P12](#)
[HH-P13](#)

Non-heritage buildings and structures

Enable the enhancement of the identified heritage values of heritage areas by allowing the repositioning, relocation and total demolition of identified non-heritage buildings and structures.

ISPP

[HH-P13](#)
[HH-P14](#)

Additions and alterations to, and partial demolition of buildings and structures within heritage areas additions and alterations to, and partial demolition of buildings and structures within heritage areas where it can be demonstrated that the work does not detract from the identified heritage values of the heritage area, having regard

1. The extent to which the work:

- a. Supports buildings and structures having a sustainable long term use;
- b. Promotes, enhances, recovers or reveals heritage values;
- c. Respects the valued neighbourhood patterns of the heritage area including any predominant architectural style or design;
- d. Is compatible with the scale, form, proportion, design and materials that have been identified as part of the heritage values of the heritage area;
- e. Responds to the relationships between buildings and structures within the heritage area;
- f. Enables any adverse effects on heritage values to be reversed;
- g. Minimizes the loss of heritage fabric and craftsmanship;
- h. Is in accordance with any conservation plan that has been prepared by a suitably qualified heritage professional;
- i. Increases structural stability, accessibility and means of escape from fire; and
- j. ~~Fulfills the intent of the Heritage Design Guide~~

2. The relative contribution of the building or structure to the identified values of the heritage area;

3. The visibility of the work from street frontages;

4. Whether the works would lead to cumulative adverse effects on the identified heritage values of the heritage area;

	<p>5. Whether there has been any change in circumstances since scheduling of the heritage area in the plan, including damage from natural disaster; and</p> <p>6. Any advice that has been obtained from a suitably qualified heritage professional including Heritage New Zealand Pouhere Taonga.</p>
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ISPP

<p>HH-P14</p> <p>HH-P15</p>	<p>New buildings and structures within heritage areas</p> <p>Provide for new buildings and structures within heritage areas where it can be demonstrated that the works will not detract from the identified heritage values of the heritage area, having regard to:</p> <ol style="list-style-type: none"> 1. The extent to which the work: <ol style="list-style-type: none"> a. Respects any valued neighbourhood patterns of the heritage area including any predominant architectural style or design; b. Is compatible with the scale, form, proportions, design and materials of the heritage area; c. Is sited to maintain a consistent pattern of front façade alignment; and
	<p>d. Fulfils the intent of the Heritage Design Guide Heritage Design Guide.</p>

ISPP

<p>HH-P15</p> <p>HH-P16</p>	<p>Relocation and relocation of contributing buildings and structures <u>within heritage areas</u></p> <p>Only allow the repositioning and relocation of contributing buildings and structures <u>within heritage areas</u> where it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. The works are <u>It is</u> necessary to save the contributing building or structure from damage or destruction from natural hazard risks; or 2. For repositioning within the heritage area, t<u>The works</u> <u>It will</u> not detract from the identified values of the heritage area ; <u>or</u> 3. Relocation outside of the heritage area is the only practical alternative to avoid total demolition. relocation is considered by Council to be a reasonable option.
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ISPP

<p>HH-P16</p> <p>HH-P17</p>	<p>Relocation or Ttotal demolition of contributing buildings and structures <u>within heritage areas</u></p> <p>Avoid the <u>relocation or</u> total demolition of contributing buildings and structures <u>within</u> heritage areas unless it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. There are no significant adverse effects on the identified heritage values of the heritage area; or 2. The works are <u>It is</u> necessary to save the contributing building or structure from damage or destruction from natural hazard risks; <u>or</u> 3. There are no reasonable alternatives to relocation or total demolition. Alternatives to total demolition have been explored and total demolition is considered by Council to be a reasonable option.
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Scheduled Archaeological Sites

P1 Sch1

<u>HH-P17</u> <u>HH-P18</u>	Information, advocacy and advice Enable the management and maintenance of scheduled archaeological sites by: <ol style="list-style-type: none">1. Obtaining, recording and sharing information about scheduled archaeological sites;2. Encouraging the preparation of conservation plans;3. Encouraging the adoption of voluntary agreements or covenants with Heritage New Zealand Pouhere Taonga; and4. Assisting landowners to maintain and stabilise scheduled archaeological sites, through the provision of advice and guidance.
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P1 Sch1

<u>HH-P18</u> <u>HH-P19</u>	Archaeological site maintenance Enable the following activities within the extent of scheduled archaeological sites: <ol style="list-style-type: none">1. Maintenance and repair of existing fences, roads, walking and access tracks;2. Mowing of grass;
	<ol style="list-style-type: none">3. Trimming and pruning of vegetation; and4. Grazing of stock.

P1 Sch1

<u>HH-P19</u> <u>HH-P20</u>	Vegetation removal and planting Manage the removal of existing vegetation and the planting of new vegetation within the extent of scheduled archaeological sites.
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P1 Sch1


<p>HH-P20 HH-P21</p>	<p>Modification of scheduled archaeological sites and earthworks within their extent</p> <p>Require that the modification of scheduled archaeological sites and earthworks within their extent does not detract from their identified archaeological values, having regard to:</p> <ol style="list-style-type: none">1. the extent to which the works<ol style="list-style-type: none">a. Provide opportunities for increasing understanding and appreciation of the values of the scheduled archaeological site;b. Contribute to returning the site to a known earlier state, including by reusing dislodged fabric;c. Reconstructs missing features to a high level of authenticity using matching or similar materials;d. Minimizes loss or damage to archaeological features;e. Will enable owners, occupiers or users to make reasonable use of the areas within the extent of the scheduled archaeological site;f. Would support the long-term maintenance, stabilisation or understanding of the extent and values of the scheduled archaeological site;2. The compatibility of any new building or structure, including its location, height, form, design and materials with any archaeological features;3. Whether the works would lead to cumulative adverse effects on the values of the scheduled archaeological site;4. Whether there has been any change in circumstances that has resulted in a reduction of significance since scheduled in the plan, including damage by natural disaster;5. The ability of the scheduled archaeological site, or parts thereof, to accommodate change without detracting from identified archaeological values;6. The findings of any assessment undertaken by a suitably qualified heritage professional; and7. The outcomes of consultation with Heritage New Zealand Pouhere Taonga.
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P1 Sch1


<p>HH-P21 HH-P21</p>	<p>Total demolition of scheduled archaeological sites</p> <p>Avoid the destruction of scheduled archaeological sites unless:</p>
	<ol style="list-style-type: none">1. The scheduled archaeological site, or part thereof, poses a serious threat to public safety; or2. It can be demonstrated that there are no reasonable alternatives to total demolition.

Rules
Heritage buildings and heritage structures
Rules: Land-use Buildings and structures activities

ISPP

HH-R1 	Maintenance and repair of scheduled heritage buildings and heritage structures
All Zones	1. Activity status: Permitted

ISPP

HH-R2 	Partial and total demolition of non-scheduled buildings and structures on the site of heritage buildings and heritage structures
All Zones	1. Activity status: Permitted

XXXXX

<u>HH-R3</u>	<u>Temporary works to heritage buildings and heritage structures</u>
<u>All Zones</u>	1. Activity status: <u>Permitted</u>

XXXXX

<u>HH-R4</u>	<u>Invasive seismic investigation of heritage buildings and heritage structures</u>
<u>All Zones</u>	1. Activity status: <u>Permitted</u>

XXXXX


<u>HH-R5</u>	<u>Removal and replacement of a single glazed clear windowpane with a clear double or triple glazed windowpane on a heritage building</u>
<u>All Zones</u>	<p>1. Activity status: <u>Controlled</u></p> <p><u>Where:</u></p> <p><u>a. The works utilise the existing window frame.</u></p> <p><u>Matters of control are:</u></p> <ol style="list-style-type: none"> <u>Design and external appearance; and</u> <u>Extent of modification of heritage fabric.</u>

	Notification status: Applications under this rule are precluded from being publicly notified or limited notified.
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XXXXX

HH-R6	Works involving the creation of new internal floor levels or internal seismic strengthening of a heritage building that are externally visible
All Zones	<p>1. Activity status: Controlled</p> <p>Matters of control are:</p> <p>1. Design and external appearance; and 2. Extent of modification of heritage fabric.</p> <p>Notification status: Applications under this rule are precluded from being publicly notified or limited notified.</p>

ISPP


HH-R3  HH-R7	Additions, alterations and partial demolition of heritage buildings and heritage structures
All Zones	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance with <u>HH-S1</u> is achieved.</p>
All Zones	<p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of <u>HH-R3.1</u> cannot be achieved.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in <u>HH-P4</u>, <u>HH-P2</u>, <u>HH-P5</u>, <u>HH-P6</u> and <u>HH-P7</u>; 2. The extent of compliance with <u>HH-S4-<u>HH-S1</u></u>.

ISPP


HH-R4  HH-R8	New buildings and structures on the site of heritage buildings and heritage structures
All Zones Medium Density Residential Zone	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. A new building is:</p> <ol style="list-style-type: none"> i. Accessory to the primary a residential <u>unit building</u>; ii. Located to the rear of the primary a residential <u>unit</u>; and iii. Smaller than 10m².

High Density Residential Zone	<p>b. <u>Any new structure (excluding buildings provided for in HH-S8.1) does not exceed must have a maximum height of 1.5m</u></p> <p>a. Compliance with HH S2 is achieved.</p>
<p>Medium Density Residential Zone</p> <p>High Density Residential Zone</p>	<p>2. Activity status: <u>Restricted Discretionary</u></p> <p>Where:</p> <p>a. <u>Compliance with the requirements of HH-R8.1 cannot be achieved.</u></p> <p>Matters of discretion are:</p> <p>1. <u>The matters in HH-P2 and HH-P8.</u></p>
<p>All other Zones</p>	<p>3. Activity status: <u>Restricted Discretionary</u></p> <p>Matters of discretion are:</p> <p>1. <u>The matters in HH-P2 and HH-P8.</u></p>

ISPP


<p>HH-R5 </p> <p>HH-R9</p>	<p>Additions and alterations to non-scheduled buildings and structures on the site of heritage buildings and structures</p>
<p>All Zones</p>	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance with HH S3 is achieved.</p> <p>a. <u>The works do not:</u></p> <ul style="list-style-type: none"> i. <u>Extend the existing building footprint at ground level by more than 10%; or</u> ii. <u>Result in the creation of additional storeys beyond the existing building envelope.</u>
<p>All Zones</p>	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of <u>HH-R5.1</u> <u>HH-R9.1</u> cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The matters in <u>HH-P2 and</u> HH-P8.</p>

ISPP

<p>HH-R6</p> <p>HH-R10 </p>	<p>Repositioning of heritage buildings and heritage structures on their existing site</p>
<p>All Zones</p>	<p>1. Activity status: Restricted discretionary</p>


	<p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in HH-P2 and HH-P9.
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<p>HH-R7</p> <p>HH-R11 </p>	<p>Removal of unreinforced masonry chimneys from built heritage</p>
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<p>All Zones</p>	<p>1. Activity status: Restricted discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in HH-P6. <p>Notification status: An application for resource consent made in respect of rule HH-R7 HHR11 is precluded from being either publicly or limited notified.</p>
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<p>HH-R8</p> <p>HH-R12 </p>	<p>Relocation of heritage buildings and heritage structures beyond the existing site</p>
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<p>All Zones</p>	<ol style="list-style-type: none"> 1. Activity status: Discretionary <p>Section 88 information requirements to accompany applications for the relocation of heritage buildings and structures beyond the existing site:</p> <ol style="list-style-type: none"> 1. An application under this rule to relocate any heritage building or structure beyond the existing site must be accompanied by: <ol style="list-style-type: none"> a. A Heritage Impact Assessment that evaluates the potential effects on the building or structure's associated heritage values resulting from relocation from its current site; b. An assessment of alternatives to relocation that have been considered by the applicant, including evidence demonstrating why none of these present a reasonable option; c. A Heritage Construction Management Plan outlining the measures and methods that will be undertaken to protect the building before, during, and after the relocation; and d. A Conservation Plan where one exists.
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<p>HH-R9</p> <p>HH-R13 </p>	<p>Total demolition of heritage buildings and heritage structures</p>
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All Zones	1. Activity status: Discretionary
	<p>Notification status: An application for a resource consent made in respect of HH-R9 HH-R13 must be publicly notified.</p> <p>Section 88 information requirements to accompany applications for <u>total demolition</u> of heritage <u>buildings</u> and structures:</p> <p>An application under this rule for the total demolition of heritage <u>buildings</u> and structures must be accompanied by:</p> <ol style="list-style-type: none"> 1. Information detailing the history of regular maintenance and repair undertaken on the building or structure; 2. A heritage Impact Assessment for the total demolition of a building; 3. A detailed seismic analysis (DSA) where the <u>building</u> is identified as earthquake prone, and a detailed description and methodology of the works required to increase seismic resilience, provided by a suitably qualified structural engineer; 4. Where the building is identified as being beyond repair, a condition survey report of the building provided by a suitably qualified professional; 5. Costings of the works required to increase seismic resilience provided by a suitably qualified quantity surveyor; 6. Estimates of contributions that are available, including funding, grants, consent fee reimbursement and rates relief; 7. An assessment of market demand and pricing for comparable <u>buildings</u> and floor space; 8. A valuation of the: <ol style="list-style-type: none"> a. <u>Building</u> following completion of works; and b. Financial return on investment expected upon completion of the works; <ol style="list-style-type: none"> i. Depending on the proposal this could be by way of lettable income on floorspace as well as forecast sales price; and 9. An assessment of alternatives to <u>total demolition</u> that have been considered by the applicant, including options for seismic strengthening, reuse, or restoration where applicable, and evidence demonstrating why none of these is considered are reasonable. <p>The Council will obtain a peer review by a suitably qualified professional of the information provided by the applicant.</p>
Heritage areas	
Rules: Buildings and structures activities	

HH-R10 HH-R14 	Maintenance and repair of buildings and structures, including non-heritage buildings and structures
All Zones	1. Activity status: Permitted

XXXXX

HH-R15	<u>Temporary works to buildings and structures</u>
All Zones	1. Activity status: Permitted

XXXXX

HH-R16	<u>Invasive seismic investigation of buildings and structures</u>
All Zones	1. Activity status: Permitted

XXXX


HH-R17	<u>Internal works to all buildings, including works involving the creation of new internal floor levels or internal seismic strengthening that are externally visible</u>
All Zones	1. Activity status: Permitted

XXXX

HH-R18	<u>Removal and replacement of a single glazed clear windowpane with a clear double or triple glazed windowpane within heritage areas</u>
All Zones	<p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> <u>The building is a non-heritage building; and</u> <u>The works utilise the existing window frame.</u>


All Zones	<p><u>2. Activity status: Controlled</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>The building is a contributing building; and</u> b. <u>The works utilise the existing window frame.</u> <p><u>Matters of control are:</u></p> <ol style="list-style-type: none"> 1. <u>Design and external appearance; and</u> 2. <u>Extent of modification of heritage fabric.</u> <p><u>Notification status: Applications under this rule are precluded from being publicly notified or limited notified.</u></p>
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HH-R11	Additions, alterations and partial demolition of buildings and structures within a heritage area, including non-heritage buildings and structures
HH-R19 	
All Zones	<p>1. Activity status: Permitted</p> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>Compliance with HH-S1 is achieved.</u>
<p>Medium Density Residential Zone</p> <p>High Density Residential Zone</p> <p>Open Space Zone</p>	<p>2. Activity status: Restricted Discretionary</p> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>Compliance with the requirements of HH-R11.1 cannot be achieved.</u> <p><u>Matters of discretion are:</u></p> <ol style="list-style-type: none"> 1. <u>The matters in HH-P4, HH-P6 and HH-P13.</u>

<p>City Centre Zone</p> <p>Waterfront Zone</p> <p>Neighbourhood Centre Zone</p> <p>Local Centre Zone</p> <p>All zones</p>	<p>4. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of <u>HH-R11.1</u> cannot be achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The matters in <u>HH-P2, HH-P5, HH-P6, HH-P11, HH-P12</u> and <u>HH-P14, HH-P13</u>; 2. The extent of compliance with <u>HH-S4, HH-S1</u>.
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ISPP


<p><u>HH-R12</u></p> <p><u>HH-R20</u> </p>	<p>Total demolition, repositioning and relocation of an identified non-heritage building or structure</p>
<p>All Zones</p>	<p>1. Activity status: Permitted</p>

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<p><u>HH-R13</u></p> <p><u>HH-R21</u> </p>	<p>New buildings and structures within heritage areas</p>
<p>Medium Density Residential Zone</p> <p>High Density Residential Zone</p>	<p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. <u>The works involve the construction of a structure associated with the operation, use and maintenance of a legal road; or</u> b. <u>The height of the structure does not exceed 1.5m above ground level; or c. <u>The structure is a lamppost; or</u></u> d. <u>A new building is:</u> <ol style="list-style-type: none"> i. <u>Accessory to the primary residential unit building; ii. <u>Located to the rear of the primary residential unit building; and iii. <u>Smaller than 10m2.</u></u></u> <p><u>Compliance with HH-S2 is achieved.</u></p>

All other zones	<p>2. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. <u>The works involve the construction of a structure associated with the operation, use and maintenance of a the legal road; or</u> b. <u>The height of the structure does not exceed 1.5m above ground level; or</u> c. <u>The structure is a lamppost.</u>
<p>Medium Density Residential Zone</p> <p>High Density Residential Zone</p>	<p>3. Activity status: Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance with the requirements of HH-R13.4 <u>HH-R21.1</u> cannot be achieved. <p>Matters of discretion are:</p> <ul style="list-style-type: none"> 1. The matters in HH-P14 <u>HH-P15</u>.
All other Zones	<p>4. Activity status: Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. <u>Compliance with the requirements of</u> HH-R13.2 <u>HH-R21.2</u> cannot be achieved. <p>Matters of discretion are:</p> <ul style="list-style-type: none"> 1. The matters in HH-P2, HH-P11 <u>HH-P12</u> and HH-P14; <u>HH-R15</u> and 2. The extent of compliance with HH-S4. <u>HH-S1</u>.

ISPP


<p>HH-R14</p> <p>HH-R22 </p>	<p>Repositioning of contributing buildings and structures within a heritage area</p>
All Zones	<p>1. Activity status: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ul style="list-style-type: none"> 1. The matters in HH-P15.

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<p>HH-R15</p> <p>HH-R23 </p>	<p>Relocation of contributing buildings and structures to a location outside of a heritage area, <u>or total demolition of contributing buildings and structures</u></p>
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All Zones	<p>1. Activity status: Discretionary</p> <p><u>Section 88 information requirements to accompany applications for the relocation of heritage buildings and structures beyond the existing site or total demolition:</u></p> <p><u>An application under this rule for the relocation of heritage buildings and structures beyond the existing site must be accompanied by:</u></p> <ol style="list-style-type: none"> 1. <u>A Heritage Impact Assessment that evaluates the potential effects on the building or structure's associated heritage values resulting from relocation outside of the heritage area;</u> 2. <u>A detailed seismic analysis (DSA) where the building is identified as earthquake prone, and a detailed description and methodology of the works required to increase seismic resilience, provided by a suitably qualified structural engineer;</u> 3. <u>Where the building is identified as being beyond repair, a condition survey report of the building, provided by a suitably qualified professional;</u> 4. <u>Costings of the works required to increase seismic resilience provided by a suitably qualified quantity surveyor;</u> 5. <u>Estimates of contributions that are available, including funding, grants, consent fee reimbursement and rates relief;</u> 6. <u>An assessment of market demand and pricing for comparable buildings and floor space;</u> 7. <u>A valuation of the:</u> <ol style="list-style-type: none"> a. <u>Building following completion of works; and</u> b. <u>Financial return on investment expected upon completion of the works (Depending on the proposal this could be by way of lettable income on floorspace as well as forecast sales price); and</u> 8. <u>An assessment of alternatives to total demolition that have been considered by the applicant, including options for seismic strengthening, adaptive reuse, or restoration where applicable,</u>
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HH-R16 	Total demolition of contributing buildings and structures
All Zones	1. Activity status: Discretionary

Scheduled archaeological sites


Rules: Activities

P1 Sch1


HH-R17	Grazing of stock within the extent of a scheduled archaeological site
HH-R24 	
All Zones	<p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance with HH-S5 is achieved. a. <u>Stock being grazed within the extent of a scheduled archaeological site must not be cattle, horses, deer or similar large animals.</u>

All Zones	<p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of HH-R17.1 HH-R24.1 cannot be achieved.</p>
P1 Sch1	
HH-R18 HH-R25	<p>Modification of a scheduled archaeological site, including earthworks within the mapped extent</p>
All Zones	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The works are for the maintenance and repair of existing roads, walking or access track, or operating of existing cultivation areas; and</p> <p>b. Compliance with HH-S6 is achieved; or</p> <p>b. Earthworks for the repair and maintenance of existing roads, walking and access tracks and operation of existing cultivation areas <u>Do not:</u></p> <p>i. Extend beyond the extent of the existing physical footprint of the formed road, walking or access track or and cultivation area; and ii. <u>Disturb previously undisturbed ground; or</u></p> <p>c. The works are the mowing of grass and the trimming and pruning of trees and vegetation within the extent of a scheduled archaeological site; and</p> <p>d. Compliance with HH-S7 is achieved or</p> <p>d. Mowing of lawns and the trimming and pruning of trees and vegetation within the extent of a scheduled archaeological site must only be are undertaken using hand-held tools or a hand operated lawn mower; or</p> <p>e. The works are the maintenance, repair and removal of identified noncontributory buildings, structures and fences within the extent of a scheduled archaeological site; and</p> <p>f. The activity is not undertaken on previously undisturbed ground.</p>
All Zones	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p>
	<p>a. Compliance with the requirements of HH-R18.1 HH-R25.1 cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The matters in HH-P20, HH-R21.</p>


P1 Sch1

HH-R19 HH-R26 	Total demolition of scheduled archaeological sites
All Zones	1. Activity status: Discretionary
Additional rules for specific heritage buildings and areas	
Rules:	

ISPP

HH-R20 HH-R27 	Alterations to enable building access at ground floor level of 32 the Terrace ‘The Braemar building’
City Centre Zone	1. Activity status: Permitted

ISPP

HH-R24 HH-R28 	Any other activity within the Mount Street Cemetery Heritage Area
Natural Open Space Zone	1. Activity status: Discretionary
Standards	

ISPP

HH-S1	Permitted additions, alterations and partial demolition
All zones:	1. The works must be internal to <u>built heritage</u> and not: <ol style="list-style-type: none"> a. Involve <u>buildings</u> where the whole interior, or individual interior elements have been specifically scheduled (and the work affects the scheduled interior or elements; or b. Result in new internal walls or floor levels visible from the exterior of the <u>building</u> (except for <u>non-heritage buildings</u> and <u>structures in heritage areas</u>). <p>This standard does not apply to <u>non-heritage buildings</u> and <u>structures in heritage areas</u>.</p>

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HH-S2	New buildings and structures on the site of heritage buildings or structures and on sites within heritage areas
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<p>Medium Density Residential Zone and High Density Residential Zone:</p>	<ol style="list-style-type: none"> 1. Any new <u>building or structure</u> must be: <ol style="list-style-type: none"> a. Accessory to the primary residential <u>building</u>; b. Located to the rear of the primary residential <u>building</u>; and c. Smaller than 10m². 2. Any new <u>structure</u> (excluding buildings provided for in <u>HH-S2.1</u>) must have a maximum <u>height</u> of 1.5m
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<p>HH-S3</p>	<p>Modifications to non-scheduled buildings and structures on the site of a heritage buildings or structures</p>
<p>All zones:</p>	<p>The modifications must not:</p> <ol style="list-style-type: none"> 1. Extend the existing <u>building footprint at ground level</u> by more than 10%; or 2. Result in additional storeys beyond the existing <u>building envelope</u>.

Appendix B – Section 32AA assessment

Having regard to section 32AA, the following is noted:

Table 1: Amendments to Policies to incorporate design guidance (HH-P7, HH-P8 and HH-P14)

Effectiveness and efficiency	<ul style="list-style-type: none"> • Removing the requirement that development fulfills the intent of the Design Guides removes ambiguity around compliance with guidance. • The use of the Design Guide and Standards as non-statutory guides, rather than having direct reference to them in the policies and assessment criteria of the District Plan, will ensure that the policies and criteria focuses on the actual outcomes that the PDP is seeking to achieve, with the use of the guide as a tool to meet the outcomes expressed. • Having the design objectives clearly articulated within the matters of discretion (within the relevant policies) provides a more effective “line of sight” to the critical outcomes. • Having design guidance as a non-statutory tool will enable them to be updated and revised, to efficiently respond to any emerging design-based shortcomings
Costs/Benefits	<ul style="list-style-type: none"> • The recommended amendments will simplify the District Plan to the extent that the rules can clearly focus on the ensuring that outcomes of the chapter are achieved. • It will also enable changes to be made to the Design Guides, as design philosophy and requirements change, without the need for a full statutory review process. • There will be ongoing cost savings if Design Guides are non-statutory. Otherwise, amendments will need to go through a Schedule 1 process to any amendments over the life of the District Plan. • Design guidance outside of the plan has lesser weighting, so there could be a perception that it has less of a role to play. However, this is resolved, in part, by ensuring that the policy framework clearly articulates the critical design outcomes.
Risk of acting or not acting	<ul style="list-style-type: none"> • I consider that the appropriateness of adopting the relief sought must be considered in the context of the direction set out in higher order policy documents, including the RPS. • The risk of not acting is the Design Guides will not keep pace with best practice principles and the consenting process may be protracted where there are disputes over whether a development fulfills the intent of the Design Guide.
Decision about more	<ul style="list-style-type: none"> • The recommended amendments as set out in my evidence are therefore considered to be more appropriate in achieving

appropriate action	the purpose of the RMA than the notified version of the PDP or the proposed changes set out in the section 42A report.
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Table 2: Amendment to HH-P11

Effectiveness and efficiency	<ul style="list-style-type: none"> • The amendment provides greater clarity for Plan users through use of the word 'require' instead of 'manage'. • The amendments also recognise that greater intensification, including through increased building heights, is required in the Centre Zones and that redevelopment within the heritage areas should be assessed within this context and framework. • The amendments provide effective and efficient assessment criteria for applications.
Costs/Benefits	<ul style="list-style-type: none"> • There is not considered to be an increased costs associated with the amendments which seek only to provide greater clarity and alignment with the intensification provisions of the NPS-UD. • The benefits allow for consideration of the wider context for proposals where height is a particularly relevant consideration.
Risk of acting or not acting	<ul style="list-style-type: none"> • The risk of not acting is relatively low, however, the proposed amendments provide greater clarity to decision makers and Plan users for the anticipated height outcomes taking account of national direction contained within the NPS-UD.
Decision about more appropriate action	<ul style="list-style-type: none"> • The recommended amendments as set out in my evidence are therefore considered to be more appropriate in achieving the purpose of the RMA than the notified version of the PDP or the proposed changes set out in the section 42A report.