
REPORT 1
(1215/11/IM)

DECISION ON DISTRICT PLAN CHANGE 75: CENTRES HERITAGE AREAS

1. Purpose of Report

To report to Council the recommendations of the Hearing Committee on District Plan Change 75 of the Wellington City District Plan, and the reasons for those recommendations.

2. Executive Summary

The Hearing Committee has considered all written and oral submissions on District Plan Change 75 and made its recommendations.

As a result of submissions received on the notified plan change, some changes have been made to the heritage areas; including certain buildings (or parts of buildings) being excluded, whilst other buildings have been identified as non-heritage buildings. The fundamental approach adopted in the notified plan change remains intact and it is recommended that the following Centres are identified as heritage areas in the District Plan:

- Aro Valley
- Berhampore (Rintoul Street)
- Hataitai
- John Street Intersection, Newtown
- Newtown
- Thorndon

If Council adopts the recommendations of the Hearing Committee, then this report will become the Council decision. If however the Council rejects one or more of the proposed recommendations the hearing process would need to be re-commenced and determined by the whole of Council.

3. Recommendation

Officers recommend that the Council:

- 1. Receive the information.*
- 2. Approve the recommendations of the Hearing Committee in respect of District Plan Change 75 as set out in Appendix 1 and 2 of this report.*

- Note the range of non-statutory suggestions made by the Hearing Committee and request that Officers consider these as part of the policy forward programme.*

4. Background

Proposed District Plan Change 75 (DPC 75) proposes the creation of 6 centre-based heritage areas: in Aro Valley, Berhampore (Rintoul Street), Hataitai, John Street Intersection (Newtown), Newtown and Thorndon.

The Plan Change is one of the outcomes of Wellington City Council's Wellington Heritage Policy 2010 that recommended greater statutory protection for the City's built heritage. The Policy is consistent with the changes made to the Resource Management Act in 2003, which requires Council to recognise and provide for the protection of historic heritage as a matter of national importance. Specifically, the heritage policy seeks to adopt a heritage area approach to protecting important areas within the urban and rural areas of the city that will contribute to the community's sense of place.

Since the District Plan became operative in 2000, Council has continued to reinforce its commitment to Wellington's heritage. This has included the adoption of the Built Heritage Policy 2005 (updated in 2010), strengthened heritage provisions through the introduction of District Plan Change 43 (notified in 2006) and the continued addition of further buildings, objects and areas to the District Plan list of protected heritage items (two outstanding appeals remains on DPC43). DPC75 follows in the footsteps of District Plan Change 53 (notified in 2006) and District Plan Change 58 (notified in 2008) both of which are largely operative and listed heritage buildings, objects and areas of different styles and eras throughout the city (one outstanding appeal remains on DPC 53 and two outstanding appeals remain on DPC58). DPC75 builds on this work and identifies Centres in our city that are considered to contain significant heritage values which are currently not recognised in the District Plan.

District Plan Change 75 was publicly notified on 25 May 2010. A total of 38 submissions and 6 further submissions were received.

The hearing for DPC 75 was held over two days, commencing 6 December 2010 and concluding 8 December 2010. The Hearing Committee was comprised of independent commissioner Robert Schofield (Chair) and commissioners Leonie Gill and Iona Pannett. Ten submitters, Brett Mainey (submitter 13), New Zealand Historic Places Trust (submitter 14), Robyn Sivewright (submitter 15), Aro Valley Community Council (submitter 21), John Kelman (submitter 23), Laura Newcombe (submitter 28), Urmila Bhana (submitter 30), Costa Varuhas on behalf of Peter and Theodora Varuhas (submitter 31), Howard Eastment (submitter 33) and Simon Williams and Blair Rutherford (submitter 34) spoke to their submissions.

The Hearing Committee deliberated on the submissions and evidence presented at the hearing over three sessions from 8 to 22 December 2010.

5. Discussion

The Committee gave careful consideration to all the issues raised by the submitters, including those issues elaborated on in presentations by the individuals or organisations who appeared before the Committee at the hearing.

All of the submissions are considered in detail in the Hearing Committee's report attached as Appendix 1.

Having considered the requirements of the Resource Management Act 1991 and the issues raised in submissions, the Hearing Committee recommends that the following changes be made to the listing description and boundaries of the proposed heritage area table and maps as shown in Appendices 9-14 to Chapter 21 of the District Plan (refer to Appendix 2 of this report):

- *Aro Valley - District Plan Chapter 21 Appendix Map 9*
Exclude the rear residential building at 100 Aro Street and the rear building at 97 Aro Street.
- *Berhampore – District Plan Chapter 21 Appendix Map 10*
Exclude 209 and 211 Rintoul Street.
- *Hataitai - District Plan Chapter 21 Appendix Map 11*
Exclude the rear building at 24b Waitoa Street and 17 Moxham Avenue.
- *John Street Intersection (Newtown) - District Plan Chapter 21 Appendix Map 12*
Exclude the lean-tos located to the rear of 161 Adelaide Road, 163 Adelaide Road, 169 & 171 Adelaide Road and 187-189 Adelaide Road. Exclude 16 Riddiford Street and 205 Adelaide Road. Identify 17 Riddiford Street and 19-21 Riddiford Street as non-heritage buildings. Identify only the upper front façade of 7 Riddiford Street as a heritage item, with the rear of the building identified as a non-heritage.
- *Newtown – District Plan Chapter 21 Appendix Map 13*
Exclude 14 Rintoul Street and identify the public toilets located at 175 Riddiford Street as a non-heritage building.
- *Thorndon - District Plan Chapter 21 Appendix Map 14*
Identify 273b Tinakori Road, 277-279 Tinakori Road, 287 Tinakori Road, 310 Tinakori Road and 318 Tinakori Road as non-heritage buildings.
- *Minor corrections*
Make minor corrections to legal descriptions of various buildings located in the heritage areas. These are simple editorial amendments and do not disadvantage a building owner in any way, as the physical address and identification of their building have remained the same.

The Hearing Committee considered that, aside from these amendments, the plan change as a whole was generally appropriate and that the proposed heritage areas should be adopted.

5. Additional Issues

As a result of the submissions received and evidence presented at the hearing, the Hearing Committee have made a number of non-statutory recommendations in their Decision Report that are outside of the scope of Plan Change 75. Some of these recommendations are already being addressed through various work streams, however some of the recommended initiatives are new and any response will need to be considered in the context of the policy and planning priorities of Council. The table below summarises these issues:

Issue	Hearing Committee Recommendation	Officer Comment
Conflict between Earthquake Prone Building Policy 2010 and heritage protection	Review various Council policies to ensure that owners of earthquake prone buildings receive an appropriate level of support to retain their buildings	The Earthquake Prone Building Policy was last reviewed in 2009. The requirement for a further review in light of the Canterbury experience is being considered as part of the policy programme 2011/2012
Public good benefit of heritage protection verses private cost to owners	Explore further incentives and ways in which Council can provide both financial and non-financial support to heritage building owners	The exploration of alternative incentives, such as rates relief for heritage building owners would have significant resource implications and would need to be considered as part of the annual planning prioritisation processes
Increased financial support for building owners	Investigate whether Council can further increase the Built Heritage Incentive Fund	The Thorndon Heritage Study paper was presented to SPC in August 2010 where it was agreed that Officers would review the city-wide eligibility criteria for the Built Heritage Incentive Fund and the level of funding available, and that any financial implications will be included in the Annual Plan process
Heritage Buildings verses Character Buildings	Investigate how the District Plan heritage area provisions can more clearly define the difference between heritage and character buildings and how Council will assess resource consents in a heritage area.	Currently there is no provision for categorising or differentiating between character buildings and heritage buildings in the District Plan. A review of this issue and increased resource consent guidance would require consideration under the District Plan forward policy programme.

6. Conclusion

This report and attachments presents the recommendations of the Hearing Committee on District Plan Change 75 – Centres Heritage Areas.

If approved by Council, the decision will be publicly notified and served on the submitters. Submitters then have the option of appealing any matter to the Environment Court within 15 working days. If no appeals are made the plan change will become operative.

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