

# Recommendations of the Proposed District Plan Independent Hearings Panel (IHP)

## Briefing for Elected Representatives

### Hearing Stream 3





Historic Heritage  
Sites and Areas of Significance to Māori  
Notable trees  
Viewshafts

20.02.2024

# Scope of this briefing

<b>Historic Heritage</b>  (ISPP)	<b>Sites and areas of significance to Māori</b>  (P1Sch1)	<b>Notable trees</b>  (P1Sch1)	<b>Viewshafts</b>  (ISPP)
Historic heritage (HH) chapter	Sites and areas of significance to Māori (SASM) chapter	Notable trees (TREE) chapter	Viewshaft (VIEW) chapter
SCHED1 – Heritage buildings	SCHED7 - Sites and areas of significance to Māori	SCHED6 – Notable trees	SCHED5 – Viewshafts
SCHED2 – Heritage structures			
SCHED3 – Heritage areas			
SCHED4 – Archaeological sites			
APP1 – Advice notes			
Heritage Design Guide			

# Background and higher order direction

	Historic Heritage	Sites and areas of significance to Māori	Notable trees	Viewshafts
<b>The Act</b>	<b>Matter of national importance</b>  'Protection of historic heritage from inappropriate subdivision, use, and development'	<b>Matter of national importance</b>  'Relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga'	<b>Matters to be had particular regard to</b>  'The maintenance and enhancement of amenity values'	<b>Matters to be had particular regard to</b>  'The maintenance and enhancement of amenity values'
<b>Regional direction</b>  <ul style="list-style-type: none"> <li>• Policy statement</li> <li>• Regional plan</li> </ul>				
	Identification methodology, and requirements to protect places with significant heritage values.	Direction to partner with Māori in addressing resource management issues and to maintain cultural relationships with sites.	Requirements to recognise the contribution of natural resources and ecosystems to wellbeings.	Requirements to recognise context and character to achieve region's design principles.

# Historic Heritage



# ISPP v Standard Planning Process

The following provisions are considered within the respective processes

<b>ISPP (not appealable)</b>	<b>Standard Planning Process (appealable)</b>
All Heritage buildings, structures and areas provisions	All archaeological sites provisions
Schedule of heritage buildings, structures and areas	Schedule of archaeological sites
Heritage design guide	

# High level issues responded to by the Historic Heritage chapter

<b>Issue</b>	<b>Notified Proposed District Plan response</b>
<b>Earthquake strengthening</b>	Internal earthquake strengthening permitted Consenting process for chimney removal
<b>Sustainable long term uses</b>	Policy direction to look favourably on works that keep or give places a long-term use
<b>Representativeness of current schedule</b>	Proposals to schedule places with values underrepresented at present
<b>No archaeological sites protected</b>	Identifies sites and protects through rules

# Overview of submissions

Chapter	Number of submitters
Historic Heritage chapter	73
SCHED1 - Heritage buildings	64
SCHED2 - Heritage structures	19
SCHED3 - Heritage areas	51
SCHED4 - Archaeological sites	4
Heritage Design Guide	8

## Key matters in contention

- Balance of protecting heritage while enabling growth and change.
- How heritage provisions can support resilience.
- Proposals to add new heritage buildings.

# Key IHP Recommendations

**Objectives are broader than protecting heritage values.**

Recommended that they also be focussed on:

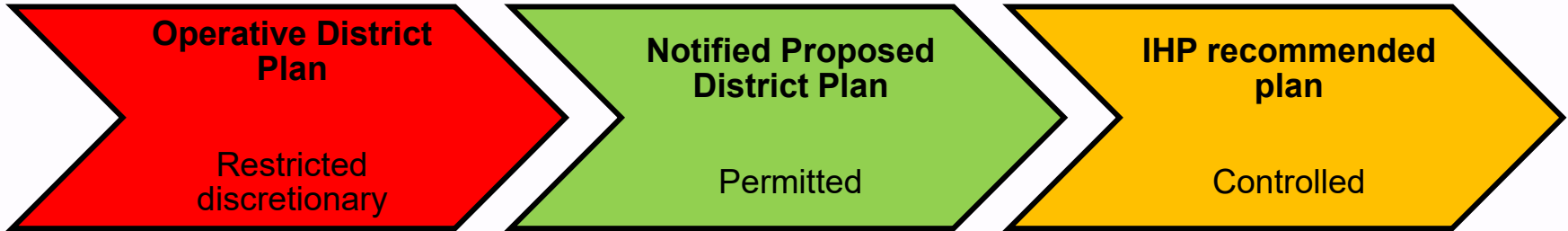
- Recognising contribution to understanding and appreciation of the history, culture and sense of place.
- Maintained and resilient.
- Keeping places in a sustainable long-term use.



# Key IHP Recommendations

## Heritage buildings

- Double glazing existing windows & visible internal seismic strengthening



- Resource consent required.
- Can be refused.

- No resource consent required.

- Requires a resource consent which must be granted by Council.
- Can include conditions (eg for appearance).

# Key IHP Recommendations

## Heritage buildings

### - Visible new internal floor levels



- Resource consent required.
- Can be refused.

- Requires a resource consent which must be granted by Council.
- Can include conditions (eg level of visibility).

# Key IHP Recommendations

## **Avoid total demolition unless no reasonable alternatives**

Discretionary activity status.

Considers alternatives of:

- Maintenance and repair
- Seismic strengthening
- Additions, alterations or partial demolition, including for reuse
- Repositioning
- Relocation

# Key IHP Recommendations

## Demolition by neglect

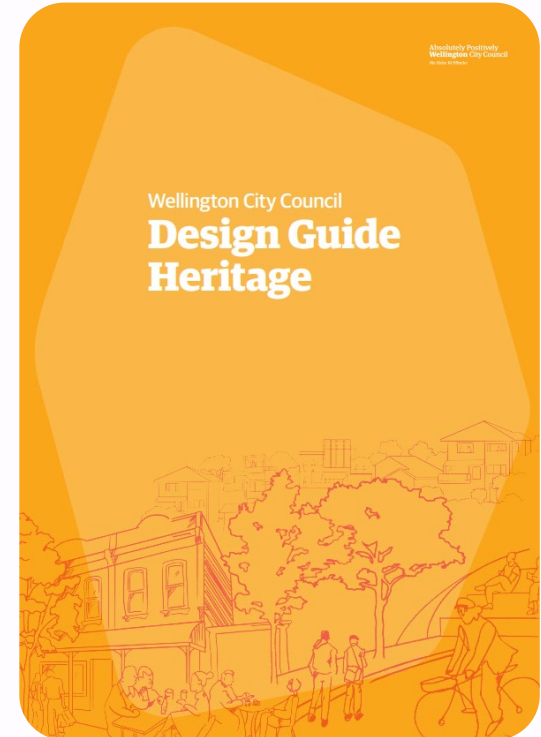
Acknowledged the practical limitations of the District Plan to prevent demolition by neglect.

- New policy direction to account for financial savings deferral of maintenance when considering demolition consents.
- Alerts that detailed history of regular maintenance is likely to be required.

# Key IHP Recommendations

## Heritage Design Guide

- Recommended to be deleted.
- Considered that it adds little value to the direction within the historic heritage chapter.
- If restructured and then considered of value, could form part of a future plan change.



# Key IHP Recommendations

## Additions to heritage schedules from ODP

- 47 new heritage buildings
- 7 new heritage structures
- 11 new heritage areas
- 3 archaeological sites

Confirmed scheduling of Freyberg and Thorndon Pools

# Key IHP Recommendations

## Amendments to currently scheduled places

- Expansion of Our Lady Star of the Sea listing
- Removal of 43 Ghuznee street, 'Toomath Building'
- Removal of internal listing for 1 Ranfurly Terrace
- Removal of Salisbury Garden Court Heritage Area

Confirmed the removal of Civic Square heritage area.

# Key IHP Recommendations

## To not proceed with some proposed additions

- 20 Austin Street
- 205 Ohiro Road, Brooklyn, 'Penthouse cinema'
- 28 Robieson Street, Roseneath, 'Toomath house'
- 79A Todman Street, Brooklyn, 'Sutch Smith House'
- 18 Vera street, 'Firth House'
- 154 Victoria street, commercial building
- 134 Willis street, commercial building
- 233 Willis street, commercial building



# Sites and Areas of Significance to Māori



# ISPP v Standard Planning Process

The following provisions are considered within the respective processes

<b>ISPP (not appealable)</b>	<b>Standard Planning Process (appealable)</b>
	Sites and Areas of Significance to Māori Chapter
	SCHED7 - Sites and Areas of Significance to Māori

# High level issues responded to by the Sites and Areas of Significance to Māori chapter

<b>Issue</b>	<b>Notified Proposed District Plan response</b>
<b>Few sites identified in the operative plan</b>	More sites added and of different forms
<b>Provisions do not recognise mana whenua aspirations</b>	Revised objectives to promote mana whenua participation in resource recognition and enhancement

# Overview of submissions

<b>Chapter</b>	<b>Number of submitters</b>
<b>Sites and Areas of Significance to Māori chapter</b>	27
<b>SCHED7 - Sites and Areas of Significance to Māori</b>	12

## Key matters in contention

- Recognition of mana whenua aspirations in the built environment.
- Identification of awa as sites and areas of significance.

# Key IHP Recommendations

## Amendments to recognise mana whenua aspirations

- Changes recommended to objective focussed on Kaitiakitanga.
- Includes recognition of desire to be active participants on resource consents and promotion of narratives.
- Rule triggers mean increased consultation with mana whenua particularly within the city centre with intention to see outcomes reflected in built form.

# Notable trees



# ISPP v Standard Planning Process

The following provisions are considered within the respective processes

<b>ISPP (not appealable)</b>	<b>Standard Planning Process (appealable)</b>
	Notable trees chapter
	SCHED6 – Notable trees

# High level issues responded to by the Notable trees chapter

<b>Issue</b>	<b>Notified Proposed District Plan response</b>
Limited recognition of reasons why trees can be notable.	Recognises that trees can be notable for scientific, historic, cultural and ecological reasons.
Limited and permissive rules.	Additional rules which reflect arboriculture best practice.



# Overview of submissions

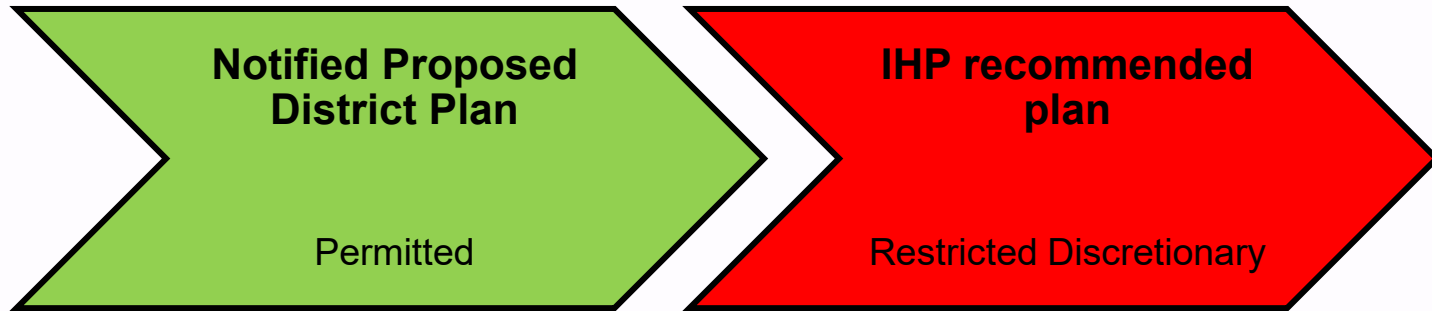
Chapter	Number of submitters
Notable trees chapter	9
SCHED6 – Notable trees	11

## Key matters in contention

- Removal of trees in terminal decline.
- Definition of ‘root protection area’.

# Key IHP Recommendations

## Removal of trees in terminal decline not permitted



- No resource consent required, subject to arborist certification and Council notified.

- Resource consent required and assessed with advice from Council's arborist.

# Key IHP Recommendations

## New definition of 'Root Protection Area'

- This definition is used to identify the area around a tree that is subject to rules for root disturbance.
- Was based on tree 'dripline' rule of thumb approach.
- Now based on a mathematical formula of tree girth.
- New definition reflects arboriculture best practice.
- Will be represented on planning maps to alert neighbours of possible impacts of their work.

# Viewshafts





# ISPP v Standard Planning Process

The following provisions are considered within the respective processes

ISPP (not appealable)	Standard Planning Process (appealable)
Viewshafts chapter	-
SCHED5 – Viewshafts	

# High level issues responded to by the Viewshafts chapter

High level issues	PDP Response
Some viewshafts overlap, are not publicly accessible or have been compromised.	Removing or amending viewshafts no longer fit for purpose.  Strengthened policy direction and consenting requirements to avoid intrusion.
Requirement to enable development under the NPS-UD and MDRS could impact the integrity of viewshafts.	Allowing a level of permitted development beyond which effects on viewshafts are required to be assessed.  Applying the viewshafts provisions more broadly.

# Overview of submissions and matters in contention

Chapter	Number of submitters
Viewshafts	22
Schedule 5 - Viewshafts	38

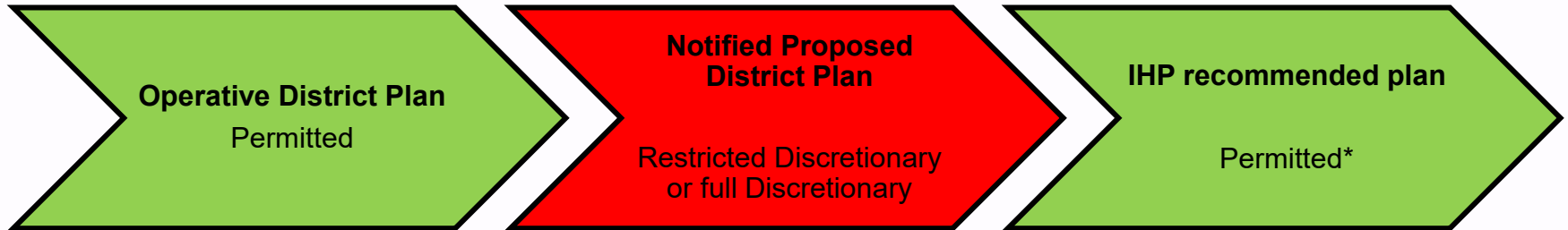
## Key matters in contention

- Mapped extent of viewshafts and application to residential and other zones.



# Key IHP Recommendations

## Viewshaft provisions apply to residential & other zones



- Provisions do not apply to residential zones

- Broad consenting requirements for all development on residential sites within viewshafts.

- MDRS and development up to permitted height limits enabled on residential sites.

# Next topics



**Question and answer time**