

Proposed District Plan Change 4

**DEMOLITION AND RELOCATION OF LISTED
HERITAGE BUILDINGS AND STRUCTURES**

Publicly Notified: 23 March 2004
Submissions Close: 30 April 2004

Proposed District Plan Change 4 - Demolition and Relocation of Listed Heritage Buildings and Structures

Section 32 Report

1. Introduction

Proposed Plan Change – Demolition and Relocation of Listed Heritage Buildings and Structures, introduces a rule to the District Plan requiring a resource consent for a proposal involving the demolition of a building or structure that is listed in the District Plan.

2. Background

The District Plan, publicly notified in December 1995, includes a number of provisions relevant to heritage buildings and structures including the listing of buildings and structures identified in the Historic Places Trust Register and other buildings and structures of local significance. There were a number of submissions on various matters, all of which were considered by the Council Hearing Committee before adoption of the final provisions.

The following rules are in the District Plan and support the listed buildings and structures:

14F 2.1 Permitted Activity

(a) *Identified Heritage Buildings or Structures:*

Any alteration, repair or modification of any building listed in Appendix Heritage 1 or 2 involving either –

- (i) *Redecoration, repair or alterations which are internal and not visible from the road frontage; or*
- (ii) *Minor repair, alteration or maintenance to the exterior of a building or structure which do not require a building consent.*

14F 2.2 Restricted Discretionary Activities

- (a) *Any other alteration, repair or modification of any building listed in Appendix Heritage 1 or 2.*

The Council considered a report supported by a Background Report on the adequacy of these provisions as they related specifically to the demolition of listed buildings in July 2003. As a result of that consideration Council determined that public consultation be undertaken to provide input from the wider community. That consultation was supported by a detailed Technical Report and a Summary Document. As well as general notification through the Public Notices of the Hutt

News (7 October and a reminder on 26 November) and the publication of an article and submission form in Hutt on the Edge (7 October), letters were sent to a range of individuals and organisations identified with a potential interest. These included all Council Board and Ward Committees, all owners of buildings listed in the District Plan including the Jackson Street Historic Area, organisations with an interest in heritage at the national, regional and local level, members of the Heritage Advisory Group, members of the Regulatory Users Group, architects and designers working in the City, real estate agencies and individuals known to have an interest in heritage.

In response to the consultation, 101 submissions were received. The findings from those submissions were reported to the Strategy and Policy Committee meeting of 18th February 2004. It is the strong desire of those responding to the initial public consultation to see provision made in the District Plan of a rule addressing the demolition and relocation of listed heritage buildings.

After considering those submissions, Council considers that it is appropriate to introduce provisions to the District Plan relating to the demolition and relocation of heritage buildings and structures.

3. Conclusion

Section 32 of the Resource Management Act 1991 requires that a number of evaluations are carried out before a proposed District Plan Change is publicly notified. The requirements of that evaluation are –

- (3) *An evaluation must examine-*
 - (a) *the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*
 - (b) *whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objective.*

- (4) *For the purposes of this examination, an evaluation must take into account –*
 - (a) *the benefits and costs of policies, rules, or other method; and*
 - (b) *the risks of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*

The Technical and Summary Reports provide extensive background and evaluation of the options and methods available. Council considers that this proposed District Plan Change supports the achievement of the purpose and principles of the Act of sustainable management. Having taken into account the views of the community, Council considers that the amendment of Objective 14F 1.1 and the introduction of a District Plan rule for a Discretionary Activity is the most efficient and effective method available.