

**PROPOSED PLAN CHANGE NUMBER 9 - UPDATE OF APPENDIX
HERITAGE 1 AND 2 CHAPTER 14F HERITAGE BUILDINGS AND
STRUCTURES**

SECTION 32 REPORT

Introduction

Proposed Plan Change 9 – Update of Appendix Heritage 1 & 2 Chapter 14F Heritage Buildings and Structures, brings the heritage buildings and structures recognised by the District Plan into line with those identified by the New Zealand Historic Places Trust (NZHPT).

Background

The protection of historic heritage from inappropriate subdivision, use and development is identified as a matter of national importance that Council has a duty to recognise and provide for under section 6(f) of the Resource Management Act 1991. Chapter 14F of the District Plan contains a number of provisions relating to heritage buildings and structures.

One of the objectives of this chapter is:

“To ensure that the heritage values of identified heritage buildings and structures are not unnecessarily lost through demolition or relocation, or compromised by any additional work”.

Two policies are set down to achieve this:

- “a) To protect the exterior of buildings and structures from inappropriate repairs, alterations or additions that adversely affect heritage values.*
- b) To ensure that where the demolition or relocation of listed heritage buildings and structures is proposed, a thorough assessment and determination is made of the need for that demolition or relocation and of the alternatives available”.*

These policies are complemented by a policy to allow a wider range of activities to take place in identified heritage buildings.

One of the methods through which the Plan identifies heritage buildings and structures is use of the NZHPT register. The NZHPT is empowered through the Historic Places Act 1993 to operate a national register of historic places. Appendix Heritage 1 contains all NZHPT registered buildings in the City. Further buildings and structures that are considered to be of local heritage significance are identified in Appendix Heritage 2.

Since the time the appendices were last printed there have been a number of additions to the NZHPT register. The purpose of this proposed plan change is to update Appendix Heritage 1 to reflect the current content of the register. The main features of the proposed plan change are:

- 1) The addition of two new historic places (the Eastbourne Borough Omnibus Service Garage and the Lower Hutt Civic Centre Area) to Appendix Heritage 1 reflecting their registration by NZHPT.
- 2) The transfer of two historic places (Rona Bay Wharf and Collett House) from Appendix Heritage 2 to Appendix Heritage 1 reflecting their registration by NZHPT.
- 3) The amendment of legal descriptions, addresses and the like where correction is required.

Identification of Options and Evaluation

Section 32 of the Resource Management Act 1991 requires that an evaluation of options and alternatives be carried out before a proposed plan change is publicly notified. The requirements are as follows -

“(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 objectives.

(3A) This subsection applies to a rule that imposes a greater prohibition or restriction on an activity to which a national environmental standard applies than any prohibition or restriction in the standard. The evaluation of such a rule must examine whether the prohibition or restriction it imposes is justified in the circumstances of the region or district.

(4) For the purposes of the examinations referred to in subsections (3) and (3A), an evaluation must take into account –
(a) the benefits and costs of policies, rules, or other methods; and
(b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.”

In preparing the proposed plan change Council officers considered two alternatives:

- 1) Retain the status quo
- 2) Update the appendices to Chapter 14F to reflect additions that have been made to the NZHPT register.

NZHPT registration of a building or structure does not, in itself, confer any protection of heritage values. It is only through incorporation into Chapter 14F of the district plan that the building or structure becomes subject to rules aimed at protecting heritage values in the city.

Without updating the appendices it is not possible to give full effect to the policies of Chapter 14F. In turn, this compromises the ability of the Plan to achieve its objectives and anticipated environmental results. The benefit of Option 2 is that it is consistent with the approach taken to heritage protection and the identification of heritage buildings and structures since the Plan was publicly notified in 1995. It ensures that all NZHPT registered buildings and structures within the City have the same status under the Plan and are subject to the same rules.

The existing approach under the Plan does not prevent the demolition, relocation or alteration of heritage buildings and structures outright. Rather it ensures that where proposed works may compromise recognised heritage values the proposal is put through a thorough assessment through a resource consent application process.

In this case, the costs associated with Option 2 are confined to any additional costs the owners of the Eastbourne Borough Omnibus Service Garage may incur in the future from being subject to the rules of Chapter 14F. All other buildings and structures affected by Option 2 are already subject to the provisions of Chapter 14F.

Conclusion

Option 2, as specified in Proposed Plan Change 9 – Update of Appendix Heritage 1 & 2 Chapter 14F Heritage Buildings and Structures is the most appropriate means of achieving the objectives of Chapter 14F of the District Plan. It is consistent with the approach Council has taken to the identification and protection of heritage buildings and structures up to this point. Further, it ensures that all NZHPT registered buildings and structures continue to have the same status under the Plan.