

Summary notes, Jonathan Clease, Planning, for Daresbury Ltd (#874) and Church Property Trustees (#825)

- My summary concentrates on the key matter before the Panel this afternoon – the proposed delisting of Daresbury and St James. Am happy to answer any questions re evidence on provision amendments, but appreciate that it's been a long day so am focussing on the key relief sought by the submitters.
- In terms of de-listing, starting at the top, PC14 is to implement NPS-UD and MDRS
- Both sites are in a residential zone, so MDRS is to be enabled unless a QM is in play. St James is immediately adjacent to Riccarton commercial centre so NPS-UD 3(d) commensurate outcomes are also in play
- Historic heritage is a legitimate QM, but still needs to be justified and be the minimum necessary in terms of limiting MDRS.
- Council has recommended the delisting of two other items (Harley Chambers and Portstone Cottage), so there's agreement on the principle that delisting is a legitimate action as part of PC14
- I agree with Council that both buildings have heritage value, and will retain heritage value following repairs, albeit Daresbury takes a step down the significance continuum. Of note, the District Plan heritage schedule is split into two categories, namely 'highly significant' and 'significant'. Demolition of highly significant buildings is non-complying, whereas demolition of significant buildings is fully discretionary.
- So it comes down to the policy directions for listing. The Christchurch Plan adopts a heritage approach that is tailored to the post-quake context. It contains recognition that at the time it was drafted, there was considerable uncertainty as to building condition and the costs of repair. The provisions were therefore intentionally flexible to enable consideration of new information as time progressed.
- 9.3.2.2.1(c) requires an examination of each of the four sub-clauses, with listing to occur only where each of these clauses is met -with the latter two clauses needing to be met in the negative).
- For these two buildings I consider that 9.3.2.2.1(c)(iv) is squarely in play – namely that there are engineering and financial factors related to the physical condition of the heritage item that would make it unreasonable or inappropriate to schedule the heritage item.
- I appreciate that an unreasonable test is inherently subjective. But the fact neither building has progressed some 13 years post-quake gives a strong real-world indication that the owners are finding the costs, and more specifically the gap between the costs of repair and the end value of the building, to be significant. Undertaking the works would therefore be unreasonable.

- There are no insurance proceeds available and the likelihood of substantial heritage grants being available is low. This cost gap will endure should ownership change, along with the unreasonableness. Scheduling does not get buildings repaired – it simply perpetuates status quo vacancy. As such as a tool it imposes significant costs with very limited benefits. On balance I find that delisting, as a pathway to demolition, would not be inappropriate in terms of s6(e), and would facilitate the enablement of increased housing as sought through NPS-UD and MDRS.