

# CHRISTCHURCH DISTRICT PLAN

## PLAN CHANGE 14

*HOUSING AND BUSINESS CHOICE*

**PLANNING OFFICER'S REPORT OF SUZANNE AMANDA RICHMOND UNDER  
SECTION 42A OF THE RESOURCE MANAGEMENT ACT 1991**

**Heritage Items and Qualifying Matter - Heritage Items**

**11 August 2023**

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## 1 EXECUTIVE SUMMARY

- 1.1.1 I have been asked by the Council to prepare this report pursuant to section 42A of the Resource Management Act 1991 (**the Act/RMA**). This report considers the issues raised by submissions to Council initiated Plan Change 14 – Housing and Business Choice (**the plan change / PC14 / PPC14**) to the Christchurch District Plan (**the Plan**), including those submissions made on both PC14 and Plan Change 13 – Heritage (**PC13**) where these are within the scope of PC14, and makes recommendations in response to the issues that have emerged from these submissions, as they apply to:
- a. the Heritage items provisions in PC14; and
  - b. the Historic Heritage qualifying matter as it relates to Heritage Items.
- 1.1.2 This report forms part of the Council’s ongoing reporting obligations to consider the appropriateness of the proposed provisions; the benefits and costs of any policies, rules or other methods; and the issues raised in submissions on PC14.
- 1.1.3 53 submissions were received on PC14 in relation to Heritage Items topic in PC14 (seeking 196 separate decisions). Of these, 46 submission points support the provisions, 71 support or oppose the provisions with amendments, and 79 oppose the provisions.
- 1.1.4 The main issues raised by the submitters relevant to this s42A report are:
- a. Issue 1 – Support for protection of new heritage items or heritage items Qualifying Matter
  - b. Issue 2 – Oppose protection of new heritage items
  - c. Issue 3 – Seek removal of protection for heritage items
  - d. Issue 4 – Support changes or seek changes to protection of heritage items and heritage settings
  - e. Issue 5 – Support for provisions for heritage items and heritage settings
  - f. Issue 6 – Oppose or seek amendments to provisions for heritage items and heritage settings, including to make them more or less restrictive
  - g. Issue 7 – Central City rules for heritage sites and Central City Heritage height overlays and interfaces: support, oppose or seek amendments to protection and provisions
  - h. Issue 8 – Oppose zoning or seek interfaces adjoining heritage items or sites with heritage values
  - i. Issue 9 – Other submissions related to heritage items.
- 1.1.5 This report addresses each of these key issues, as well as any other relevant issues raised in the submissions relating to Heritage Items and the Historic Heritage Qualifying Matters as it relates to Heritage Items.

- 1.1.6 Having considered the notified PC14 material, the submissions and further submissions received, the evidence of the Council's expert advisors and the additional information provided by the Council since notification, I have evaluated the PC14 provisions relating to Heritage Items and provided recommendations and conclusions in this report. The PC14 provisions with my recommended amendments are included in the text of this report. These recommendations take into account all of the relevant matters raised in submissions and relevant statutory and non-statutory documents.
- 1.1.7 In accordance with the further evaluation undertaken under section 32AA of the RMA that has been included throughout this report, I consider that the provisions with recommended amendments are the most appropriate way to achieve the objectives of PC14 and the purpose of the RMA.

## 2 INTRODUCTION

### REPORTING OFFICER

- 2.1.1 My full name is Suzanne Amanda Richmond. I am a Heritage Advisor (planning) in the Heritage team of the Christchurch City Council (**the Council**). I have been in this position since 2011, and was first seconded to that role in 2009.
- 2.1.2 I hold a Masters of Environmental Policy degree from Lincoln University specializing in resource management planning. I am a member of the New Zealand committee of the International Council on Monuments and Sites (ICOMOS New Zealand/Te Mana o Nga Pouwhenua o Te Ao).
- 2.1.3 I have 16 years' experience in planning and resource management in New Zealand, having worked as a Resource Consents Planner for three years and as a Heritage Advisor (planning) at the Council for 13 years. I have experience preparing and presenting both planning and heritage technical evidence to resource consent hearings, and contributed to drafting of heritage provisions and the s32 report for the Heritage chapter of the Christchurch District Plan Review in 2014-16.
- 2.1.4 I was co-author of the notified heritage provisions for Plan Change 13 and 14 and was a contributing author to the overall PC13 Heritage s32 report prepared by Glenda Dixon.

- 2.1.5 I have been involved in preparing the Christchurch City Council submission on Plan Change 14 in relation to heritage matters. In this report, I will not be considering or commenting on relief sought in the Council submission.
- 2.1.6 My role in preparing this report is that of an expert planner.
- 2.1.7 Although this is a Council-level process, I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and I agree to comply with it. I confirm I have considered all the material facts I am aware of that might alter or detract from the opinions that I express. I confirm this evidence is within my area of expertise, except where I state I am relying on the evidence of another person.
- 2.1.8 While I am an employee of the Council, the Council understands my obligation under the Code of Conduct, in preparing this report, to provide impartial evidence to assist the Panel.

#### **THE PURPOSE AND SCOPE OF THIS REPORT**

- 2.1.9 In response to the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**the Housing Supply Amendment Act**), tier 1 territorial authorities were required to notify changes or variations to their district plans to incorporate the Medium Density Residential Standards (**MDRS**) and give effect to Policy 3 of the National Policy Statement – Urban Development 2020 (**NPS-UD**). PC14 is an Intensification Planning Instrument (IPI) under section 80E of the Resource Management Act 1991 (**RMA**).
- 2.1.10 As a tier 1 territorial authority the Council has established an Independent Hearings Panel (**IHP**) to hear submissions and make recommendations on PC14 using the Intensification Streamlined Planning Process (**ISPP**).
- 2.1.11 I have prepared this report in accordance with the ISPP and Section 42A of the RMA for the purpose of:
- 2.1.12 Assisting the IHP in considering and making their recommendations on the issues raised by submissions and further submissions on Christchurch's Intensification Planning Instrument – PC14, by presenting the key themes and associated issues in relation to the Heritage Items provisions of PC14 that require consideration by the IHP, and
- 2.1.13 Identifying submissions related to the Heritage Items provisions of PC14, providing submitters with information on how their submissions have been evaluated and making recommendations

on the Heritage Items provisions of PC14 and the submissions and further submissions received on it.

- 2.1.14 Changes to the heritage provisions were notified as a package in PC13 and duplicated across the relevant chapters in PC14 where they related to sites and parts of the Christchurch District affected by PC14. Where heritage rules and sites appeared to fall outside the coverage of PC14 the text/sites were generally highlighted in the notified provisions as applying to PC13 only. The analysis of issues and submissions in this report is relevant to PC13 as well as PC14, except where referring to Qualifying Matters (PC14 only), or where identified as “PC13 only” issues which are discussed in the Out of Scope Submissions section 7.2.
- 2.1.15 The scope of this s42A report relates to Heritage Items and Heritage Items forming part of the Historic Heritage qualifying matter.
- 2.1.16 This s42A report addresses the contextual, procedural and statutory considerations and instruments that are relevant to the Heritage Items provisions which have been outlined in the section 42A 'Strategic Overview' report.
- 2.1.17 This report also addresses the following Section 32 reports insofar as they relate to Heritage Items and associated planning provisions, and aspects of Heritage Items forming part of the Historic Heritage qualifying matter:
- a. Plan Change 13 - Update of Historic Heritage Provisions – Section 32 Evaluation (subsequently referred to in this report as the “Heritage section 32 report”)
  - b. Plan Change 14 - Section 32 and Section 77 – Qualifying Matters - Part 2 Heritage Items pp. 76-82.
- 2.1.18 This s42A report:
- a. discusses the relevant Christchurch District Plan Objectives and Policies as they relate specifically to Heritage Items and the Historic Heritage qualifying matter;
  - b. provides an overview of the proposed PC14/PC13 provisions as they relate to the Historic Heritage qualifying matter;
  - c. provides an overview, analysis and evaluation of submissions and further submissions received on Heritage Items and Heritage Items in relation to the qualifying matter Historic Heritage; and
  - d. provides conclusions and recommendations.
- 2.1.19 In this s42A report I consider the issues raised and the relief sought in submissions and further submissions received by the Council in relation to Heritage Items along with relevant objectives, policies, rules, definitions as they apply to Heritage Items. I then make recommendations on whether to accept or reject each submission and further submission point

along with conclusions and recommendations for changes to PC14 provisions or maps relating to Heritage Items based on the assessment and evaluation contained in the report. Where appropriate, this report groups submission points that address the same provision or subject matter. A summary of my recommendations as to acceptance, acceptance in part or rejection of the submissions and further submissions is included throughout this report with detail provided in Appendix B – Table of Submissions with Recommendations.

- 2.1.20 As required by Section 32AA, a further evaluation of recommended changes (including reasonably practicable alternatives) to the amendments proposed in PC14 to the Heritage Items has been undertaken and has been included throughout this report.
- 2.1.21 This report is intended to be read in conjunction with the following reports, documents, assessments, expert evidence and other material which I have used or relied upon in support of the opinions expressed in this report:
- a. the Section 42A Assessment Report: Part A – Strategic Overview, including:
    - all statutory matters and instruments, background information and administrative matters pertaining to PC14 discussed in that report, and
    - the overview of the relevant Christchurch District Plan Objectives and Policies as they relate to Heritage Items and the Heritage Items Qualifying Matter as discussed in that report.
  - b. The related s42A report on the Heritage topic - Residential Heritage Areas by Glenda Dixon;
    - Central City section 42A reports (Andrew Willis and Holly Gardiner);
    - Residential section 42A report (Ike Kleynbos);
    - Housing Capacity Assessment (John Scallan)
  - c. the advice and recommendations of the following experts, as set out in their statements of evidence:
    - Amanda Ohs, Senior Heritage Advisor (the Council) – Heritage Items technical evidence
    - Gareth Wright, Heritage Advisor (the Council) - Heritage Items technical evidence (471 Ferry Road)
    - Matthew Stobbart, Treetech Specialist Treecare Limited (Treetech) (Papanui War Memorial Avenues).
- 2.1.22 I have considered and assessed the following reports and documents in preparing this section 42A report:

- a. PC13 Heritage s32 report (and Appendix 2 Reasons for Rule Amendments for notification), including all statutory matters and instruments, background information and administrative matters pertaining to PC14, in particular Heritage Items discussed in that report and all other matters relevant to Heritage Items discussed in that report;
- b. submissions related to Heritage Items;
- c. all other associated documentation related to PC14 prepared by the Council insofar as it relates to Heritage Items and the related qualifying matters.

2.1.23 The discussion and recommendations included in this report are intended to assist the IHP and submitters on PC14. Any conclusion and recommendations made in this report are my own and are not binding upon the IHP or the Council in any way. The IHP may choose to accept or reject any of the conclusions and recommendations in this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by persons during the hearing.

### **3 KEY ISSUES IN CONTENTION**

3.1.1 A number of submissions and further submissions were received on the protection and provisions relating to Heritage Items.

3.1.2 I consider the following to be the key issues in contention on this topic and have grouped the submissions and further submissions accordingly for evaluation:

- a. Issue 1 – Support for protection of new heritage items or heritage items Qualifying Matter
- b. Issue 2 – Oppose protection of new heritage items.
- c. Issue 3 – Seek removal of protection for heritage items.
- d. Issue 4 – Support changes or seek changes to protection of heritage items and heritage settings.
- e. Issue 5 – Support for provisions for heritage Items and heritage settings.
- f. Issue 6 – Oppose or seek amendments to provisions for heritage items and heritage settings, including to make them more or less restrictive.
- g. Issue 7 – Central City rules for heritage sites, and Central City Heritage height overlays and interfaces: support, oppose or seek amendments to protection and provisions.
- h. Issue 8 – Oppose zoning or seek interfaces adjoining heritage items or sites with heritage values.
- i. Issue 9 – Other submissions related to heritage items.

3.1.3 I address each of these key issues in this report, as well as any other issues raised by submissions.



## **4 PROCEDURAL MATTERS**

### **PROCEDURAL MATTERS**

- 4.1.1 At the time of writing this report there has been a pre-hearing conference on 1 August 2023. There have not been any clause 8AA meetings or expert witness conferencing in relation to submissions on any Heritage Items provisions.
- 4.1.2 It is noted that many submissions relate to matters that will be addressed in other s42A reports. Where a submission point is included in the summary tables for Heritage Items but would be more suitable to assess under other reports, this has been noted in the relevant table.

## **5 BACKGROUND AND STATUTORY CONSIDERATIONS**

### **THE RESOURCE MANAGEMENT ACT 1991**

- 5.1.1 The 'Strategic Overview' section 42A report and the section 32 report provide a detailed overview of the key RMA matters to be considered by PC14 and will not be repeated in detail here.
- 5.1.2 In summary, PC14 (and PC13) has been prepared in accordance with the RMA and in particular, the requirements of:
- a. Section 74 Matters to be considered by territorial authority, and
  - b. Section 75 Contents of district plans; and
  - c. Section 76 District Rules.
- 5.1.3 In regard to PC14, as discussed in the 'Strategic Overview' section 42A report and the section 32 reports referred to in section 2.2 relating to Heritage Items, the RMA-Enabling Housing Supply and Other Matters Amendment Act 2021 requires the Council to make changes to its operative district plan for the purposes of:
- a. Incorporating Medium Density Residential Standards into all relevant residential zones (s77G(1));
  - b. Implementing the urban intensification requirements of the NPS-UD (s77G(2)) and give effect to policy 3 in non-residential zones (s77N); and
  - c. Including the objectives and policies in clause 6 to Schedule 3A of the RMA (s77G(5)).
- 5.1.4 The required plan changes and variations must be undertaken using an Intensification Planning Instrument (IPI) in accordance with sections 80E to 80H of the RMA. Councils must use the Intensification Streamlined Planning Process (ISPP) set out in Part 6 of Schedule 1 of the RMA.

- 5.1.5 The primary focus of PC14 is to achieve the above requirements of the RMA as amended by the RMA-EHS.
- 5.1.6 As set out in the 'Strategic Overview' section 42A report and the section 32 reports referred to above, there are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of PC14 in relation to Heritage Items. These are listed in the Heritage section 32 report on pages 5-7 and include:
- a. section 6(f) of the RMA;
  - b. section 7 of the RMA;
  - c. NPS-UD and MDRS as mentioned above; and
  - d. the Canterbury Regional Policy Statement.
- 5.1.7 The most relevant provisions in the Canterbury Regional Policy Statement are:
- a. Policy 13.2.1 - Identification and Protection of Historic Items, Places and Areas
  - b. Policy 13.2.3 - Repair, Reconstruction etc of Built Historic Heritage;
  - c. Policy 13.3.1 - Recognise and Provide for the Protection of Historic Items, Places and Areas ....., and
  - d. Policy 13.3.4 - Appropriate Management of Historic Buildings.
- 5.1.8 Most of these provisions refer not just to sites, but to places and areas, as does the Christchurch Central Recovery Plan.
- 5.1.9 While it is a non-statutory strategy, it is important to note that Christchurch City Council has an adopted "Our Heritage, Our Taonga Heritage Strategy (2019-2029)" which was produced in partnership with the six papatipu rūnanga and with the involvement of the communities of Christchurch and Banks Peninsula. Goals of the Heritage Strategy include "seeking to develop the strongest possible regulatory framework to ensure effective protection of significant and highly significant heritage places" and "seeking to increase the scope and breadth of regulatory and non-regulatory protection measures which could achieve ... a broadened range of heritage places and values ...".
- 5.1.10 This report includes a comprehensive assessment, in particular in the section 8 Analysis of Submissions and Further Submissions, of the PC14 provisions and qualifying matters in relation to these documents and plans and all statutory considerations in so far as they relate to the Heritage Items and related planning provisions.

## **SECTION 32AA**

- 5.1.11 As noted above I have undertaken an evaluation of the recommended amendments to the Heritage items provisions since the initial section 32 evaluation was undertaken in accordance with s32AA.
- 5.1.12 The required section 32AA evaluations for changes I have proposed as a result of consideration of submissions are contained within the assessments provided in relation to submissions on Heritage Items and associated planning provisions. These evaluations are provided at the relevant sections of this s42A report, as required by s32AA(1)(d)(ii).
- 5.1.13 The Section 32AA evaluations contain a level of detail that corresponds to the scale and significance of the anticipated effects of the changes that have been made. Recommendations on editorial, minor, and consequential changes that improve the effectiveness of provisions without changing the policy approach are not re-evaluated. No re-evaluation has been undertaken if the amendments have not altered the policy approach.

## TRADE COMPETITION

- 5.1.14 Trade competition is not considered relevant to the topic of Heritage Items.
- 5.1.15 There are no known trade competition issues raised within the submissions.

## CHRISTCHURCH DISTRICT PLAN

- 5.1.16 The relevant district plan provisions also need to be considered in preparing a plan change and considering any submissions on the change. The Heritage section 32 report contains an evaluation of the historic heritage proposals of PC14/PC13 including amendments to Chapter 9.3 policies, rules and to the schedule of heritage items, against the relevant District Plan objectives and policies. I agree with the assessment carried out.

- 5.1.17 This plan change does not propose any amendments to **Objective 9.3.2.1.1 - Historic Heritage:**

### 9.3.2.1.1 Objective - Historic heritage

- a. The overall contribution of historic heritage to the Christchurch District's character and identity is maintained through the protection and conservation of significant historic heritage across the Christchurch District in a way which:
  - i. enables and supports:
    - A. the ongoing retention, use and adaptive re-use; and
    - B. the maintenance, repair, upgrade, restoration and reconstruction of historic heritage; and
  - ii. recognises the condition of buildings, particularly those that have suffered earthquake damage, and the effect of engineering and financial factors on the ability to retain, restore, and continue using them; and
  - iii. acknowledges that in some situations demolition may be justified by reference to the matters in Policy 9.3.2.2.8.

- 5.1.18 **Policy 9.3.2.2.1 – Identification and assessment of historic heritage for scheduling** in the District Plan is the base policy for assessing items which are proposed to be added to the Schedule of Significant Historic Heritage Items in Appendix 9.3.7.2.
- 5.1.19 **Policy 9.3.2.2.3 Management of scheduled historic heritage** is especially relevant to how the rules are drafted and amended through this plan change. It emphasises managing the use and development of heritage items, settings and heritage areas to provide for use and adaptive reuse, and recognising the need for a flexible approach to heritage management. It sets out principles for undertaking any work on heritage items and settings, including conserving or where possible enhancing the authenticity of heritage items or settings, especially those classified as Highly Significant.
- 5.1.20 **Policy 9.3.2.2.5** Ongoing use of heritage items and settings complements Policy 9.3.2.2.3., specifying activities which support ongoing use and adaptive reuse.
- 5.1.21 **Policy 9.3.2.2.11** Future Work Programme is key to the Heritage Item component of this plan change, as it signals additions to the schedule of heritage items and settings (including protection of building interiors).
- 5.1.22 Chapter 9.3 contains comprehensive rules for protection of historic heritage from inappropriate use, subdivision and development. Section 6 below summarises proposed changes to the policies set out above, and to the rules for heritage items. It also explains additions to the Schedule of Historic Heritage Items in Appendix 9.3.7.2.
- 5.1.23 These proposed provisions were assessed in the Section 32 reports prepared for PC14 and PC13 in terms of consistency with the relevant strategic directions set out in Chapter 3 of the District Plan, and appropriateness in achieving the purpose of the Act.
- 5.1.24 Chapter 3 Strategic Directions of the Christchurch District Plan provides the overarching direction for the District Plan and all other chapters of the Plan must be consistent with its objectives (3.1). It provides a direction for Heritage Items by stating as an outcome in clause a. iii.:
- 5.1.25 Objective 3.3.10 – Natural and cultural environment (as amended at notification):
- a. A natural and cultural environment where:

- iii. Objects, structures, places, water/wai, landscapes and areas that are historically important, or of cultural or spiritual importance to Ngāi Tahu mana whenua, are identified and appropriately managed.

## **6 PLAN CHANGE 14 – HERITAGE ITEMS**

### **OVERVIEW**

- 6.1.1 This section provides an overview of the changes proposed to be made to sub-chapter 9.3 and other chapters of the District Plan in Plan Change 14 (and Plan Change 13), in relation to Heritage Items. Changes are aimed at clarifying and simplifying, and in some cases strengthening provisions. The broad intent of the objectives and policies for heritage in Plan Change 14/13 is proposed to remain the same as under Decision 45 of the Independent Hearings Panel (IHP) in 2016, although some amendments are proposed to the wording of policies.
- 6.1.2 These issues have been considered by the Council in the Heritage section 32 evaluation. This report only provides a summary of the relevant information and focuses on outstanding matters and issues. Matters raised in submissions will be discussed in section 7 and 8 below.

### **PROTECTION OF NEW HERITAGE ITEMS**

- 6.1.3 Plan Change 14 (and 13) seeks to protect further heritage items, as part of an ongoing programme of work to better represent the extent of the District's heritage in the District Plan. 44 additional items (plus one via Council submission) are now proposed to be scheduled for protection under Appendix 9.3.7.2 Schedule of Significant Historic Heritage Items. In addition, 26 additional heritage interiors are proposed for protection (including 10 for new items). See also the discussion in section 7.2 on scope in relation to interior protection. The new items have been assessed since the District Plan Review as meeting the criteria for protection in Chapter 9.3, Policy 9.3.2.2.1. The scheduling of these items is supported by their owners.
- 6.1.4 The heritage items proposed to be added via Plan Change 14 (and 13), include five buildings in or around the fringes of the CBD, and 15 proposed additions to the schedule outside the Central City, but within the urban area. This includes several halls and cemeteries which are Council owned assets with community values. And 25 new items are the remaining baches at

Taylor's Mistake which are not yet scheduled in the District Plan, which have been assessed as meeting the criteria for scheduling, and which the owners wish to have protected.

### **CHANGES TO PROTECTION OF HERITAGE ITEMS AND SETTINGS**

- 6.1.5 In updating Chapter 9.3 on heritage, the opportunity has been taken to correct entries in the Schedule of Significant Historic Heritage Items where circumstances have changed. This includes the deletion of items that have been demolished or have consent for demolition. It also includes instances of the level of significance of an item being corrected/ upgraded from Significant to Highly Significant. This is because the level of significance recorded in the schedule does not accurately reflect the assessment and peer review of that assessment that was carried out for the heritage item at the time of the District Plan Review. These changes mean that demolition of these items becomes a Non-complying activity rather than a Discretionary activity as it is for Significant heritage items.
- 6.1.6 A small group of scheduled items have had the outline of the heritage item on the Heritage Aerial Maps (**HAMs**) modified, for reasons such as partial demolition of the building. In some cases the extent of the setting has been reduced, for example because part of the property has been subdivided. This changes the extent of protection of the item or its setting.

### **AMENDMENTS TO PROVISIONS FOR HERITAGE ITEMS AND SETTINGS**

- 6.1.7 It is not proposed to amend the heritage objective in sub-chapter 9.3, which seeks the outcome of maintenance of the overall contribution of historic heritage to Christchurch's character and identity through the protection and conservation of significant historic heritage, while enabling and supporting ongoing use and adaptive reuse, repair and restoration, and also recognising the need to take into account factors such as condition, and engineering and financial considerations.

#### ***Policy Amendments***

- 6.1.8 Wording changes in relation to Heritage Items are proposed to five of the policies to provide a clearer context and policy direction for the reviewed rules. Changes to these policies also contain changes which relate to Residential Heritage Areas which are covered in the planning evidence of Glenda Dixon, as are changes proposed to the heritage areas policy.

6.1.9 The amendments to Policy 9.3.2.2.3 on management of scheduled historic heritage introduce more explicitly the consideration of retaining the level of significance of the item through use and development. The amendments to Policy 9.3.2.2.8 on demolition relate to having regard to whether the heritage item would no longer meet the criteria for scheduling. The change to the Ongoing Use policy (Policy 9.3.2.2.5) adds consideration of access, which is a fundamental consideration in maintaining use of heritage items.

### ***Rule Amendments***

- 6.1.10 The intent of the rule revisions is to simplify and clarify the rule provisions and improve workability, both for applicants and for Council. A series of minor wording amendments are proposed to definitions and rules to make them clearer and to better reflect the intention of the existing objective and policies. This includes combining some activity listings which are not significantly different to each other or where activity standards are very similar or the same.
- 6.1.11 The rule revisions also include some minor strengthening of the rules, which may be of greater significance to individual heritage building owners.
- 6.1.12 The first of these is to clearly separate out “Heritage Building Code works” (as Heritage Upgrade Works will now be termed) from the definition of “Repairs” (a permitted activity), which currently overlap.
- 6.1.13 The second of these more significant changes is to shift some activities from the Controlled activity consent category to requiring Restricted Discretionary consent under a renumbered RD4. These are:
- a. Heritage Building Code works (currently Heritage Upgrade Works)
  - b. Reconstruction
  - c. Restoration.
- 6.1.14 This will apply where the activity standard for a permitted activity is not met, that is, where a Heritage Works Plan (an existing alternative to a resource consent as set out in Appendix 9.3.7.5) has not been prepared and certified by the Council for the work.
- 6.1.15 This change to Restricted Discretionary consent is proposed because the current Matters of Control do not allow for a refusal of consent in limited cases where the effects of what is proposed are considered to be potentially more than minor. Controlled activity conditions also cannot require redesign of an activity, for example a different location for an accessory building

in relation to the heritage building, or changes to the design including materials of alterations so that they are compatible with heritage values.

6.1.16 A third related significant change is the proposed deletion of the non-notification rule for some of the activities listed in the permitted activity standards that do not meet the activity standards and therefore become restricted discretionary activities under proposed RD4. A non-notification rule is retained or added for some other activities, which if not meeting the activity standard, are not likely to result in more than minor adverse effects if these effects are well managed via meeting activity standards. These are maintenance, repairs, fixing signs to buildings and works above underground heritage items.

6.1.17 Finally for rule amendments, there are new, amended or extra standards for some permitted works, such as repair and temporary or investigative works, earthworks, temporary buildings, development above underground items, service systems and tree removal in heritage items which are open spaces. The intention is that these standards will improve the management of associated effects outside of the resource consent process.

6.1.18 In some cases, activity standards considered redundant are being deleted, such as in the case of signs in heritage settings. I note in particular for earthworks that the change to the activity standard has the effect of removing a consenting requirement. The operative wording of the heritage earthworks permitted activity standard in 8.9.2.1 P1 (below) is an automatic resource consent trigger.

- i. Earthworks shall not occur within 5 metres of a heritage item or above the volumes contained in Table 9 within a heritage setting listed in [Appendix 9.3.7.2](#).

6.1.19 The revised activity standard will instead require that temporary protection measures to be applied before and during the works are submitted to Council Heritage staff for discussion prior to works being undertaken, to manage associated effects on heritage fabric outside of the resource consent process, which would otherwise have been the main condition imposed via resource consent.

## **CENTRAL CITY HERITAGE HEIGHT OVERLAYS AND INTERFACES - ARTS CENTRE AND NEW REGENT STREET**

6.1.20 Height overlays for the Arts Centre and New Regent Street heritage settings and a height interface for the surrounding sites are proposed to be included in the Chapter 15 Commercial



rules. These seek to continue height overlays associated with these sites from the operative district plan, and apply a reduced height (compared with the underlying zone) on limited adjoining sites (the operative zone height on those sites). I consider this a balanced approach to manage the most significant potential visual dominance effects on these Highly Significant central city heritage precincts (and shading in the case of New Regent Street), in an NPSUD context which anticipates intensification.

- 6.1.21 With respect to the Arts Centre, it is proposed to retain the 16 metre height limit on the setting of the Arts Centre, which covers the whole of this block. In the operative Plan the height limit to the east of the Arts Centre is 28 metres. It is proposed to retain this height limit for the sites with boundaries on the east side of Montreal Street (sites in the Worcester Boulevard/Hereford Street block only, which are located directly opposite the Arts Centre). This is because of the significant visual dominance effects on the Arts Centre that could result from developments built to the proposed permitted zone heights on Montreal Street. Three-dimensional modelling and sun studies included in Appendix 16 of the notified Heritage section 32 report shows how buildings constructed to enabled heights in the underlying zone on these sites would look adjoining the Arts Centre, and the shading that would occur. Note that the reduction in height on the interface sites (compared with the underlying zone) does not significantly reduce shading effects on the Arts Centre due to the location of these sites to the east of the Arts Centre.
- 6.1.22 For New Regent Street, its specific heritage characteristics mean that it is proposed that the current height limit in the operative Plan of 8 metres for buildings within the setting of New Regent Street is retained. It is also proposed to continue the operative 28 metre height limit for sites to the east, west, north and south of the street, (see sites identified in the rule in the notified heritage provisions for chapter 15) to reduce visual dominance and shading effects from the otherwise enabled zone heights. The three-dimensional modelling and sun studies (included in Appendix 16 of the notified Heritage section 32 report), show how buildings constructed to enabled heights in the underlying zone on these sites would look adjoining New Regent Street, and the shading that would occur in the New Regent Street setting, which the businesses operating in the New Regent Street heritage precinct rely on for outdoor dining and foot traffic.

## **HERITAGE ITEMS AS A QUALIFYING MATTER**

- 6.1.23 As a section 6 matter, the protection of historic heritage from inappropriate use, subdivision and development is a Qualifying Matter under both the NPSUD and MDRS.
- 6.1.24 Under the NPSUD clause 3.33(2), for a Qualifying Matter, it is necessary to demonstrate why it is considered that the qualifying matter is incompatible with the level of development that would otherwise be provided for, and also to assess the impact that limiting development capacity, building height or density will have on the provision of development capacity. Discussion on these matters can also be found in the PC14 section 32 evaluation report for Qualifying Matters.
- 6.1.25 Unmodified MRZ or HRZ zonings under a Full Intensification scenario and without heritage items and settings as a Qualifying Matter would provide for significant intensification, making it almost impossible to achieve good heritage outcomes where the heritage values of the building and setting are able to be maintained. The potential impacts of intensification include loss of the heritage buildings altogether, or alternatively much larger scale adjoining development and dominance by new and additional buildings in the heritage setting and on adjoining sites, loss of space and vegetation in the setting, loss of visual connection with the street, and an increase in height of fencing, reducing views of the heritage item from public spaces.
- 6.1.26 Both John Scallan and Philip Osborne have provided technical evidence for the Council on the extent of loss of development capacity resulting from Qualifying Matters. Scheduling of a heritage item in Appendix 9.3.7.2, with its associated setting, can be considered as a total loss of development capacity for that property, noting however, that additions to heritage buildings and new buildings are consented in settings.
- 6.1.27 The Property Economics report on heritage (Appendix 14 to PC13 Heritage section 32 report), considers loss of feasible development capacity and finds that this varies by sector of the city, and depends on factors such as capacity feasibility, accessibility and whether or not there is strong value growth. The report states that the extent of this cost resulting from all heritage areas being a qualifying matter is likely to be wholly mitigated on an overall basis given the extensive development capacity provided in accessible and efficient areas. I consider that it is reasonable to assume the same for the loss of feasible development capacity from heritage items and settings. Since the majority of heritage items are already scheduled, with only a small number being added through PC14, most of this loss of development capacity will have already occurred. Property Economics also point to economic benefits from heritage protection such as

improved amenity, increased tourism, especially when sites are in areas with multiple historic assets, and the potential for some increases in land value.

## **7 CONSIDERATION OF SUBMISSIONS**

### **OVERVIEW OF SUBMISSIONS**

- 7.1.1 PC14 was notified on 17 March 2023, with submissions and further submissions closing on 12 May 2023 and 17 July 2023 respectively. The Council received 53 submissions requesting 196 separate decisions in relation to Heritage Items.
- 7.1.2 For the summary of submissions relating to Heritage Items refer to Appendix B. A copy of the submissions and further submissions received have been provided to the Hearing Panel and copies of all submissions can also be viewed on the Council website at:  
<https://makeasubmission.ccc.govt.nz/PublicSubmissionSearch.aspx>.
- 7.1.3 Forty-six decisions sought express their support for PC14 in relation to Heritage Items. 71 more submission points support the changes in relation to Heritage Items subject to conditions or to certain concerns being addressed, and 79 submission points oppose provisions. Some of the decisions requested have been supported or opposed by further submissions.

### **OUT-OF-SCOPE SUBMISSIONS**

- 7.1.4 The section 42A report prepared by Sarah Oliver provides a summary of her understanding of the principles to be applied in determining whether submission points are within scope of a plan change. I have read, and agree with that summary. To assist the Panel, I have identified submission points that I consider fall, or potentially fall, outside of scope below.
- 7.1.5 Plan Change 13 and Plan Change 14 were notified together, the former under the standard RMA process, and the latter as an IPI under the Intensification Streamlined Planning Process. The protection of historic heritage from inappropriate subdivision, use and development stands on its own as a matter of national importance which is to be provided for under section 6(f) of the RMA; and is also a Qualifying Matter under s77I(a) and s(77)O(a) which might enable there to be lesser provision for intensification on particular sites and areas. Because of this, proposed heritage provisions which had originated in PC13 were largely duplicated in PC14, and there

was then some confusion for submitters on heritage as to which Plan Change they should be submitting on.

7.1.6 All heritage related submissions have now been grouped under PC14, except for those which are clearly out of scope of PC14, such as because they concern heritage items located outside of the Christchurch urban area. The submission points in the table below fall outside the scope of Plan Change 14 (with the exception of S1067.1), because they relate to sites and areas not subject to PC14, and therefore concern PC13 only.

7.1.7 I note in addition, that some submitters on PC14 and PC13 have included as part of submission points relevant to PC14, support for interior protection of heritage items. As adding protection for interiors of heritage items may or may not constitute provisions that are "consequential" on the intensification and qualifying matters that are subject to the IPI (in terms of section 80E of the RMA), consideration of interior protection arguably falls outside of PC14. Of the 26 additional heritage interiors proposed for protection at notification, 10 are for heritage buildings proposed for protection in PC14 and PC13, and the balance are building interiors of items which already have protection for their exterior envelope in Appendix 9.3.7.2 (see PC13 Heritage Section 32 Report pp.14-15). Where interiors are referenced in a submission decision sought, I have referred to this in the relevant section 8 analysis for completeness.

Sub. No.	Submitter name	Position	Summary of relief sought	Recommendation
1012.1	John Hardie On Behalf of JG & JL Hardie Family Trust	Oppose	The submitter opposes the inclusion of [the heritage setting] of 47 Rue Balguerie under Qualifying Matters.	<b>N/A</b> <b>PC13 only</b>
1012.2	John Hardie On Behalf of JG & JL Hardie Family Trust	Seek Amendment	47 Rue Balguerie Akaroa [interior] should <del>be removed from</del> [not be included in] the heritage schedule.	<b>N/A</b> <b>PC13 only</b>

S1029.1	Tom Reece	Seek Amendment	Change the CCC policy for funding the restoration of historic property so the criteria for funding is based on value to its historic nature (the 'worth' of the building in its own right) [specifically in relation to Former Kukupa Side School, 380 Pettigrews Road, Pigeon Bay, operative heritage item 1209].	<b>N/A</b> <b>PC13 only</b>
S1051.1	Sarah Smith	Seek Amendment	The submitter requests that the historic Kukupa school building is <del>added to the heritage schedule</del> [operative heritage item 1209, Former Kukupa Side School, 380 Pettigrews Road, Pigeon Bay is restored along with the grounds, and there is no change of use to accommodation].	<b>N/A</b> <b>PC13 only</b>
S1065.1	Graham Robinson	Seek Amendment	The submitter requests that the Teddington Lockup (153 Governor's Bay-Teddington Road) should be scheduled as a heritage item in the District Plan [Appendix 9.3.7.2], for its high heritage values.	<b>N/A</b> <b>PC13 only</b>

S1067.1	Catherine Elvidge	Seek Amendment	<p>The submitter seeks that the 16 Papanui War Memorial Avenues not be listed as a heritage item in Appendix 9.3.7.2 [proposed heritage item #1459]. Alternatively they seek that:</p> <ul style="list-style-type: none"> <li>- The listing be amended to include the specific aspects of the streets which comprise the item [original and mature trees].</li> <li>- The plaques not be included in the listing.</li> <li>- A street-by-street assessment of each street be undertaken and only trees from the original memorial planting or others of significant landscape value be listed.</li> <li>- The trees be included in sub-chapter 9.4 Significant and other trees, rule 9.4.[4.]1.1 P6 and P12, instead of sub-chapter 9.3 Historic heritage.</li> </ul> <p>[The standard for earthworks within 5 metres of the heritage item should not apply to the plaques rule 8.9.2.1 P1 i)/8.9.2.3 RD1].</p>	<p><b>Accept in part/Reject in part</b>  <b>(Submission made on PC13, submitter declined consent for submission to be heard in PC14.)</b></p>
S1074.1	James David Bundy	Seek Amendment	<p>The submitter requests the following buildings be added to the heritage schedule [Appendix 9.3.7.2]:</p> <ul style="list-style-type: none"> <li>- Burnside Stable at 79 Bamfords Road, Allandale</li> <li>- Lockup at Allandale on Council reserve [153 Governors Bay-Teddington Road].</li> </ul>	<p><b>N/A PC13 only</b></p>

7.1.8 In addition, to submissions referenced above, I note that there are submissions seeking removal of seven existing heritage items from the heritage items schedule in Appendix 9.3.7.2.

Council did not propose to remove these items from the schedule in the notified Plan Changes. I address these submissions in section 8.3. The Panel may wish to consider these as being “on the plan change”, as they concern sites located within the areas of the city subject to PC14.

- 7.1.9 John Hardie, on behalf of JG & JL Hardie Family Trust S1012.1 and S1012.2 accepts the operative scheduling of the exterior of 47 Rue Balguerie, Akaroa (item 1152), but seeks to remove protection of the heritage setting from the operative district plan. This site is a “PC13 only” site, located outside of areas in the district subject to PC14, so this assessment will occur as part of PC13. I note for the submitter’s reference that the heritage setting protection was reviewed and reconfirmed as part of the District Plan Review process completed in 2016, and the interior of the building was described in the heritage schedule Appendix 9.3.7.2 at notification as “No - not yet assessed”. Council’s Heritage team’s approach to protection of interiors involves a site visit and consultation with the owner.
- 7.1.10 Tom Reece’s submission S1029.1 and Sarah Smith’s submission S1051.1 relate to Council policy for heritage assets, specifically in relation to the scheduled Former Kukupa Side School and Setting at 380 Pettigrews Road, Pigeon Bay (operative heritage item 1209) which is a “PC13 only” site located outside of areas in the district subject to PC14. I note their concerns that protection of heritage values should be a central consideration in decisions on the future use of the building. I note, for the submitters’ information, that this issue relates to the implementation of policy 9.3.2.2.5 Ongoing Use of Scheduled Historic Heritage by Council’s Heritage and asset teams, which forms part of their work programmes outside of the district plan.
- 7.1.11 Graham Robinson S1065.1 and James (David) Bundy S1074.1 seek the scheduling in Appendix 9.3.7.2 of the Teddington Lockup, 153 Governor's Bay-Teddington Road, Allandale. David Bundy S1074.1 also seeks the scheduling in Appendix 9.3.7.2 of the Burnside Stable, 79 Bamfords Road, Allandale. These sites are “PC13 only” sites, located outside of areas in the district subject to PC14, so this assessment will occur as part of PC13.
- 7.1.12 Catherine Elvidge S1067.1 seeks several decisions in relation to protection for the Papanui War Memorial Avenues (proposed heritage item 1459 – trees and plaques) on which there are a number of related submissions considered in section 8.8 of this report (Issue 8). As she submitted on PC13 only, and has declined permission for her submission to be heard in PC14, I record my response here. I note that her concerns relate to the protection and rules for a heritage item proposed in PC14 and PC13.

- 7.1.13 The submission S1067.1 seeks that the Papanui War Memorial Avenues (trees and plaques) not be scheduled as a heritage item in Appendix 9.3.7.2, or alternatively that:
- a. The plaques not be included in the heritage item.
  - b. The standard for earthworks within 5 metres of the heritage item (8.9.2.1 P1 i)) should not apply to the plaques.
  - c. A street-by-street assessment of each street be undertaken and only trees from the original memorial planting or others of significant landscape value be listed.
  - d. The trees be included in sub-chapter 9.4 Significant and other trees, rule 9.4.[4.]1.1 P6 and P12 [street tree rules], instead of sub-chapter 9.3 Historic heritage.
- 7.1.14 I adopt Amanda Ohs' technical evidence in relation to this submission. She supports amending the schedule entry for the proposed heritage item in Appendix 9.3.7.2 to better specify the extent of protection. I recommend adding the words "trees and plaques, but excluding road reserve" to the schedule description (Appendix 9.3.7.2 amendments are attached to the technical evidence of Amanda Ohs). She does not support the other decisions sought by the submitter in relation to the exclusion of the plaques and approach to scheduling of the trees.
- 7.1.15 As discussed in the evidence of Amanda Ohs, the plaques form part of the heritage values and significance of the Papanui War Memorial Avenues heritage item. In response to the submitter's concern that the earthworks standard should not apply to the plaques, I acknowledge that earthworks in the vicinity of the plaques, which are attached to lampposts, are unlikely to cause damage to plaques which would justify assessment, however, given that there is (at most) one plaque at either end of the 16 avenues, adjoining corner sites, and the frequency of potential works in the vicinity of plaques is expected to be limited, I do not consider that a special exemption to the heritage earthworks standard is necessary to accommodate this scenario which is relevant solely to this heritage item.
- 7.1.16 In addition, the notified activity standard for earthworks within 5 metres of a heritage item in rule 8.9.2.1 P1 i) requires the submission of temporary protection measures rather than a resource consent "to mitigate potential physical effects on the heritage item". The scope of the temporary protection measures required would depend on the scope of works, which could include earthworks on properties adjoining the road reserve, or earthworks in the road reserve adjoining trees or occasionally plaques. The scope of the temporary protection measures would also depend on whether there are any potential impacts on the trees and plaques to mitigate. Where earthworks were to occur within 5 metres of a plaque, and Council Heritage staff assessing compliance with the permitted activity standard (in conjunction with Council arborists) identify that no tree is affected, it may be agreed that no mitigation measures are



required to protect the plaque, and that there are no potential effects to be mitigated in that particular case. Therefore I consider that the regulatory implications of not excluding these plaques from the earthworks standard are limited.

7.1.17 Overall, it is my view that submission points above fall outside the scope of Plan Change 14, as they relate to sites in areas on Banks Peninsula not subject to PC14, with the exception of Catherine Elvidge S1067.1. Should the Panel decide that it wishes to consider her submission as being “on” the plan change, I recommended that her submission is Accepted in part as set out above.

7.1.18 I note that submissions relating to sections of PC14 that have already been addressed or will be considered other section 42A reports (or hearing streams) are not considered in this S42A report. Notably, the following matters will not be addressed in detail in this report:

- i. Zoning of heritage items and sites adjoining heritage items (see sections 8.7 and 8.8).

### ***Waikanae Case***

7.1.19 Sarah Oliver in her s42A report discusses the recent Environment Court decision, *Waikanae Land Company v Heritage New Zealand Pouhere Taonga* [2023] NZEnvC 056 (**Waikanae**), which addresses the scope of local authorities' powers in notifying an Intensification Planning Instrument in accordance with section 80E of the RMA, and the potential implications for PC14. I have read, and agree with, that discussion. To assist the Panel to identify provisions potentially affected by Waikanae, I have provided in the table below a list of provisions (matters) I address in this report that impose additional controls or restrictions that affect status quo/pre-existing development rights (as per the Operative District Plan). Beyond these comments, I consider this to be a legal rather than a planning matter.

7.1.20 I cannot confirm from a legal perspective whether, for the heritage provisions that are the subject of this report, the notification of PC13 may have affected the applicability of Waikanae. In relation to the submissions that I have identified as only relating to PC13 in the “PC13 only” table and discussion at the beginning of this section, S1065.1 and S1074.1 relate to adding new heritage items to Appendix 9.3.7.2, which would impose additional controls that affect pre-existing development rights in the operative plan. And finally, proposed protection of additional interiors of heritage items (discussed above as potentially relating to PC13 only) also imposes additional controls that affect pre-existing development rights in the operative plan.

<b>More restrictive protection or provisions proposed in PC14 and PC13 (existing Heritage Items Qualifying Matter)</b>	<b>Comment</b>
Proposed new heritage items in Appendix 9.3.7.2	See list in PC13 Heritage Section 32 Report, pp.11-12, and PC13 Heritage Section 32 Report, Appendix 5.
Chapter 2 Definition – Repairs  P12 (operative) C5 (operative) 9.3.4.1.3 RD4 a.	Removing aspects of building code-related works from Repairs definition (operative Permitted) and assessing all building code-related works as Heritage Building Code Works (Restricted Discretionary), including Temporary lifting of a heritage item (operative Permitted with activity standards) and Temporary moving of a heritage item (operative Controlled).
9.3.2.2.3 Policy - Management of scheduled historic heritage	In clause a. slight strengthening of policy by introducing more explicitly the consideration of retaining the level of significance of the item through use and development.  In b. slight strengthening of policy by deletion of: “recognising that heritage settings and Significant (Group 2) heritage items are potentially capable of accommodating a greater degree of change than Highly Significant (Group 1) heritage items”.
9.3.2.2.5 Policy - Ongoing use of scheduled historic heritage	New explicit consideration of access.
9.3.2.2.8 Policy - Demolition of scheduled historic heritage	More explicitly having regard to whether the heritage item would no longer meet the criteria for scheduling.
9.3.4.1.1 Permitted activities P2, P3, P5, P10, P14  8.9.2.1 P1 i)	New standards or addition of standards for permitted works – repair, temporary buildings, development above underground items, service systems, tree removal in open space heritage items, and earthworks.
9.3.4.1.2 Controlled activities C1, C2 (operative)	Moving Heritage Building Code Works, Reconstruction and Restoration from Controlled to Restricted

9.3.4.1.3 Restricted Discretionary activities RD4 a.	Discretionary activity status.
9.3.4.1.3 Restricted Discretionary activities RD4 b.	Deletion of non-notification clause for temporary buildings (if they are not removed and result in permanent changes), Heritage Building Code works, Reconstruction and Restoration.
<b>Submissions on PC14 and PC13 seeking or supporting more restrictive protection or provisions (existing Heritage Items Qualifying Matter)</b>	<b>Comment</b>
Heritage New Zealand Pouhere Taonga S193.13	Seeks moving to Restricted Discretionary: Alteration, relocation or demolition of a building, structure or feature in a heritage setting, where the building, structure or feature is not individually scheduled as a heritage item (proposed Permitted activity).
Heritage New Zealand Pouhere Taonga S193.17 Historic Places Canterbury S835.24	Supports proposed protection of 44 heritage items and 26 building interiors in Appendix 9.3.7.2 (as notified).
Historic Places Canterbury S835.24 Christchurch Civic Trust S1089.4, S1089.5 and S1089.8	Seeks protection of Barnett Avenue pensioner cottages, the Upper Riccarton War Memorial Library, The Princess Margaret Hospital, and the former High Court in Appendix 9.3.7.2.
Bruce Neill Alexander S857.1	Seeks protection of 111 Hackthorne Road in Appendix 9.3.7.2.
Danne Mora Limited S903.46 and FS2066	Supports protection of Spreydon Lodge in in Appendix 9.3.7.2.
Rod Corbett S636.3 Waipuna Halswell-Hornby-Riccarton Community Board S902.33, S1090.5 Ross Boswell S1045.1	Seeks protection of war memorial plaque in Jane Deans Close.
Callum Ward, for Waihoru Spreydon-Cashmere-Heathcote Community Board S1077.3	Supports the protection (as notified) of the following properties in Appendix 9.3.7.2:  i. The Tuberculosis Sanatorium Shelter Hut in Coronation Reserve, 29 Major Aitken

	<p>Drive</p> <ul style="list-style-type: none"> <li>ii. 9 Ford Rd, Opawa</li> <li>iii. Sydenham Cemetery, Roker St</li> <li>iv. Somerfield War Memorial Community Centre and Setting, 47 Studholme St</li> </ul> <p>25 baches at Taylors Mistake and their settings.</p>
Christchurch Civic Trust 1089.4	Supports proposed protection of 44 heritage items (as notified) in Appendix 9.3.7.2.
Christchurch Civic Trust S1089.4, S1089.5, 1089.8	Seeks protection of Barnett Avenue pensioner cottages, the Upper Riccarton War Memorial Library, The Princess Margaret Hospital in Appendix 9.3.7.2.
<b>Submissions on PC14 and PC13 seeking or supporting more restrictive protection or provisions (new Heritage Items Qualifying Matters)</b>	
Marie Byrne S734.3 and S734.4	[Seeks] adding an interface between heritage items and residential areas.
Historic Places Canterbury S835.1, (S835.12-S835.15) and the Christchurch Civic Trust S908.1 and S1089.10	Seek “buffer zones”, or a reduced height Qualifying Matter, which would limit intensification adjoining Highly Significant heritage items Hagley Park, Cranmer Square and Latimer Square.
Anita Collie, for Malaghans Investments Ltd S881.3, S818.4, S818.5	Seeks to reduce the operative height limit of 28 metres proposed to be maintained in the New Regent Street interface area via Central City Heritage Qualifying Matter, rule 15.11.2.11 (a)(vi), to 3 storeys (approx. 11 metres). In addition seeks to make building above this height a Non-Complying activity and amend the policy framework to support this.

## REPORT STRUCTURE

7.1.21 The points made and decisions sought in submissions and further submissions can be grouped according to the issues raised, as set out in Table 1 below, and they will be considered in that order further below in this section 42A report.

**Table 1 – Issues raised in submissions**

ISSUE	CONCERN / REQUEST
<p>1. Support for protection of heritage items or heritage items Qualifying Matter</p>	<ul style="list-style-type: none"> <li>• General support for the notified heritage protection.</li> <li>• Support all existing heritage items, settings, and features as a Qualifying Matter.</li> <li>• Providing more historical and cultural sites in Ōtautahi not only will improve the surface-level feel of the city, but also improve the city's cultural identity and quality of life.</li> <li>• Support the protection of some/all of the 16 Papanui War Memorial Avenues trees and plaques [proposed heritage item 1459].</li> <li>• Supports addition of 44 additional heritage items and 26 additional interiors for protection as notified, and the simplified method of protecting interiors.</li> <li>• Supports the “upgrading” [correction] of the status of some heritage items on the schedule.</li> <li>• Supports continued scheduling of Daresbury at 9 Daresbury Lane, 32 Armagh Street, and Englefield Lodge at 230 Fitzgerald Avenue.</li> <li>• Support the proposed inclusion of proposed heritage items in Appendix 9.3.7.2:               <ol style="list-style-type: none"> <li>i. Former Cashmere Sanatorium Open Air Hut and Setting, 29 Major Aitken Drive (item 1456)</li> <li>ii. Dwelling and setting, 9 Ford Road, Opawa (item 1439)</li> <li>iii. Sydenham Cemetery, 34 Roker Street, Somerfield (item 1443)</li> <li>iv. Somerfield War Memorial Community Centre and Setting, 47 Studholme Street, Somerfield (item 1444)</li> <li>v. 25 baches at Taylors Mistake and their settings</li> </ol> </li> </ul>

ISSUE	CONCERN / REQUEST
	<ul style="list-style-type: none"> <li>• Seeks the heritage protection of 111 Hackthorne Road in Appendix 9.3.7.2.</li> <li>• Seeks the heritage protection of Barnett Avenue Pensioner cottages, the Upper Riccarton War Memorial Library, The Princess Margaret Hospital and the former High Court.</li> <li>• Seeks the heritage protection of Spreydon Lodge, 2 Monsaraz Boulevard in Appendix 9.3.7.2 (item 1461) and heritage setting per Council submission.</li> <li>• Seeks the heritage protection of the war memorial in Jane Deans Close, Riccarton.</li> <li>• Retain operative heritage protection for New Regent Street heritage item and setting.</li> <li>• Retain protection of heritage items and their settings (City Centre Zone) - Cathedral Square, New Regent Street, the Arts Centre.</li> <li>• The History, Character and Heritage of our City of Christchurch should be protected at all costs.</li> </ul> <p>Submissions:</p> <p><b>S193.17; S193.21, S225.5, S225.6, S459.1, S636.3, S689.18, S765.2, S765.3, S818.2, S834.106, S834.107, S835.1, S835.24, S835.25, S857.1, S902.33, S903.46, S1019.1, S1020.1, S1021.1, S1050.2, S1021.2, S1045.1, S1077.3, S1089.1, S1089.4, S1089.5, S1089.6, S1089.7, S1089.8, S1090.5.</b></p>
<p>2. Opposition to protection of new heritage items</p>	<ul style="list-style-type: none"> <li>• Opposes the scheduling of heritage buildings in Appendix 9.3.7.2.</li> <li>• Opposes heritage protection of 9 Ford Road, Opawa, 129 High Street, Christchurch, 159 Manchester Street, Christchurch, 35 Rata Street, Riccarton and the 25 baches at Taylor's Mistake.</li> </ul> <p>Submissions:</p> <p><b>S1035.1, S1035.2, S1038.2.</b></p>
<p>3. Removing protection for heritage items</p>	<ul style="list-style-type: none"> <li>• Remove Antonio Hall (Former Dwelling Baron's Court/Kilmead), 265 Riccarton Road, heritage item 463 and heritage setting 203 from Appendix 9.3.7.2.</li> </ul>

ISSUE	CONCERN / REQUEST
	<ul style="list-style-type: none"> <li>• Remove or oppose removal of 32 Armagh Street, heritage item 390 and setting 287 from Appendix 9.3.7.2.</li> <li>• Remove 65 Riccarton Road, heritage Item 465 and heritage setting 220 from Appendix 9.3.7.2.</li> <li>• Remove or opposed removal of Daresbury, 9 Daresbury Lane, heritage item 185 and heritage setting 602 from Appendix 9.3.7.2.</li> <li>• Remove Mitre Hotel, 40 Norwich Quay, Lyttelton, heritage item 1060 and heritage setting 40 from Appendix 9.3.7.2.</li> <li>• Remove Harley Chambers, 137 Cambridge Terrace, heritage item 78 and heritage setting 309 from Appendix 9.3.7.2.</li> <li>• Remove 471 Ferry Road, heritage item 194 and heritage setting 396 from Appendix 9.3.7.2.</li> </ul> <p>Submissions:</p> <p><b>S402.1, S402.2, S402.5, S402.9, S814.105, S823.228, S825.6, S825.7, S874.14, S1037.1, S1037.2, S1043.1, S1056.1, S1089.6, S1092.1, S1092.2.</b></p>
<p>4. Changes to protection of heritage items and heritage settings</p>	<ul style="list-style-type: none"> <li>• Amend heritage settings on heritage aerial maps for: <ul style="list-style-type: none"> <li>- Stevenholme/Rannerdale House, 59 Hansons Lane (item 234)</li> <li>- 27 Glandovey Road (item 209) heritage setting 423 to exclude 7 and 9 Thornycroft Street</li> <li>- Former AJ Whites building, 181 High Street (item 1313) so that it is contiguous with the extent of the heritage item.</li> </ul> </li> <li>• Retain the existing spatial extent of the heritage item and setting for the Duncan’s Buildings.</li> <li>• Amend heritage setting 336 for New Regent Street (heritage item 404) in Appendix 9.3.7.2 so that northern extent of the setting ends at the southernmost point of Armagh Street.</li> <li>• Supports deletion of heritage item 453 and heritage setting 183 in relation to the Riccarton Racecourse Public Grandstand from the Heritage Aerial Maps and planning maps.</li> <li>• Amend proposed heritage setting 684 for Riccarton Racecourse Tea House.</li> <li>• Opposes protection of the heritage setting and interior of 47 Rue Balguerie (PC13 only – see 7.2).</li> <li>• Remove the heritage item outline for the Cathedral of the Blessed Sacrament, 136 Barbadoes Street.</li> <li>• Amend location of heritage item and setting on heritage aerial</li> </ul>

ISSUE	CONCERN / REQUEST
	<p>maps for Citizens' War Memorial (item 107) to show the new location.</p> <ul style="list-style-type: none"> <li>• That the 16 Papanui War Memorial Avenues proposed heritage item (Appendix 9.3.7.2, item 1459) be limited to only trees from the original memorial planting or others of significant landscape value, and that the item should exclude the plaques (see submission S1067.1 discussed in section 7.2).</li> </ul> <p>Submissions:</p> <p><b>S193.30, S814</b> (no submission point - para 21-23), <b>S823.207, S823.208, S823.235, S823.234, S1012.1, S1012.2, S1055.1, S1055.2, S1059.1, S1059.2, 1059.3, S1067.1, S1070.1, S1072.1, S1072.2, s1072.2, S1073.1, S1085.1, S1085.2.</b></p>
<p>5. Support for provisions for heritage items and heritage settings</p>	<ul style="list-style-type: none"> <li>e. Strongly supports the proposed strengthening of heritage provisions.</li> <li>f. Support for the proposed simplification and clarification of the rules to help make them more workable, effective and easily understood.</li> <li>g. Supports changes to provisions as notified: <ul style="list-style-type: none"> <li>- Definition of Alteration.</li> <li>- Definition of Heritage Professional.</li> <li>- Definition of Heritage Building Code works.</li> <li>- Definition of Reconstruction.</li> <li>- Definition of Repairs.</li> <li>- Definition of Restoration.</li> </ul> </li> <li>h. Policy 9.3.2.2.3 Management of scheduled historic heritage, 9.3.2.2.5 Ongoing use of scheduled historic heritage</li> <li>i. Deletion of Controlled activities and retention of proposed C1 in relation to ChristChurch Cathedral and the Citizens' War Memorial</li> <li>j. 8.9.2.1 P1, exemptions in 8.9.3 and matters of discretion 8.9.4.6 (earthworks)</li> <li>k. Permitted activity standards 9.3.4.1.1 P1 Maintenance, 9.3.4.1.1 P2 Repairs</li> </ul> <p>Submissions:</p> <p><b>S193</b> (No submission point, see p. 2, paragraph 11, Appendix 1 – p4), <b>S193.1, S193.5, S193.9, S193.10, S193.14, S193.22, S193.23, S814.23, S814.30, S814.32, S814.34, S814.93, S823.26, S823.28, S823.30, S823.86, S823.214, S835.19, S874.4, S874.5, S874.7, S874.8, S874.9.</b></p>



ISSUE	CONCERN / REQUEST
<p>6. Opposition or amendments to provisions for heritage items and heritage settings, including to make them more or less restrictive</p>	<ul style="list-style-type: none"> <li>• Amend definition of Heritage fabric.</li> <li>• Oppose notified changes to definition of Alteration.</li> <li>• Oppose notified changes to definition of Demolition.</li> <li>• Oppose notified changes to definition of Heritage setting.</li> <li>• Oppose notified changes to definition of Relocation.</li> <li>• Amend permitted activity standard 8.9.2.1.P1 i., and exemptions 8.9.3.a iv and 8.9.3.a.xii (earthworks).</li> <li>• Oppose changes to Policy 9.3.2.2.3 Management of scheduled historic heritage.</li> <li>• Amend Policy 9.3.2.2.8 Demolition of heritage items.</li> <li>• Oppose changes to Policy 9.3.2.2.8 Demolition of heritage items.</li> <li>• Seeks to ensure that the amendments to heritage controls are not more restrictive than the operative district plan.</li> <li>• Replace 9.3.4.1.1 P8 (as notified) (Alteration, relocation or demolition of a building, structure or feature in a heritage setting) with a restricted discretionary activity.</li> <li>• Delete the proposed changes to Rule 9.3.4.1.1 (P9) (replacement of structures in heritage settings).</li> <li>• Opposes proposed changes to operative rule 9.3.4.1.1 P11 Reconstruction and Restoration.</li> <li>• Opposes proposed changes to operative rule 9.3.4.1.1 P12 Temporary lifting.</li> <li>• Opposes proposed changes to operative rule 9.3.4.1.1 P12 Temporary lifting</li> <li>• Opposes deletion of operative Matter of Discretion 9.3.6.1 a. (earthquake damage)</li> <li>• Demolition consent should take into account waste generated through demolition, or the carbon retention benefits of embodied energy within buildings.</li> <li>• Amend 9.3.7.2 Heritage NZ Pouhere Taonga Heritage List number heading.</li> </ul>

ISSUE	CONCERN / REQUEST
	<ul style="list-style-type: none"> <li>• Amend 9.3.7.2 entry for Former Public Trust Office to include Heritage NZ Pouhere Taonga Heritage List number and category.</li> <li>• Oppose changes to Appendix 9.3.7.4 Heritage item and heritage setting exemptions from zone rules.</li> <li>• Specific provisions for significantly damaged buildings: <ul style="list-style-type: none"> <li>- Create a new schedule to identify significantly damaged heritage items which face significant challenges to their ongoing restoration and economic reuse.</li> <li>- new policy that better reflects and recognises significantly damaged heritage items which face significant challenges to their repair and reuse.</li> <li>- new rule (RD9) for the repair, restoration, reconstruction, or alteration of a heritage item identified in the schedule for significantly damaged buildings.</li> <li>- new rule (RD10) for the demolition of a heritage item identified in the schedule for significantly damaged buildings.</li> <li>- new matter of discretion for significantly damaged heritage items relating to the provision of a heritage restoration assessment or a heritage demolition assessment, engineering and Quantity Surveying evidence, photographic records, and a deconstruction salvage plan.</li> </ul> </li> </ul> <p>Submissions:</p> <p><b>S150.16, S150.17, S150.18, S150.19, S150.20, S150.21, S150.22, S150.23, S150.24, S193.4, S193.11, S193.12, S193.13, S193.28, S193.29, S749.7, S751.105, S751.106, S751.143, S814.3, S814.12, S814.22, S814.31, S814.95, S814.97, S814.100, S823.3, S823.12, S823.27, S823.215, S823.218, S823.220, S823.223, S823.230, S825.1, S825.2, S825.3, S825.4, S825.5, S825.8, S835.19, S874.1, S874.2, S874.3, S874.6, S874.10, S874.11, S874.12, S874.13, S874.15, S1070.2, S1071.1, S1072.3, S1073.2, S1085.3, S1092.3, S1092.4, S1089.9.</b></p>
<p>7. City Centre zone rules for heritage sites, and Central City heritage height overlays and interfaces:</p>	<ul style="list-style-type: none"> <li>• Strong support for New Regent Street, Arts Centre and Cathedral Square height overlays and interfaces.</li> <li>• Oppose 15.11.1.3 RD11 (breach of built form standards for New Regent Street and the Arts Centre height overlay and interface).</li> <li>• Oppose 15.11.2.11 ii., iii, vi. built form standards in relation to New Regent Street and Arts Centre height overlay and Central City Heritage</li> </ul>

ISSUE	CONCERN / REQUEST
<p>support, oppose or seek amendments to protection and provisions</p>	<p>Qualifying Matter interface.</p> <ul style="list-style-type: none"> <li>• Remove New Regent Street height interface from the block bounded by Oxford Terrace, Manchester Street, Armagh Street, and Colombo Street.</li> <li>• Seek that the New Regent Street height interface is extended to include the blocks bounded by Gloucester Street, Manchester Street, Oxford Terrace, and Colombo Street, and the properties to the east of Manchester Street at 200 Armagh Street and 185 Gloucester Street; that the height limit on these sites be a maximum of 3 storeys high; and that breach of this height limit is a Non-Complying activity.</li> <li>• New objective and policy/policies sought for the New Regent Street interface that provide for: <ul style="list-style-type: none"> <li>- buildings no more than three storeys</li> <li>- protect current levels of sunlight in New Regent Street</li> <li>- protect heritage values of New Regent Street and incorporate positive design features to accentuate the heritage precinct.</li> </ul> </li> <li>• Oppose changes to Policy 15.2.4.1 - Scale and form of development in relation to clause (a) of the policy (in relation to a. iv. New Regent Street height overlay and interface, and a. v. the Arts Centre height overlay and interface).</li> <li>• Delete proposed Policy 15.2.4.1. a) iii) (limiting building height along Victoria Street).</li> <li>• Extend Victoria Street height overlay to also include the section between Kilmore Street and Chester Street West.</li> <li>• Remove 87-93 Victoria Street from the Victoria Street Height overlay.</li> <li>• Supports 15.11.1.2 C2 and 15.11.1.3 RD9 Works at 100 Cathedral Square (ChristChurch Cathedral).</li> <li>• Remove 25 Peterborough Street from the Central City height overlay.</li> <li>• Oppose City Centre zone built form standards, as they apply to 25 Peterborough Street (heritage item 440) and 87-93 Victoria Street (heritage item 529) and amend to provide an exemption for sites containing heritage items: <ul style="list-style-type: none"> <li>- 15.11.2.11 (height limits for qualifying matters)</li> <li>- 15.11.2.12 (maximum road wall height)</li> </ul> </li> </ul>

ISSUE	CONCERN / REQUEST
	<ul style="list-style-type: none"> <li>- 15.11.2.14 (building tower setbacks)</li> <li>- 15.11.2.15 (maximum building tower dimension and building tower coverage)</li> <li>- 15.11.2.16 (minimum building tower separation).</li> </ul> <ul style="list-style-type: none"> <li>• Delete operative rules 15.11.1.1.c and 15.11.1.1 (P17), and retain operative activity specific standard b of Rules 15.11.1.1 (P13) and (P14) (site specific rules for 25 Peterborough Street).</li> <li>• Seeks that Commercial use be confined to Oxford Terrace and that the Medium Density Zone should extend south from 59 Gloucester Street in a direct line south to the river at 75 Cambridge Terrace (on basis of heritage values).</li> <li>• Seek “buffer zones” or reduced heights to limit intensification adjoining protected heritage items Hagley Park, Cranmer Square and Latimer Square.</li> </ul> <p>Submissions:</p> <p><b>S150.1, S150.2, S150.3, S150.4, S150.5, S150.6, S150.7, S150.8, S150.9, S150.10, S150.11, S150.12, S150.13, S150.14, S150.15, S193.20, S762.39, S814.(no submission point, para 21-23), S814.185, S814.201, S814.205, S818.1, S818.3, S818.4, S818.5, S823.40, S823.151, S823.167, S823.171, S823.234, S834.106, S834.107, S835.1, S835.12-S835.15, S908.1, S1075.5, S1089.10.</b></p>
<p>8. Opposition to zoning (including issues relating to Papanui War Memorial Avenues) or seeking interfaces</p>	<ul style="list-style-type: none"> <li>• Opposing intensification (opposing MRZ zoning) or seeking to limit intensification (opposing HRZ zoning) in some or all streets adjoining the Papanui War Memorial Avenues (proposed heritage item 1459).</li> <li>• Opposes the protection of the 16 Papanui War Memorial Avenues trees and plaques in Appendix 9.3.7.2 [proposed heritage item 1459] and seeks that the trees be protected in sub-chapter 9.4 Significant and other trees.</li> <li>• Extend protection of Papanui War Memorial Avenues (proposed heritage</li> </ul>

ISSUE	CONCERN / REQUEST
<p>adjoining heritage items or sites with heritage values</p>	<p>item 1459) to include the streets and properties.</p> <ul style="list-style-type: none"> <li>• Opposing intensification or seeking to limit intensification in Straven Road adjoining Christchurch Boys’ High School (heritage item 506).</li> <li>• Opposing intensification in Jane Deans Close adjoining war memorial plaque.</li> <li>• Oppose high density zoning in area around St Peter’s Church.</li> <li>• Seeks interface between heritage properties and residential areas.</li> </ul> <p>Submissions:</p> <p><b>S152.1, S152.2, S188.15, S206.1, S206.2, S206.3, S306.1, S306.4, S329.1, S329.2, S329.3, S329.4, S683.2, S709.1, S709.2, S709.4, S709.5, S709.6, S734.3, S734.4, S765.1, S886.3, S902, S1004.3, S1004.4, S1041.1, S1041.2, S1041.3, S1044.1, S1050.1, S1067.1.</b></p>
<p>9. Other submissions related to heritage items</p>	<ul style="list-style-type: none"> <li>• The history, character and heritage of Christchurch should be protected at all costs.</li> <li>• Guaranteed funding support for maintaining scheduled heritage items in good condition.</li> <li>• Notes Council’s advisory role in relation to private owners’ compliance with the archaeological provisions of the Heritage New Zealand Pouhere Taonga Act 2014 is likely to increase with intensification.</li> <li>• Supports mechanisms for addressing the ongoing issue of ‘demolition by neglect’.</li> <li>• Council policy for heritage assets, specifically in relation to the scheduled Former Kukupa Side School and setting at 380 Pettigrews Road, Pigeon Bay (PC13 only – see 7.2).</li> </ul> <p>Submissions:</p> <p><b>S193</b> (no submission point – see submission p. 2, paragraph 13, 14), <b>S225.5, S225.6, S1035.3, S1051.1.</b></p>

- 7.1.22 Some submissions raise more than one matter, and these will be discussed under the relevant issue(s) in this report.
- 7.1.23 For each identified topic, the consideration of submissions has been undertaken in the following format:
- a. Matters raised by submitters;
  - b. Assessment;
  - c. Summary of recommendations. The specific recommendations are in the table at the beginning of each issue and in Appendix B;
  - d. Section 32AA evaluation where necessary.
- 7.1.24 For ease of reference, all submission points considered under a particular issue, as outlined in Table 1, are listed in the heading of the relevant discussion. The names of submitters and recommendations on their submissions are typed in bold in the issue headings and tables at the beginning of each issue within this report. My recommendation on each submission are also shown in a table format in Appendix B – Table of Submissions attached to this report. I note that due to the number of submission points, my evaluation of the submissions is generic only and may not contain specific recommendations on each submission point, but instead discusses the issues generally.
- 7.1.25 As a result of consideration of submissions, for the reasons discussed below I recommend some minor amendments to the District Plan provisions in the text of this report (see Issue 8).
- 7.1.26 Section 32 of the Act requires the Council to carry out an evaluation of PC14 to examine the extent to which relevant objectives are the most appropriate way to achieve the purpose of the Act, and whether, having regard to their efficiency and effectiveness, the related policies, rules, or other methods are the most appropriate for achieving the objectives.
- 7.1.27 All of the provisions proposed in PC14 have already been considered in terms of section 32 of the Act (**s32**). Where amendments to PC14 are recommended, I have specifically considered the obligations arising under section 32AA (**s32AA**) (refer to section 8) and undertaken a s32AA evaluation in respect to the recommended amendments in my assessment.
- 7.1.28 The evaluation of submissions provided in this section 42A report should be read in conjunction with the summaries of submissions and further submissions, and the submissions themselves as well as the following appendices:
- i. Appendix B– Recommended Responses to Submissions on Heritage Items.

7.1.29 This report addresses all definitions that are specific to the Heritage Items provisions in PC14.

## 8 ANALYSIS OF SUBMISSIONS

### ISSUE 1

*Support for protection of heritage items or heritage items Qualifying Matter (heritage new zealand pouhere taonga (S193.17), (S193.21); Rod Corbett (S636.3); canterbury regional council (S689.18); ANITA COLLIE FOR MALAGHANS INVESTMENTS LTD (s818.2); Kāinga Ora – Homes and Communities (S834.106); Historic places canterbury (S835.1-S835.7), (S835.24), (S835.25); Bruce Neill alexander (857.1); waipuna-halswell-hornby riccarton community board (S902.33), (S1090.5); danne mora limited (S903.46); Matty Lovell S1021.1); Ross Boswell (S1045.1 ); callum ward for waihoru spreidon-cashmere-heathcote community board (s1077.3); Christchurch civic Trust (S1089.4), (S1089.5), (S1089.6), (S1089.7), (S1089.8).*

Submission No.	Submitter	Position	Decision Requested	Recommendation
S193.17	Heritage New Zealand Pouhere Taonga	Support	Retain as proposed [‘supports the scheduling of 44 additional heritage items and 26 additional interiors for protection...’]. [‘Supports the simplified method of protecting interiors.’]	<b>Accept</b>
S193.21	Heritage New Zealand Pouhere Taonga	Support	Retain all existing heritage items, settings, and features as a Qualifying Matter.	<b>Accept</b>
S459.1	Joseph Bray	Support	[Seeking] that the council passes all proposed amendments to PC13 and PC14.	<b>Accept</b>

S636.3	Rod Corbett	Seek Amendment	The submitter requests that the existing War Memorial within the Jane Deans Close cul-de-sac be preserved as a heritage item in memory of the members of the NZ 20th Battalion & 20th Regiment who lost their lives in support of New Zealand's freedom.	<b>Reject</b>
S689.18	Environment Canterbury / Canterbury Regional Council	Support	[Retain Sub-Chapter 9.3 as notified]	<b>Support</b>
S818.2	Anita Collie, for Malaghans Investments Ltd	Support	[Retain operative heritage protection for New Regent Street Shops and Setting, item 404].	<b>Accept</b>
S834.106	Kāinga Ora – Homes and Communities	Support	15.11.1.2 C2 Works at 100 Cathedral Square 15.11.1.3 RD9 Works at 100 Cathedral Square 15.11.1.3 RD11 buildings on New Regent Street, the Arts Centre, and in the Central City Heritage Qualifying Matter and Precinct.  Retain sites of historic heritage items and their settings (City Centre Zone) - Cathedral Square, New Regent Street, the Arts Centre	<b>Accept</b>
S835.1	Historic Places Canterbury	Seek Amendment	Broadly supportive of the proposed changes, however amendments are suggested in respect of buffer zones [or reduced heights] surrounding Hagley Park, Cranmer Square and Latimer Square.	<b>Accept in part</b>



S835.2 S835.3 S835.4 S835.5 S835.6 S835.7	Historic Places Canterbury	Support	The submitter supports all qualifying matters.	<b>Accept (heritage items QM)</b>
S835.24	Historic Places Canterbury	Support	The submitter supports the proposed addition of sites and interiors to the heritage schedule, including the upgrading of some listings. The submitter commends the commitment of the Council to providing interior protection for scheduled buildings and recognise that this is an ongoing process. It is pleasing that 26 interiors are proposed to be added to the schedule in this plan change. [Also seeks heritage protection of Barnett Avenue Pensioner cottages, the Upper Riccarton War Memorial Library, The Princess Margaret Hospital and the former High Court.]	<b>Accept in part</b>
S835.25	Historic Places Canterbury	Oppose	The submitter notes that Paragraph 3.3.15 of the s. 32 Report states that the owners of Daresbury (Highly Significant) and 32 Armagh St (Significant) wish to have their buildings removed from the Heritage Schedule. The submitter is strongly opposed to this. Though 32 Armagh is only scheduled as Significant we believe it is important that this building should also be retained on the list, especially as it forms part of the Inner City West Residential Heritage Area.	<b>Accept</b>
S857.1	Bruce Neill Alexander	Seek Amendment	The submitter seeks that their property, 111 Hackthorne Road is included in the heritage schedule due to its age and history.	<b>Reject</b>

S902.33 S1090.5	Waipuna Halswell-Hornby- Riccarton Community Board	Seek Amendment	[That the] war memorial statue on Jane Deans Close Cul -de- Sac [is] recognised as a Heritage Item.	<b>Reject</b>
S903.46 FS2066.10	Danne Mora Limited	Seek Amendment	[Amend] heritage setting [of Spreydon Lodge as agreed with Council Heritage staff - Council submission S751.39, Attachment 6] []].	<b>Accept</b>
S1021.1	Matty Lovell	Support	[General support for heritage topic].	<b>Accept</b>
S1045.1	Ross Boswell	Seek Amendment	The submitter requests that Council add the memorial in Jane Deans Close to the list of recognised heritage sites.	<b>Reject</b>
S1077.3	Callum Ward, for Waihoru Spreydon- Cashmere- Heathcote Community Board	Support	Supports the inclusion [as notified] of the following properties to the Heritage Schedule [Appendix 9.3.7.2]:  - The Tuberculosis Sanatorium Shelter Hut in Coronation Reserve, Huntsbury [29 Major Aitken Drive, 1456]  - The modernist dwelling on [9] Ford Rd, Opawa [1439]  - Sydenham Cemetery on Roker St, Somerfield [1443]  - Somerfield War Memorial Community Centre and Setting, on [47] Studholme St, Somerfield [#1444]  - 25 baches at Taylors Mistake and their settings.	<b>Accept</b>
S1089.1	Christchurch Civic Trust	Support	Support Qualifying Matter Heritage.	<b>Accept</b>
S1089.4	Christchurch Civic Trust	Seek Amendment	Include Upper Riccarton War Memorial Library in the Schedule of Heritage buildings.	<b>Reject</b>
S1089.5	Christchurch Civic Trust	Seek Amendment	Include Princess Margaret Hospital buildings and site in the Schedule of Heritage buildings.	<b>Reject</b>

S1089.6	Christchurch Civic Trust	Seek Amendment Support	[Continue to] include Daresbury House in the Schedule of Heritage buildings.	<b>Accept</b>
S1089.7	Christchurch Civic Trust	Oppose (removal)	[Continue to] include Englefield Lodge in the Schedule of Heritage buildings.	<b>Accept</b>
S1089.8	Christchurch Civic Trust	Seek Amendment	Include Barnett Avenue Pensioner Cottages in the Schedule of Heritage buildings.	<b>Reject</b>

- 8.1.1 A number of submissions provide general support for heritage provisions in PC14 and PC13, for Heritage as a Qualifying Matter, for new heritage items being added to the heritage items schedule, or provide specific support for particular sites to be scheduled as heritage items. Submissions expressing support for the Papanui War Memorial Avenues item have been grouped together in issue 8 (8.8) as they are generally seeking wider heritage protection.
- 8.1.2 Canterbury Regional Council S689.18 provides general support for amendments to the heritage sub-chapter 9.3.
- 8.1.3 Heritage New Zealand Pouhere Taonga S193.17 supports the proposed scheduling of the proposed new heritage items and additional building interiors, and the simplified method of protecting interiors and the retention of all existing heritage items, settings, and features as a Qualifying Matter (S193.21). Christchurch Civic Trust S1089.4, S1089.5, and S1089.8 also strongly supports the scheduling of the proposed new heritage items.
- 8.1.4 Kāinga Ora – Homes and Communities S834.106 and S834.107 supports Heritage Items as a Qualifying Matter, particularly in relation to protection of Cathedral Square, New Regent Street, and the Arts Centre (discussed further in Issue 7, section 8.7).
- 8.1.5 Anita Collie, for Malaghans Investments Ltd S818.2 supports the operative extent of protection for New Regent Street heritage item and setting. Note that Carter Group S814 (paragraph 21-23) and The Catholic Diocese of Christchurch S823.234 seek to amend the setting (see Issue 4, 8.4).
- 8.1.6 Callum Ward, for Waihoru Spreydon-Cashmere-Heathcote Community Board S1077.3 supports the scheduling of proposed heritage items in the Board’s ward.
- 8.1.7 Historic Places Canterbury S835.1- S835.7 strongly supports all proposed Qualifying Matters relating to s6(f) RMA including historic heritage. (See also Central City section 8.7 discussion

regarding the request by Historic Places Canterbury and Christchurch Civic Trust for buffer zones around Hagley Park, Cranmer Square and Latimer Square.) Submission S835.24 supports the proposed addition of sites and interiors to the heritage schedule in Appendix 9.3.7.2, including the “upgrading” [correction] of the status of some items. Historic Places Canterbury commends the commitment of the Council to providing interior protection for scheduled buildings and recognises that this is an ongoing process and supports 26 interiors proposed to be added to the schedule in this plan change.

- 8.1.8 Historic Places Canterbury S835.25 supports the continued scheduling of 32 Armagh Street and Daresbury at 9 Daresbury Lane in Appendix 9.3.7.2 (see submissions seeking removal of these items from the schedule in section 8.3). Christchurch Civic Trust S1089.6 and S1089.7 also seeks the continued scheduling of Daresbury, 9 Daresbury Lane, and Englefield Lodge at 230 Fitzgerald Avenue. Note that Englefield Lodge is not the subject of a submission requesting its removal from the heritage items schedule in Appendix 9.3.7.2.
- 8.1.9 Historic Places Canterbury S835.24 and Christchurch Civic Trust S1089.4, S1089.5 and S1089.8 seek heritage protection of Barnett Avenue Pensioner cottages, the Upper Riccarton War Memorial Library, and The Princess Margaret Hospital, and Historic Places Canterbury S835.24 also seeks protection of the former High Court. Amanda Ohs assesses these sites in her technical evidence against the criteria for scheduling of heritage items in Policy 9.3.2.2.1. (See detailed consideration of the scheduling policy in the subsequent section 8.3 in response to submissions requesting removal of heritage items from the heritage items schedule.)
- 8.1.10 Amanda Ohs has assessed the Former Pensioners Cottages, Barnett Avenue, as meeting the threshold for heritage significance, at minimum at a Significant level. An email from Council’s Head of City Growth and Property, Bruce Rendall (dated 20 July 2023) on behalf of the asset owner, which is quoted in her evidence, confirms that Council purchased these properties from Ōtautahi Community Housing Trust for their inclusion in a mixed tenure housing development on Milton Street and Barnett Avenue that sought to provide for: *“warm, dry fit for purpose social housing as well as affordable and market housing.”* The email explains that the *“preservation of the cultural heritage values was considered incompatible with the social, economic and health value of providing new warm and dry housing for disadvantaged families. The units are at the end of their economic useful life... .”* As a result, Council determined to demolish the units, and demolition is pending at the time of writing. For this reason, it is not feasible to support their scheduling as a heritage item in the District Plan. The Council is

considering ways of recognising the heritage significance of the complex through interpretation.

- 8.1.11 In relation to the Upper Riccarton War Memorial Library, 372 Riccarton Road, I adopt the conclusion from the technical evidence of Amanda Ohs: *“The information available at the time of writing indicates that, although the building is of heritage significance to the district, it may be unreasonable or inappropriate to schedule it for engineering and financial reasons. In addition, depending on the options possible, a strengthening scheme could compromise its heritage significance. In the absence of an updated engineering scheme, in my opinion, it is not appropriate to schedule the building at this time. Given the assessed heritage significance of the building, once this information becomes available, I consider the building should be scheduled if it assessed as meeting Policy 9.3.2.2.1 c.”*
- 8.1.12 Amanda Ohs states in her evidence on Princess Margaret Hospital, 97 Cashmere Road, that while a Statement of Significance has not been prepared, The Princess Margaret Hospital building at 97 Cashmere Road, in her opinion based on current information is likely to meet the significance threshold in Policy 9.3.2.2.1 c.i. Penny Wells, Corporate Solicitor for the owner of the building, Te Whatu Ora – Health New Zealand Waitaha Canterbury (Formerly Canterbury District Health Board) confirmed by telephone conversation with Amanda Ohs on 31 July 2023 that the owner is not supportive of the building being scheduled as a heritage item, that significant strengthening works are required, and that the owner considers the associated costs are not likely to be economically viable. Current engineering and costing estimate reports were not available at the time of writing, however the indication from the owner is that there may be engineering and financial factors related to the physical condition of the item that could make it unreasonable or inappropriate to schedule, in line with the ‘exemption’ clauses of the scheduling policy – 9.3.2.2.1 c. iii, iv. Given the lack of available financial and engineering information, Amanda Ohs is not able to support scheduling of the building at this time, and I adopt her recommendation.
- 8.1.13 In her technical evidence in relation to the request for scheduling of the Former Law Courts, 282 Durham Street, Amanda Ohs notes that an initial assessment of the building and setting indicated that the building met the significance threshold in Policy 9.3.2.2.1 c.i., prior to works which are in progress at time of writing for major alterations. She recommends that the building is reassessed following completion of the works to confirm that it meets the scheduling

criteria in Policy 9.3.2.2.1 c. Therefore she is not currently able to recommend scheduling of the building.

- 8.1.14 Bruce Neill Alexander S857.1 seeks that his property, 111 Hackthorne Road is included in the heritage schedule Appendix 9.3.7.2. Amanda Ohs' technical evidence indicates that she does not currently have sufficient information to conclude that the property meets the criteria for scheduling as a heritage item in policy 9.3.2.2.1, and it has not been possible to arrange a site visit to provide further information to inform this assessment. I adopt her recommendation that the Council is currently unable to support this submission.
- 8.1.15 Rod Corbett S636.3, Waipuna Halswell-Hornby-Riccarton Community Board (S902.33, S1090.5), and Ross Boswell S1045.1 seek the scheduling of the war memorial plaque in Jane Deans Close, Riccarton as a heritage item in Appendix 9.3.7.2. See also the discussion in Issue 8, section 8.8 regarding the submission opposing intensification in Jane Deans Close based on its special character and social significance. Amanda Ohs has assessed the plaque against the criteria for scheduling as a heritage item in policy 9.3.2.2.1 and concludes that this does not meet the criteria. I adopt her recommendation and am unable to support these submissions.
- 8.1.16 Danne Mora Limited S903.46 and FS2066.10 supports the scheduling of Former Spreydon Lodge, 2 Monsaraz Boulevard, Halswell, which is the subject of Council submission S751.39, but in S903.46 sought to amend the heritage setting to reflect the outline agreed with Council Heritage staff prior to notification. Danne Mora Limited did not have the benefit of viewing the notified Attachment 6 to the Council submission until notification of the PC14 Summary of Submissions and relied on Council's online interactive map which shows the outline of the proposed item, but not the agreed heritage setting, which aligns with the recently subdivided lot 1. Davie Lovell-Smith Limited for Danne Mora Limited FS2066.10 have since confirmed their support for the setting boundary. I adopt Amanda Ohs' supporting heritage technical evidence on this issue, and I accept this submission, as it has since been clarified that no amendment to the heritage setting is required. As the scheduling of this building is the subject of the Council's submission, I am not able to make a recommendation on the proposed scheduling of this building. This recommendation will be made by an independent consultant planner.

### ***Recommendation***

8.1.17 My recommendations to Accept, Accept in part or Reject are set out in the table at the beginning of this section.

## ISSUE 2

### ***Oppose protection of new heritage items – Ben Hay-smith (1035.1), (1035.2); PETER EARL (S1038.2)***

Submission No.	Submitter	Position	Decision Requested	Recommendation
S1035.1 S1035.2	Ben Hay-Smith	Oppose	Oppose heritage overlay to 9 Ford Road, Opawa, 129 High Street, Christchurch, 159 Manchester Street, Christchurch, 35 Rata Street, Riccarton and the 25 baches at Taylor's Mistake.	<b>Reject</b>
S1038.2	Peter Earl	Oppose	The submitter opposes the scheduling of heritage buildings in Plan Change 14 [Appendix 9.3.7.2].	<b>Reject</b>

8.1.18 Two submitters oppose heritage protection.

8.1.19 Ben Hay-Smith S1035.1 and S1035.2 opposes heritage protection for 9 Ford Road, 129 High Street, 159 Manchester Street, 35 Rata Street, and the 25 baches at Taylor's Mistake. Amanda Ohs responds in her evidence that all of these properties have owner support for scheduling, and all have been assessed as meeting the scheduling policy 9.3.2.2.1. The criteria for scheduling is based on national and international practice and have been developed with reference to definitions and criteria including those in the Resource Management Act, the

ICOMOS NZ Charter, 2010, the Heritage New Zealand Pouhere Taonga Act 2014. I adopt Amanda Ohs' recommendation that the submission is rejected.

8.1.20 Peter Earl S1038.2 opposes the scheduling of heritage buildings generally on the basis that protection restricts development, increases the cost of living and decreases the quality of living.

8.1.21 I do not dispute that restrictions on development of heritage items and settings places a limitation on development, however, given the very small proportion of protected heritage items<sup>1</sup>, I do not consider that this will directly impact on the cost of living for most residents or decrease the quality of living. Section 77I(a) RMA provides for less enabling provisions for matters of national importance including heritage (section 6(f)). Heritage buildings can be reused or subdivided for reuse for multiple (residential) tenancies, or incorporated into a wider site development in combination with new buildings, subject to obtaining resource consent where needed for external alterations and/or Building Code works. This may achieve a higher quality/higher amenity development which could attract higher rental/valuations for owners as an alternative to maximising potential yield in terms of numbers of residential units. This provides choice in the housing market.

8.1.22 The Property Economics report "PC13 Heritage Areas and Sites Cost Benefit Analysis" (PC13 s32 report - Appendix 14, p17) notes that the costs of regulation are not material at district wide level and there are economic benefits to the City of heritage protection which offset these costs (PC13 s32 report - Appendix 14, p8-10). Heritage also protection contributes to cultural wellbeing required by s5 RMA.

### ***Recommendation***

8.1.23 I cannot support submission S1038.2, or submissions S1035.1 and S1035.2.

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<sup>1</sup> Approximately 1500 additional sites are affected by proposed heritage provisions – a high proportion of these are dwellings. In addition 679 heritage items are currently protected on the operative heritage schedule in Appendix 9.3.7.2 - many of which are not dwellings although could be converted for residential use.



### ISSUE 3

*Seek removal of protection for heritage items – carter group Limited (S814.105); Justin Avi (S402.1), (S402.2), (S402.5), (S402.9), (1037.1), (1037.2); the catholic diocese of Christchurch (S814.105), (S823.228); church property trustees (S825.6), (S825.7); historic places canterbury (S835.25); Daresbury limited (S874.14); Cameron Parsonson (S1043.1); Anita Collie On Behalf Of Mitre Hotel Holdings Limited (1056.1); Christchurch civic trust (S1089.6); Wynn Williams for Cambridge 137 Limited (S1092.1), (S1092.2).*

Submission No.	Submitter	Position	Decision Requested	Recommendation
S402.1 S402.2 S402.5 S402.9 S1037.1 S1037.2	Justin Avi	Seek Amendment	Remove Antonio Hall (265 Riccarton Road) from the heritage list [Appendix 9.3.7.2].	<b>Accept in part</b>
S814.105	Carter Group Limited	Seek Amendment	Delete Heritage Item 390 and Heritage Setting 287 at 32 Armagh Street from Appendix 9.3.7.2.	<b>Reject</b>
S823.207 S823.208 S823.235	The Catholic Diocese of Christchurch	Seek Amendment	Retain the SPS and CCMUZ zoning of the land at 136 Barbadoes Street [identified in original submission], but delete the heritage listing/outline from the planning maps.	<b>Accept</b>  (deletion of heritage item outline from planning maps)

S823.228	The Catholic Diocese of Christchurch	Seek Amendment	Delete Heritage Item 390 and Heritage Setting 287 regarding 32 Armagh Street from Appendix 9.3.7.2.	<b>Reject</b>
S825.6 S825.7	Church Property Trustees	Seek Amendment	Delete Heritage Item 465 and Heritage Setting 220 regarding 65 Riccarton Road from Appendix 9.3.7.2.	<b>Reject</b>
S835.25	Historic Places Canterbury	Oppose	The submitter notes that Paragraph 3.3.15 of the s. 32 Report states that the owners of Daresbury (Highly Significant) and 32 Armagh St (Significant) wish to have their buildings removed from the Heritage Schedule. The submitter is strongly opposed to this. Though 32 Armagh is only scheduled as Significant we believe it is important that this building should also be retained on the list, especially as it forms part of the Inner City West Residential Heritage Area.	<b>Accept</b>
S874.14	Daresbury Ltd	Seek Amendment	[Seeks council] deletes Heritage Item 185 and Heritage setting 602 over Daresbury [dwelling] from Appendix 9.3.7.2.	<b>Reject</b>

S1043.1	Cameron Parsonson	Seek Amendment	Remove 471 Ferry Road from the schedule of designated heritage buildings.	<b>Accept</b>
S1056.1	Anita Collie On Behalf of Mitre Hotel Holdings Limited	Seek Amendment	The deletion of heritage item 1060 Mitre Hotel and Setting – 40 Norwich Quay, Lyttelton from the District Plan through Plan Change 13 [and 14].	<b>Reject</b>
S1089.6	Christchurch Civic Trust	Seek Amendment [Oppose]	Include Daresbury House in the Schedule of Heritage buildings [oppose removal]	<b>Accept</b>
S1092.1 S1092.2	Wynn Williams for Cambridge 137 Limited	Oppose	Delete within Appendix 9.3.7.2 'Schedule of Significant Historic Heritage' reference to the Heritage Listing (Building and Setting) for 137 Cambridge Terrace 'Commercial Building and Setting, Harley Chambers' Item No 78 and Setting No 309.	<b>Reject</b>

### ***Removal of Protection for Existing Heritage Items***

8.1.24 A number of submissions request the removal of heritage items and their associated settings from Appendix 9.3.7.2 and the planning maps. These heritage items are:

- a. Antonio Hall, (Former Holy Name Seminary incorporating the former Dwelling Baron's Court/Kilmead, Motor House and Setting), 265 Riccarton Road (heritage item 463, heritage setting 203)
- b. Former Dwelling and Setting, 32 Armagh Street/325 Montreal Street (heritage item 390, heritage setting 287)
- c. St James' Church and Setting, 65 Riccarton Road (heritage Item 465, heritage setting 220)
- d. Dwelling and Setting Daresbury, 9 Daresbury Lane (heritage item 185, heritage setting 602)

- e. Mitre Hotel and Setting, 40 Norwich Quay (heritage item 1060, heritage setting 40)
- f. Commercial Building and Setting Harley Chambers, 137 Cambridge Terrace (heritage item 78, heritage setting 309), and
- g. Former Dwelling and Setting, 471 Ferry Road (heritage item 194, heritage setting 396).

8.1.25 I note that Council did not notify any changes to the protection of these heritage items in PC14 or PC13, however the Panel may wish to consider submissions in relation to removal of these buildings from the heritage items schedule as being “on the plan change”, as they concern sites located within the areas of the city subject to PC14.

8.1.26 These submissions are considered further in technical evidence by Amanda Ohs, with the exception of 471 Ferry Road, which is discussed separately below.

8.1.27 In her technical evidence, Amanda Ohs assesses each of these requests for removal of heritage items and their associated heritage settings from Appendix 9.3.7.2 against Policy 9.3.2.2.1 – Identification, assessment and scheduling of heritage items. She notes that some of the submitters have stated that they wish to demolish the building in question, and she also references Policy 9.3.2.2.8 – Demolition of scheduled historic heritage.

8.1.28 The scheduling policy is intended to apply to buildings being assessed for inclusion on the schedule of heritage items for the first time, whereas the demolition policy is used to assess applications for resource consent to demolish. As these submissions do not fall into either of these categories, and the ‘tests’ in these policies are similar, I have included the text of both policies below for the Panel’s consideration.

#### 9.3.2.2.1 Policy – Identification, ~~and~~ assessment and scheduling of historic heritage items for scheduling in the District Plan

- a. Identify historic heritage throughout the Christchurch District which represents cultural and historic themes and activities of importance to the Christchurch District, and assess their heritage values for significance in accordance with the criteria set out in Appendix 9.3.7.1.
- b. Assess the identified historic heritage in order to determine whether each qualifies as a 'Significant' or 'Highly Significant' heritage item according to the following:
  - i. to be categorised as meeting the level of 'Significant' (Group 2), the historic heritage shall:
    - A. meet at least one of the heritage values in Appendix 9.3.7.1 at a significant or highly significant level; and
    - B. be of significance to the Christchurch District (and may also be of significance nationally or internationally), because it conveys aspects of the Christchurch District's cultural and historical themes and activities, and thereby contributes to the Christchurch District's sense of place and identity; and
    - C. have a moderate degree of authenticity (based on physical and documentary evidence) to justify that it is of significance to the Christchurch District; and
    - D. have a moderate degree of integrity (based on how whole or intact it is) to clearly demonstrate that it is of significance to the Christchurch District.
  - ii. to be categorised as meeting the level of 'Highly Significant' (Group 1), the historic heritage shall:
    - A. meet at least one of the heritage values in Appendix 9.3.7.1 at a highly significant level; and
    - B. be of high overall significance to the Christchurch District (and may also be of significance nationally or internationally), because it conveys important aspects of the Christchurch District's cultural and historical themes and activities, and thereby makes a strong contribution to the Christchurch District's sense of place and identity; and
    - C. have a high degree of authenticity (based on physical and documentary evidence); and
    - D. have a high degree of integrity (particularly whole or intact heritage fabric and heritage values).
- c. Schedule significant historic heritage as heritage items and heritage settings where each of the following are met:
  - i. the thresholds for Significant (Group 2) or Highly Significant (Group 1) as outlined in Policy 9.3.2.2.1 b(i) or (ii) are met; and
  - ii. in the case of interior heritage fabric, it is specifically the extent of protection is identified in the schedule; unless
  - iii. the physical condition of the heritage item, and any restoration, reconstruction, maintenance, repair or upgrade work would result in the heritage values and integrity of the heritage item being compromised to the extent that it would no longer retain its heritage significance; and/or
  - iv. 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.

#### 9.3.2.2.8 Policy - Demolition of scheduled historic heritage of heritage items

- a. When considering the appropriateness of the demolition of a heritage item scheduled in Appendix 9.3.7.2 or a defining building or contributory building in a heritage area scheduled in Appendix 9.3.7.3, have regard to the following matters:
  - i. whether there is a threat to life and/or property for which interim protection measures would not remove that threat;
  - ii. whether the extent of the work required to retain and/or repair the heritage item or building is of such a scale that the heritage values and integrity of the heritage item or building would be significantly compromised, and the heritage item would no longer meet the criteria for scheduling in Policy 9.3.2.2.1.
  - iii. whether the costs to retain the heritage item or building (particularly as a result of damage) would be unreasonable;
  - iv. the ability to retain the overall heritage values and significance of the heritage item or building through a reduced degree of demolition; and
  - v. the level of significance of the heritage item.

8.1.29 The identification clause (a.) of the scheduling policy 9.3.2.2.1 requires that the place represents cultural and historic themes important to the district. The assessment criteria in clause b. of the scheduling policy 9.3.2.2.1 relate to determining whether a place has heritage significance at a district level in order to be scheduled as a Significant or Highly Significant heritage item in Appendix 9.3.7.2, or in the case of these buildings which are already scheduled, whether they *retain* heritage significance at a district level in their current state.

8.1.30 Clause c. i. of scheduling policy 9.3.2.2.1 allows the place to be scheduled if it meets either the Significant or Highly Significant threshold for heritage significance in relation to clause b. (the

significance threshold), and where the extent of interior protection has been specified (where applicable) in c. ii., unless one of the exceptions in c.iii. or c.iv. of the policy apply. (I note that the interiors of the buildings discussed in this section of the report are not currently protected.) Clause c. iii. of the scheduling policy recognises scenarios where the physical condition of the building means that works to repair and upgrade the building would impact on its heritage significance. Clause c. iv. recognises engineering and financial factors relating to the condition of the building, that would make it unreasonable or inappropriate to include (or retain) it on the schedule.

- 8.1.31 Clause a.i. of the demolition policy 9.3.2.2.8 considers the threat to life or property. (Note the related powers under the Building Act for earthquake prone building notices.) Clause a. ii. of the demolition policy considers whether retention options would compromise the significance of the heritage item (compare clause c. iii. of the scheduling policy), and clause a. iii. of the demolition policy relates to whether costs to retain the heritage item, particularly as a result of damage, would be unreasonable (compare clause c. iv. of the scheduling policy).
- 8.1.32 Clause a. iv. of the demolition policy 9.3.2.2.8 considers the ability to retain the significance of the building through a reduced degree of demolition. This is not an explicit consideration in the scheduling policy, given that its intended purpose is to assess places for scheduling for the first time. Options for retaining the façades of some the buildings discussed in Amanda Ohs' technical evidence, could allow the façades alone to meet one of the heritage significance thresholds in clause b. of the scheduling policy, and therefore make retention of that part of the building on the schedule appropriate, subject to assessment against scheduling policy exclusions in c. iii and iv.
- 8.1.33 I note that should removal of the building from the heritage items schedule not be achieved through PC13 or 14, a subsequent resource consent application for demolition could be made under the demolition policy 9.3.2.2.8. In addition, as the interiors of these buildings are not currently scheduled, there is no restriction on modifying the interiors. I understand that these buildings do have remaining interior fabric of heritage value, as referenced in Amanda Ohs' evidence and conservation architect evidence, which could be retained in adaptive reuse of the buildings.

### ***Antonio Hall***

8.1.34 Based on the technical evidence of Amanda Ohs, I accept that the former homestead and homestead additions are beyond repair due to fire and earthquake damage, and also note that they could be removed as “make safe” works under the Repairs definition. The chapel and accommodation wing have been assessed by Amanda Ohs as together meeting the significance threshold as a Significant heritage item in c.i. of the scheduling policy 9.3.2.2.1, supported by the heritage values of the heritage setting, including the motor house. The motor house appears to be in poor condition and is physically distant from the other buildings so has not been assessed as continuing to be worthy of protection as part of the heritage item (see heritage aerial map snip below).

8.1.35 Engineering evidence from Stephen Hogg indicates it may be possible to repair the chapel and accommodation wing. There is no detailed engineering or cost evidence available for Amanda Ohs to be able to form an opinion that either c.iii. or c. iv. applies which would preclude scheduling. I adopt the technical evidence of Amanda Ohs and propose that the schedule entry in Appendix 9.3.7.2 and mapping is amended to reflect the reduced extent of the item as she recommends, and that the submissions of Justin Avi S402.1, S402.2, S402.5, S402.9, S1037.1, S1037.2 are accepted in part.



Snip of Heritage Aerial Map 30 showing operative heritage item and setting for 265 Riccarton Road, linked from Appendix 9.3.7.2. The chapel is located in the centre/north of the complex. The accommodation wing is located at the east end of the complex. The motor house is located in the southwest corner of the site.

### ***32 Armagh Street***

- 8.1.36 Based on the technical evidence of Amanda Ohs, and the engineering evidence she is relying on from Clara Caponi, I consider that the cottage continues to meet the significance threshold for a heritage item in c.i. of the scheduling policy 9.3.2.2.1 at a Significant level, and that in relation to engineering, the scheduling exemption in c.iii. and c.iv. is not met.
- 8.1.37 The quantity surveying evidence from Gavin Stanley, relied on by Amanda Ohs, provides a cost estimate of \$259,000 for repair works. She concludes, and I agree, based on my experience in Council's Heritage team review of many cost estimates for repairs of heritage buildings since the Canterbury Earthquakes, that (relatively speaking), this is a reasonable cost to expect for a timber building, in order to address over 10 years of deferred earthquake damage and maintenance, in light of the heritage significance of the dwelling.
- 8.1.38 The evidence of conservation architect Tim Holmes identifies a number of opportunities for adaptive reuse, which are particularly supported by its landmark location in the corner of the site which minimises restrictions on redevelopment of the large, wider site. Therefore I do not accept that the financial component of the scheduling exemption in scheduling policy 9.3.2.2.1 c.iv is met.
- 8.1.39 I note that removal of this building is opposed by Historic Places Canterbury S835.25, who highlights its heritage values and that it forms part of the proposed Inner City West Residential Heritage Area (see evidence of Glenda Dixon and Dr Ann McEwan on Residential Heritage Areas).
- 8.1.40 I adopt Amanda Ohs' recommendation that information to date supports retaining the heritage item on the schedule, and her recommendation of a reduced heritage setting based on evidence of the historic extent of the landscaped grounds of the cottage. I therefore recommend that the Panel rejects the relief sought by Carter Group Limited S814.105 and Catholic Diocese of Christchurch S823.228 to remove 32 Armagh Street from the heritage schedule.

### ***St James' Church***

- 8.1.41 Based on the technical evidence of Amanda Ohs, architectural history evidence from Dr Ann McEwan, the conservation architect evidence of Chessa Stevens, and engineering evidence of Clara Caponi, I consider that the church continues to meet the significance threshold for a heritage item in c.i. of the scheduling policy 9.3.2.2.1 at least at a Significant level, and that it



could continue to meet the significance threshold following repair and strengthening, therefore I agree with Amanda Ohs that the scheduling exemption in c.iii. is not met, nor is the engineering component of the c.iv. scheduling exemption.

8.1.42 Philip Griffiths in his cost evidence provides a repair and strengthening estimate of approximately \$5,274,000, and replacement with a modern structure with a medium standard of finish (which would bear no resemblance to the existing) is estimated at around \$1,465,000. Therefore, the cost of repairing and strengthening the building appears to far exceed the cost of demolition and a new build. However, Chessa Stevens identifies in her evidence that there are a range of potential options for adaptive reuse, and she considers that the church may be eligible for funding from the Department of Internal Affairs' Lottery Environment and Heritage fund. Amanda Ohs concludes that, on the face of Council's evidence, retention may be a viable option, and that clause c.iv. of the scheduling policy 9.3.2.2.1 in relation to financial factors is not met.

8.1.43 I adopt the technical evidence of Amanda Ohs and do not support the relief sought by Church Property Trustees S825.6 and S825.7.

### ***Daresbury***

8.1.44 Based on the technical evidence of Amanda Ohs, and the evidence of conservation architect William Fulton and engineer Stephen Hogg she is relying on, I consider that this dwelling is nationally significant, and continues to meet the significance threshold for a heritage item in c.i. of the scheduling policy 9.3.2.2.1 in its current condition. I consider that it could be repaired and strengthened, despite the need for substantial intervention, and that the scheduling exemption in scheduling policy 9.3.2.2.1 c.iii. is not met, nor is the engineering component of the c.iv. scheduling exemption.

8.1.45 I note that removal of Daresbury is strongly opposed by Historic Places Canterbury S835.25, which highlights its Category 1 historic place status with Heritage New Zealand Pouhere Taonga, and contends that this is a "*major building in the English Domestic Revival style by Samuel Hurst Seagar, one of Christchurch's most significant architects....*". Christchurch Civic Trust S1089.6 describes Daresbury as "*one of the nation's great domestic buildings*" and "*considers it essential that Daresbury remains as a Highly Significant building on the CCC heritage schedule.*"

8.1.46 Cost estimates for Council, provided in the evidence of Gavin Stanley, indicate that the costs of repair and strengthening (\$875,781) are significantly less than demolition and replacement, with a modern structure with a high standard of finish of between \$11,501,000 and \$16,430,000. The owner has recently subdivided the property, which could assist in funding repairs and strengthening or partial retention. Therefore, given that the cost of repair and strengthening appears to be significantly less than demolition and rebuild, I do not consider that the financial component of the scheduling exemption in scheduling policy 9.3.2.2.1 c.iv is met either.

8.1.47 I adopt the technical evidence of Amanda Ohs and do not support the relief sought by Daresbury Limited S874.14.

### ***Mitre Hotel***

8.1.48 Mitre Hotel Holdings Limited 1056.1 seeks to remove the Mitre Hotel from the heritage items schedule. I draw to the Panel's attention that the Council issued the building with both a Dangerous and Insanitary Building notice under section 124(2) of the Building Act 2004, dated 7 July 2023 (refer Appendix A). This notice requires the building owner to take interim steps to secure the building immediately, and to take permanent action to address the risks by 10 January 2024, by either demolishing the building, or by structurally upgrading the building so it complies with the Building Code to a minimum level and making the building sanitary. However, I understand resource consent to demolish a scheduled building under rule 9.3.4.1.4 D2 would still be required before the Mitre Hotel could be lawfully demolished. In any event, this would not change my recommendation, given that an option has been identified in Council's technical evidence to retain, strengthen and schedule the street façades of the building.

8.1.49 At the time of writing, demolition of the building is underway, beginning at the rear of the building. As the street façades are still intact at this stage<sup>2</sup>, I have included the following assessment, in the event that full demolition does not occur.

8.1.50 Based on the technical evidence of Amanda Ohs, and the specialist evidence she is relying on from engineer Clara Caponi and conservation architect Tim Holmes, I accept that the building as a whole continues to meet the significance threshold in Policy 9.3.2.2.1 c.i., and could continue

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<sup>2</sup> Observed by Brendan Smyth, Team Leader, Council Heritage team on the morning of 7 August 2023.

to meet the significance threshold following repairs and strengthening. Based on the condition of the building (prior to demolition works commencing on site), these technical experts also considered an alternative option to retain only the street façades, which would also meet the significance threshold in c.i. of the scheduling policy in their own right, and have been assessed as continuing to meet the significance threshold once retained, strengthened, and tied into a new building constructed behind. Therefore the technical evidence indicates that the engineering exemption in Policy 9.3.2.2.1 c.iii and the engineering component of Policy 9.3.2.2.1 c.iv. are not met (prior to demolition commencing).

- 8.1.51 Cost estimates provided in the evidence of Gavin Stanley indicate that the retention and strengthening of the façade with a new building behind is estimated at \$5,886,028, which is more expensive than retention and strengthening of the whole building. Retention and strengthening of the whole building estimated at \$4,019,851, is comparable in quantum to the estimated cost of demolition and rebuild (estimated range \$3,609,000 - \$4,010,000).
- 8.1.52 Amanda Ohs notes in her evidence that the owner has previously advised Council that the insurance payout he received for the damage was not sufficient to cover the costs of repair and strengthening, however the actual sum and documentation of the payout has not been provided to Council. I am not convinced that the evidence is conclusive that Policy 9.3.2.2.1 c.iv. is met based on financial factors, given that replacing the building appears to be similarly expensive to retaining it. I note, however, that if demolition proceeds, then it may soon become “inappropriate” to schedule the building based on engineering factors. At this time, I am not able to support the relief sought by Mitre Holdings Limited 1056.1 that the building should be removed from the heritage items schedule.
- 8.1.53 Taking into account the present circumstances: that the owner has elected to demolish in response to the Dangerous and Insanitary Building notices and demolition is underway at time of writing, if demolition were to stop and part of the building remains standing at the time of the PC14 hearing on this matter, the Panel may wish to determine whether scheduling is “inappropriate” under Policy 9.3.2.2.1 c.iv at that point.

### ***Harley Chambers***

- 8.1.54 Based on the technical evidence of Amanda Ohs, and the specialist evidence she is relying on from engineer Stephen Hogg and conservation architect, David Pearson, I consider that, despite being an Earthquake Prone Building under the Building Act 2004, the Harley Chambers building

currently meets the significance threshold for a heritage item in c.i. of the scheduling policy 9.3.2.2.1, and can be repaired and strengthened so that it continues to meet the significance threshold. Expert evidence from David Pearson describes the building as a rare remaining central city example of its style, and Amanda Ohs agrees that it has architectural and contextual significance as part of a group of landmark central city buildings.

8.1.55 The Council's engineering evidence indicates that the scheduling exemptions in policy 9.3.2.2.1 c.iii. and the engineering component of c. iv. are not met. Engineering evidence indicates that another option would be to retain and strengthen only the street façades (and build a new building behind). I accept that the façades are able to meet the significance threshold in c.i. of the scheduling policy in their own right, and could continue to do so following repair and strengthening, and tying into a new building behind.

8.1.56 There are financial factors identified in Council's evidence on costs from Gavin Stanley, which if confirmed by the submitter's evidence, may lead the Panel to conclude that it is unreasonable to continue to schedule the building or to protect the façades under policy 9.3.2.2.1 c. iv. As discussed in Amanda Ohs' evidence, Gavin Stanley's evidence on the costs of retaining and strengthening show that the costs of retention and strengthening are significantly (\$9,254,386) more than the estimated costs of demolition and a new build. It is slightly less expensive to retain only the façades and build new behind, so façade retention may be a financially more reasonable option. The conservation architect's evidence relied on by Amanda Ohs, suggests that façade retention has the advantage of increasingly flexibility on the range of possible uses of the building, the most significant physical constraint in terms of uses (compared with a new building) being the positioning of the new build behind the heritage windows. In addition, I would comment that, depending on the selected end use, the return from a future use on this commercially zoned corner central city site, could assist in offsetting the retention costs.

8.1.57 I conclude, based on the heritage technical evidence of Amanda Ohs, and the specialist engineering and conservation architect evidence she is relying on, that from a heritage and engineering perspective it is possible to retain and strengthen this landmark building or the street façades so that it could remain on the heritage items schedule. Council's cost evidence suggests that the financial component of the scheduling exemption in policy 9.3.2.2.1 c. iv. may be able to be met, subject to consideration of cost evidence from the submitter. Based on information currently available, I adopt the recommendation of Amanda Ohs, and I cannot support the relief sought by the submitter Cambridge 137 Limited S1092.1 at this time.

## **471 Ferry Road**

- 8.1.58 Amanda Ohs has a conflict of interest in relation to S1043.1 for 471 Ferry Road, therefore, for this property I am relying on the Heritage Items technical evidence of Gareth Wright, Heritage Advisor, Council's Heritage team. The submitter, who I understand owns a neighbouring property to 471 Ferry Road, confirmed to me by email on 16 June 2023 that the owner is aware of his submission.
- 8.1.59 Based on the technical evidence of Gareth Wright, and the evidence he is relying on from conservation architect Tim Holmes and engineer Clara Caponi, I consider that this dwelling continues to meet the significance threshold for a heritage item in c.i. of the scheduling policy 9.3.2.2.1 at a Significant level, and could be repaired and strengthened, so that it continues to meet the threshold. I consider that the scheduling exemption in scheduling policy 9.3.2.2.1 c.iii. is not met, nor is the engineering component of the c.iv. scheduling exemption.
- 8.1.60 Cost evidence provided to Council by Gavin Stanley, discussed in Gareth Wright's technical evidence, indicates a cost shortfall for repairs of at least \$545,000, once minimal insurance cover and limited available heritage funding assistance is taken into account<sup>3</sup>. This cost shortfall can be considered significant in the context of the modest scale of the building/site and location which offer limited opportunities for adaptive reuse by the current or a future owner. Gareth Wright met on site with the current owner in the period 2012-2014, and again most recently on 24 July 2023. The owner has told him that her preference is to see the building repaired, but she does not have the financial resources to do so herself. She acknowledges that the removal of the building from the heritage schedule would allow her to dispose of the property more readily, although the future of the building would be less certain.

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<sup>3</sup> As discussed in section 8.7, there is limited Council heritage grant funding available, which has reduced in recent years with Council budgetary constraints. At the time of writing, the 2023/24 Heritage Incentive Grant fund (**HIG**) is awaiting approval from Council. Assuming approval of carry forwards from earlier years, the HIG fund could be in the region of \$379,000 for this financial year, to be allocated to conservation-related works to eligible scheduled and non-scheduled heritage places, noting that there are 679 heritage items in the operative district plan heritage schedule.

8.1.61 I agree with Gareth Wright’s conclusion in this technical evidence, that financial factors may be considered to make the continued scheduling of this building “unreasonable or inappropriate” in relation to policy exemption 9.3.2.2.1 c. iv. I (reluctantly) recommend that the submission of Cameron Parsonson S1043.1 seeking removal of protection for the heritage item at 471 Ferry Road is accepted.

***Removal of Protection for Cathedral of the Blessed Sacrament***

8.1.62 The Catholic Diocese of Christchurch S823.207, S823.208, S823.235 requests the removal of the demolished Cathedral of the Blessed Sacrament heritage item at 136 Barbadoes Street from the planning maps. The demolished Cathedral of the Blessed Sacrament was deleted in the notified Appendix 9.3.7.2 Schedule of Significant Historic Heritage Items and removed from the notified planning maps (see Central City zoning map and enlargement H20). The confusion arose because the interactive online map shows the operative heritage item (there is no heritage setting in the operative district plan). I recommend that these submissions these submissions are accepted.

***Recommendation***

8.1.63 My recommendations to Accept, Accept in part or Reject are set out in the table at the beginning of this section and in each of the subsections above.

**ISSUE 4**

***Support changes or seek Changes to protection of heritage items and heritage settings – heritage new zealand pouhere taonga (S193.30); carter group (S814); the catholic diocese of christchurch (S823.234); ANITA COLLIE FOR THE RANNERDALE TRUST (S1055.1), (1055.2); The Canterbury Jockey Club (S1059.1, S1059.2, S1059.3); Danny Whiting (S1070.1); Richard and Suzanne Peebles (S1072.1), (S1072.2); Richard Peebles, for 181 High Ltd (S1073.1); duncans lane limited (S1085.1), (S1085.2).***

Submission No.	Submitter	Position	Decision Requested	Recommendation

S193.30	Heritage New Zealand Pouhere Taonga	Seek Amendment	Amend Setting Map 629 to show the current location of Heritage Item 107 [Citizens' War Memorial and Setting].	<b>Accept</b>
S814. (no submission point, see paragraph 21-23)	Carter Group Limited	Seek Amendment	Amend heritage setting 336 for New Regent Street heritage item 404 in Appendix 9.3.7.2 so that northern extent of the setting ends at the southernmost point of Armagh Street.	<b>Reject</b>
S823.234	The Catholic Diocese of Christchurch	Oppose	Amend the planning maps applying to the land bounded by Oxford Terrace, Manchester Street, Armagh Street, and Colombo Street, as follows [map of area shown in original submission]: a. Delete the extent of the heritage setting for New Regent Street (being heritage setting 336 associated with heritage item 404 in Appendix 9.3.7.2 schedule [New Regent Street]), so that it ends at the southernmost edge of Armagh Street, being where New Regent Street meets Armagh Street. b. Delete the Central City Heritage Interface overlay.	<b>Reject</b>
SS1055.1	Anita Collie, for The Rannerdale Trust	Seek Amendment	Seek [to] change the extent of the heritage [setting] surrounding Stevenholm[e] (also known as Rannerdale House []) [heritage item #234] to reflect the recent subdivision of the wider property (RMA/2022/3600).	<b>Reject</b>
1055.2	Anita Collie, for The Rannerdale Trust	Seek Amendment	Seek removal of the vehicle access from Suva Street, driveway and parking areas from within the heritage setting boundary.	<b>Reject</b>

S1059.1	The Canterbury Jockey Club	Support	Retain the deletion of Heritage Setting 183 [in relation to the Riccarton Racecourse Public Grandstand] from the Heritage Items and Settings Aerial Maps and Natural and Cultural Heritage Planning Map 30C as notified.	<b>Accept</b>
S1059.2	The Canterbury Jockey Club	Seek Amendment	Amend Heritage Setting 684 [Riccarton Racecourse Tea House] as shown on the Heritage Items and Settings Aerial Maps and Natural and Cultural Heritage Planning Map 30C.	<b>Accept in part/Reject in part</b>
1059.3	The Canterbury Jockey Club	Support	Retain the deletion of Heritage Item 453 [Riccarton Racecourse Public Grandstand] from Appendix 9.3.7.2 Schedule of Significant Historic Heritage Items as notified.	<b>Accept</b>
S1070.1	Danny Whiting	Seek Amendment	Reduce the spatial extent of the heritage setting 423 (for heritage item 209 at 27 Glandovey Road) [Appendix 9.3.7.2] so as to exclude 7 and 9 Thornycroft Street.	<b>Accept</b>
S1072.1 S1072.2	Richard and Suzanne Peebles	Seek Amendment	Reduce the spatial extent of the heritage setting 423 (for heritage item 209 at 27 Glandovey Road) [Appendix 9.3.7.2] so as to exclude 7 and 9 Thornycroft Street.	<b>Accept</b>
S1073.1	Richard Peebles, for 181 High Ltd	Seek Amendment	Reduce the spatial extent of the heritage setting 555 [Former AJ Whites building, Appendix 9.3.7.2] as proposed on Aerial map reference 693 [and 642], for Heritage item number 1313 so that it is coincidental to the extent of the heritage item.	<b>Reject</b>



S1085.1 S1085.2	Duncans Lane Limited	Oppose	Retain the existing spatial extent of the heritage item and setting for the Duncan's Buildings as shown on Aerial map reference 693, Heritage item number 1432, heritage setting number 604.	<b>Reject</b>
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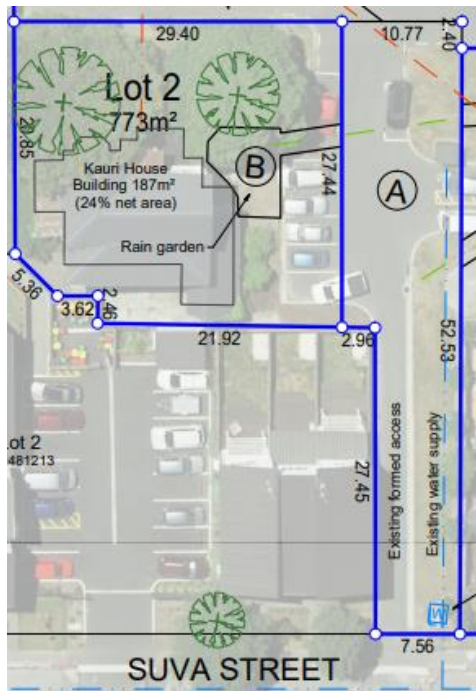
8.1.64 A number of submissions seek changes to the extent of protection of heritage items and heritage settings.

8.1.65 Carter Group S814 (paragraph 21-23) and The Catholic Diocese of Christchurch S823.234 seek to amend heritage setting 336 for the New Regent Street heritage item 404 in Appendix 9.3.7.2 so that northern extent of the setting ends at the southernmost point of Armagh Street. Note that the Carter Group submission point is not specified in the summary of submissions - it is contained in the body of the submission. Note that Anita Collie, for Malaghans Investments Ltd S818.2 supports the operative extent of protection for New Regent Street heritage item and setting (see Issue 1, 8.1). These submissions are considered further in technical evidence provided by Amanda Ohs.

8.1.66 Anita Collie for The Rannerdale Trust S1055.1 and S1055.2 seeks to reduce the heritage setting of Stevenholme/Rannerdale House, 59 Hansons Lane, Upper Riccarton (heritage item 234), to the area shown below in Figure 1 (from paragraph 9 of their submission) which they consider will better reflect the recent subdivision RMA/2022/3600 (granted 30/3/23) (see second snip below). The setting extent they propose reduces the setting to within the boundaries of Lot 2, and excludes the driveway and parking.



Figure 1 Proposed Heritage setting for the home (655) located within the red boundaries (Town Planning Group)



Snip of subdivision consent RMA/2022/3600 of Lots 1 - 3 Being Proposed Subdivision of Lot 1 DP 481213.

- 8.1.67 The Council's notified heritage setting (heritage aerial map 24), which was discussed with the owner prior to notification, proposes that the setting comprise the full extent of the land parcel containing the heritage item (Lot 2) and the adjoining access easement (A).
- 8.1.68 The proposed inclusion of the access easement in the heritage setting, which currently includes parking spaces, is to ensure that any future subdivision considers the access arrangement for the building and allows space for parking. This supports the future use of the heritage building,

which in turn facilitates its retention. The heritage setting definition recognises that the setting is integral to the function of the heritage item and can include access, space and spatial relationships. Changes were proposed at notification to the Ongoing use policy (9.3.2.2.5) and to the subdivision matters of discretion (8.8.12) and heritage items matters of discretion (9.3.6.1 k.(v)) to explicitly recognise the central role of access and use in heritage retention.

- 8.1.69 Amanda Ohs provides technical evidence on this issue. She does not support the option put forward by the owner (S1055.1 and S1055.2), as this limits space around the heritage item for reading the building and does not provide for access to the building or on-site parking to support its future use. I agree with her recommendation and cannot support these submissions.
- 8.1.70 Danny Whiting S1070.1, and Richard and Suzanne Peebles S1072.1 and S1072.2 request that the heritage setting for 27 Glandovey Road (item 209) is reduced to remove 7 and 9 Thornycroft Street. I adopt the technical evidence of Amanda Ohs who accepts that the adjoining properties should be removed. This removes adjoining properties which are no longer related by ownership or subdivision to the land parcel containing the heritage item. This is consistent with the Council's approach to protection of heritage settings which is generally limited to land in the same ownership as the heritage item.
- 8.1.71 Richard Peebles, for 181 High Ltd S1073.1 seeks to reduce the spatial extent of the heritage setting of the Former AJ Whites building, 181 High Street (heritage item 1313) so that it aligns with the heritage item which is limited to the building façade only. I adopt Amanda Ohs' technical evidence. The heritage setting means "an area surrounding a heritage item... which is integral to its contextual heritage values and its function, meaning and relationships". Retaining the heritage setting behind the façade allows for the assessment and potential mitigation of effects of a new building behind the façade which has the potential to visually dominate views of the heritage item.
- 8.1.72 Duncans Lane Limited S1085.1 and S1085.2 is concerned that the extent of the heritage item and setting for Duncan's Buildings, 135 High Street (heritage item 1432, heritage setting 604) has increased in PC14, and wishes to retain the extent of the heritage item and setting in the operative District Plan. Amanda Ohs clarifies in her evidence that the heritage setting has not changed. The heritage item has in fact been reduced to the façade for 143, 147, 151 and 155 High Street, so there is actually a reduction in restrictions, and she does not agree with the submitter's relief sought. I adopt her recommendation to make a minor correction to the aerial

map which she has identified when reviewing this submission, to more accurately reflect the heritage item outline, which does not increase the heritage item extent.

8.1.73 The Canterbury Jockey Club S1059.1 and S1059.3 supports the removal of the Riccarton Racecourse Public Grandstand (heritage item 453), 165 Racecourse Road, from Appendix 9.3.7.2 and the deletion of the shared setting with Riccarton Tea House from the planning maps, (resource consent for demolition of the grandstand granted 18 October 2022). The submitter S1059.2 also seeks to reduce the new setting for the teahouse notified by Council. In her technical evidence, Amanda Ohs opposes the submitter's proposed setting, but has proposed a further amendment to the setting (attached to her evidence), which I adopt. She considers this better reflects the historical context of the tea house by protecting important landscape features and the visual connection with the racecourse.

8.1.74 Heritage New Zealand Pouhere Taonga (S193.30) seeks that the heritage aerial map for the Citizens' War Memorial and Setting (item 107) is amended to reflect the relocation of this heritage item. This change is accepted, and it is proposed that the heritage aerial map will be updated in the Plan once the latest drone footage which provides Council's aerial photography is available in the Council's GIS system.

### ***Recommendation***

8.1.75 My recommendations to Accept, Accept in part or Reject are set out in the table at the beginning of this section.

## **ISSUE 5**

***Support for provisions for heritage items and heritage settings – heritage new zealand pouhere taonga (S193), (S193.1), (S193.5),(S193.9), (S193.10), (S193.14), (S193.22), (S193.23); carter group (S814.23), (S814.30), (S814.32), (S814.34), (S814.93); the catholic diocese of christchurch (S823.214), (S823.26), (S823.28), (S823.30), (S823.86); Historic places canterbury (S835.19); Daresbury limited (S874.4), (S874.5), (S874.7), (S874.8), (S874.9).***

Submission No.	Submitter	Position	Decision Requested	Recommendation
S193	Heritage New Zealand Pouhere Taonga	Support	Strongly supports the proposed strengthening of heritage provisions.  [No submission point, see submission p. 2, paragraph 11].	<b>Accept</b>
S193.1	Heritage New Zealand Pouhere Taonga	Support	[Retain the proposed] definition of alteration.	<b>Accept</b>
S193.5	Heritage New Zealand Pouhere Taonga	Support	Retain proposed definition of heritage professional	<b>Accept</b>
S193.9	Heritage New Zealand Pouhere Taonga	Support	Retain [8.9.2.1] P1 [amended activity specific standard i) for earthworks in the vicinity of heritage items and heritage settings] as proposed.	<b>Accept</b>
S193	Heritage New Zealand Pouhere Taonga	Support	Retain amendments as proposed for Policy 9.3.2.2.3 Management of scheduled historic heritage [supports the removal of 'recognising that heritage settings and Significant heritage items are potentially capable of accommodating a greater degree of change than Highly Significant heritage items' in part b.i.] [No submission point – see submission Appendix 1, page 4.]	<b>Accept</b>
S193.10	Heritage New Zealand Pouhere Taonga	Support	Retain Policy 9.3.2.2.5 as proposed [Ongoing use of scheduled historic heritage].	<b>Accept</b>
S193.14	Heritage New Zealand Pouhere Taonga	Support	Retain [9.3.4.1.2] as proposed [deletion of C1 – C5 and proposed C1 in relation to Christchurch Cathedral and the Citizens' War Memorial].	<b>Accept</b>
S193.22	Heritage New Zealand Pouhere Taonga	Support	Retain [activity] P1 as proposed [removal of activity specific standard a.ii. in 9.3.4.1.1 P1 Maintenance].	<b>Accept</b>

S193.23	Heritage New Zealand Pouhere Taonga	Support	Retain [activity 9.3.4.1.1] P2 [Repairs] as proposed.	<b>Accept</b>
S814.23	Carter Group Limited	Support	Retain the definition for Heritage Building Code works as notified.	<b>Accept</b>
S814.30	Carter Group Limited	Support	Retain the definition of Reconstruction as notified.	<b>Accept</b>
S814.32	Carter Group Limited	Support	Retain the definition for Repairs as notified.	<b>Accept</b>
S814.34	Carter Group Limited	Support	Retain the definition for Restoration as notified.	<b>Accept</b>
S814.93	Carter Group Limited	Support	Retain the Rules in 8.9 as notified [Earthworks standard for heritage items and settings].	<b>Accept</b>
S823.214	The Catholic Diocese of Christchurch	Support	[Supports] definition of 'Heritage Building Code works'.	<b>Accept</b>
S823.26	The Catholic Diocese of Christchurch	Support	Definition 'Reconstruction'. Retain as proposed.	<b>Accept</b>
S823.28	The Catholic Diocese of Christchurch	Support	Definition 'Repairs'. Retain as proposed.	<b>Accept</b>
S823.30	The Catholic Diocese of Christchurch	Support	Definition 'Restoration'. Retain as proposed.	<b>Accept</b>

S823.86	The Catholic Diocese of Christchurch	Support	Retain as notified [earthworks standard in 8.9.2.1 P1 i), exemptions in 8.9.3 and matter of discretion 8.9.4.6].	<b>Accept</b>
S835.19	Historic Places Canterbury	Seek Amendment	The submitter supports the proposed simplification and clarification of the rules for heritage to help make them more workable, effective and easily understood. However, the submitter is concerned that the rules around consent to demolish contain no acknowledgement of the waste generated through demolition, or the carbon retention benefits of embodied energy within buildings. It is the submitter's contention that the carbon impact of granting a demolition consent needs to be factored into the decision making process and that the rules should be amended accordingly. Owners should also be required to provide information on the cost of demolition to allow a fairer assessment of the cost to them of retaining a listed building.	<b>Accept in part</b>
S874.4	Daresbury Ltd	Support	[Seeks council retains the] [d]efinition of 'Heritage Building Code Works' [as proposed].	<b>Accept</b>
S874.5	Daresbury Ltd	Support	Seeks council to retain the [d]efinition of 'Reconstruction' as proposed.	<b>Accept</b>
S874.7	Daresbury Ltd	Support	[Seeks Council retain the proposed definition of 'repairs'.	<b>Accept</b>
S874.8	Daresbury Ltd	Support	[Seeks Council retain the proposed] definition of 'Restoration'.	<b>Accept</b>
S874.9	Daresbury Ltd	Support	Seeks Council retains the '8.9-Rules - Earthworks' as proposed.	<b>Accept</b>

### ***General support for changes to provisions***

8.1.76 A number of submissions express support for changes to heritage provisions generally, or support specific heritage provisions. Heritage New Zealand Pouhere Taonga strongly supports the proposed strengthening of heritage provisions. Historic Places Canterbury S835.19 supports

simplification and clarification of rules for heritage to help make them more workable, effective and easily understood.

### ***Definitions***

- 8.1.77 Heritage New Zealand Pouhere Taonga supports the definitions of Alteration (S193.1), and heritage professional (S193.5).
- 8.1.78 Carter Group Limited S814.23, The Catholic Diocese of Christchurch S823.214 and Daresbury Ltd S874.4 support the definition of Heritage Building Code works as notified, in particular the inclusion of insulation and glazing upgrades.
- 8.1.79 Carter Group Limited S814.30, S814.32, S814.34, The Catholic Diocese of Christchurch S823.26, S823.28, S823.30, and Daresbury Ltd S874.5, S874.7, S874.8 also support the changes to the Reconstruction, Repairs and Restoration definitions on the basis that they provide greater clarity and certainty, and specify additional forms of reconstruction and repairs.

### ***Policies***

- 8.1.80 In relation to Policy 9.3.2.2.3 Management of scheduled historic heritage, Heritage New Zealand Pouhere Taonga (no submission point, see S193 Appendix 1, page 4) supports proposed amendments to remove 'recognising that heritage settings and Significant heritage items are potentially capable of accommodating a greater degree of change than Highly Significant heritage items' in part b.i. This issue is also discussed in section 8.6. Heritage New Zealand Pouhere Taonga also supports changes to Policy 9.3.2.2.5 Ongoing use of scheduled historic heritage as proposed.

### ***Rules and Matters of Discretion***

- 8.1.81 Carter Group Limited S814.93, The Catholic Diocese of Christchurch S823.86, and Daresbury Ltd S874.9 support the earthworks standard and related exemptions for heritage items and settings which reduces consenting by replacing the consent requirement with a requirement to address temporary protection measures. Heritage New Zealand Pouhere Taonga S193.9 also supports the earthworks standard as notified.



8.1.82 Heritage New Zealand Pouhere Taonga S193.22 supports notified changes to the Maintenance activity standards in 9.3.4.1.1 P1, the Repairs activity standards in 9.3.4.1.1 P2 (S193.23), and Controlled activities (S193.14).

**Recommendation**

8.1.83 My recommendations to Accept or Accept in part are set out in the table at the beginning of this section.

**ISSUE 6**

***Oppose or seek amendments to provisions for heritage items and heritage settings, including to make them more or less restrictive – Terri Winder for ceres new zealand (S150.16), (S150.17),(S150.18), (S150.19),(S150.20), (S150.21), (S150.21), (S150.22), (S150.23), (S150.24), (S150.22), (S150.23), (S150.24); HERITAGE NEW ZEALAND POUHERE TAONGA (S193.4), (S193.11), (S193.12), (S193.13), (S193.28), (S193.29); LUKE HINCHEY FOR RYMAN HEALTHCARE LTD (s749.7); Carter group (S814.3), (S814.12), (S814.22), (S814.31), (S814.95), (S814.97), (S814.100), (S814.107); the catholic diocese of christchurch (S823.3), (823.12), (823.215), (S823.27), (S823.218), (S823.220), (S823.223), (S823.230); church property trustees (S825.1), (S825.2), (S825.3), (S825.4), (S825.5), (S825.8); historic places canterbury (S835.19); Daresbury limited (S874.1), (S874.2), (S874.3), (S874.6), (S874.10), (S874.11), (S874.12), (S874.13), (S874.15), DANNY WHITING (S1070.2); RICHARD PEEBLES FOR PEEBLES GROUP LTD (S1071.1); RICHARD AND SUZANNE PEEBLES (S1072.3); RICHARD PEEBLES FOR 181 HIGH LTD (S1073.2); christchurch civic trust (S1089.9).***

Submission No.	Submitter	Position	Decision Requested	Recommendation
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S150.16	Terri Winder for Ceres New Zealand	Seek Amendment	Create a new schedule to identify significantly damaged heritage items which face significant challenges to their ongoing restoration and economic reuse.  The list is narrow, is likely to extend to no more than a dozen or so buildings, and could include the following: Victoria Mansions, Peterborough Centre, Harley Chambers (Cambridge Tce), Englefield House (Fitzgerald Ave), Empire Hotel (Norwich Quay), Daresbury (Daresbury Lane), and the Dux/ Student Union building at the Arts Centre.	<b>Reject</b>
S150.17	Terri Winder for Ceres New Zealand	Seek Amendment	Add new Policy that better reflects and recognises significantly damaged heritage items which face significant challenges to their repair and reuse.	<b>Reject</b>
S150.18	Terri Winder for Ceres New Zealand	Seek Amendment	Add new activity (RD9) to the rule[s] for the repair, restoration, reconstruction, or alteration of a heritage item identified in the new schedule [for significantly damaged heritage items].	<b>Reject</b>
S150.19	Terri Winder for Ceres New Zealand	Seek Amendment	Add new activity (RD10) to the rule[s] for the demolition of a heritage item identified in the new schedule [for significantly damaged heritage items].	<b>Reject</b>
S150.20	Terri Winder for Ceres New Zealand	Seek Amendment	Add a new Matter of Discretion [for significantly damaged heritage items] relating to the provision of a heritage restoration assessment or a heritage demolition assessment (the latter being applicable if the heritage item is to be demolished); engineering and Quantity Surveying evidence; photographic records; and a deconstruction salvage plan.	<b>Reject</b>
S150.21	Terri Winder for Ceres New Zealand	Oppose	Delete the proposed changes to Rule 9.3.4.1.1 (P9) [replacement of structures in heritage settings].	<b>Reject</b>

S150.22	Terri Winder for Ceres New Zealand	Oppose	[Retain] P11 [operative rule 9.3.4.1.1 P11 Reconstruction and Restoration]. <del>regarding works to monuments in church graveyards, and in cemeteries that are listed in Appendix 9.3.7.2.</del>	<b>Reject</b>
S150.23	Terri Winder for Ceres New Zealand	Oppose	[Retain] P12, [operative rule 9.3.4.1.1 P12 temporary lifting] <del>regarding the demolition or relocation of a neutral building or intrusive building.</del>	<b>Reject</b>
S150.24	Terri Winder for Ceres New Zealand	Oppose	[Retain] Matter of Discretion 9.3.6.1 a. – [Heritage items and heritage settings (operative) a.]	<b>Reject</b>
S193.4	Heritage New Zealand Pouhere Taonga	Seek Amendment	[With respect to the Heritage fabric definition]: remove [proposed clause] (b) [later fabric introduced as part of repairs, restoration or reconstruction]. [Retain final clause that excludes fabric that has been certified as non-heritage fabric.]	<b>Reject in Part/Accept in Part</b>
S193.11	Heritage New Zealand Pouhere Taonga	Seek Amendment	[Seeks] the addition of a new clause in [Policy] 9.3.2.2.8 [Demolition of scheduled historic heritage]: <b><u>vi. Should demolition be approved, whether the setting should be retained/rescheduled as an open space heritage item.</u></b>  Retain a.ii. [as notified, the addition of ‘and the heritage item would no longer meet the threshold for scheduling...’].	<b>Reject</b>
S193.12	Heritage New Zealand Pouhere Taonga	Oppose	Remov[e] [9.3.4.1.1] P8 [as notified].	<b>Reject</b>

S193.13	Heritage New Zealand Pouhere Taonga	Seek Amendment	The inclusion of] a new restricted discretionary activity [to replace rule 9.3.4.1.1. P8]: <b>a. <u>Alteration, relocation or demolition of a building, structure or feature in a heritage setting, where the building, structure or feature is not individually scheduled as a heritage item.</u></b> <b>b. <u>This rule does not apply to works subject to rules 9.3.4.1.3 RD1 and RD2. The Council's discretion shall be limited to the following matters: 9.3.6.1 Heritage items and heritage settings.</u></b>	<b>Reject</b>
S193.28	Heritage New Zealand Pouhere Taonga	Seek Amendment	Amend column heading [in Appendix 9.3.7.2 Schedule of Historic Heritage Items] to remove reference to registration: <b><u>Heritage NZ Pouhere Taonga Heritage List number &amp; registration type</u></b>	<b>Accept</b>
S193.29	Heritage New Zealand Pouhere Taonga	Seek Amendment	Amend Item 1401 [entry for Former Public Trust Office] to include list number and category: [ <u>Heritage NZ Pouhere Taonga Heritage List number &amp; type</u> ] <b><u>3128 Category 2</u></b>	<b>Accept</b>
S749.7	Luke Hinchey, for Ryman Healthcare Ltd	Not Stated	Seeks to ensure that the amendments to [heritage provisions are] not more restrictive than the operative District Plan as it applies to 78 Park Terrace, 100-104 Park Terrace and 20 Dorset Street [and do not conflict with the consented proposal for the site].	<b>Reject</b>
S814.3	Carter Group Limited	Oppose	Opposes the definition of Alteration. [Opposes changes, retain operative definition.]	<b>Reject</b>
S814.12	Carter Group Limited	Oppose	Oppose the definition of Demolition. Seek that the [operative] definition is retained.	<b>Reject</b>
S814.22	Carter Group Limited	Oppose	Oppose definition of Heritage setting. Seek that the [operative] definition is retained.	<b>Reject</b>

S814.31	Carter Group Limited	Oppose	Oppose the [amended] definition of Relocation. Seek that the [operative] definition is retained.	<b>Reject</b>
S814.95	Carter Group Limited	Oppose	Oppose Policy 9.3.2.2.3 [Management of scheduled historic heritage]. Seek that the [operative] policy is retained.	<b>Reject</b>
S814.97	Carter Group Limited	Oppose	Oppose Policy 9.3.2.2.8 [Demolition of heritage items]. Seek that the [operative] policy is retained.	<b>Reject</b>
S814.100	Carter Group Limited	Oppose	Oppose 9.3.6.1(a). Seek that the [operative] (a) is retained [Matters of discretion - Heritage items and heritage settings relating to the Canterbury earthquakes of 2010 and 2011].	<b>Reject</b>
S814.107	Carter Group Limited	Oppose	Oppose 9.3.7.4 [Appendix - Heritage item and heritage setting exemptions from zone rules]. Seek that the [operative] Appendix is retained.	<b>Reject</b>
S823.3	The Catholic Diocese of Christchurch	Oppose	Definition of 'Alteration'. Retain status quo.	<b>Reject</b>
823.12	The Catholic Diocese of Christchurch	Oppose	Definition 'Demolition'. Retain status quo.	<b>Reject</b>
S823.27	The Catholic Diocese of Christchurch	Oppose	Definition 'Relocation'. Retain status quo.	<b>Reject</b>
S823.215	The Catholic Diocese of Christchurch	Oppose	Delete definition of 'Heritage setting'.	<b>Reject</b>

S823.218	The Catholic Diocese of Christchurch	Oppose	Retain status quo [9.3.2.2.3 - Policy - Management of scheduled historic heritage].	<b>Reject</b>
S823.220	The Catholic Diocese of Christchurch	Oppose	Retain status quo [9.3.2.2.8 - Policy - Demolition of heritage items].	<b>Reject</b>
S823.223	The Catholic Diocese of Christchurch	Oppose	Retain status quo for 9.3.6.1(a) [Matters of discretion - Heritage items and heritage settings].	<b>Reject</b>
S823.230	The Catholic Diocese of Christchurch	Oppose	Retain status quo [9.3.7.4 - Appendix - Heritage item and heritage setting exemptions from zone rules].	<b>Reject</b>
S825.1	Church Property Trustees	Oppose	Retain status quo [with regard to the definition of 'Alteration'].	<b>Reject</b>
S825.2	Church Property Trustees	Oppose	Retain status quo [with regard to the definition of 'Demolition'].	<b>Reject</b>
S825.3	Church Property Trustees	Oppose	Retain status quo [with regard to the definition of 'Heritage setting'].	<b>Reject</b>
S825.4	Church Property Trustees	Oppose	Retain status quo [with regard to Policy 9.3.2.2.8 Demolition of scheduled historic heritage].	<b>Reject</b>
S825.5	Church Property Trustees	Oppose	Retain status quo for 9.3.6.1(a) [Matters of discretion - Heritage items and heritage settings].	<b>Reject</b>
S825.8	Church Property Trustees	Oppose	Retain the status quo [with regard to Appendix 9.3.7.4 Heritage item and heritage setting exemptions].	<b>Reject</b>

S835.19	Historic Places Canterbury	Seek Amendment	The submitter supports the proposed simplification and clarification of the rules for heritage to help make them more workable, effective and easily understood. However, the submitter is concerned that the rules around consent to demolish contain no acknowledgement of the waste generated through demolition, or the carbon retention benefits of embodied energy within buildings. It is the submitter's contention that the carbon impact of granting a demolition consent needs to be factored into the decision making process and that the rules should be amended accordingly. Owners should also be required to provide information on the cost of demolition to allow a fairer assessment of the cost to them of retaining a listed building.	<b>Accept in part</b>
S874.1	Daresbury Ltd	Oppose	[Seeks to oppose the] [d]efinition of 'Alteration'	<b>Reject</b>
S874.2	Daresbury Ltd	Oppose	[Seeks to oppose the] [d]efinition of 'Demolition.	<b>Reject</b>
S874.3	Daresbury Ltd	Oppose	[Seeks to oppose the] [d]efinition of 'Heritage setting'.	<b>Reject</b>
S874.6	Daresbury Ltd	Oppose	[Regarding the definition of 'Relocation'] [o]pposes the deletion of the exclusions in (a) and (b).	<b>Reject</b>
S874.10	Daresbury Ltd	Oppose	[Regarding Policy 9.3.2.2.3 - Management of Scheduled Historic Heritage] seeks to oppose the amendments to clause (a)(ii) of this policy.	<b>Reject</b>
S874.11	Daresbury Ltd	Oppose	[Regarding Policy 9.3.2.2.8 - Demolition of scheduled historic heritage] seeks to oppose the changes to clause (a)(ii) of this policy.	<b>Reject</b>
S874.12	Daresbury Ltd	Oppose	[Regarding Rule 9.3.4.1.1 (P9)] seeks to oppose the deletion of P9.	<b>Reject</b>
S874.13	Daresbury Ltd	Oppose	[Seeks to oppose the proposed changes to] 'Matters of discretion 9.3.6.1(a)'.	<b>Reject</b>

S874.15	Daresbury Ltd	Oppose	[Seeks to oppose the changes proposed to Appendix 9.3.7.4 - Heritage item and heritage setting exemptions from zone rules].	<b>Reject</b>
S1070.2	Danny Whiting	Oppose	Delete/reject proposed amendments to [heritage] definitions, policies, rules and assessment matters [where they are less enabling] and retain the status quo in respect of these provisions [especially where these are inconsistent with Strategic Objective 3.3.1, 3.3.2 and Historic Heritage Objective 9.3.2.1.1.]	<b>Reject</b>
S1071.1	Richard Peebles, for Peebles Group Ltd	Oppose	Delete/reject proposed amendments to [heritage] definitions, policies, rules and assessment matters [where they are less enabling] and retain the status quo in respect of these provisions [especially where these are inconsistent with Strategic Objective 3.3.1, 3.3.2 and Historic Heritage Objective 9.3.2.1.1.]	<b>Reject</b>
S1072.3	Richard and Suzanne Peebles	Oppose	Delete/reject proposed amendments to [heritage] definitions, policies, rules and assessment matters [where they are less enabling] and retain the status quo in respect of these provisions [especially where these are inconsistent with Strategic Objective 3.3.1, 3.3.2 and Historic Heritage Objective 9.3.2.1.1.]	<b>Reject</b>
S1073.2	Richard Peebles, for 181 High Ltd	Seek Amendment	Delete/reject proposed amendments to [heritage] definitions, policies, rules and assessment matters [where they are less enabling] and retain the status quo in respect of these provisions [especially where these are inconsistent with Strategic Objective 3.3.1, 3.3.2 and Historic Heritage Objective 9.3.2.1.1.]	<b>Reject</b>



S1085.3	Duncans Lane Limited	Oppose	Delete/reject proposed amendments to [heritage] definitions, policies, rules and assessment matters [where they are less enabling] and retain the status quo in respect of these provisions [especially where these are inconsistent with Strategic Objective 3.3.1, 3.3.2 and Historic Heritage Objective 9.3.2.1.1.]	<b>Reject</b>
S1089.9	Christchurch Civic Trust	Seek Amendment	Amend Assessment Criteria for the demolition of Heritage Buildings to include an energy consumption and emissions 'whole of life' audit be undertaken for building projects to establish costs to the environment of energy consumption and CO2 emissions.	<b>Reject</b>
S1092.3	Wynn Williams for Cambridge 137 Limited	Seek Amendment	Delete changes to Rule 9.3.4.1.1 (P9) and proposed deletion of P11 and P12.	<b>Reject</b>
S1092.4	Wynn Williams for Cambridge 137 Limited	Oppose	[Oppose deletion of] Matter of Discretion 9.3.6.1[a] [].	<b>Reject</b>

8.1.84 A number of submitters oppose or seek amendments to provisions for heritage items and heritage settings so they are less restrictive. Some submitters wish to retain or introduce additional provisions in relation to significantly damaged buildings. Heritage New Zealand Pouhere Taonga recommends an additional restriction and, in other cases, changes that will have a neutral impact on consenting requirements. These issues are discussed under relevant headings in turn below.

***Provisions Which Are No More Restrictive***

8.1.85 A group of submitters (Danny Whiting S1070.2, Richard Peebles, for Peebles Group Ltd S1071.1, Richard and Suzanne Peebles S1072.3, Richard Peebles, for 181 High Ltd S1073.2, and Duncans Lane Limited S1085.3), reject proposed amendments to heritage definitions, policies, rules and assessment matters where they are less enabling, especially where they consider these are

inconsistent with Strategic Objective 3.3.1, 3.3.2 and Historic Heritage Objective 9.3.2.1.1. They wish to retain the status quo in respect of these provisions.

- 8.1.86 I discuss the nature of the notified changes to provisions, including those where resource consent activity status is proposed to become more onerous, in section 6.4 of this report. These are evaluated in the Heritage section 32 report at paragraphs 6.3.24 to 6.3.28 and in the cost benefit table which follows the discussion in that report. Submitters' concerns about specific provisions being more restrictive are discussed elsewhere in this section (Issue 6) of this report, and in relation to height interfaces for sites adjoining the Arts Centre and New Regent Street heritage items, are discussed in Issue 7 (section 8.7 below).
- 8.1.87 The notified heritage definition/rule changes which increase restrictions are limited to the following:
- a. Heritage Building Code works (operative term "Heritage Upgrade Works"), Reconstruction and Restoration moving from Controlled to Restricted Discretionary activity status where the permitted activity standard for a Heritage Works Plan is not met. The Heritage Building Code works activity is proposed to include Building Code works currently considered as Repairs (Permitted) and Temporary Lifting and Temporary Moving which are Building Code related activities (currently separate Permitted activities subject to activity standards or Controlled activities where standards are not met).
  - b. The non-notification rule for Heritage Building Code works, Reconstruction, Restoration and temporary buildings in heritage items and settings is also proposed to be deleted. This is to enable Council to publicly notify proposals which have more than minor effects in exceptional circumstances, or to require applicants to amend proposals in order to avoid notification.
  - c. Adding a limited number of permitted activity standards. The intention is to simplify or better manage these activities outside of the resource consent process so that effects are likely to be minor if these proposed measures are implemented.
- 8.1.88 Note that other changes to activity standards and consent requirements are proposed to be removed in the notified proposal, so the net increase in consents for heritage items is anticipated to be very small (if any) in any given year.
- 8.1.89 The shift from Controlled to Restricted Discretionary activity status will not increase consent numbers, but will allow adverse effects to be better managed where they are more than minor, which sometimes occurs where an inappropriate methodology is chosen which conditions cannot mitigate to a level where the effects are minor. The applicant has the opportunity to consider alternative methodologies which can sufficiently mitigate the effects so the Council can support the proposal on a non-notified basis and achieve a better heritage outcome. While removing the Controlled activity status may lead to a reduction in certainty for applicants, this

can be mitigated and costs reduced by ensuring applications are as complete as possible prior to lodgement and proposals are able to be supported on a non-notified basis. This can be achieved via pre-application engagement with Council Heritage staff.

- 8.1.90 The shift from Controlled to Restricted Discretionary activity status and removal of the non-notification clause for some activities may result in the occasional publicly notified resource consent (less than one a year anticipated), that was not previously able to be publicly notified. It is expected that this will be a rare occurrence as the approach of Council's Heritage team is to work with owners with free pre-application advice, in accordance with Policy 9.3.2.2.10 Incentives and assistance for historic heritage, so that effects are mitigated to a minor level and staff can support proposals on a non-notified basis. On occasion, Heritage Incentive Grants from Council may reimburse non-notified resource consent costs.
- 8.1.91 In the case of Building Code aspects of repair projects, a methodology may go beyond the minimum required to reinstate the building, and there may be different methodology options which can have different types and scales of effect which need to be assessed and managed through the resource consent process or via the oversight of a Heritage Professional through the preparation of a Heritage Works Plan (permitted activity standard).
- 8.1.92 No observable increase in resource consents and associated transaction costs are expected as a result of shifting the Building Code component of Repairs and Temporary Lifting and Temporary Moving activities to Heritage Building Code Works. A Heritage Works Plan (which has a low fee) is still offered to meet an activity standard as an alternative to resource consent. Repair works are also very often undertaken in conjunction with other works which already require resource consent such as Alteration. Temporary Lifting and Temporary Moving activities are generally part of a wider scope of Building Code related and other works. Currently the artificial distinction between Building Code works for repairs and other purposes sometimes causes confusion and delay at pre-application stage or resource consent stage, as unnecessary time is spent establishing the resource consent status of the works. The simplified interpretation and assessment will somewhat offset the transaction costs for the applicant of engaging a Heritage Professional or obtaining resource consent.
- 8.1.93 The above submitters are concerned that changes to provisions should not be inconsistent with Strategic Objective 3.3.1, 3.3.2 and Historic Heritage Objective 9.3.2.1.1.

- 8.1.94 Objective 3.3.1 Enabling recovery and facilitating the future enhancement of the district provides for meeting community needs such as housing and economic development, social and cultural wellbeing, and fostering investment certainty. Objective 3.3.2 Clarity of language and efficiency seeks to minimise transaction costs and resource consents, development controls, design standards, and notification requirements; provide for objectives and policies that clearly state intended outcomes; and provide for clear and concise language so the district plan is easy to understand and use. The Historic Heritage Objective 9.3.2.1.1 provides for heritage protection which also enables and supports maintenance, repair, upgrade, restoration and reconstruction; recognises the condition of buildings and factors in engineering and financial considerations in relation to use of buildings; and acknowledges that demolition may be justified in some situations.
- 8.1.95 I do not consider that the changes to rules will have any noticeable negative impact on the aspects of recovery identified in Objective 3.3.1 and will have benefits for social and cultural wellbeing in terms of enhanced heritage protection. As I have discussed above, I consider that the increase in restrictions will have minimal impact on consenting numbers, transaction costs, and number of publicly notified applications, and in some cases, changes will lead to consents no longer being required, for example for earthworks in heritage settings. Most changes to provisions are focused on clarification of policies and rules to improve usability. Therefore I consider that changes remain consistent with achieving Objective 3.3.2 and generally improve consistency with that objective.
- 8.1.96 I consider that the changes also maintain consistency with Objective 9.3.2.1.1 in that Building Code works, restoration and reconstruction continue to be provided for through the Heritage Works Plan compliance pathway or via resource consent process. As noted above, free advice provided by Council's Heritage team supports applicants to agree on a proposal with Council Heritage staff which avoids more than minor adverse effects on heritage values and notification on almost all occasions. As discussed further below in the sub-section on significantly damaged buildings, I consider that building damage, engineering and financial factors are still provided for in the notified provisions, which also continue to recognise that demolition may be justified in some situations.

***Provisions which are No More Restrictive – “Ryman site”, Park Terrace***

- 8.1.97 Luke Hinchey, for Ryman Healthcare Ltd S749.7 seeks to ensure that the amendments to heritage provisions are not more restrictive than the operative District Plan as it applies to 78 Park Terrace, 100-104 Park Terrace and 20 Dorset Street, and do not conflict with the consented proposal for the site. The submitter has a consented proposal for a retirement village on its Park Terrace site: RMA/2020/673 (100-104 Park Terrace, and 20 Dorset Street) “Bishop’s Park site”, granted 21/7/21), and RMA/2020/679 (“Peterborough site”, granted 29/10/21).
- 8.1.98 The site at 100 Park Terrace contains the Former Bishop's Chapel heritage item and setting (item 1305), and the consented proposal provides for the chapel’s Reconstruction, Restoration, Alteration, and structural upgrade (called Heritage Upgrade Works activity in the operative plan, renamed Building Code Works in the notified heritage proposal). New buildings and associated earthworks are also provided for in the heritage setting under this consent. The consent status under the notified heritage provisions for Reconstruction, Restoration and Building Code works to a heritage item has become more restrictive (Restricted Discretionary instead of Controlled), however I do not consider that site specific rules are needed, as any substantive changes to the scope of works for the chapel, within the 5 years the consent for 100 Park Terrace remains valid, would require a s127 change of conditions consent as a fully Discretionary activity.

### ***Provisions for significantly damaged buildings***

- 8.1.99 Ceres New Zealand Limited, Carter Group Limited, The Catholic Diocese of Christchurch, Church Property Trustees, Daresbury Limited oppose the deletion of provisions which take into account damage resulting from the Canterbury Earthquakes of 2010 and 2011, on the basis that there are still unrepaired heritage buildings which they consider need to be recognised in the heritage provisions.
- 8.1.100 These submitters and Wynn Williams for Cambridge 137 Limited S1092.4 oppose the deletion of matter of discretion 9.3.6.1 (a) which considers “the nature and extent of damage incurred

as a result of the Canterbury earthquakes of 2010 and 2011 including the costs of repair and reconstruction”.

- 8.1.101 Ceres New Zealand Limited S150.21, Daresbury Limited S874.12, and Wynn Williams for Cambridge 137 Limited S1092.3, oppose deletion of rule 9.3.4.1.1 P9 which provides for replacement of buildings in heritage settings, and within heritage items which are open spaces, where these buildings are not individually protected as heritage items and were damaged by the Canterbury Earthquakes of 2010 and 2011.
- 8.1.102 Alteration, relocation or demolition of buildings in heritage settings which are not individually protected as heritage items does not require consent under the operative district plan heritage rules. This is clarified by the addition of proposed rule 9.3.4.1.1 P8 which provides for the removal of buildings in heritage settings, which includes earthquake damaged buildings. New buildings in heritage settings, and in heritage items which are open spaces, are subject to 9.3.4.1.3 RD2 (as notified) because the location and form of new buildings has the potential to have adverse effects on the heritage item. It is proposed that 12 years on from the 2010-2011 Canterbury Earthquakes, the replacement of any remaining damaged buildings will be subject to the same Restricted Discretionary rule as other new buildings.
- 8.1.103 Operative matter of discretion 9.3.6.1 a. relating to damage from the Canterbury Earthquakes of 2010-11 remains relevant for a small number of unrepaired buildings<sup>4</sup> and 12 years on it is considered more relevant to take earthquake damage (from previous and future earthquakes) into account in the context of damage caused by natural events in matter f. (as notified).
- 8.1.104 Ceres New Zealand S150.16 requests that a new schedule is created to identify significantly damaged heritage items which face significant challenges to their ongoing restoration and economic reuse, and seeks customised rules, including a Restricted Discretionary demolition rule, and customised matters of discretion for buildings on this new schedule (S150.17, S150.18, S150.19, S150.20, S150.21). Ceres New Zealand provided feedback at pre-notification stage for Plan Changes 13 and 14, on the need to continue to provide for earthquake damaged buildings.

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<sup>4</sup> There are approximately 32 scheduled heritage buildings on Christchurch City Council’s Earthquake Prone Buildings register of the 679 scheduled heritage items in the operative district plan. This represents 5% of the heritage schedule in Appendix 9.3.7.2 at 1 July 2023, noting that a number of protected heritage items are not buildings, a small number of buildings have been demolished or are due to be demolished, and this does not include the unrepaired buildings that are not classified as earthquake prone.

8.1.105 This was taken into account in the drafting of notified heritage provisions, and I consider that the operative and notified heritage policies and matters of discretion for heritage items, allow for the consideration of the condition of buildings, engineering and economic factors (specifically Policies 9.3.2.2.1, 9.3.2.2.3, 9.3.2.2.8, and Matters of Discretion for heritage items and settings in 9.3.6.1 (specifically notified clauses a. and f.). Resource consent assessments by Council's Heritage team under the operative plan (the vast majority of which have involved buildings affected by earthquake damage), always take into account the individual circumstances of the building/site as supported by the operative objective and operative and notified policies and matters of discretion, and care is taken to apply these matters consistently across applications as far as possible.

8.1.106 As discussed above, Council's Heritage team is aware of the buildings which remain unrepaired and/or are included on the Council's Earthquake Prone Buildings register (see footnote 2). I therefore consider that a separate schedule and rules for these significantly damaged buildings is not required, and such a schedule would become out of date, particularly in the event of a future earthquake.

8.1.107 I do not consider that a customised Restricted Discretionary demolition rule is required for significantly damaged buildings. The operative demolition policy approved by the IHP for the District Plan Review in 2016 was specifically drafted to allow consideration of earthquake damage relative to each building (see operative wording retained in the snip below) to support rules applying Discretionary and Non-Complying activity status for demolition.

**9.3.2.2.8 Policy - Demolition of ~~scheduled historic heritage of heritage items~~**

- a. When considering the appropriateness of the demolition of a heritage item scheduled in Appendix 9.3.7.2 or a defining building or contributory building in a heritage area scheduled in Appendix 9.3.7.3, have regard to the following matters:
  - i. whether there is a threat to life and/or property for which interim protection measures would not remove that threat;
  - ii. whether the extent of the work required to retain and/or repair the heritage item or building is of such a scale that the heritage values and integrity of the heritage item or building would be significantly compromised, and the heritage item would no longer meet the criteria for scheduling in Policy 9.3.2.2.1.
  - iii. whether the costs to retain the heritage item or building (particularly as a result of damage) would be unreasonable;
  - iv. the ability to retain the overall heritage values and significance of the heritage item or building through a reduced degree of demolition; and
  - v. the level of significance of the heritage item.

8.1.108 I consider Discretionary and Non-Complying activity status appropriate to allow the broadest possible assessment of relevant heritage and non-heritage factors specific to each building and owner which can provide for the complexity and diversity of issues encountered by owners of significantly damaged buildings, for example, insurance situations and funding options, and ownership arrangements and development options which may or may not be realistic for the owner or the site, such as subdivision or on-selling the property. In addition, I consider that

Non-Complying and Discretionary status is also commensurate with the significance of these buildings to the district (and beyond in some cases) and Heritage as a matter of national importance under s6(f) of the RMA, and is necessary to align with the high bar set in Heritage Objective 9.3.2.1.1 a.iii (see snip below) which provides for demolition where this can be justified as an exception only in “some situations” where there is no reasonable alternative, rather than Restricted Discretionary which is more appropriate for routinely required works such as Alteration and Building Code works.

#### 9.3.2.1.1 Objective - Historic heritage

- a. The overall contribution of historic heritage to the Christchurch District's character and identity is maintained through the protection and conservation of significant historic heritage across the Christchurch District in a way which:
  - i. enables and supports:
    - A. the ongoing retention, use and adaptive re-use; and
    - B. the maintenance, repair, upgrade, restoration and reconstruction; of historic heritage; and
  - ii. recognises the condition of buildings, particularly those that have suffered earthquake damage, and the effect of engineering and financial factors on the ability to retain, restore, and continue using them; and
  - iii. acknowledges that in some situations demolition may be justified by reference to the matters in Policy 9.3.2.2.8.

8.1.109 The test in clause a. ii. of the demolition policy to determine whether there are reasonable alternatives to demolition (which has now been made explicit in the notified policy), already allows assessment of whether repair strategies would retain the significance of the building (required for it to remain scheduled). The matters of discretion applying to proposals for Alteration and Building Code works anticipate reinstatement of earthquake damaged buildings which have often formed part of such proposals, and are available to be used as a guide for assessing potential reinstatement options: for example notified matter a. level of change involved in carrying out the works and alternative solutions considered; whether the proposal, including the form, materials and methodologies are consistent with maintaining the heritage values and level of significance of heritage items (notified matter c.), and damage by natural events (matter f). Engineering methodologies and assessments by Heritage Professionals have been required via consents under the operative district plan heritage framework to assess clause a.ii and a.iv. of the policy, and Quantity Surveyor costings have been required under a.iii. of the policy. Therefore I do not consider that a customised rule or matters of discretion are necessary for demolition of significantly damaged buildings, as the current provisions framework already adequately provides for this assessment.



- 8.1.110 Conditions have successfully been applied to demolition consents under the operative Non-complying and Discretionary activity status for photographic recording and salvage as relevant to the particular building.
- 8.1.111 Ceres New Zealand S150.22 and S150.23, and Wynn Williams for Cambridge 137 Limited S1092.3, wish to see the retention of operative rules in 9.3.4.1.1 P11 Reconstruction and Restoration and P12 for temporary lifting of damaged heritage items which are subject to a standard for providing a Heritage Works Plan prepared by a Heritage Professional or are otherwise a Controlled activity. In the notified provisions, Reconstruction and Restoration have been amalgamated with Building Code works (operative equivalent activity is Heritage Upgrade Works) into proposed 9.3.4.1.1 P9/ 9.3.4.1.3 RD4, and the distinction between whether or not works are damage-related has also been removed, as this is able to be assessed on a case by case basis with reference to the matters of discretion. These activities retain the Heritage Works Plan option or otherwise require resource consent, which is proposed to shift from Controlled to Restricted Discretionary activity status.
- 8.1.112 Restricted Discretionary activity status for these activities recognises that methodologies, which control *how* the work is undertaken, have differing adverse effects on heritage values. This has been my observation, from my experience in the Council Heritage team reviewing a large number of proposals for earthquake damaged buildings since the Canterbury Earthquakes. Proposed methodologies requiring major structural interventions can have more than minor adverse effects on heritage fabric and values. There are often alternative methodologies available for a building which can sufficiently mitigate effects to a minor level to retain heritage significance, but which may involve substantive changes to proposals. These substantive changes cannot necessarily be achieved via conditions on a Controlled activity consent where these changes alter the nature of the activity and its effects, and need to be able to be assessed as a new proposal.
- 8.1.113 The need for, and complexities of, addressing earthquake damage in relation to methodologies and Building Code requirements and the level of effects of a proposal, can then be considered in proposed Matters of Discretion 9.3.6.1 a. and c., and earthquake damage is anticipated as damage caused by natural events in proposed matter f.
- 8.1.114 Operative 9.3.4.1.1 P12 (temporary lifting) is covered in the operative text of the definition for Heritage upgrade works (proposed Building Code works). In the Council Heritage team's experience with review of many earthquake reinstatement projects over the past decade, this

work is generally a component of broader scopes of work for addressing damage, which are required to meet Building Code, and in my view it is more appropriate that it is considered in the context of related Building Code works than as a standalone activity.

### ***Definitions***

8.1.115 Carter Group Limited, The Catholic Diocese of Christchurch, Church Property Trustees and Daresbury Ltd oppose changes to some heritage definitions on the basis that they broaden the scope of the definitions and therefore increase consent requirements.

8.1.116 In relation to concerns about the changes to the Alteration definition, changes such as additions which do not always involve change to heritage fabric often have adverse effects on heritage form and values. Additions are already subject to the definition, so the intention of the change is not to increase the types of change covered by the definition, but to more accurately represent the nature of the works which have potential effects on heritage values.

8.1.117 In response to concerns about introducing a new test in the demolition definition, the test or threshold in the demolition definition remains the same: “results in the complete or significant loss of heritage fabric or form”. The intention is to retain the current distinction between alteration and demolition definitions. The change is to more accurately reflect that the effect is not derived from the scale of the material lost but from the heritage values of the material lost.

8.1.118 The operative wording in the heritage setting definition proposed to be deleted which describes settings: “together with the associated heritage item” is potentially misleading as it could suggest that the setting meets the threshold for scheduling. The change to the definition is intended to clarify the status of heritage settings which do not meet the threshold for scheduling in their own right, but contribute to the heritage values of the heritage item which does meet the threshold. I do not anticipate any impact on consenting as a result of the proposed amendment.

8.1.119 The deletion of the “exclusions” for temporary lifting and/or moving off foundations or permanent realignment of foundations from the Relocation definition is for the purpose of

simplifying the definition. This does not have the effect of including these works as they are already subject to the Building Code Works definition. There is no change to consenting requirements as a result of the amended wording.

8.1.120 Heritage New Zealand Pouhere Taonga S193.4, with respect to the notified Heritage fabric definition (below), seeks that proposed clause b. specifying later fabric introduced as part of repairs, restoration or reconstruction is deleted, but that the final sentence of the definition is retained that excludes fabric that has been certified as non-heritage fabric.

#### **Heritage fabric**

in relation to [Sub-chapter 9.3](#) Historic Heritage of Chapter 9 Natural and Cultural Heritage, means any physical aspect of a [heritage item](#), ~~or heritage setting, or heritage area~~ which contributes to its [heritage values](#). In the case of the interior of a [heritage item](#), it includes only that [heritage fabric](#) which is ~~protected by in~~ [Appendix 9.3.7.2](#) Schedule of significant historic heritage for that [heritage item](#). [Heritage fabric](#) ~~may include~~:

- a. original and later material and detailing which forms part of, or is attached to, the interior or exterior of a [building](#), structure or feature;
- b. later fabric introduced as part of repairs, restoration or reconstruction;**
- c. ~~b~~ the patina of age resulting from the weathering and wear of construction material over time;
- d. ~~e~~ fixtures and fittings that form part of the design or significance of a [heritage item](#), but excludes inbuilt museum and artwork exhibitions and displays; and
- e. ~~d~~ for ~~open space a heritage items which is an open space~~, built or ~~nonbuilt other~~ elements independent of [buildings](#), structures or features, such as historic paths, paving, [trees](#), and garden layout.

[Heritage fabric](#) excludes fabric certified in accordance with [Appendix 9.3.7.6](#) ~~Certification Certificate~~ of non-heritage fabric.

8.1.121 I recommend that the latter part of the decision sought is accepted. I wish to retain the proposed addition of a specified type of later fabric introduced as part of repairs, restoration or reconstruction (clause b.). While I agree that it is a subset of subclause a., it would make the subclause overly long to include in a., and I consider it warrants its own subclause. It is a particular category of later material that is not automatically recognised as heritage fabric by a lay user of the Plan, and therefore its inclusion improves clarity. This type of later fabric would be considered heritage fabric where new elements are closely similar in form and material to the heritage fabric it is replacing or reinstating.

#### ***Policies***

8.1.122 Carter Group Limited, The Catholic Diocese of Christchurch, Church Property Trustees and Daresbury Limited oppose changes to some heritage policies which they consider will broaden the scope of the policies.

8.1.123 Carter Group Limited, The Catholic Diocese of Christchurch and Daresbury Limited oppose deletion of the phrase “recognising that heritage settings and Significant (Group 2) heritage items are potentially capable of accommodating a greater degree of change than Highly Significant (Group 1) heritage items” from Policy 9.3.2.2.3 Management of scheduled historic heritage in the notified provisions. This statement in the policy is a generalisation and does not recognise that the ability of an item to accommodate change varies by building as much as by level of significance. Substantial change to a Significant status heritage item can undermine its heritage values. Note the support for this notified policy change by Heritage New Zealand Pouhere Taonga (see section 8.5).

8.1.124 Carter Group Limited, The Catholic Diocese of Christchurch, Church Property Trustees and Daresbury Limited oppose the inclusion of the wording “and the heritage item would no longer meet the criteria for scheduling in Policy 9.3.2.2.1” in Policy 9.3.2.2.8 Demolition of heritage items on the basis that they consider this introduces a new test which may preclude the demolition of buildings which are significantly physically compromised.

8.1.125 In my view, based on current interpretation of this policy by Council Heritage staff, this is not a new test, as this test is already implied but is unclear in the operative text in the words: “significantly compromised”. The additional wording intends to clarify the existing test used in assessing heritage demolition consent applications by Council Heritage Advisors. That is: a building is “significantly compromised” if it would no longer retain *significant* heritage values - it would no longer retain its *significance* which enables it to meet the threshold for scheduling, if the repair works (under operative subclause ii) were undertaken. Staff do not have a readily available alternative test for “significantly compromised” to the one already in use. Where there is a repair strategy that would retain the *significant* heritage values of the building for which it is scheduled, then the test of “significantly compromised” is not met.

8.1.126 In my view, the demolition policy is understood alongside Policy 9.3.2.2.1 – Identification, assessment and scheduling of heritage items which also accounts for physical condition compromising heritage values and integrity to the point that “it would no longer retain its heritage significance” (c. iii) and engineering and financial factors relating to the physical condition of the building (c. iv). Note that these policies are considered further in section 8.3 in relation to submissions seeking removal of heritage items and their associated settings from Appendix 9.3.7.2.

- 8.1.127 Subclause ii. of the operative demolition policy requires Council Heritage staff (and the processing consents planner) to consider circumstances where demolition would have a no more than minor effect on heritage values where, when due to a building's condition, repair strategies would undermine the significance of the building. Where there is a repair strategy that would retain the significance of the building, but the applicant considers that the costs of implementing that strategy are unreasonable, the applicant can make a case under the operative subclause iii. of the demolition policy that demolition constitutes a "positive" environmental effect (in the s104 RMA decision) through the avoidance of "unreasonable" repair costs.
- 8.1.128 Heritage New Zealand Pouhere Taonga S193.11 seeks that a clause is added to Policy 9.3.2.2.8 Demolition of scheduled historic heritage: "**vi. Should demolition be approved, whether the setting should be retained/rescheduled as an open space heritage item.**" I agree that the demolition of the heritage item could provide an opportunity to re-assess the heritage setting against the criteria for scheduling as a heritage item in its own right to secure its protection. I do not see a benefit, however, in including such wording in the demolition policy, as I consider that the reassessment and scheduling (if the heritage setting were to be reassessed as meeting the heritage item criteria in Policy 9.3.2.2.1) would need to occur as part of a future plan change process, and could not occur automatically by being included in the policy.
- 8.1.129 It is unlikely (although not impossible) that a setting would be reassessed as meeting the criteria for scheduling when it had previously been assessed as contributing to the heritage values of the associated heritage item, rather than meeting the criteria for scheduling, and so was included as a setting for the principal heritage item when the heritage item was scheduled. In addition, Council Heritage team's approach is to obtain support from the landowner for scheduling, so only in limited scenarios is this discussion likely to be appropriate or successful around the time of demolition, (for example where the Council accepted demolition on a non-notified basis and the owner was reluctant to demolish and recognised the heritage values of the setting).

### ***Rules and Matters of Discretion***

- 8.1.130 Heritage New Zealand Pouhere Taonga S193.12 and S193.13 also seek the replacement of the notified permitted activity rule 9.3.4.1.1. P8 with a Restricted Discretionary activity for

Alteration, relocation or demolition of a building, structure or feature in a heritage setting, where the building, structure or feature is not individually scheduled as a heritage item.

- 8.1.131 I acknowledge that structures in heritage settings often have heritage values and contribute to the heritage values of the heritage item. They have not, however, been assessed as meeting the criteria for scheduling as a heritage item, so I consider that applying the same activity status as changes to heritage items is not justified. I consider, that generally speaking, new buildings (proposed for 9.3.4.1.3 RD2) have greater potential to have adverse effects on heritage values on heritage items than works to structures in heritage settings.
- 8.1.132 Historic Places Canterbury S835.19 and Christchurch Civic Trust S1089.9 are concerned that demolition consents do not currently factor in waste generated through demolition, the effect of demolition on climate change, or the carbon retention benefits of embodied energy within heritage buildings, and that owners should be required to provide information on the true costs of demolition to allow a fairer assessment of the costs and benefits to them and to the environment of retaining or demolishing a scheduled building. Christchurch Civic Trust would like to see a “whole of life” audit for building projects to establish costs to the environment of energy consumption and CO<sub>2</sub> emissions.
- 8.1.133 I strongly agree that the environmental costs of demolition and the environmental benefits of the embodied energy of existing buildings should be significant environmental considerations for building owners, and also that Council is required to consider these matters under the current resource management statutory and non-statutory framework, via the RMA and Ōtautahi Christchurch Climate Resilience Strategy 2021 for example.
- 8.1.134 Demolition of scheduled heritage buildings is a Non-Complying activity for Highly Significant heritage items (rule 9.3.4.1.5 NC1) and a Discretionary activity for Significant heritage items (rule 9.3.4.1.4 D2) in the district plan.
- 8.1.135 Therefore, in response to the submitter, I note that due to the activity status being higher than Restricted Discretionary, there are no recorded specific matters of discretion for Demolition as there are for the lower Restricted Discretionary activity status. This means the resource consent assessment can use the relevant matters of discretion in 9.3.6.1 which apply to Restricted Discretionary activities as a guide, but is not limited to those, so can also take into account such wider resource management considerations, and must apply the heritage Demolition policy in

9.3.2.2.8, which as discussed in Issue 3, contains a clause (a.iii) which allows consideration of whether the costs to retain the heritage item would be unreasonable.

8.1.136 In my view, in the assessment of demolition resource consents for heritage items, Council therefore has discretion already through the operative policy and rules framework to require the applicant to provide costs for a range of alternatives so that applicants and Council can compare costs of repair options against costs of demolition and rebuild. It is current practice for Council Heritage staff and consent planners to seek itemised costs from applicants, and for these to be peer reviewed on behalf of Council. So while in my experience, it has not generally been the case that costs provided to Council have explicitly considered these energy-related resource costs and foregone energy benefits in retaining the existing building, in my view this could, and should, occur in the future, and the opportunity exists within the existing policy and rules framework for Council Heritage staff to recommend to consent planners in Requests for Information (or at pre-application stage) that applicants recognise these costs and foregone benefits in itemised quantity surveying cost estimates. In addition, quantity surveyor peer reviews of these cost estimates for Council can be asked to explicitly take these into account. Therefore I support the intent of the submitter's relief sought, but consider that no changes are required through PC14 to enable this to occur.

### ***Appendices***

8.1.137 I adopt the request of Heritage New Zealand Pouhere Taonga S193.28 to amend the relevant column heading in Appendix 9.3.7.2 Schedule of Historic Heritage Items to remove reference to registration which is no longer a term used by their organisation so that the column heading now reads: **Heritage NZ Pouhere Taonga Heritage List number & registration type**. This change is reflected in the amended schedule appended to Amanda Ohs' evidence.

8.1.138 Heritage New Zealand Pouhere Taonga S193.29 also seeks to have the entry in the heritage items schedule Appendix 9.3.7.2 for Former Public Trust Office (item 1401) updated to reflect the Heritage New Zealand Pouhere Taonga Heritage List number and type: 3128 Category 2. This change is adopted and is reflected in the amended schedule appended to Amanda Ohs' evidence.

8.1.139 Carter Group Limited, The Catholic Diocese of Christchurch, and Church Property Trustees oppose changes to Appendix 9.3.7.4 Heritage item and heritage setting exemptions from zone rules, where changes reduce the extent of exemptions. I can confirm that proposed changes to

this appendix are not for the purpose of reducing exemptions for heritage items and settings. The proposed changes are to improve consistency and fairness to applicants by *adding* exemptions to rules which fall within the intended scope of the “type of exemption” applied in the operative plan but were omitted in error for particular residential and commercial zones covered by the existing appendix. In addition, changes are to correct numbering errors and ordering of exemptions in the Plan, to reflect changes in the Transport chapter, and zone naming and numbering has been updated to reflect proposed changes in Residential and Commercial chapters via PC14. These amendments will result in a reduction in constraints for heritage owners in some residential and commercial zones which will now be eligible for exemptions where they fall within the existing “type of exemption” applied to other residential and commercial zones. The intention is that the same types of exemptions currently applied are consistently provided across residential and commercial zones to support a wider range of uses in heritage buildings while balancing this against other environmental effects of allowing these activities.

### ***Recommendation***

8.1.140 My recommendations to Accept, Accept in part or Reject are set out in the table at the beginning of this section.

### **ISSUE 7**

***City centre zone rules for heritage sites and central city Heritage height overlays and interfaces: support, oppose or seek amendments to protection and provisions – Terri Winder for Ceres New Zealand (S150.1), (S150.2), (S150.3), (S150.4), (S150.5), (S150.6), (S150.7), (S150.8), (S150.9), (S150.10), (S150.11), (S150.12), (S150.13), (S150.14), (S150.15); HERITAGE NEW ZEALAND POUHERE TAONGA (S193.20), Daniel Crooks for New Zealand Institute of Architects Canterbury Branch (S762.39); Carter Group (S814.201), (S814.185), (S814.205); ANITA COLLIE FOR MALAGHANS INVESTMENTS LTD (S818.1), (S818.3), (S818.4), (S818.5); the Catholic Diocese of Christchurch (S823.40), (S823.151), (S823.167), (S823.171), (S823.234); Kāinga Ora – Homes and Communities (S834.106), (S834.107); Historic Places Canterbury (S835.1), (S835.12), (S835.13), (S835.14), (S835.15); Christchurch Civic Trust (S908.1), (S1089.10).***

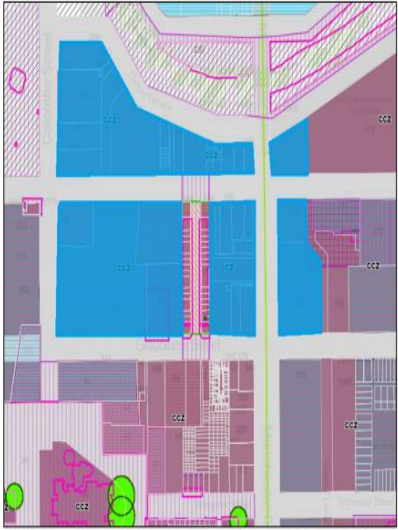


Submission No.	Submitter	Position	Decision Requested	Recommendation
S150.1	Terri Winder for Ceres New Zealand	Oppose	Delete Standards 15.11.2.11 [height limits for qualifying matters]	<b>Reject</b>
S150.2	Terri Winder for Ceres New Zealand	Oppose	Delete Standard 15.11.2.12 [Maximum road wall height].	<b>Reject</b>
S150.3	Terri Winder for Ceres New Zealand	Oppose	Delete Standard 15.11.2.14 [Building tower setbacks].	<b>Reject</b>
S150.4	Terri Winder for Ceres New Zealand	Oppose	Delete Standard 15.11.2.15 [Maximum building tower dimension and building tower coverage].	<b>Reject</b>
S150.5	Terri Winder for Ceres New Zealand	Oppose	Delete Standard 15.11.2.16 [Minimum building tower separation].	<b>Reject</b>
S150.6	Terri Winder for Ceres New Zealand	Oppose	a. Delete Rule 15.11.1.1.c b. Delete Rule 15.11.1.1 (P17) c. Retain activity specific standard b of Rules 15.11.1.1 (P13) [Residential activity] and (P14) [Visitor Accommodation] [specific standards for 25 Peterborough Street].	<b>Accept</b>
S150.7	Terri Winder for Ceres New Zealand	Oppose	Delete Policy 15.2.4.1. a) iii) [limiting building height along Victoria Street.]	<b>Reject</b>
S150.8	Terri Winder for Ceres New Zealand	<del>Support</del> [Seek Amendment]	Remove 87-93 Victoria Street from the Victoria Street height overlay and update the planning maps accordingly.	<b>Reject</b>

S150.9	Terri Winder for Ceres New Zealand	Seek Amendment	Remove the Central City Building Height 32m Overlay from 25 Peterborough Street and update the Central City Maximum Building Height Planning Map accordingly.	<b>Reject</b>
S150.10	Terri Winder for Ceres New Zealand	Seek Amendment	Remove the Central City Heritage Qualifying Matter and Precinct applied to 25 Peterborough Street and 87-93 Victoria Street and update the planning maps accordingly.	<b>Reject</b>
S150.11	Terri Winder for Ceres New Zealand	Seek Amendment	Amend 15.11.2.11 [Central City height built form standards for a range of Qualifying Matters] to add an exemption which states that clauses ii to vi of Standard 15.11.2.11a. do not apply to any site containing a significant heritage item.	<b>Reject</b>
S150.12	Terri Winder for Ceres New Zealand	Seek Amendment	Amend Rule 15.11.2.12 [Central City rule 15.11.2.12 Maximum road wall height] to include an exemption which states that clause a. does not apply to any site containing a significant heritage item.	<b>Reject</b>
S150.13	Terri Winder for Ceres New Zealand	Seek Amendment	Amend Rule 15.11.2.14 [Central City rule 15.11.2.14 Building tower setbacks] to include an exemption which states that clause a. does not apply to any site containing a significant heritage item.	<b>Reject</b>
S150.14	Terri Winder for Ceres New Zealand	Seek Amendment	Amend Rule 15.11.2.15 [Central City Maximum building tower dimension and building tower coverage] to include an exemption which states that clause a. does not apply to any site containing a significant heritage item.	<b>Reject</b>

S150.15	Terri Winder for Ceres New Zealand	Seek Amendment	Amend Rule 15.11.2.16 [Central City 15.11.2.16 Minimum building tower separation] to include an exemption which states that clause a) does not apply to any site containing a significant heritage item.	<b>Reject</b>
S193.20	Heritage New Zealand Pouhere Taonga	Support	Retain [15.11.1.3] RD11 as proposed [Any building that does not meet Rule 15.11.2.11 (a)(ii), (iii), and (vi) in respect to all buildings on New Regent Street, the Arts Centre, and in the Central City Heritage Qualifying Matter and Precinct].	<b>Accept</b>
S762.39 S762.45	Daniel Crooks for New Zealand Institute of Architects Canterbury Branch	Seek Amendment	[T]hat the Victoria Street [height] overlay is [extended] to also include the section between Kilmore Street and Chester Street West.	<b>Reject (based on amended CCZ height proposal)</b> <b>Accept (if CCZ height decided as notified)</b>
S814.185	Carter Group Limited	Seek Amendment	Delete the amendments to clause (a) of the policy. Adopt the amendments to clause (b) of the policy [15.2.4.1 - Policy - Scale and form of development].	<b>Reject</b> (in relation to a. iv. and v.)
S814.201	Carter Group Limited	Oppose	Oppose 15.11.1.3 RD11 [New Regent Street and Arts Centre Central City Heritage Qualifying Matter]. Seek that this be deleted.	<b>Reject</b>

S814.205	Carter Group Limited	Oppose	<p>Oppose Rule 15.11.2.11. Seek that this be deleted [Central City Heritage Qualifying Matter -building height - remove Central City heritage interface layers in general].</p> <p>[Seeks alternative relief - at minimum removal of Central City Heritage interface from the sites on the block bounded by Oxford Terrace, Manchester Street, Armagh Street, and Colombo Street, or remove the Heritage interface relating to New Regent Street.]</p>	<b>Reject</b>
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S818.1	Anita Collie, for Malaghans Investments Ltd	Seek Amendment	<p>[That the Central City Heritage Qualifying Matter and Precinct (interface) for New Regent Street is extended to cover the area shown in blue in Figure 2 - to include the blocks bounded by Gloucester Street, Manchester Street, Oxford Terrace, and Colombo Street, and including the properties to the east of Manchester Street at 200 Armagh Street and 185 Gloucester Street]:</p>  <p>Figure 2: Area to be included in height limit restriction coloured in blue (Plan Change Map CCC).</p>	<b>Reject</b>
S818.3	Anita Collie, for Malaghans Investments Ltd	Seek Amendment	<p>[T]hat the [permitted] building height for the properties bound by Gloucester, Manchester, Oxford [Terrace] and Col[o]mbo streets [within the Central City Heritage Qualifying Matter and Precinct (interface) for New Regent Street] be a maximum of no more than 3 stories in height above ground [Rule 15.11.2.11 a. vi].</p>	<b>Reject</b>

S818.4	Anita Collie, for Malaghans Investments Ltd	Seek Amendment	[That a new NC rule is added] for a height breach within the area bound by Gloucester, Manchester, Oxford [Terrace] and Col[o]mbo streets [within the Central City Heritage Qualifying Matter and Precinct (interface) for New Regent Street].	<b>Reject</b>
S818.5	Anita Collie, for Malaghans Investments Ltd	Seek Amendment	[New objective and policy/policies sought for the Central City Heritage Interface Overlay] that requires: <ul style="list-style-type: none"> <li>• avoidance of any buildings over the [suggested 3 storey] height limit;</li> <li>• avoidance of the loss of sunlight within all areas of the New Regent Street Precinct;</li> <li>• that any new building must be designed to at least maintain current levels of access to sunlight;</li> <li>• the design for the site redevelopment to protect the heritage values of New Regent Street and to incorporate positive design features to accentuate the heritage precinct, rather than turn its back to it.</li> </ul>	<b>Accept in part/Reject in part</b>
S823.40	The Catholic Diocese of Christchurch	Oppose	Delete or otherwise amend Table 1 [New Regent Street and Arts Centre Central City Heritage Qualifying Matter] and the extent of Qualifying Matters in a manner consistent with the relief sought by the submitter on other provisions in PC14.	<b>Reject</b> (in relation to Central City Heritage interface overlay)

S823.151	The Catholic Diocese of Christchurch	Seek Amendment	Delete the amendments to clause (a) of the policy. Adopt the amendments to clause (b) of the policy [15.2.4.1 - Policy - Scale and form of development].	<b>Reject</b> (in relation to a. iv. and v.)
S823.167	The Catholic Diocese of Christchurch	Oppose	Rule 15.11.1.3 RD11 - Delete [New Regent Street and Arts Centre Central City Heritage Qualifying Matter]	<b>Reject</b>
S823.171	The Catholic Diocese of Christchurch	Oppose	Delete rule 15.11.2.11 in its entirety [City Centre Building height rule - ii., iii, vi. relate to New Regent Street and Arts Centre height overlay and Central City Heritage Qualifying Matter interface].	<b>Reject</b> (in relation to a. ii., iii, vi)
S823.234	The Catholic Diocese of Christchurch	Oppose	Amend the planning maps applying to the land bounded by Oxford Terrace, Manchester Street, Armagh Street, and Colombo Street, as follows [map of area shown in original submission]: a. Delete the extent of the heritage setting for New Regent Street (being heritage setting 336 associated with heritage item 404 in Appendix 9.3.7.2 schedule [New Regent Street]), so that it ends at the southernmost edge of Armagh Street, being where New Regent Street meets Armagh Street. b. Delete the Central City Heritage Interface overlay.	<b>Reject</b>

S834.106	Kāinga Ora – Homes and Communities	Support	<p>15.11.1.2 C2 Works at 100 Cathedral Square 15.11.1.3 RD9 Works at 100 Cathedral Square 15.11.1.3 RD11 buildings on New Regent Street, the Arts Centre, and in the Central City Heritage Qualifying Matter and Precinct.</p> <p>Retain sites of historic heritage items and their settings (City Centre Zone) - Cathedral Square, New Regent Street, the Arts Centre</p>	<b>Accept</b>
S834.107	Kāinga Ora – Homes and Communities	Support	<p>15.11.2.11 Building height in area-specific precincts</p> <p>Retain sites of historic heritage items and their settings (City Centre Zone) - Cathedral Square, New Regent Street, the Arts Centre.</p>	<b>Accept</b>
S835.1	Historic Places Canterbury	Seek Amendment	<p>Broadly supportive of the proposed changes, however amendments are suggested in respect of buffer zones surrounding Hagley Park, Cranmer Square and Latimer Square.</p>	<b>Accept in part/Reject in part</b>



S835.12 S835.13 S835.14 S835.15	Historic Places Canterbury	Seek Amendment	[Strongly support the lower height limits proposed adjacent to New Regent Street, the Arts Centre and Cathedral Square.] The submitter suggests that creating a Qualifying Interface Area similar to that proposed for Riccarton Bush may be a more flexible means of providing a buffer for the heritage areas of Hagley Park, Cranmer Square and Latimer Square than adjusting the height limits around them. The submitter believes that it is important that some mechanism be put in place to protect their heritage values, their open space landscape values and the view southwards from within those spaces.	<b>Accept in part/Reject in part</b>
S908.1 S1089.10	Christchurch Civic Trust	Seek Amendment	[Seeks that] Hagley Park be included in PC14 as a Qualifying Matter.	<b>Reject</b>
S1075.5	Diana Shand	Oppose	Seeks that the Commercial use be confined to Oxford Terrace and that the Medium Density Zone should extend south from 59 Gloucester Street in a direct line south to the River at 75 Cambridge Terrace, displacing the Mixed Use Zone [on basis of the heritage values of the Arts Centre and dwellings. Proposed zoning of these blocks is HRZ in part of the block on the north side of Gloucester Street and otherwise City Centre zone.]	<b>Reject</b>

***Arts Centre and New Regent Street height overlay***

8.1.141 Heritage New Zealand Pouhere Taonga S193.20, Historic Places Canterbury S835.12 and Kāinga Ora – Homes and Communities S834.106 and S834.107 support the building height overlay

which applies to the Arts Centre, New Regent Street and the interface which applies to adjoining sites (Central City Heritage Qualifying Matter) (see discussion later in this section).

8.1.142 Several submissions oppose the building height overlay and interface as it applies to New Regent Street.

8.1.143 Terri Winder for Ceres New Zealand S150.1 opposes height limits in rule 15.11.2.11 which includes height overlays for Qualifying Matters including the Arts Centre and New Regent Street, Victoria Street and Cathedral Square (Victoria Street and Cathedral Square are discussed later in this section). As an alternative outcome to deleting the height limit for Qualifying Matters in 15.11.2.11, Ceres New Zealand S150.11 seeks an exemption from this rule for sites containing heritage items.

8.1.144 I note that the proposed height limit for the Arts Centre heritage precinct (see heritage items listed under 2 Worcester Street in Appendix 9.3.7.2) is 16 metres (rule 15.11.2.11 iii.), and the proposed height limit for the New Regent Street shops (heritage item 404) is 8 metres (rule 15.11.2.11 ii.). In both cases these are the operative height limits which protect these heritage items from visually dominant buildings which could also shade the spaces around the buildings in the heritage setting. In the case of the Arts Centre, the North and South Quadrangles are also a protected heritage item (item 561) in their own right.

8.1.145 Retaining the operative height limits for the Arts Centre and New Regent Street supports heritage activity rule 9.3.4.1.3 RD2 for new buildings in heritage settings by managing owner expectations as to the appropriate scale of buildings on these sites, so that proposals considered under this activity rule are of a scale which is not at odds with the heritage items. Consideration for ongoing use of heritage items is a matter of discretion (proposed matters 9.3.6.1 b. and k.v.) which offers some flexibility for proposals in how the site is developed around the heritage item. Amanda Ohs provides technical evidence on the heritage values of these items which are protected by the height overlay. I note in addition that the Central City Recovery Plan (CCRP) supports lower height limits for New Regent Street “*where lower heights are required to ensure sunlight provision and/or reflect existing character*” (pages 103-105).

8.1.146 Therefore I do not consider that either deleting or providing an exemption from rule 15.11.2.11 for heritage items is appropriate as the rule seeks to protect their heritage values.

***Arts Centre and New Regent Street height interface (Central City Heritage Qualifying Matter) – Support, and zoning of blocks to the east of the Arts Centre***

- 8.1.147 As noted above, Heritage New Zealand Pouhere Taonga S193.20, Historic Places Canterbury S835.12, and Kāinga Ora – Homes and Communities S834.106 and S834.107 support the interface which applies to sites adjoining the Arts Centre and New Regent Street (Central City Heritage Qualifying Matter).
- 8.1.148 Diana Shand S1075.5 infers support for the Arts Centre height interface in her MRZ zoning request for the blocks east of the Arts Centre, which she seeks on the basis of the heritage values of the Arts Centre and the character of the residential area. Page 3 of her submission reads: *Medium Density Zone should extend south from 59 Gloucester Street in a direct line south to the River at 75 Cambridge Terrace, displacing the Mixed Use Zone. This is to avoid the risk of high rise building which would shade and chill the Arts Centre and many residences in season and would detrimentally alter the scale and ambience of this area, as shown so graphically in Appendix 16 of PC 13 Consultation Document.*
- 8.1.149 I note for the Panel’s reference, that the proposed zoning of these blocks at notification was HRZ in the part of the block on the north side of Gloucester Street, and otherwise City Centre zone.
- 8.1.150 In relation to the notified Arts Centre height interface (proposed Central City Heritage Qualifying Matter), I note that this height interface is limited to the sites on the east side of Montreal Street between Worcester Boulevard and Hereford Street, as these are the sites considered to have the greatest potential for visual dominance effects on the Arts Centre. The three-dimensional modelling and sun studies contained in Appendix 16 of the PC13 Heritage s32 report are discussed further in relation to the Arts Centre below.
- 8.1.151 Amanda Ohs discusses the heritage values of the blocks bounded by Montreal Street, Cambridge Terrace, and Armagh Street in her technical evidence. There are a number of individually protected heritage items and settings and other sites which have heritage values that could be affected by intensification. The Inner City West Residential Heritage Area is proposed for the blocks to the north and south of the Arts Centre (addressed in the evidence of Glenda Dixon and Dr Ann McEwan). Dr McEwan has considered submission point S1075.5, and does not consider that the blocks to the east of the Arts Centre meet the criteria for scheduling as a Residential Heritage Area.

8.1.152 I note the submitter's apparent support for the Arts Centre interface. I do not have sufficient evidence to support the "downzoning" of these blocks based on collective heritage values. Amanda Ohs notes in her evidence that, due to the number of individual sites with heritage values in this area (including scheduled heritage items), and their low scale (1-2 storeys), a reduced height limit could result in more sympathetic development and reduce the potential for visual dominance on these sites. I agree with Amanda Ohs' view, but have not undertaken modelling which might enable me to recommend an appropriate reduced height limit in this area. Therefore I cannot support the relief sought by submission S1075.5.

***Arts Centre and New Regent Street height interface (Central City Heritage Qualifying Matter) – Opposition.***

8.1.153 As discussed above in relation to the Arts Centre and New Regent Street height overlay, Terri Winder for Ceres New Zealand S150.1 opposes height limits in rule 15.11.2.11 including the height interface for the Arts Centre and New Regent Street (clause vi.). Ceres New Zealand is concerned that the redevelopment of sites in these overlays in the City Centre zone (including 25 Peterborough Street and 87-93 Victoria Street) will result in a financial return significantly less than that achievable through the operative district plan.

8.1.154 It is acknowledged that there are additional costs associated with repairing significantly damaged heritage buildings and maintaining heritage buildings which may not apply to other buildings, such as higher costs of heritage materials and costs of methodologies required to retain heritage fabric and values. These are recognised in the existence of heritage grants scheme such as the Council's Heritage Incentive Grant provided under Policy 9.3.2.2.10 Incentives and assistance for historic heritage. This fund has reduced in recent years with Council budgetary constraints. The Property Economics report PC13 Heritage Areas and Sites Cost Benefit Analysis (PC13 s32 report - Appendix 14, p8-10) references the economic benefits of heritage protection which can be realised by private owners of heritage buildings and the wider local economy which can assist in offsetting construction and opportunity costs to site owners. The notified Heritage Section 32 Report (section 3.2) references methods for assessing the value of heritage places. The 2013 report: Value and culture – an economic framework,

published by Manatū Taonga - Ministry for Culture and Heritage<sup>5</sup>, also discusses these, for example market and non-market use values from residents and visitors paying for products and services from a site and the experience of viewing and enjoying the building which can draw people to the site.

8.1.155 Carter Group Limited S814.205 and The Catholic Diocese of Christchurch S823.40, S823.234 seek removal of the Central City Heritage interface for the New Regent Street heritage item and setting from the sites located on the block bounded by Oxford Terrace, Manchester Street, Armagh Street, and Colombo Street, on the basis that the site has no identified heritage values and is surrounded by roads which provide sufficient separation from sites with heritage values. Alternatively they seek to remove the Heritage interface relating to New Regent Street, or to remove the Central City heritage interface layer entirely (see also Carter Group Limited S814.201). They note there are no associated objectives or policies introduced in the heritage chapter. In addition they seek deletion of the associated rules and the changes to 15.2.4.1 - Policy - Scale and form of development which include policies on the New Regent Street and the Arts Centre height overlay and interface. Carter Group Limited and The Catholic Diocese of Christchurch consider that provisions for heritage items and their settings in chapter 9.3 provide sufficient constraints on height and density.

8.1.156 The New Regent Street height interface rule is intended to protect the heritage values of New Regent Street heritage item and setting including the use of the outdoor seating area which is integral to the ongoing use of the heritage item. Amanda Ohs' provides supporting technical evidence on this issue.

8.1.157 The proposed height limit for the sites in the Arts Centre and New Regent Street interface is 28 metres (rule 15.11.2.11 vi.) which seeks to continue the operative permitted height limit in these areas. The three-dimensional modelling described in the PC13 Heritage s32 report, pp 72-78 and Appendix 16<sup>6</sup> illustrates the effects of a range of building height scenarios (28 metres,

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<sup>5</sup> Value and culture – an economic framework, published by Manatū Taonga - Ministry for Culture and Heritage, 2013, available at: <https://mch.govt.nz/sites/default/files/Value%20and%20Culture%20An%20Economic%20Framework%20Aug%202013%20pdf%20%28D-0500475%29.PDF>

<sup>6</sup> SketchUp three-dimensional modelling was undertaken in August 2022 by the Council's Urban Design Team. Plan Change 14 proposed provisions at the time formed the basis for modelling ie. maximum permitted building setback, podium and tower dimensions.

45 metres and 90 metres) if the proposed interface sites adjoining the Arts Centre and New Regent Street are developed.

- 8.1.158 I consider that the proposed height limit will reduce the potential for significant visual dominance effects on these heritage items and settings, and shading in the case of New Regent Street, compared with that resulting from development to the proposed maximum zone height. The selection of sites in the interface is targeted to those I consider will have the greatest potential for visual dominance and shading effects on the New Regent Street heritage item and setting due to their proximity to New Regent Street and visual sight lines to and from New Regent Street, therefore modifying the Full Intensification Scenario only to the extent necessary to accommodate the Heritage Qualifying Matter.
- 8.1.159 The shading analysis for New Regent Street illustrates the sunlight access during 10am to 3pm on both the spring equinox and the winter solstice. The level of shading for New Regent Street is reduced with building height of 28 metres, supporting use of this public space (specifically around midday). The interface height rule has been targeted to the sites which have the greatest potential for these effects, being those which immediately adjoin the street and recognising that many sites have yet to be developed following the earthquakes.
- 8.1.160 The shading analysis for the Arts Centre illustrates the sunlight access between 10am and 1pm on both the spring equinox and the winter solstice. Shading is not modelled after 1pm as buildings east of the Arts Centre will not cast shadow. The reduction in height does not appear to significantly reduce shading effects on the Arts Centre due to the location of these sites to the east of the Arts Centre.
- 8.1.161 Note that the proposed interface height limit does not preclude taller buildings from being consented. It provides a consent threshold for assessing the level of effects buildings could have on heritage values, and an opportunity to attach conditions where the level of effects can be mitigated. The planning evidence of Andrew Willis considers wider issues in relation to proposed height controls in the City Centre zone.
- 8.1.162 The rule is contained in Chapter 15 and relies on Chapter 15 objectives and policies, in particular: Policy – Scale and form of development 15.2.4.1 a.

- iv. Limiting building height on sites identified within the New Regent Street Height Qualifying Matter and Precinct, and Central City Heritage Qualifying Matter and Precinct, to manage potential impacts of shading and dominance on the use of space and heritage value of the street
- v. Limiting building height within the Arts Centre Height Qualifying Matter and Precinct, and east of Montreal Street within the Central City Heritage Qualifying Matter and Precinct, to manage potential impact of visual dominance on the Arts Centre.

8.1.163 I note that the heritage rule in 9.3.4.1.3 RD2 controls the design and location of new buildings in heritage items and settings, but not beyond heritage items or settings.

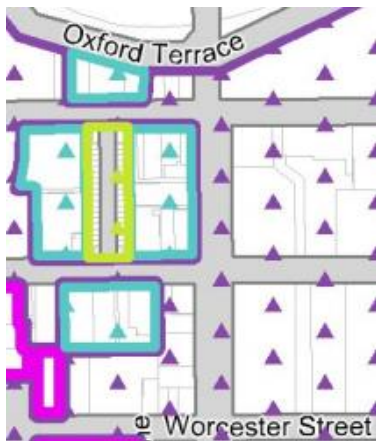
8.1.164 As discussed above, I consider that significant visual dominance and shading effects on the New Regent Street heritage item and setting could occur from buildings on adjoining sites in the interface overlay, including the sites to the north of Armagh Street, if they are built to the maximum enabled zone heights and locations. I consider that a height reduction to the proposed 28 metres will reduce these effects. The interface height rule has been targeted to the sites which have the greatest potential for these effects.

***New Regent Street height interface (Central City Heritage Qualifying Matter) – extension and height reduction sought***

8.1.165 Anita Collie, for Malaghans Investments Ltd S818.1 seeks to extend the height interface (Central City Heritage Qualifying Matter) which applies to sites adjoining New Regent Street to cover the area shown in blue in Figure 2 (table above) - to include the blocks bounded by Gloucester Street, Manchester Street, Oxford Terrace, and Colombo Street, and including the properties to the east of Manchester Street at 200 Armagh Street and 185 Gloucester Street. The submitter S818.3 also seeks to apply a maximum height limit of three storeys in this extended area, to make non-compliance with this height limit a Non-Complying activity (S818.4), and to support this rule with objectives and policies (S818.5) which provide for buildings to a maximum height of three storeys, protection of existing sunlight and the heritage values of New Regent Street, and positive design features to accentuate the heritage precinct, rather than turn its back to it.

8.1.166 I recognise the significant contribution of sunlight to the continued enjoyment of the heritage setting of New Regent Street which is integral to the ongoing use of the New Regent Street heritage item, including for hospitality businesses with relatively small floor areas which rely on use of outdoor seating. Amanda Ohs provides technical evidence in relation to protection of the heritage values of the New Regent Street heritage item and setting.

8.1.167 The proposed height in this interface would maintain the operative permitted height in this area of 28 metres. The submitter proposes to lower this height further. The proposed interface height also seeks to achieve a significant reduction in shading and visual dominance from that anticipated to occur from development to permitted heights on interface sites adjoining New Regent Street. As discussed above, the selection of sites in the interface is targeted to those I consider will have the greatest potential for visual dominance and shading effects on the New Regent Street heritage item and setting, therefore modifying the Full Intensification Scenario only to the extent necessary to accommodate the Heritage Qualifying Matter. The selection of 28 metres aligns with the notified maximum permitted height of the building base in the surrounding City Centre zone (at notification), but precludes the construction of taller podiums as a permitted activity. The Restricted Discretionary activity status aligns with heritage rules in heritage sub-chapter 9.3 and the zone provisions.



Central City Heights planning map snip showing notified New Regent Street height overlay (8 metres) in green and New Regent Street height interface (28 metres) in blue.

Source: [https://www.ccc.govt.nz/assets/Documents/The-Council/Plans-Strategies-Policies-Bylaws/Plans/district-plan/Proposed-changes/2023/PC14/Maps/PC14\\_CCBuildingHeights\\_2023.pdf](https://www.ccc.govt.nz/assets/Documents/The-Council/Plans-Strategies-Policies-Bylaws/Plans/district-plan/Proposed-changes/2023/PC14/Maps/PC14_CCBuildingHeights_2023.pdf)

8.1.168 The additional sites identified in S818.1 for inclusion in the interface are more distant from New Regent Street, and do not have the direct visual connection of the adjoining sites in the notified interface or the same extent of potential for shading impacts. Therefore I cannot support the greater interface area sought by the submitter. I note that the operative maximum permitted height of 8 metres for buildings within the New Regent Street setting is proposed to be retained, and this also supports the protection of sunlight in the New Regent Street setting and avoidance of visual dominance of the New Regent Street heritage item sought by the submitter.

8.1.169 I also recognise the need to balance the mitigation of these effects with the NPSUD imperatives and the extent of development that would otherwise be permitted on these City Centre zoned



sites. I consider the proposed height reduction (as notified) helps to mitigate these effects on the heritage values of New Regent Street, while still allowing for a degree of multilevel development in this central city location. The wider considerations for City Centre heights proposed by Council are considered in the planning evidence of Andrew Willis.

8.1.170 I support the intent of the objectives and policies sought by submission S818.5 to protect the heritage values of New Regent Street. I consider that controlling the height of development on the interface sites (extent as notified), as specifically provided for in the notified policy for Scale and form of development 15.2.4.1 a. iv. (referenced above), will be the most effective way of minimising shading and visual dominance effects on New Regent Street, without the additional constraint of a design rule on sites outside of the New Regent Street heritage setting. I note that an operative rule in 9.3 heritage sub-chapter of the plan controls the design of new buildings in heritage settings which is the area which can be justified as having the greatest impact on the heritage values of the heritage item. I note also that the notified objectives and policies for the City Centre zone, in particular Objective 15.2.4 Urban form, scale and design outcomes and supporting Policy 15.2.4.2 Design of new development, together with Objective 15.2.6 Role of the City Centre Zone and supporting Policy 15.2.6.3 Amenity, should also assist in controlling the effects of developments on the adjoining interface sites on New Regent Street.

***Victoria Street and Cathedral Square Height Overlays and City Centre zone rules applying to heritage items***

8.1.171 Kāinga Ora – Homes and Communities S834.106 and S834.107 support the Cathedral Square height overlay, and rules for Cathedral Square, noting that it is a protected heritage item and setting under s6(f) RMA. Historic Places Canterbury S835.12 also strongly supports the Cathedral Square height interface.

8.1.172 Daniel Crooks for New Zealand Institute of Architects Canterbury Branch S762.39 and S762.45 seeks to extend the Victoria Street height overlay to include the land adjoining Victoria Square between Kilmore Street and Chester Street West, to recognise Victoria Street as far as Victoria Square as part of one of the key historic and cultural routes into the city.

8.1.173 Amanda Ohs comments in her technical evidence that the land parcel at 70 Kilmore Street (currently owned by Council) located to the north-west corner of Victoria Square, which links Victoria Street and Victoria Square, was historically part of Victoria Street which originally continued across the Hamish Hay Bridge through to the Armagh Street/Colombo Street

intersection, until it was closed in 1988 for the construction of the Park Royal Hotel (later the Crown Plaza, now demolished). She considers that continuing the Victoria Street height overlay through this site could support the future design of this site to recognise and reflect Victoria Street's historical extent. In addition, she highlights that since the demolition of the hotel, the west end of the Highly Significant Town Hall walls and roofscape are able to be viewed and its architectural values fully appreciated, and that continuing the height overlay could also help to protect these heritage values from adjacent development on 70 Kilmore Street.

8.1.174 I note that Andrew Willis in his evidence on City Centre zone heights does not support this submission, acknowledging that while this land adjoins Victoria Square, it is also located at the point of transition to the 'core' area of the CBD. I understand that Andrew Willis is recommending a change to the approach to CCZ building height, so that a consent requiring urban design matters of discretion would apply for building heights of 28 metres or greater. He indicates that should the Panel prefer a maximum 90 metre permitted height limit in the CCZ as notified, then he would support a height limit of 45 metres on this land (an extension of the Victoria Street height overlay) in preference to 90 metres, for the reasons provided by the submitter, and noting the importance of Victoria Square as a public open space.

8.1.175 On this basis, taking into account both the technical advice of Amanda Ohs, and the wider planning considerations for the CCZ height approach as set out in Andrew Willis' evidence, I recommend that this submission be rejected, but I would support this extension to the Victoria Street height overlay should the Panel decide on a maximum 90 metre permitted height limit for CCZ as notified.

8.1.176 As discussed above in relation to the Arts Centre and New Regent Street, Terri Winder for Ceres New Zealand S150.1 opposes height limits in 15.11.2.11, which includes height overlays for Qualifying Matters including Victoria Street (clause v.) and Cathedral Square (clause iv.). As an alternative outcome to deleting the height limit for Qualifying Matters in 15.11.2.11, Ceres New Zealand S150.11 seeks an exemption from this rule for sites containing heritage items.

8.1.177 The Victoria Street and Cathedral Square height overlays are principally addressed in City Centre zone evidence relating to City Centre urban form outcomes. I note here, however, that the reduced height limit in Victoria Street and Cathedral Square (maximum height 45 metres proposed at notification, with a maximum building base height of 28 metres), helps to protect the heritage values of the street and the heritage significance of the Square, which is scheduled

as a Highly Significant heritage item in Appendix 9.3.7.2 (item 98) and the scheduled heritage items located in Victoria Street and Cathedral Square.

8.1.178 In her technical evidence, Amanda Ohs discusses the benefits of the reduced height limits for the protection of the heritage values of Victoria Street and Cathedral Square and the protected heritage items contained within them. She notes that Cathedral Square has high cultural and spiritual significance as the premier civic space in the city and as the location of the city's Anglican Cathedral. Victoria Square is also a key historic and cultural place containing eight scheduled heritage items within the square, which the statements of significance available in the online District Plan assert represent: *"important transport and communication infrastructure, as well as civic occasions of commemoration and philanthropy."*

8.1.179 I consider that the reduced height limit around the Cathedral Square edge will reduce visual dominance and shading from high-rise adjoining buildings on the Square. Increased sunlight enhances the enjoyment and use by residents and visitors of this iconic space, and of Victoria Street as a key historic and cultural route into the city, thereby contributing to the economic value of Christchurch's heritage (see discussion earlier in this section on heritage economics).

8.1.180 Ceres New Zealand S150.7, S150.8, S150.9 and S150.10 seeks to delete the relevant policy 15.2.4.1. a) iii) for the Victoria Street height overlay and to remove their sites containing heritage items at 87-93 Victoria Street (Victoria Mansions, heritage item 529) and 25 Peterborough Street (Former Christchurch Teachers College/The Peterborough, heritage item 440) from the relevant height overlays which apply. The property at 87-93 Victoria Street is located in the Victoria Street height overlay, and 25 Peterborough Street was at notification located in a 32 metre height overlay containing residential activities. I note that the Central City Heritage Qualifying Matter and Precinct height interface referenced as applying to these sites in S150.10 does not apply to these sites. It applies to the Arts Centre and New Regent Street interface sites (see rule 15.11.2.11 vi.).

8.1.181 The height overlays applying to 87-93 Victoria Street and 25 Peterborough Street are supported by Policy 15.2.4.1 and provide for a scale and massing that reinforces the City's distinctive sense of place and a legible urban form. The policy and height rules protect heritage values among other values, including those of the heritage items at 25 Peterborough Street and 91 Victoria Street, which contribute to drawing residents and visitors to the sites to engage in the residential or non-residential activities on the sites. I note that the operative permitted height in the 25 Peterborough Street heritage setting is 14 metres, and the operative permitted height

in the Victoria Mansions heritage setting on the site at 87-93 Victoria Street is 17 metres, so in both cases permitted heights are increasing in response to the NPS-UD, so I consider that the increase should be limited to that proposed in order to limit potential for visual dominance and shading effects on the heritage items from development on the heritage sites and adjoining sites. I note that there are also exemptions to support a wider range of uses for heritage items contained in Appendix 9.3.7.4 for Residential activity, building setback and continuity and verandas in the City Centre zone which apply on these sites. For the above reasons I cannot support the removal of the height overlays proposed.

8.1.182 Ceres New Zealand S150.6 seeks to delete rules 15.11.1.1.c and 15.11.1.1 (P17) which specify site specific permitted activities and activity standards which apply to 25 Peterborough Street, which is a subset of the activities permitted elsewhere in the City Centre zone. These rules restrict the activities which can be undertaken within the heritage item and heritage setting at 25 Peterborough Street.

8.1.183 In addition, the submission point seeks to retain activity specific standard b. in rules 15.11.1.1 (P13) (Residential Activity) and (P14) (Visitor Accommodation). Standard b. is an exemption for 25 Peterborough Street from standard a. which requires a 10 metre ground floor setback from the road boundary, thereby providing more flexibility for uses to establish in this heritage building. I can support the submitter's requests to delete rule 15.11.1.1.c and rule 15.11.1.1 (P17), and to retain standard b. in rules 15.11.1.1 (P13) and (P14). This approach is consistent with heritage policy 9.3.2.2.5 which supports the ongoing use of significant historic heritage and adaptive reuse of heritage items, including through exemptions for heritage items and settings from zone rules in Appendix 9.3.7.4, such as for City Centre zone rules discussed above. Exemptions in this appendix from some activity standards provide for a wider range of uses to support heritage retention where proposals protect heritage fabric and values. In addition, this approach is consistent with the matters of discretion for works to heritage items and settings which provide for the ongoing use of heritage items (proposed matters 9.3.6.1b. and k.v.).

8.1.184 Ceres New Zealand (S150.2, S150.3, S150.4, S150.5, S150.12, S150.13, S150.14, and S150.15) seeks to delete, or amend to include an exemption for heritage items from, the following City Centre zone built form standards:

- a. 15.11.2.11 (including height limits for qualifying matters – discussed earlier in this section in response to S150.1 and S150.11)
- b. 15.11.2.12 Maximum road wall height
- c. 15.11.2.14 Building tower setbacks

- d. 15.11.2.15 Maximum building tower dimension and building tower coverage
- e. 15.11.2.16 Minimum building tower separation.

8.1.185 The requirement (at notification) for a lower road wall height with a set back tower podium (rules 15.11.2.11 a. i. and 15.11.2.14 as notified) on City Centre zoned sites, could, depending on the location of a heritage item on a site and in relation to neighbouring sites, help to reduce the visual dominance effects on heritage buildings from new buildings constructed either in heritage settings or on adjoining sites. An exemption from this rule would allow new buildings in heritage settings to be built higher than otherwise permitted at the road boundary, and has the potential to impact on heritage values. This would be incompatible with the intent of the activity rule for new buildings in heritage settings 9.3.4.1.3 RD2 which seeks to protect the heritage values of heritage items. Therefore I do not support exemptions for heritage items from these rules. I note that a number of protected heritage items in the central city including Victoria Mansions and The Peterborough, and the Arts Centre and New Regent Street, are built up to the road boundary, which limits the opportunity for these heritage items and settings to benefit from exemptions from these standards.

8.1.186 The maximum building tower dimension and coverage rule (as notified) limits the horizontal dimension of a building tower, and the minimum building tower separation rule provides a minimum separation distance from any other building tower on the same site. These rules control dimensions and location of new buildings anticipated on those City Centre zone sites which are capable of containing large, bulky buildings with potentially 90 metre building towers (based on notified proposal). I note that, generally speaking, the scale of heritage items and the size limitations of heritage settings in the City Centre zone means that it would not be appropriate (or possible) in many cases, to construct building towers of these dimensions in heritage settings. Therefore I do not support exemptions for heritage items from these rules.

8.1.187 In addition, I note that the design of new buildings in heritage settings is also controlled by rule 9.3.4.1.3 RD2, which provides some flexibility for owners to discuss design options with Council Heritage staff at pre-application stage which balance form and materials, bulk and location options for the site in question which achieve both a viable economic use of the site and minimise the impact on the heritage fabric and values of the heritage item. The need for adaptive reuse in order to support the retention of heritage items will also be a central consideration (proposed matters of discretion 9.3.6.1 b. and k.v.). These designs will be weighed in a resource consent assessment against any breaches of the zone built form standards.

### ***Hagley Park, Cranmer Square and Latimer Square “buffers” or height overlays***

- 8.1.188 Historic Places Canterbury S835.1, (S835.12-S835.15) and the Christchurch Civic Trust S908.1 and S1089.10 seek “buffer zones”, or a reduced height Qualifying Matter, which would limit intensification required by the IPI adjoining Highly Significant heritage items Hagley Park, Cranmer Square and Latimer Square, to protect their heritage values, open space landscape values, and views outwards from within those spaces. Anita Hansbury also addresses this issue in relation to open space zones in her planning evidence.
- 8.1.189 The submitters do not specify the alternative controls to reduced height sought, but possible options would be increased setbacks, more restrictive recession planes at the road boundary, “downzoning”, or retaining operative zoning. I have had regard to the objective in the Hagley Park Management Plan 2007, referenced in these submissions, to investigate the potential provision of a special conservation zone around Hagley Park, which is recognised as a Highly Significant heritage item in Appendix 9.3.7.2 (although no rules apply).
- 8.1.190 I note at the outset that there has not been an opportunity, in the constrained timeframes for responding to these submissions in the IPI process, to undertake detailed modelling investigation which would have assisted in assessing the need and possible approaches for mitigating potential effects of intensification on Hagley Park, Cranmer Square or Latimer Square. I have undertaken, however, a limited assessment for the Panel’s consideration below, drawing on technical evidence from Amanda Ohs on the heritage values of these Highly Significant heritage items.
- 8.1.191 Amanda Ohs draws on the statement of significance for Hagley Park in her evidence which refers to it being “an iconic feature of Christchurch's urban landscape with high landmark status by virtue of its size, location and the maturity of its vegetation. It is a prominent backdrop to the lives of numerous city residents who connect with it daily, either physically or visually. It is one of a small group of parks [along with Cranmer Square and Latimer Square] of city-wide significance which help provide the city with its unique scenery and character and plays a significant role in promoting and maintaining Christchurch's identity as a Garden City.”
- 8.1.192 Operative maximum permitted residential heights around Hagley Park are 8-11 metres to the north and west and 11-30 metres to the east. Proposed permitted heights are predominantly 22 metres to the north and west in the HRZ zone (as proposed to be amended in response to submissions, see Ike Kleynbos’ evidence on this zone), and 20-32 metres to the east (at

notification), except in the proposed Inner City West Residential Heritage Area where an 11 metre height limit is proposed, and in the Arts Centre interface where 16 metres is the proposed permitted maximum height. Permitted heights are proposed to increase to mid-rise in this area, but not to the level of CCZ high-rise development, noting that heights will be enabled by resource consent beyond this.

8.1.193 I consider that the separation distance between the surrounding properties and Hagley Park due to the wide carriageways of surrounding arterial roads (in the range of approximately 20-40 metres boundary to boundary) may reduce shading on the Park at this level of multi-level development compared with the CCZ. I note however, that the scale and openness of this hugely popular premier central city recreational space, means that mid-rise development adjoining Hagley Park, in particular to the east in the 32 metre height overlay on Park Terrace, will have high potential visibility considering the daily high pedestrian traffic around the perimeter of Hagley Park, and the high daily volume of motorists who drive around the Park, and has the potential to detract from views across the Park and from within Hagley Park.

8.1.194 Amanda Ohs references the Hagley Park Conservation Plan in her evidence which addresses the sensitivity of the Park to unsympathetic development on its edges, and identifies protection measures for the wider setting of the Park in Policy 4.4. Setting: *“There is a need to protect Hagley Park from a potential loss of integrity and definition. This can occur through the introduction of inappropriate or incongruous intrusions as well as obtrusive developments on the Park’s margins.”* The Conservation Plan also describes the potential of adjoining development to negatively impact on the experiential qualities of the Park.

8.1.195 Moving to consideration of potential intensification impacts on Cranmer Square and Latimer Square, Amanda Ohs references in her evidence the high historical significance of Cranmer Square as a public square with a long association with sport and education in the central city, and Latimer Square as a public square with a long association with recreation and civic events in the central city. Both were a feature of the original town plan for Christchurch, surveyed by Edward Jollie in 1849-50. Both squares have high contextual significance as defining features of the central city and for their relationship to the buildings that surround them. Cranmer Square has five scheduled heritage items on its perimeter. Highly Significant heritage item, the Christchurch Club and setting, is located on Latimer Square. Amanda Ohs comments that the buildings around the edge of the two squares help to define them. The Conservation Plans for

Cranmer and Latimer Square, referred to in Amanda Oh's evidence, discuss the sensitivity of these important central city spaces to surrounding development.

8.1.196 Operative permitted heights surrounding Cranmer Square are 11-14 metres and proposed permitted heights are 32 metres (at notification), except for 11 metres to the southwest proposed in the Inner City West Residential Heritage Area. Heights are proposed to increase significantly around Cranmer Square, although not to CCZ heights, with 20 metre boundary to boundary road widths, so there is increased potential for visual dominance and shading effects from multi-storey development adjoining the square.

8.1.197 The immediate context contains predominantly low-rise development, including the scheduled heritage items. I am concerned about the potential impact on shading on the enjoyment of this important central city open space and Highly Significant heritage item, given the relatively small scale of Cranmer Square, relative to larger open spaces like Hagley Park, and the limited separation distance from properties which could contain multi-storeyed buildings. From my observation, the square is a popular through-route, and its use is likely to increase via intensification with more people living in the area.

8.1.198 Operative permitted heights surrounding Latimer Square are 14-17 metres to the east, and 28 metres to the west. Proposed permitted heights are 32 metres to the east of Latimer Square, and sites to the west of Latimer Square are proposed to be zoned City Centre (**CCZ**) - 90 metre maximum permitted height proposed at notification, which I understand has now been amended (see the evidence of Andrew Willis in relation to City Centre zone heights). High-rise development in the CCZ to the west of Latimer Square has the potential to have a more significant shading impact than the permitted mid-rise development to the east. The 20 metre boundary to boundary road width is the same as around Cranmer Square, and given the adjoining City Centre zone, the potential shading impact is greater again.

8.1.199 The Latimer Square conservation plan, referenced in the evidence of Amanda Ohs, identifies Latimer Square as a transitional space between the commercial central city business zones to the west and the residential zones to the east, and observes that views through the trees over Latimer Square are a primary outlook for the first-floor living spaces of residents in these apartments. The use of Latimer Square as a recreation space can also be expected to increase via intensification with more people living in the area. The conservation plan notes that views to Christchurch Cathedral and the CTV site from Latimer Square may be compromised by



inappropriate development which detracts from broader historic connections to the character of the square.

8.1.200 I share some of the concerns of these submitters, particularly the potential for higher rise adjoining development to detract from views to and from these Highly Significant heritage items and key urban recreational spaces, which are likely to further grow in value to the local community as the central city residential population increases. The heritage technical evidence indicates that a reduction in the maximum heights could reduce the impact on views, so while I do not have the modelling evidence to inform a specific “buffer” or height outcome which would enable me to support these submissions, the Panel may wish to consider whether a Qualifying Matter such as a height interface could be justified when balanced against the wider outcomes sought for the adjoining zones under NPS-UD and MDRS.

### ***Recommendation***

8.1.201 My recommendations to Accept or Reject are set out in the table at the beginning of this section.

### **ISSUE 8**

***Oppose zoning or seeking interfaces adjoining heritage items or sites with heritage values – papanui heritage group (S152.1), (S152.2); Riccarton Bush - Kilmarnock Residents' Association (S188.15); emma wheeler (s206.1, s206.2, s206.3); Matty Lovell (S306.1), (S306.3), (S306.4), (S1021.2); dominic mahoney (S329.1), (s329.2), (s329.3), (s329.4); dot fahey (S683.2); PHILIPPA TUCKER (S709.1), (S709.2), (S709.4), (S709.5), (S709.6); marie byrne (S734.3); margaret howley (S765.1-S765.3); Helen Broughton (S886.3); Waipuna Halswell-Hornby-Riccarton Community Board (S902); SALLY DIXON (S1004.1), (S1004.2) (S1004.3), (S1004.4); JULIE FLORKOWSKI (s1019.1); CHRIS FLORKOWSKI (s1020.1); Ruth Morrison On Behalf Of Morrison Family (S1041.1), (S1041.2), (S1041.3); (PAUL SCOTT (S1044.1); DEFYD WILLIAMS FOR PAPANUI HERITAGE GROUP (S1050.1), (S1050.2).***

Submission No.	Submitter	Position	Decision Requested	Recommendation
S152.1 S152.2	Papanui Heritage Group	Oppose	Opposed to the High Density Residential Zone extending into the residential streets of Papanui and seek that it is greatly reduced and excludes the following streets - St James Avenue, Windermere Road, Gambia Street, Dormer Street, Perry Street, Halton Street, Paparoa Street, Rayburn Avenue and Tomes Road.	<b>Reject</b>
S188.15	Riccarton Bush - Kilmarnock Residents' Association	Seek Amendment	[That] Jane Deans Close retain[s] its current zoning of Residential Suburban Density Transition [RSDT] [instead of HRZ]	<b>Reject</b>
S206.1 S206.2 S206.3	Emma Wheeler	Seek Amendment	Remove St James Avenue and Windermere Road from the intensification plan [adjoins Papanui War Memorial Avenues proposed heritage item #1459].	<b>Reject</b>
S306.1 S306.4	Matty Lovell	Seek Amendment	[That] St James Avenue, Papanui [is not zoned] High Density Residential.	<b>Reject</b>
S306.3	Matty Lovell	Seek Amendment	[That] St James Avenue, Papanui [retains its existing zoning] [adjoins Papanui War Memorial Avenues proposed heritage item #1459].	<b>Reject</b>
S329.1 S329.2	Dominic Mahoney	Seek Amendment	Retain [operative] Residential Suburban zoning on Perry Street [Merivale] [adjoins Papanui War Memorial Avenues proposed heritage item #1459].	<b>Reject</b>
S329.3 S329.4	Dominic Mahoney	Seek Amendment	[That] four streets (St James, Windermere, Dormer and Perry) [are given heritage protection <del>recognised as a Residential Heritage Area</del> ] [adjoining Papanui War Memorial Avenues proposed heritage item #1459].	<b>Reject</b>
S683.2	Dot Fahey	Oppose	Oppose high density zoning in area around St Peter's Church [Upper Riccarton] and Ballantyne Avenue Cycle route.	<b>Reject</b>

S709.1	Philippa Tucker	Seek Amendment	Amend the schedule of heritage items [Appendix 9.3.7.2 - Papanui War Memorial Avenues proposed heritage item #1459] to include the street, housing, trees, plaques [on Windermere Road].	<b>Reject</b>
S709.2	Philippa Tucker	Seek Amendment	Seek amendment to [planning map] heritage layer for [outline of Papanui] War Memorial [Avenues heritage item #1459] Heritage Protection for Windermere Road.	<b>Reject</b>
S709.4	Philippa Tucker	Oppose	That the northwest side of Windermere Road is not zoned Medium Density Residential.	<b>Reject</b>
S709.5	Philippa Tucker	Oppose	That the northeast side of Windermere Road is not zoned High Density Residential.	<b>Reject</b>
709.6	Philippa Tucker	Seek Amendment	[That Windermere Road retains the operative Residential Suburban zoning].	<b>Reject</b>
S734.3 S734.4	Marie Byrne	Seek Amendment	[Seek] adding an interface between heritage properties and residential areas.	<b>Reject</b>
S765.2	Margaret Howley	Support	Supports the qualifying matter for heritage overlay for the Papanui WWII Memorial Plantings.	<b>Support</b>
S765.3	Margaret Howley	Support	Supports the scheduling of heritage items for the Papanui WWII Memorial Planting.	<b>Support</b>
S886.3	Helen Broughton	Oppose	Oppose [proposed zoning] for Matai Street, [and] Christchurch Boys' High School [on] Straven [Road], Riccarton.	<b>Reject</b>
S902 (no submission point, see submission para 3.42)	Waipuna Halswell-Hornby-Riccarton Community Board	Oppose	[Oppose high density zoning in area around St Peter's Church, Upper Riccarton.]	<b>Reject</b>
S1019.1	Julie Florkowski	Oppose	Supports the Residential Heritage Areas of Otautahi, Christchurch (specifically Alpha Avenue) [opposes intensification in Papanui War Memorial Avenues proposed heritage item #1459].	<b>Accept in part/Reject in part</b>

S1020.1	Chris Florkowski	Oppose	Support the 16 Papanui War Memorial Avenues including Alpha Avenue [which] have been accorded 'highly significant' status [opposes intensification in Papanui War Memorial Avenues proposed heritage item #1459].	<b>Accept in part/Reject in part</b>
S1021.2	Matty Lovell	Support	[Supports heritage protection of the street, trees and plaques in St James Avenue - Papanui War Memorial Avenues, proposed heritage item #1459].	<b>Accept in part/Reject in part</b>
S1004.1 S1004.2 S1004.3 S1004.4	Sally Dixon	Oppose	Oppose intensification on Windermere Rd and St James Avenue [adjoining Papanui War Memorial Avenue heritage item #1459].	<b>Reject</b>
S1041.1 S1041.2 S1041.3	Ruth Morrison On Behalf of Morrison Family	Seek Amendment	Keep the area around Paparoa St, Dormer St, Rayburn Ave and Perry St as heritage area.	<b>Reject</b>
S1044.1	Paul Scott	Oppose	Oppose HRZ along St James Avenue, Papanui [and other Papanui War Memorial Avenues [proposed heritage item #1459].	<b>Reject</b>
S1050.1	Defyd Williams, for Papanui Heritage Group	Oppose	Oppose the HRZ zoning for Memorial Avenues [Papanui War Memorial Avenues heritage item 1459] (St James Avenue, Dormer, Perry Street, Gambia Street, Halton Street, Tomes Road, and one [northeast] side of Windermere Road) [and adjoining streets Paparoa Street and Rayburn Avenue].	<b>Reject</b>
1050.2	Defyd Williams, for Papanui Heritage Group	Support	Support the scheduling of the sixteen (we believe fifteen Papanui Memorial Avenues, plus Tillman Avenue), to the District Plan's Schedule of Significant Historic Heritage for protection.	<b>Accept</b>

8.1.202 A number of submitters oppose proposed zoning on the basis that their area has heritage values or they adjoin a site with heritage values. My evidence, with supporting technical evidence from Amanda Ohs, considers the issue in relation to sites adjoining operative or proposed heritage items or sites which have heritage values.

### ***Papanui War Memorial Avenues***

- 8.1.203 A group of submitters (see table above) support the protection of the Papanui War Memorial Avenues proposed heritage item (item 1459, comprising trees and plaques), and urge the Council to extend this protection to include the road reserve, and the properties in specific streets or all of the 16 streets where the street trees and plaques are proposed to be protected. They oppose MRZ or HRZ zoning for the streets adjoining the avenues of trees on the grounds of these streets having heritage significance. As discussed further in the technical evidence of Amanda Ohs, based on the scheduling criteria and thresholds for heritage items, the extent of the proposed heritage item is appropriately limited to the avenues of Council owned street trees (excluding the road reserve), and the associated memorial plaques attached to the corner streetlights/power poles. Dr Ann McEwan has considered the properties in these streets against the criteria for Residential Heritage Areas in her technical evidence on Residential Heritage Areas.
- 8.1.204 Submitters have also raised concerns about the potential for damage to tree roots from additional parking and driving over them as a result of intensification, shading of trees and loss of trees associated with anticipated additional subdivision. I note that intensification may result in increased pressure on tree removal to create new accesses, but also that in some cases, new accesses can be made between street trees.
- 8.1.205 Matthew Stobbart, Treotech Specialist Treecare Limited (Treotech) provides supporting arboricultural technical evidence in relation to the current and potential risks to the trees from on-street parking, additional on street parking and changes to vehicle crossings (widening or additional crossings), foundations for new builds, canopy clearances for new builds, shading from multi-storey new builds, and future pressures for removal/detrimental pruning of trees. Matthew Stobbart's evidence contains a street by street assessment which finds that these risks vary depending on factors such as species, and the range of road reserve designs which determine growing conditions. The photos in this report show that some trees are located in fully grassed berms, others in beds within grass berms, and others are located in the edge of the carriageway itself surrounded by formed surfaces.
- 8.1.206 For each of the 16 streets forming the Papanui War Memorial Avenues proposed heritage item, I summarise the risks to trees raised in Matthew Stobbart's evidence as follows, the streets with the widest range of issues being identified in the first group, and noting in brackets the

proposed zoning of each street (generally High density Residential Zone or Medium density Residential Zone):

8.1.207 Risks to trees associated with new builds (in addition to risks from additional parking and changes to vehicle crossings, that is the group with the widest range of identified risks):

- a. Dormer Street (HRZ)
- b. Kenwyn Avenue (RS)
- c. Norfolk Street (MRZ)
- d. Perry Street (HRZ)
- e. Scotston Avenue (MRZ)
- f. St James Avenue (HRZ)
- g. Tillman Avenue (MRZ)
- h. Tomes Street (SW block HRZ, other blocks MRZ).

8.1.208 Risks to trees associated with additional parking and changes to vehicle crossings:

- a. Gambia Street (HRZ)
- b. Lansbury Avenue (MRZ)
- c. Windermere Road (NW block MRZ, NE block HRZ).

8.1.209 Risks to trees associated with additional parking:

- a. Alpha Avenue (MRZ)
- b. Claremont Avenue (MRZ)
- c. Condell Avenue (MRZ).

8.1.210 Risks to trees identified as negligible:

- a. Halton Street (SW block MRZ included in the heritage item, NE block HRZ not proposed as part of the heritage item)
- b. Hartley Avenue (MRZ).

8.1.211 Matthew Stobbart concludes that where risks to trees are identified, there are design interventions which could be put in place (by Council) which would assist in managing these risks to these street trees. Bumper strips (see photo in last page of document) are one such management tool. There are opportunities for Council to proactively monitor development in streets identified as having more significant risks to trees, to undertake shade mapping to assess impacts on trees from shading from multi-storey new builds, and to work with owners at the pre-application stage of Building and Resource Consents with respect to protection options for individual trees. There may also be opportunities to apply conditions or advice notes as relevant on resource consents. Matthew Stobbart also identifies positive effects from intensification including a greater number of people benefiting from the trees, for example from shading of vehicles.

8.1.212 I note that the operative zoning of these Papanui Memorial Avenues is generally Residential Suburban (permitted height 8 metres, road boundary setback 4.5 metres), with the exception of the northern part of St James Avenue (Residential Suburban Density Transition zone - permitted height 8 metres, road boundary setback 4.5 metres), and Gambia Street (Residential Medium Density - permitted height 11 metres, road boundary setback 2 metres). The proposed road boundary setback for both MRZ and HRZ zones as notified was 1.5 metres, so with the proposed zoning houses will be able to be constructed in closer proximity to the trees than previously. As noted above, there is significant variation in the road reserve design in these streets and species vary across streets, and within streets to some extent. Ike Kleynbos proposes in his planning evidence on the HRZ zone, that the permitted height in the HRZ zone is amended to 22 metres in response to submissions, and the permitted height in the MRZ zone is proposed to be 11 metres as notified.

8.1.213 Matthew Stobbart's evidence addresses the potential for additional shading of trees from new multi-storey housing under the proposed zone heights. He does not consider this a significant risk to the health of the species planted in the avenues, on the basis that the trees will tend to adapt their canopies to make the optimum use of the available light, and reduced light in winter would either have no effect on deciduous species, or in the case of evergreen species, is a change that is likely to be adapted to and tolerated.

8.1.214 I understand that a rule is proposed to be introduced in the HRZ zone in narrow streets with a legal width of less than 18 metres, which applies to Halton Street, the narrowest of the Papanui War Memorial Avenues, which is approximately 15 metres wide. As noted above however, this is one of the streets where risks to trees from intensification has been assessed as negligible. Other Papanui War Memorial streets are in the region of at least 20 metres wide (boundary to boundary) and would not be subject to this greater setback. See the planning evidence of Ike Kleynbos in relation to Residential zone rules.

8.1.215 I do not consider that the analysis in Matthew Stobbart's evidence provides strong grounds for me to recommend additional setbacks or height restrictions in these streets on the basis of risks to these protected trees. The technical evidence does indicate that intensification has the potential to increase some risks to trees in some of these streets. The Panel may wish to consider, in the wider context of residential zoning considerations (see Ike Kleynbos' evidence), whether it would be appropriate to mitigate the potential risks to the trees by limiting intensification or "downzoning", for example in the HRZ zoned streets in the first two groups

with a wider range of risks (identified above). I note that other issues in relation to Significant and Other Trees Qualifying Matters are addressed in Brittany Ratka's planning evidence.

8.1.216 I note that the submission by Catherine Elvidge S1067.1 also seeks decisions in relation to the protection of the Papanui War Memorial Avenues heritage item, but as she submitted on PC13 and has declined consent for her submission to be heard in PC14, her submission was discussed earlier in the Out of Scope Submissions section in 7.2.

8.1.217 I recommend several minor rule amendments as a result of considering this submitter's request that these trees are subject to the rules for street trees in the Significant and Other Trees subchapter 9.4 instead of the heritage rules. I have identified these here as a PC14 issue, as they relate to rules to protect this proposed heritage item which has been addressed in this plan change, as the heritage item is located in a residential area subject to PC14.

8.1.218 As the Papanui War Memorial Avenues trees have been assessed as meeting the criteria for inclusion in the heritage schedule, I consider that it is more appropriate that they are subject to rules for heritage items, with the exception of Rule 9.4.4.1.1 P5 relating to pruning and maintenance of street trees, which I consider should apply as it allows for their ongoing management in the same way as other street trees which require works to be undertaken by a Council approved arborist as a permitted activity standard.

8.1.219 I recommend that cross-references be added to the relevant rules for street trees in Rule 9.4.4.1.1 (P5 maintenance, P6 felling and P12 earthworks) to clarify how the rules apply (or do not apply) to this heritage item and other trees which are located in public open space and road corridors which are heritage items scheduled in Appendix 9.3.7.2 as follows:

Rule 9.4.4.1.1 P5 a. Any pruning, maintenance or remedial work / treatment to any tree in:

[i.]...

ii. parks, public open space, and road corridors in Akaroa as shown in Appendix 9.4.7.4; or

iii. heritage items in Appendix 9.3.7.2 in public open space, and road corridors in Christchurch City or Akaroa.

Rule 9.4.4.1.1 P6 a. Felling of any tree including ancillary earthworks, in: [...]



c. This rule does not apply to the felling of trees which are heritage items contained in Appendix 9.3.7.2 in public open space, and road corridors, as this is provided for in Rule 9.3.4.1.1 P14 or Rule 9.3.4.1.3 RD1.

Rule 9.4.4.1.1 P12 a. Earthworks within 5 metres of the base of any tree in: [...]

e. This rule does not apply to earthworks within 5 metres of the base of trees which are heritage items contained in Appendix 9.3.7.2 in public open space, and road corridors, as this is provided for in Rule 8.9.2.1 P1 i.

8.1.220 In addition, I propose a further clarification in the heritage sub-chapter rule in Rule 9.3.4.1.1 P14 to ensure that that rule (which is subject to a tree removal certificate activity standard) applies to the proposed Papanui War Memorial Avenues heritage item (and other trees which are located in public open space and road corridors which are heritage items scheduled in in Appendix 9.3.7.2), as follows:

Rule 9.3.4.1.1 P14 In relation to a heritage item which is an open space, or is in a road corridor, transplanting of a mature tree, or removal of a mature tree which is dead, in a state of irreversible decline, or structurally unsound.

8.1.221 These changes are evaluated under section 32AA in Table 1 of this section below.

#### ***Further evaluation under section 32AA***

8.1.222 As required by Section 32AA of the Resource Management Act, this report further evaluates changes to District Plan amendments proposed in the notified Plan Change 14 document since the s32 evaluation was undertaken. This evaluation should be read in conjunction with the Plan Change 14 document, Section 32 evaluation and the remainder of this Section 42A report. Refer to these documents for detailed analysis of submissions and other options considered.

8.1.223 Changes to proposed amendments since the s32 evaluation are assessed in Table 1 below. In evaluating the effects of the changes in accordance with 32AA, the following questions have been considered. Do the changes recommended:

- a. make a significant difference to the conclusions of the s32 evaluation?
- b. have significant effects on their own or in combination with the other amendments?
- c. address the identified problems?

8.1.224 Further evaluation under s32AA shows the changes to the proposed amendments do not affect the conclusions of the s32 evaluation. The proposed objectives are the most appropriate way to achieve the purpose of the RMA and the amended provisions are the most appropriate way to achieve the objectives of the District Plan.

**Table 1 – Evaluation of recommended changes**

Changes to PC14 proposed amendments	Effects and evaluation of changes
<p><b>Rule 9.4.4.1.1 P5 a.</b></p> <ul style="list-style-type: none"> <li>• Clarification that this rule for pruning, maintenance or remedial work / treatment to street trees applies to the proposed heritage item Papanui War Memorial Avenues trees (and other trees in public open space, and road corridors which are heritage items scheduled in in Appendix 9.3.7.2).</li> </ul> <p><b>Rule 9.4.4.1.1 P6 a.</b></p> <p><b>Rule 9.4.4.1.1 P12 a.</b></p> <ul style="list-style-type: none"> <li>• Clarification that these rules for felling of street trees and earthworks within 5m of the base of street trees do not apply to the proposed heritage item Papanui War Memorial Avenues trees (and other trees in public open space, and road corridors which are heritage items scheduled in in Appendix 9.3.7.2).</li> <li>• Inserts cross-reference to relevant heritage items rules in sub-chapter 8.9 and sub-chapter 9.3 which apply instead.</li> </ul> <p>Rule 9.3.4.1.1 P14</p> <ul style="list-style-type: none"> <li>• Clarification in permitted activity rule in</li> </ul>	<p>No significant effect in terms of s32 evaluation.</p> <p>These clauses are minor and technical in nature. They provide clarity to assist the Plan reader in determining how the rule applies to Papanui War Memorial street trees, a heritage item proposed for protection in Appendix 9.3.7.2, and other trees in public open space and road corridors which are heritage items scheduled in Appendix 9.3.7.2 e.g. Poplars (Cambridge Terrace), Latimer Square and Cranmer Square.</p> <p>The inclusion of trees which are heritage items in the pruning and maintenance permitted rules in sub-chapter 9.4 makes the trees in the Papanui War Memorial Avenues proposed heritage item (and other trees in public open space, and road corridors which are heritage items), subject to the activity standard for works to be undertaken by an approved Council arborist, to ensure the work is done according to an approved methodology. Given that they are street trees owned by Council, this reflects the status quo management process so there is no additional restriction proposed by this change.</p>

<p>heritage sub-chapter 9.3 that this rule (for transplanting of a mature tree, or removal of a mature tree which is dead or structurally unsound), applies to street trees which are heritage items including the proposed Papanui War Memorial Avenues heritage item, as well as other trees in open spaces which are heritage items.</p>	<p>The additional wording in the 9.4 rules for felling of street trees and earthworks provides a cross-reference to indicate that heritage items rules in 9.3 apply instead, so this change does not impose any additional rule restriction.</p> <p>The clarification in permitted activity rule P14 in sub-chapter 9.3 ensures that this rule applies to street trees which are heritage items including proposed heritage item Papanui War Memorial Avenues trees, as well as trees in open spaces which are heritage items. This makes these trees subject to a tree removal certificate activity standard so that this work is undertaken only when required and using an approved contractor and methodology. This is the status quo requirement for Council owned trees, so does not impose an additional constraint.</p>
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### ***Zoning of Jane Deans Close***

8.1.225 Submission S188.15 opposes intensification in Jane Deans Close based on its special character and social significance, and recognising its importance as an ANZAC memorial street. See Issue 1, section 8.1 which discusses submissions requesting heritage scheduling of Jane Deans Close War Memorial.

### ***Zoning Adjoining Heritage Items***

8.1.226 Dot Fahey S683.2 opposes HRZ zoning for 11-33 Main South Road, Upper Riccarton, on grounds including the heritage values of the area which adjoins St Peter’s Church. The Waipuna Halswell-Hornby-Riccarton Community Board (S902) also opposes HRZ zoning in the area around St Peter’s Church.

8.1.227 The surrounding residential properties proposed for HRZ zoning are located on the south side of Main South Road and the north side of Yaldhurst Road, opposite the protected heritage items of St Peter’s Church, St Peter’s Church Graveyard, and St Peter’s Church Lychgate at 24 Main South Road (at the triangular intersection with Yaldhurst Road). The church and the graveyard are scheduled as Highly Significant in the District Plan, and the church is listed as Category 2 with Heritage New Zealand Pouhere Taonga. I do not have modelling analysis which could assist in considering the effects of visual dominance or shading of proposed HRZ zoning on the church site opposite, however I note that the properties subject to the zoning request are separated from the church site by a minor arterial road in each case, with a boundary to boundary width of approximately 20-30 metres, which may reduce potential effects to some extent. I do not have an evidential basis to support these submissions.

8.1.228 Helen Broughton S886.3 opposes intensification for the properties on Straven Road opposite Christchurch Boys' High School Main Block, a Highly Significant heritage item in the operative District Plan. The proposed zoning (at notification of PC14) on the east side of Straven Road is MRZ directly opposite the school playing fields, and HRZ to the south, and Straven Road is an arterial road with a boundary to boundary width of 20 metres. Noting also that the heritage item has a substantial protected heritage setting extending to the perimeter of the playing fields, I consider that views from the building to the edge of the setting at Straven Road, and views to the heritage item from Straven Road remain protected. In addition, given the separation distance between the properties and the heritage item, I do not consider that there would be any significant visual dominance or shading effects on the heritage item that would be grounds for “downzoning”. Therefore I am unable to support this submission.

### ***Heritage Items Interface***

8.1.229 Marie Byrne S734.3 and S734.4 seeks that an interface is provided between heritage items and residential areas as a Qualifying Matter, to restrict the construction of large scale developments adjoining heritage properties. I note that in most instances, scheduled heritage items in the operative plan have associated heritage settings which provide some protection of the heritage values of heritage items from development within the heritage setting. Heritage settings have been discussed in response to a number of submissions in Amanda Ohs’ evidence.

8.1.230 I have discussed a targeted approach to addressing the potential effects, including visual dominance, impact on views and shading, of large scale development adjoining specific

heritage settings, in both issues 7 and 8 of this report above, and consideration of these issues is also contained in the technical evidence of Amanda Ohs.

8.1.231 I acknowledge that the decision sought by the submitter may achieve a benefit for protection of heritage items across the City, however in the constrained timeframes for responding to this submission in the IPI process, it has not been possible to undertake additional detailed analysis, for example three-dimensional modelling and sun studies to inform the appropriateness of such a blanket approach. Therefore I do not have the evidence to support submissions S734.3 and S734.4.

***Recommendation***

8.1.232 My recommendations to Accept, Accept in part or Reject are set out in the table at the beginning of this section.

**ISSUE 9**

***Other submissions related to heritage items – heritage new zealand pouhere taonga, Michael dore (S225.5), (S225.6).***

Submission No.	Submitter	Position	Decision Requested	Recommendation
S193	Heritage New Zealand Pouhere Taonga	Supports	Notes Council’s advisory role in relation to private owners’ compliance with the archaeological provisions of the Heritage New Zealand Pouhere Taonga Act 2014, and that it is likely to increase with intensification  [No submission point – see submission p. 2, paragraph 13].	<b>Accept</b>

S193	Heritage New Zealand Pouhere Taonga	Supports	Supports mechanisms for addressing the ongoing issue of 'demolition by neglect'.  [No submission point – see submission p. 2, paragraph 14].	<b>Accept</b>
S225.5 S225.6	Michael Dore	Seek Amendme nt	The History, Character and Heritage of our City of Christchurch should be protected at all costs.	<b>Reject</b>
S1035.3	Ben Hay-Smith	Seek Amendme nt	Seeks that heritage regulation should be accompanied by some sort of guarantee that a building or area of significance will actually receive the requisite funding to keep it in a good condition.	<b>Reject</b>

8.1.233 In response to the submission by Michael Dore S225.5, S225.6, that the history, character and heritage of Christchurch should be protected at all costs, I note that Heritage protection is recognised in s6(f) of the RMA as an environmental matter of national importance, however it is required to be balanced against other competing environmental matters and environmental legislative requirements, including the NPSUD and MDRS, and weighed against the public and private economic, environmental, social and cultural costs and benefits of alternative approaches. There is also limited Council heritage funding available (see below).

8.1.234 Ben Hay-Smith S1035.3 seeks guaranteed funding for maintenance of scheduled heritage items. This issue relates to Council's implementation of operative Policy 9.3.2.2.10 Incentives and assistance for historic heritage. I note that there are no changes proposed to the Incentives and assistance policy as part of this plan change, and that work on these issues will be undertaken as part of the Council's Heritage team's work programme.

- 8.1.235 As discussed in section 8.7, there is limited Council heritage grant funding available, which has reduced in recent years with Council budgetary constraints. At the time of writing, the 2023/24 Heritage Incentive Grant fund (**HIG**) is awaiting approval from Council. Assuming approval of carry forwards from earlier years, the HIG fund would be in the region of \$379,000 for this financial year, to be allocated to conservation-related works to eligible scheduled and non-scheduled heritage places, noting that there are 679 heritage items in the operative district plan heritage schedule. There is also an Intangible Heritage Grants fund for other heritage-related projects such as interpretation for places with heritage values.
- 8.1.236 Council heritage funding seeks to support private owners of properties with heritage values to assist in maintaining their properties which are of significance to the district. Additional funding is needed to assist in retaining heritage buildings where shortfalls in funding by owners occurs. Currently Council heritage funding only partially meets demand, and it noted that retention of some privately owned heritage buildings relies on willing owners with other funding streams. Therefore I do not consider that the guarantee sought by the submitter can be met by Council in the current economic climate. District plan protection serves the additional function of highlighting the significance of heritage places to the community, which may assist in attracting other funding sources.
- 8.1.237 Heritage New Zealand Pouhere Taonga (S193 p.2. paragraph 13) reminds Council of its advisory role in relation to district-wide compliance by private owners with the archaeological provisions of the Heritage New Zealand Pouhere Taonga Act 2014, noting that there is likely to be an increase in archaeological authorities required with intensification, especially in areas of the district with high archaeological values. I note that this issue relates to the Council's role in implementation of operative Policy 9.3.2.2.4 Archaeological sites.
- 8.1.238 Heritage New Zealand Pouhere Taonga (S193 p.2. paragraph 14) draws Council attention to the ongoing issue of 'demolition by neglect' of heritage buildings which are potentially in an unsalvageable state due to lack of maintenance. I note their offer to assist in consideration of mechanisms for addressing this issue. This issue relates to Council's implementation of operative Policy 9.3.2.2.10 Incentives and assistance for historic heritage. I note that there are no changes proposed to the Archaeological sites or Incentives and assistance policies as part of this plan change, and that work on these issues will be undertaken as part of the Council's Heritage team's work programme.

## ***Recommendation***

8.1.239 My recommendations to Accept or Reject are set out in the table at the beginning of this section.

## **9 MINOR AND INCONSEQUENTIAL AMENDMENTS**

9.1.1 Pursuant to Schedule 1, clause 16 (2) of the RMA, a local authority may make an amendment, without using the process in this schedule, to its proposed plan to alter any information, where such an alteration is of minor effect, or may correct any minor errors.

9.1.2 Minor recommended amendments relevant to the Heritage Items provisions are set out in the text in Issue 8 of this s42A report.

## **10 CONCLUSIONS AND RECOMMENDATIONS**

10.1.1 Having considered all of the submissions and reviewed all relevant instruments and statutory matters, I am satisfied that the Plan Change 14 Heritage Items provisions, with the amendments I am suggesting, will:

- a. result in amended rules that better implement the operative and proposed policies;
- b. give effect to relevant higher order documents, in particular RMA s6(f), NPS-UD and RPS; and
- c. more appropriately achieve the District Plan objectives and better meet the purpose of the Act than the current Plan provisions.

10.1.2 For the reasons set out in the Section32AA evaluation included in the text of this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:

- a. Achieve the purpose of the RMA where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
- b. Achieve the relevant objectives of the PDP, in respect to the proposed provisions.

10.1.3 I recommend therefore that:

- a. Plan Change 14 be approved in relation to the Heritage Items topic with minor modifications as set out in the text in Issue 8; and
- b. Submissions on the Plan Change be accepted or rejected as set out in Appendix B to this report.



APPENDIX A:

MITRE HOTEL, 40 NORWICH QUAY, DANGEROUS AND INSANITARY BUILDING DOCUMENTS

**Christchurch City Council**  
**Engineering Services Team, Building Consenting Unit**  
**(Engineering Request Input)**

Date: 19 June 2023

To: Ty Green, Team Leader, Compliance & Investigation Team B,  
Regulatory Compliance

From: Roland Basobas, Structural Engineer (Building Control), Engineering Services

Reviewer: Vincent Wong, Senior Engineer (Building Control), Engineering Services

Re: 40 Norwich Quay, Lyttelton

## **Summary**

A structural re-inspection was carried out at 40 Norwich Quay, Lyttelton, Christchurch

Considering all the factors as set out below, I consider that the building is dangerous\* in its current state as per section 121 of the Building Act 2004 (the Act)

Accordingly, I recommend:

- A dangerous building notice is issued as per Section 124 of the Act; is recommended to the property due to the seriousness of this matter including the risk presented by the building in its current state to the neighboring properties.

## **1.0 Introduction**

On the 15/05/2023, the Engineering Service team received a request from yourself, Ty Green, Team leader of the Compliance and Investigation Team B, Christchurch City Council.

You and I subsequently carried out an onsite inspection for this property on 18 May 2023, between 9:30 as to 10:30am. The weather at time of inspection was cloudy. The owner was not present at the time of the inspection.

The re-inspection was to carry out a visual inspection of the condition of the building and present a further internal determination to whether the building is deemed dangerous in present time (Note: A previous assessment report dated March 2020 (TRIM Ref: 20/309866) had determined the building as dangerous and the photos in that report was used as source of reference. Note: This report does not intend to supersede that report.

Attention will also be given to neighbouring properties and if necessary, deemed them as affected building(s) as defined in section 121 of the Building Act 2004 (BA2004)

## **2.0 Assessment**

Field investigation via walk by inspections only were carried out on 18<sup>th</sup> May 2023. External visual inspection of the building was undertaken with photos taken where possible. Photos from this field investigation are included as part of this report (Section 4.0). The building is in such state of disrepair that no level readings, verticality checks nor physical tests were conducted during the visit.

### 3.0 Building inspection / Discussion

The following pointers were noted following the inspection:

3.1. New cracks were observed at the East wall (refer to photos 6 & 7) of the building. At time of this writing, I was informed by yourself that a car (vehicle type unknown) crashed on this wall. The columns and adjacent walls appeared to be badly damaged by this crash, with visibly shear cracks showing. It is somewhat unusual to see such significant cracks from a car crash. A probable explanation is that there could be some undetected shear cracks from previous events on this location (such as earthquake shakes) and this crash somehow compounded those cracks. This also inferred that there could be other damages elsewhere in the building which may have gone unnoticed.

3.2. For the Western wall (photos 2, 8 & 9), it would appear there are further spalling and cracking of concrete to the exterior when compared to the photos in the previous 2020 report (section 1). Some of these cracks may have existed previously, being hard-to-notice type micro cracks. Possible reasons for continuing progression of the cracks included on-going vibration from heavy port vehicles using Norwich Quay and continuing aftershocks in the Canterbury region (refer Geonet for events sequences from past 12 months). Progression of cracking indicated this being an overall deteriorating structure, and its ability to stand up will continue to be undermined with each unfavorable event. The building is beside the harbour area so the corrosion risk of the wall reinforcement (now possibly exposed due to the cracks) will increase.

3.3 Interior wise, water damages (photo 12) to wall and ceiling framings were observed. These are clear signs of moisture penetrations, which would imply possible defects in the roof structure atop. It is likely that the building has not been maintained/repared, therefore allowing water ingress into the structure. Water ingress if untreated, can lead to a host of damp related problems.

3.4 Adverse weather events, including snowy/rainy days or storm force winds are not uncommon. These occurrences can further target any weaknesses in this building. Coupled with the recent weather events that had occurred in New Zealand, I would expect weather related damages to exacerbate over time, resulting in further damage to the already compromised structural cladding system. These events could increase the risk of parts of the roof system collapsing fully or partially, and therefore likely causing injury or death. An experienced structural engineer, if required, can be requested to verify the above.

3.5 There is also indication that someone from the outside have assessed the building (broken windows from photo 1, internal graffiti from photo 11 etc.). The timing of entrance is unknown to us. Regardless, I am concerned that these individuals may have been unaware of the hazard in a dilapidated structure and the imminent danger they had put themselves in.

***\*Dangerous building (as per S121 of NZ BA2004)***

*(1) A building is **dangerous** for the purposes of this Act if,—*

*(a) in the ordinary course of events (excluding the occurrence of an earthquake), the building is likely to cause—*

*(i) injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property; or*

*(ii) damage to other property; or*

*(b) in the event of fire, injury or death to any persons in the building or to persons on other property is likely.*

*(2) For the purpose of determining whether a building is dangerous in terms of subsection (1)(b), a territorial authority—*

*(a) may seek advice from employees, volunteers, and contractors of Fire and Emergency New Zealand who have been notified to the territorial authority by the board of Fire and Emergency New Zealand as being competent to give advice; and*

*(b) if the advice is sought, must have due regard to the advice.*

4.0 Photos



Photo 1 –View from the front (South)



Photo 2 – View from West side wall



Photo 3 – View from East side wall



Photo 4 –View from Rear (North)



Photo 5–View from Rear Side (North)



Photo 6 – View from East wall with new cracks.



Photo 7 – View of new cracks at East wall



Photo 8 – View of concrete spalling at West wall (in close proximity to the neighbor driveway)



Photo 9 – View of concrete spalling at West wall (in close proximity to the neighbor driveway)



Photo 10 - Access to the rear part of the building



Photo 11 – View from interior. Another access to rear part of the building. It would appear the building had been assessed by others.



Photo 12 – View form interior – Visible water damaged on the roof and wall

## 5.0 Conclusion/Recommendations:

It is my professional opinion that the deteriorating state of the building, meant there is presence of imminent danger to the safety of pedestrians using the pathway and to the adjacent property. The building in its current state and its proximity to a neighboring property should be considered dangerous, i.e., in the ordinary course of events, the building is likely to cause injury or death to persons or property.

The followings are therefore recommended:

- Section 124 notice is to be issued immediately by CCC for this property.
- A letter/instruction from the building compliance team or similar enforcement unit is provided to the property owner(s) requesting that this property be fenced/barricaded to prevent trespassers from unlawfully occupying the structure.
- Immediate options (remediation/make building safe or demolition & lockups to prevent assess) should be considered to mitigate the risks on this location.

**Yours sincerely,**



Roland Basobas  
Structural Engineer (Building Control)  
Engineering Services Team  
Engineering Services Team, Building Consenting Unit

Report reviewed by:

Vincent Wong  
Senior Engineer (Building Control)  
Engineering Services Team  
Engineering Services Team, Building Consenting Unit

07 July 2023

03 941 8999

Mitre Hotel Holdings Limited  
C/- Tony Ward  
18 Evergreen Place, Sunshine  
Bay,  
Queenstown 9300

53 Hereford Street  
Christchurch 8013  
PO Box 73013  
Christchurch 8154  
ccc.govt.nz

Email: [ph3844104@me.com](mailto:ph3844104@me.com)

Dear Tony,

**SECTION 124 BUILDING ACT 2004 – DANGEROUS AND INSANITARY BUILDING AT:**  
40 Norwich Quay, Lyttelton, Christchurch 8082  
**LEGAL DESCRIPTION: Part Town Section 9 Town of Lyttelton**

As you know we are investigating the dangerous and insanitary condition of a building located at 40 Norwich Quay, Lyttelton, Christchurch (the Property). Our records show that you are the property owner.

On 26 May 2023, an Environmental Health Officer inspected the property and confirmed the building to be insanitary pursuant to section 123 of the Building Act 2004 (the Act).

The relevant report and documents are enclosed for your reference.

The Environmental Health Officer advised the following observations;

- a. Status – unoccupied. Access into the building is easy through an insecure front door and un-boarded exposed windows scattered around the building.
- b. Vandalised building from occupation and the weather events.
- c. Most windows are broken or missing, and the property is suffering with moisture ingress affecting wooden, absorbent and organic materials. There is evidence of mould growth on walls.
- d. Due to the openness of the building and the vulnerability of being exposed to the elements the photos illustrate water penetration with mould and moisture present.

On 19 June 2023, our Structural Engineer concluded that the continued deterioration of the building meant there is presence of imminent danger to the safety of pedestrians using the pathway and to the adjacent property.

Our engineer provided several remedies to reduce the risk to an adjacent property and to pedestrians, those being;

- A letter/instruction from the building compliance team or similar enforcement unit is provided to the property owner(s) requesting that this property be fenced/barricaded to prevent trespassers from unlawfully occupying the structure.
- Immediate options (remediation/make building safe or demolition & lockups to prevent access) should be considered to mitigate the risks on this location.

Our Heritage team have commented that while it does have heritage and townscape significance, the building has deteriorated noticeably in the 12 plus years since the earthquakes. For the building to be retained, substantial structural and other building code upgrades would most likely result in the loss of the original heritage fabric and values. The Heritage team accept and support the issuing of the necessary documents as the appropriate next step to determine the future function for the building.

Following a review of all the information, the necessary documents will be issued requiring your immediate attention to reduce or remove the danger from the public and property.

### Next steps

The section 124(2)(b) Dangerous and Insanitary notices, warns people not to enter the building due to it being considered a dangerous building and an Insanitary Building.

The S124(2)(c) Dangerous Building notice requires the first point by Thursday 20 July 2023 and the second and third point by 10 January 2024.

- Make the building safe by boarding up all access points into the building.  
AND
- Demolish the building in full, in accordance with the best practicing standards suggested by Worksafe.  
OR
- Have taken steps to make the building safe by making the building safe to comply with the New Build Standards as set out in the Building Code.

The S124(2)(c) Insanitary Building notice requires the first two points by Thursday 20 July 2023 and the third point by 10 January 2024. If the owner elects to demolish the building, then by default, this notice will be complied with.

- Arrange for adequate temporary fencing to be placed around the whole building,  
Or
- Arrange for materials to provide full coverage of the windows and doors restricting entry into the property,  
And
- Have taken steps to make the building sanitary.

Please find enclosed the notices issued under sections 124(2)(b) and 124(2)(c) of the Act which stipulate the actions you need to take to remove the danger.

We will follow-up with you before the compliance date expires to ensure you are fulfilling your requirements to comply. We will consider our compliance options if we are not satisfied sufficient traction is being made, which may include issuing an infringement notice.

If you do not agree with our recommendation or the engineering report, we encourage you to engage with an independent certified engineer to provide a report for the Council to review. Please contact Tyrell Green (details in the below sentence) to advise your intentions for progressing this matter.

Heritage listed buildings require resource consent approval before they are demolished. We have considered the timeframe to package together all the necessary documents to support a resource consent application and have determined that the identified health and safety risks the building present to the public and property supersede applying for initial approval.

Section 330 of the Resource Management Act 1991, set outs the framework for carrying our emergency works to mitigate any actual or likely adverse effects. We consider that the demolition of the building is necessary to mitigate harm to people and or property.

Section 330A of the Resource Management Act 1991, requires a person (you) to apply to the consent authority within 20 days of undertaking the activity.

If you chose to carry out the necessary work to strengthen the building and make it sanitary, this may require you to obtain resource consent and or building approval. Please contact our duty planner on [duty.planner@ccc.govt.nz](mailto:duty.planner@ccc.govt.nz) before progressing with any repair and or strengthening work.



Please get in touch with Tyrell Green Team Leader Compliance and Investigations at [tyrell.green@ccc.govt.nz](mailto:tyrell.green@ccc.govt.nz) or 0278262279 if you need further information or clarification on any of the information contained within this letter or the accompanying documents.

Yours faithfully



Tracey Weston  
Head of Regulatory Compliance.

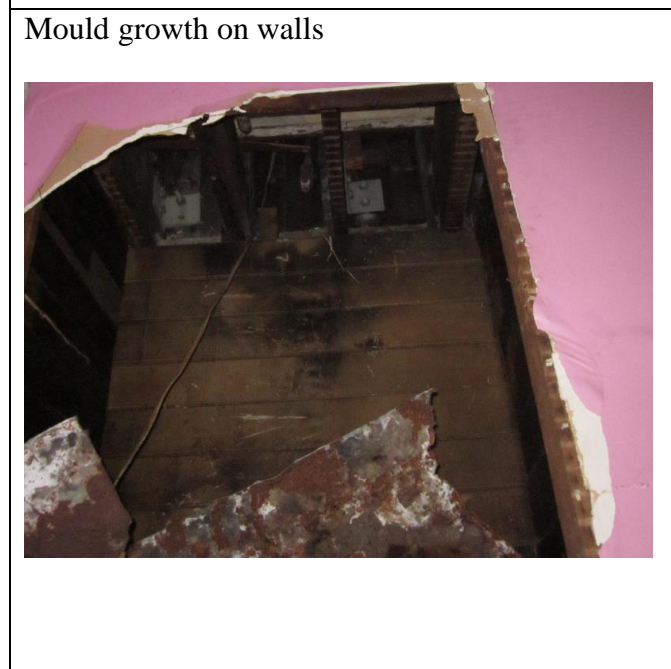
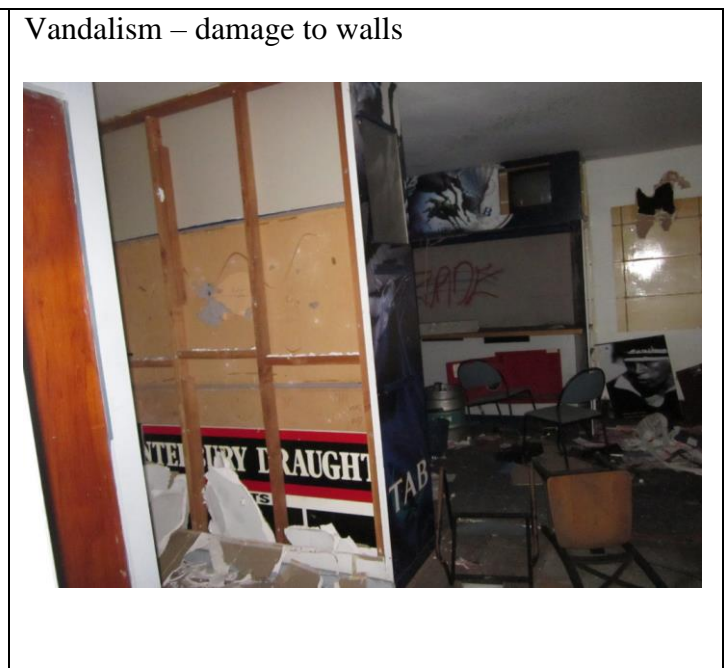
# Insanitary Building Assessment

HYB#820411

<b>Address:</b>	40Norwich Quay Lyttelton, Christchurch
<b>Date and time notified:</b>	26/05/23
<b>Date and time on site:</b>	26/05/2023 1300
<b>Nature of complaint:</b>	<input type="checkbox"/> Damp <input type="checkbox"/> Mould <input checked="" type="checkbox"/> Insanitary <input type="checkbox"/> Overcrowding <input type="checkbox"/> Other:
<b>Source of notification:</b>	<input type="checkbox"/> Resident (owner) <input type="checkbox"/> Resident (tenant) <input type="checkbox"/> Landlord <input checked="" type="checkbox"/> Other: At request of Ty Greene, CCC Team Leader Compliance & Investigations
<b>Complaint details:</b>	Insanitary building assessment requested. Desktop review of photos to assist the request. Due to the current state of the building I have been advised that entry is prohibited. Photos taken during a recent site visit.
<b>Property manager:</b>	Name: Mitre Hotel Holdings Limited Contact details: 178 Bridle Path Road Christchurch 8022
<b>Dwelling description:</b>	Multi-storey commercial building. Building has been unoccupied and left in a continued state of disrepair following the Canterbury Earthquake sequences in 2010 and 2011. There is temporary fencing outside part of the building running along the southern and eastern boundary. The fencing extends about 3 metres to 0 metres from the edge of the building. There is recent evidence of an heavy impact to the north eastern part of the building. Resulting from the impact the fence has separated allowing pedestrian access into the cordoned areas leading into the open door and eventually inside of the building. The building is known to the Council. Historic and current photos of the abandoned building show a sequence of decaying and dilapidation to the building. The building is located in close proximity to Lyttelton harbour and the southern part of the building is exposed to the prevailing southerly weather.
<b>Notes:</b>	<ol style="list-style-type: none"> <li>1. Status – unoccupied. Access into the building is easy through an insecure front door and un-boarded exposed windows scattered around the building.</li> <li>2. Vandalised building from occupation and the weather events .</li> <li>3. Most widows are broken or missing and the property is suffering with moisture ingress affecting wooden, absorbent and organic materials. There is evidence of mould growth on walls.</li> <li>4. Due to the openness of the building and the vulnerability of being exposed to the elements the photos illustrate water penetration with mould and moisture present.</li> </ol>
<b>Legislation:</b>	<p><b>s123 Building Act 2004 Insanitary building means a building that:</b></p> <ol style="list-style-type: none"> <li>a) is offensive or likely to be injurious to health because— <ol style="list-style-type: none"> <li>(i) of how it is situated or constructed; or</li> <li>(ii) it is in a state of disrepair; or</li> </ol> </li> <li>b) has insufficient or defective provisions against moisture penetration so as to cause dampness in the building or in any adjoining building; or</li> <li>c) does not have a supply of potable water that is adequate for its intended use; or</li> <li>d) does not have sanitary facilities that are adequate for its intended use.</li> </ol>

<b>Overall Comments:</b>	In my opinion, the multi-storey building is in an insanitary state; and it is also likely to be injurious to health meeting the threshold of being an insanitary building as per the definition set out in Section 123 of the Building Act 2004.  There is also insufficient or defective provisions against moisture penetration so as to cause dampness in the building. Missing or defective protection also add to the current insanitary nature of the dwelling.
<b>Officer:</b>	Tony Dowson Christchurch City Council Environmental Health Officer
<b>Date and Time:</b>	26 May 2023 1.30
<b>TRIM:</b>	

Photos:



Broken & damaged fireplace



Damaged ceilings



Damaged ceilings, walls/ mould /moisture and weather penetration damage



Damaged ceilings, walls/ mould /moisture and weather penetration damage



Damaged ceilings, walls/ mould /moisture and weather penetration damage



**CHRISTCHURCH CITY COUNCIL  
NOTICE  
UNDER SECTION 124(2)(c) BUILDING ACT 2004**

**TO:**

Mitre Hotel Holdings Limited  
C/- Tony Ward  
18 Evergreen Place, Sunshine Bay,  
Queenstown 9300

Email: [ph3844104@me.com](mailto:ph3844104@me.com)

**THE BUILDING**

Street Address; 40 Norwich Quay, Lyttelton, Christchurch 8082

Legal Description: Part Town Section 9 Town of Lyttelton

**PARTICULARS**

The Council is satisfied the building, is Insanitary under section 123(a)(ii)(b)(c)&(d) of the Building Act 2004. See the attached report.

**123 Meaning of insanitary building**

A building is insanitary for the purposes of this Act if the building—

(a) is offensive or likely to be injurious to health because—

(i) of how it is situated or constructed; or

(ii) it is in a state of disrepair; or

(b) has insufficient or defective provisions against moisture penetration so as to cause dampness in the building or in any adjoining building; or

(c) does not have a supply of potable water that is adequate for its intended use; or

(d) does not have sanitary facilities that are adequate for its intended use.

**TO REDUCE OR REMOVE THE DANGER YOU MUST COMPLY WITH EITHER POINT ONE OR TWO BY THURSDAY 20 JULY 2023, AND POINT THREE BY 10 JANUARY 2024**

1. Arrange for adequate temporary fencing to be placed around the whole building,  
**Or**
2. Arrange for materials to provide full coverage of the windows and doors restricting entry into the property;  
**And**
3. Have taken steps to make the building sanitary.

**If you do not comply with this notice you commit an offence under section 128A of the Building Act 2004 and may be liable to a fine of up to \$200,000, or you can be issued with an infringement notice and an instant fine of \$1000.**

Signed for & on behalf of the Christchurch City Council:



Name: Tracey Weston

Position: Head of Regulatory Compliance

Date of issue: 07 July 2023

[NOTE: This notice must be fixed to the building concerned and a copy of the notice given to all relevant people listed in s125(2) of the Building Act 2004]

## APPENDIX B: TABLE OF SUBMISSIONS WITH RECOMMENDATIONS

## APPENDIX B - TABLE OF SUBMISSIONS WITH RECOMMENDATIONS

Submission No.	Submitter	Position	Decision Requested	Recommendation
S150.1	Terri Winder for Ceres New Zealand	Oppose	Delete Standards 15.11.2.11 [height limits for qualifying matters]	<b>Reject</b>
S150.2	Terri Winder for Ceres New Zealand	Oppose	Delete Standard 15.11.2.12 [Maximum road wall height].	<b>Reject</b>
S150.3	Terri Winder for Ceres New Zealand	Oppose	Delete Standard 15.11.2.14 [Building tower setbacks].	<b>Reject</b>
S150.4	Terri Winder for Ceres New Zealand	Oppose	Delete Standard 15.11.2.15 [Maximum building tower dimension and building tower coverage].	<b>Reject</b>
S150.5	Terri Winder for Ceres New Zealand	Oppose	Delete Standard 15.11.2.16 [Minimum building tower separation].	<b>Reject</b>
S150.6	Terri Winder for Ceres New Zealand	Oppose	a. Delete Rule 15.11.1.1.c b. Delete Rule 15.11.1.1 (P17) c. Retain activity specific standard b of Rules 15.11.1.1 (P13) [Residential activity] and (P14) [Visitor Accommodation] [specific standards for 25 Peterborough Street].	<b>Accept</b>



Submission No.	Submitter	Position	Decision Requested	Recommendation
S150.7	Terri Winder for Ceres New Zealand	Oppose	Delete Policy 15.2.4.1. a) iii) [limiting building height along Victoria Street.]	<b>Reject</b>
S150.8	Terri Winder for Ceres New Zealand	Support [Seek Amendment]	Remove 87-93 Victoria Street from the Victoria Street height overlay and update the planning maps accordingly.	<b>Reject</b>
S150.9	Terri Winder for Ceres New Zealand	Seek Amendment	Remove the Central City Building Height 32m Overlay from 25 Peterborough Street and update the Central City Maximum Building Height Planning Map accordingly.	<b>Reject</b>
S150.10	Terri Winder for Ceres New Zealand	Seek Amendment	Remove the Central City Heritage Qualifying Matter and Precinct applied to 25 Peterborough Street and 87-93 Victoria Street and update the planning maps accordingly.	<b>Reject</b>
S150.11	Terri Winder for Ceres New Zealand	Seek Amendment	Amend 15.11.2.11 [Central City height built form standards for a range of Qualifying Matters] to add an exemption which states that clauses ii to vi of Standard 15.11.2.11a. do not apply to any site containing a significant heritage item.	<b>Reject</b>
S150.12	Terri Winder for Ceres New Zealand	Seek Amendment	Amend Rule 15.11.2.12 [Central City rule 15.11.2.12 Maximum road wall height] to include an exemption which states that clause a. does not apply to any site containing a significant heritage item.	<b>Reject</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
S150.13	Terri Winder for Ceres New Zealand	Seek Amendment	Amend Rule 15.11.2.14 [Central City rule 15.11.2.14 Building tower setbacks] to include an exemption which states that clause a. does not apply to any site containing a significant heritage item.	<b>Reject</b>
S150.14	Terri Winder for Ceres New Zealand	Seek Amendment	Amend Rule 15.11.2.15 [Central City rule Maximum building tower dimension and building tower coverage] to include an exemption which states that clause a. does not apply to any site containing a significant heritage item.	<b>Reject</b>
S150.15	Terri Winder for Ceres New Zealand	Seek Amendment	Amend Rule 15.11.2.16 [Central City rule 15.11.2.16 Minimum building tower separation] to include an exemption which states that clause a) does not apply to any site containing a significant heritage item.	<b>Reject</b>
S150.16	Terri Winder for Ceres New Zealand	Seek Amendment	Create a new schedule to identify significantly damaged heritage items which face significant	<b>Reject</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
			<p>challenges to their ongoing restoration and economic reuse.</p> <p>The list is narrow, is likely to extend to no more than a dozen or so buildings, and could include the following: Victoria Mansions, Peterborough Centre, Harley Chambers (Cambridge Tce), Englefield House (Fitzgerald Ave), Empire Hotel (Norwich Quay), Daresbury (Daresbury Lane), and the Dux/ Student Union building at the Arts Centre.</p>	
S150.17	Terri Winder for Ceres New Zealand	Seek Amendment	Add new Policy that better reflects and recognises significantly damaged heritage items which face significant challenges to their repair and reuse.	<b>Reject</b>
S150.18	Terri Winder for Ceres New Zealand	Seek Amendment	Add new activity (RD9) to the rule[s] for the repair, restoration, reconstruction, or alteration of a heritage item identified in the new schedule [for significantly damaged heritage items].	<b>Reject</b>
S150.19	Terri Winder for Ceres New Zealand	Seek Amendment	Add new activity (RD10) to the rule[s] for the demolition of a heritage item identified in the new schedule [for significantly damaged heritage items].	<b>Reject</b>
S150.20	Terri Winder for Ceres New Zealand	Seek Amendment	Add a new Matter of Discretion [for significantly damaged heritage items] relating to the provision of a heritage restoration assessment or a heritage demolition assessment (the latter being applicable if the heritage item is to be demolished); engineering and Quantity Surveying evidence;	<b>Reject</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
			photographic records; and a deconstruction salvage plan.	
S150.21	Terri Winder for Ceres New Zealand	Oppose	Delete the proposed changes to Rule 9.3.4.1.1 (P9) [replacement of structures in heritage settings].	<b>Reject</b>
S150.22	Terri Winder for Ceres New Zealand	Oppose	[Retain] P11 [operative rule 9.3.4.1.1 P11 Reconstruction and Restoration]. <del>regarding works to monuments in church graveyards, and in cemeteries that are listed in Appendix 9.3.7.2.</del>	<b>Reject</b>
S150.23	Terri Winder for Ceres New Zealand	Oppose	[Retain] P12, [operative rule 9.3.4.1.1 P12 temporary lifting] <del>regarding the demolition or relocation of a neutral building or intrusive building.</del>	<b>Reject</b>
S150.24	Terri Winder for Ceres New Zealand	Oppose	[Retain] Matter of Discretion 9.3.6.1 a. – [Heritage items and heritage settings (operative) a.]	<b>Reject</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
S152.1 S152.2	Papanui Heritage Group	Oppose	Opposed to the High Density Residential Zone extending into the residential streets of Papanui and seek that it is greatly reduced and excludes the following streets - St James Avenue, Windermere Road, Gambia Street, Dormer Street, Perry Street, Halton Street, Paparoa Street, Rayburn Avenue and Tomes Road.	<b>Reject</b>
S188.15	Riccarton Bush - Kilmarnock Residents' Association	Seek Amendment	[That] Jane Deans Close retain[s] its current zoning of Residential Suburban Density Transition [RSDT] [instead of HRZ]	<b>Reject</b>
S193	Heritage New Zealand Pouhere Taonga	Support	Strongly supports the proposed strengthening of heritage provisions. [No submission point, see submission p. 2, paragraph 11].	<b>Accept</b>
S193	Heritage New Zealand Pouhere Taonga	Support	Notes that Council's advisory role in relation to private owners' compliance with the archaeological provisions of the Heritage New Zealand Pouhere Taonga Act 2014 is likely to increase with intensification [No submission point – see submission p. 2, paragraph 13].	<b>Accept</b>
S193	Heritage New Zealand Pouhere Taonga	Support	Supports mechanisms for addressing the ongoing issue of 'demolition by neglect' [No submission point – see submission p. 2, paragraph 14].	<b>Accept</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
S193.1	Heritage New Zealand Pouhere Taonga	Support	[Retain the proposed] definition of alteration.	<b>Accept</b>
S193.4	Heritage New Zealand Pouhere Taonga	Seek Amendment	[With respect to the Heritage fabric definition]: remove [proposed clause] (b) [later fabric introduced as part of repairs, restoration or reconstruction]. [Retain final clause that excludes fabric that has been certified as non-heritage fabric.]	<b>Reject in Part/Accept in Part</b>
S193.5	Heritage New Zealand Pouhere Taonga	Support	Retain proposed definition of heritage professional	<b>Accept</b>
S193.9	Heritage New Zealand Pouhere Taonga	Support	Retain [8.9.2.1] P1 [amended activity specific standard i) for earthworks in the vicinity of heritage items and heritage settings] as proposed.	<b>Accept</b>
S193	Heritage New Zealand Pouhere Taonga	Support	Retain amendments as proposed for Policy 9.3.2.2.3 Management of scheduled historic heritage [supports the removal of 'recognising that heritage settings and Significant heritage items are potentially capable of accommodating a greater degree of change than Highly Significant heritage	<b>Accept</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
			items' in part b.i.) [No submission point – see submission Appendix 1 - page 4.]	
S193.10	Heritage New Zealand Pouhere Taonga	Support	Retain Policy 9.3.2.2.5 as proposed [Ongoing use of scheduled historic heritage.]	<b>Accept</b>
S193.11	Heritage New Zealand Pouhere Taonga	Seek Amendment	[Seeks] the addition of a new clause in [Policy] 9.3.2.2.8 [Demolition of scheduled historic heritage]: <b><u>vi. Should demolition be approved, whether the setting should be retained/rescheduled as an open space heritage item.</u></b> Retain a.ii. [as notified, the addition of 'and the heritage item would no longer meet the threshold for scheduling...'].	<b>Reject</b>
S193.12	Heritage New Zealand Pouhere Taonga	Oppose	Remov[e] [9.3.4.1.1] P8 [as notified].	<b>Reject</b>
S193.13	Heritage New Zealand Pouhere Taonga	Seek Amendment	The inclusion of] a new restricted discretionary activity [to replace rule 9.3.4.1.1. P8]: <b><u>a. Alteration, relocation or demolition of a building, structure or feature in a heritage setting, where the building, structure or feature is not individually scheduled as a heritage item.</u></b> <b><u>b. This rule does not apply to works subject to rules 9.3.4.1.3 RD1 and RD2. The Council's</u></b>	<b>Reject</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
			<u>discretion shall be limited to the following matters: 9.3.6.1 Heritage items and heritage settings.</u>	
S193.14	Heritage New Zealand Pouhere Taonga	Support	Retain [9.3.4.1.2] as proposed [deletion of C1 – C5 and proposed C1 in relation to ChristChurch Cathedral and the Citizens’ War Memorial].	<b>Accept</b>
S193.17	Heritage New Zealand Pouhere Taonga	Support	Retain as proposed [‘supports the scheduling of 44 additional heritage items and 26 additional interiors for protection...’]. ‘Supports the simplified method of protecting interiors.’]	<b>Accept</b>
S193.20	Heritage New Zealand Pouhere Taonga	Support	Retain [15.11.1.3] RD11 as proposed [Any building that does not meet Rule 15.11.2.11 (a)(ii), (iii), and (vi) in respect to all buildings on New Regent Street, the Arts Centre, and in the Central City Heritage Qualifying Matter and Precinct].	<b>Accept</b>
S193.21	Heritage New Zealand Pouhere Taonga	Support	Retain all existing heritage items, settings, and features as a Qualifying Matter.	<b>Accept</b>
S193.22	Heritage New Zealand Pouhere Taonga	Support	Retain [activity] P1 as proposed [removal of activity specific standard a.ii. in 9.3.4.1.1 P1 Maintenance].	<b>Accept</b>



Submission No.	Submitter	Position	Decision Requested	Recommendation
S193.23	Heritage New Zealand Pouhere Taonga	Support	Retain [activity 9.3.4.1.1] P2 [Repairs] as proposed.	<b>Accept</b>
S193.28	Heritage New Zealand Pouhere Taonga	Seek Amendment	Amend column heading [in Appendix 9.3.7.2 Schedule of Historic Heritage Items] to remove reference to registration: <b><u>Heritage NZ Pouhere Taonga Heritage List number &amp; registration type</u></b>	<b>Accept</b>
S193.29	Heritage New Zealand Pouhere Taonga	Seek Amendment	Amend Item 1401 [entry for Former Public Trust Office] to include list number and category: [ <u>Heritage NZ Pouhere Taonga Heritage List number &amp; type</u> ] <b><u>3128 Category 2</u></b>	<b>Accept</b>
S193.30	Heritage New Zealand Pouhere Taonga	Seek Amendment	Amend Setting Map 629 to show the current location of Heritage Item 107 [Citizens' War Memorial and Setting].	<b>Accept</b>
S206.1 S206.2 S206.3	Emma Wheeler	Seek Amendment	Removing St James Avenue and Windermere Road from the intensification plan.	<b>Reject</b>
S225.5 S225.6	Michael Dore	Seek Amendment	The History, Character and Heritage of our City of Christchurch should be protected at all costs.	<b>Reject</b>
S306.1 S306.4	Matty Lovell	Seek Amendment	[That] St James Avenue, Papanui [is not zoned] High Density Residential.	<b>Reject</b>
S306.3	Matty Lovell	Seek Amendment	[That] St James Avenue, Papanui [retains its existing zoning].	<b>Reject</b>


Submission No.	Submitter	Position	Decision Requested	Recommendation
S329.1 S329.2	Dominic Mahoney	Seek Amendment	Retain [operative] Residential Suburban zoning on Perry Street [Merivale], [adjoining Papanui War Memorial Avenues proposed heritage item #1459].	<b>Reject</b>
S329.3 S329.4	Dominic Mahoney	Seek Amendment	[That] four streets (St James, Windermere, Dormer and Perry) [are given heritage protection recognised as a Residential Heritage Area] [adjoining Papanui War Memorial Avenues proposed heritage item #1459].	<b>Reject</b>
S402.1 S402.2 S402.5 S402.9 S1037.1 S1037.2	Justin Avi	Seek Amendment	Remove Antonio Hall (265 Riccarton Road) from the heritage list [Appendix 9.3.7.2].	<b>Accept in part</b>
S459.1	Joseph Bray	Support	[Seeking] that the council passes all proposed amendments to PC13 and PC14.	<b>Accept</b>
S636.3	Rod Corbett	Seek Amendment	The submitter requests that the existing War Memorial within the Jane Deans Close cul-de-sac be preserved as a heritage item in memory of the members of the NZ 20th Battalion & 20th Regiment who lost their lives in support of New Zealand's freedom.	<b>Reject</b>
S683.2	Dot Fahey	Oppose	Oppose high density zoning in area around St Peter's Church [Upper Riccarton] and Ballantyne Avenue Cycle route.	<b>Reject</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
S689.18	Environment Canterbury / Canterbury Regional Council	Support	[Retain Sub-Chapter 9.3 as notified]	<b>Support</b>
S709.1	Philippa Tucker	Seek Amendment	Amend the schedule of heritage items [Appendix 9.3.7.2 - Papanui War Memorial Avenues proposed heritage item #1459] to include the street, housing, trees, plaques [on Windermere Road].	<b>Reject</b>
S709.2	Philippa Tucker	Seek Amendment	Seek amendment to [planning map] heritage layer for [outline of Papanui] War Memorial [Avenues heritage item #1459] Heritage Protection for Windermere Road.	<b>Reject</b>
S709.4	Philippa Tucker	Oppose	That the northwest side of Windermere Road is not zoned Medium Density Residential.	<b>Reject</b>
S709.5	Philippa Tucker	Oppose	That the northeast side of Windermere Road is not zoned High Density Residential.	<b>Reject</b>
S709.6	Philippa Tucker	Seek Amendment	[That Windermere Road retains the operative Residential Suburban zoning].	<b>Reject</b>
S734.3 S734.4	Marie Byrne	Seek Amendment	[Seek] adding an interface between heritage properties and residential areas.	<b>Reject</b>
S749.7	Luke Hinchey, for Ryman	Not Stated	Seeks to ensure that the amendments to [heritage provisions are] not more restrictive than the operative District Plan as it applies to 78 Park	<b>Reject</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
	Healthcare Ltd		Terrace, 100-104 Park Terrace and 20 Dorset Street [and do not conflict with the consented proposal for the site].	
S762.39 S762.45	Daniel Crooks for New Zealand Institute of Architects Canterbury Branch	Seek Amendment	[T]hat the Victoria Street [height] overlay is [extended] to also include the section between Kilmore Street and Chester Street West.	<b>Reject (based on amended CCZ height proposal)</b> <b>Accept (if CCZ height decided as notified)</b>
S765.1	Margaret Howley	Oppose	Oppose MRZ and any intensification of housing in Papanui streets which include the Papanui WWII Memorial Plantings.	<b>Reject</b>
S765.2	Margaret Howley	Support	Supports the qualifying matter for heritage overlay for the Papanui WWII Memorial Plantings.	<b>Support</b>
S765.3	Margaret Howley	Support	Supports the scheduling of heritage items for the Papanui WWII Memorial Planting.	<b>Support</b>
S814.105	Carter Group Limited	Seek Amendment	Delete Heritage Item 390 and Heritage Setting 287 at 32 Armagh Street from Appendix 9.3.7.2.	<b>Reject</b>
S814. (no submission point, see paragraph 21-23)	Carter Group Limited	Seek Amendment	Amend heritage setting 336 for New Regent Street heritage item 404 in Appendix 9.3.7.2 so that northern extent of the setting ends at the southernmost point of Armagh Street.	<b>Reject</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
S814.3	Carter Group Limited	Oppose	Oppose the [notified] definition of Alteration. [Retain operative] definition.	<b>Reject</b>
S814.12	Carter Group Limited	Oppose	Oppose the [notified] definition of Demolition. Seek that the [operative] definition is retained.	<b>Reject</b>
S814.22	Carter Group Limited	Oppose	Oppose [notified] definition of Heritage setting. Seek that the [operative] definition is retained.	<b>Reject</b>
S814.23	Carter Group Limited	Support	Retain the definition for Heritage Building Code works as notified.	<b>Accept</b>
S814.30	Carter Group Limited	Support	Retain the definition of Reconstruction as notified.	<b>Accept</b>
S814.31	Carter Group Limited	Oppose	Oppose the [notified] definition of Relocation. Seek that the [operative] definition is retained.	<b>Reject</b>
S814.32	Carter Group Limited	Support	Retain the definition for Repairs as notified.	<b>Accept</b>
S814.34	Carter Group Limited	Support	Retain the definition for Restoration as notified.	<b>Accept</b>
S814.93	Carter Group Limited	Support	Retain the Rules in 8.9 as notified [Earthworks standard for heritage items and settings].	<b>Accept</b>
S814.95	Carter Group Limited	Oppose	Oppose Policy 9.3.2.2.3 [Management of scheduled historic heritage]. Seek that the [operative] policy is retained.	<b>Reject</b>
S814.97	Carter Group Limited	Oppose	Oppose Policy 9.3.2.2.8 [Demolition of heritage items]. Seek that the [operative] policy is retained.	<b>Reject</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
S814.100	Carter Group Limited	Oppose	Oppose 9.3.6.1(a). Seek that the [operative] (a) is retained [Matters of discretion - Heritage items and heritage settings relating to the Canterbury earthquakes of 2010 and 2011].	<b>Reject</b>
S814.107	Carter Group Limited	Oppose	Oppose 9.3.7.4 [changes to Appendix - Heritage item and heritage setting exemptions from zone rules]. Seek that the [operative] Appendix is retained.	<b>Reject</b>
S814.185	Carter Group Limited	Seek Amendment	[15.2.4.1 - Policy - Scale and form of development] Delete the amendments to clause (a) of the policy. Adopt the amendments to clause (b) of the policy.	<b>Reject</b> (in relation to a. iv. New Regent Street height overlay and interface, and a. v. the Arts Centre height overlay and interface)
S814.201	Carter Group Limited	Oppose	Oppose 15.11.1.3 RD11 [New Regent Street and Arts Centre Central City Heritage Qualifying Matter]. Seek that this be deleted.	<b>Reject</b> (in relation to a. ii., iii, vi)
S814.205	Carter Group Limited	Oppose	Oppose Rule 15.11.2.11. Seek that this be deleted. [City Centre Building height rule -ii., iii, vi. relate to New Regent Street and Arts Centre height overlay and Central City Heritage Qualifying Matter interface]. [The submission seeks alternative relief - at minimum removal of Central City Heritage interface from the block bounded by Oxford Terrace, Manchester Street, Armagh Street, and Colombo Street, or remove the Heritage interface relating to New Regent Street.]	<b>Reject</b> (in relation to a. ii., iii, vi)

Submission No.	Submitter	Position	Decision Requested	Recommendation
S818.1	Anita Collie, for Malaghans Investments Ltd	Seek Amendment	<p>[That the Central City Heritage Qualifying Matter and Precinct (interface) for New Regent Street is extended to cover the area shown in blue in Figure 2 - to include the blocks bounded by Gloucester Street, Manchester Street, Oxford Terrace, and Colombo Street, and including the properties to the east of Manchester Street at 200 Armagh Street and 185 Gloucester Street]:</p>  <p><b>Figure 2:</b> Area to be included in height limit restriction coloured in blue (Plan Change Map CCC).</p>	<b>Reject</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
S818.2	Anita Collie, for Malaghans Investments Ltd	Support	[Retain operative heritage protection for New Regent Street Shops and Setting, item 404].	<b>Accept</b>
S818.3	Anita Collie, for Malaghans Investments Ltd	Seek Amendment	[T]hat the [permitted] building height for the properties bound by Gloucester, Manchester, Oxford [Terrace] and Col[o]mbo streets [within the Central City Heritage Qualifying Matter and Precinct (interface) for New Regent Street] be a maximum of no more than 3 stories in height above ground [Rule 15.11.2.11 a. vi].	<b>Reject</b>
S818.4	Anita Collie, for Malaghans Investments Ltd	Seek Amendment	[That a new NC rule is added] for a height breach within the area bound by Gloucester, Manchester, Oxford [Terrace] and Col[o]mbo streets [within the Central City Heritage Qualifying Matter and Precinct (interface) for New Regent Street].	<b>Reject</b>
S818.5	Anita Collie, for Malaghans Investments Ltd	Seek Amendment	<p>[New objective and policy/ies sought for the Central City Heritage Interface Overlay] that requires:</p> <ul style="list-style-type: none"> <li>• avoidance of any buildings over the [suggested 3 storey] height limit;</li> <li>• avoidance of the loss of sunlight within all areas of the New Regent Street Precinct;</li> </ul>	<b>Accept in part/Reject in part</b>



Submission No.	Submitter	Position	Decision Requested	Recommendation
			<ul style="list-style-type: none"> <li>• that any new building must be designed to at least maintain current levels of access to sunlight;</li> <li>• the design for the site redevelopment to protect the heritage values of New Regent Street and to incorporate positive design features to accentuate the heritage precinct, rather than turn its back to it.</li> </ul>	
S823.3	The Catholic Diocese of Christchurch	Oppose	Definition of 'Alteration'. Retain status quo.	<b>Reject</b>
S823.12	The Catholic Diocese of Christchurch	Oppose	Definition 'Demolition'. Retain status quo.	<b>Reject</b>
S823.26	The Catholic Diocese of Christchurch	Support	Definition 'Reconstruction'. Retain as proposed.	<b>Accept</b>
S823.27	The Catholic Diocese of Christchurch	Oppose	Definition 'Relocation'. Retain status quo.	<b>Reject</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
S823.28	The Catholic Diocese of Christchurch	Support	Definition 'Repairs'. Retain as proposed.	<b>Accept</b>
S823.30	The Catholic Diocese of Christchurch	Support	Definition 'Restoration'. Retain as proposed.	<b>Accept</b>
S823.40	The Catholic Diocese of Christchurch	Oppose	Delete or otherwise amend Table 1 [New Regent Street and Arts Centre Central City Heritage Qualifying Matter] and the extent of Qualifying Matters in a manner consistent with the relief sought by the submitter on other provisions in PC14.	<b>Reject</b> (in relation to Central City Heritage interface overlay)
S823.86	The Catholic Diocese of Christchurch	Support	Retain as notified [earthworks standard in 8.9.2.1 P1 i), exemptions in 8.9.3 and matters of discretion 8.9.4.6].	<b>Accept</b>
S823.151	The Catholic Diocese of Christchurch	Seek Amendment	Delete the amendments to clause (a) of the policy. Adopt the amendments to clause (b) of the policy [15.2.4.1 - Policy - Scale and form of development].	<b>Reject</b> (in relation to a. iv. New Regent Street height overlay and interface, and a. v. the Arts Centre height overlay and interface)
S823.167	The Catholic Diocese of Christchurch	Oppose	Rule 15.11.1.3 RD11 - Delete [New Regent Street and Arts Centre Central City Heritage Qualifying Matter]	<b>Reject</b> (in relation to a. ii., iii, vi)

Submission No.	Submitter	Position	Decision Requested	Recommendation
S823.171	The Catholic Diocese of Christchurch	Oppose	Delete rule 15.11.2.11 in its entirety [City Centre Building height rule - ii., iii, vi. relate to New Regent Street and Arts Centre height overlay and Central City Heritage Qualifying Matter interface].	<b>Reject</b> (in relation to a. ii., iii, vi)
S823.207 S823.208 S823.235	The Catholic Diocese of Christchurch	Seek Amendment	Retain the SPS and CCMUZ zoning of the land at 136 Barbadoes Street [identified in original submission], but delete the heritage listing/outline from the planning maps.	<b>Accept</b> (deletion of heritage item outline from planning maps)
S823.214	The Catholic Diocese of Christchurch	Support	[Supports] definition of 'Heritage Building Code works'.	<b>Accept</b>
S823.215	The Catholic Diocese of Christchurch	Oppose	Delete definition of 'Heritage setting'.	<b>Reject</b>
S823.218	The Catholic Diocese of Christchurch	Oppose	Retain status quo [9.3.2.2.3 - Policy - Management of scheduled historic heritage].	<b>Reject</b>
S823.220	The Catholic Diocese of Christchurch	Oppose	Retain status quo [9.3.2.2.8 - Policy - Demolition of heritage items].	<b>Reject</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
S823.223	The Catholic Diocese of Christchurch	Oppose	Retain status quo for 9.3.6.1(a) [Matters of discretion - Heritage items and heritage settings].	<b>Reject</b>
S823.228	The Catholic Diocese of Christchurch	Seek Amendment	Delete Heritage Item 390 and Heritage Setting 287 regarding 32 Armagh Street from Appendix 9.3.7.2.	<b>Reject</b>
S823.230	The Catholic Diocese of Christchurch	Oppose	Retain status quo. [9.3.7.4 - Appendix - Heritage item and heritage setting exemptions from zone rules]	<b>Reject</b>
S823.234	The Catholic Diocese of Christchurch	Oppose	<p>Amend the planning maps applying to the land bounded by Oxford Terrace, Manchester Street, Armagh Street, and Colombo Street, as follows [map of area shown in original submission]:</p> <ul style="list-style-type: none"> <li>a. Delete the extent of the heritage setting for New Regent Street (being heritage setting 336 associated with heritage item 404 in Appendix 9.3.7.2 schedule [New Regent Street], so that it ends at the southernmost edge of Armagh Street, being where New Regent Street meets Armagh Street.</li> <li>b. Delete the Central City Heritage Interface overlay.</li> </ul>	<b>Reject</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
S825.1	Church Property Trustees	Oppose	Retain status quo [with regard to the definition of 'Alteration'].	<b>Reject</b>
S825.2	Church Property Trustees	Oppose	Retain status quo [with regard to the definition of 'Demolition'].	<b>Reject</b>
S825.3	Church Property Trustees	Oppose	Retain status quo [with regard to the definition of 'Heritage setting'].	<b>Reject</b>
S825.4	Church Property Trustees	Oppose	Retain status quo [with regard to Policy 9.3.2.2.8- Demolition of scheduled historic heritage].	<b>Reject</b>
S825.5	Church Property Trustees	Oppose	Retain status quo for 9.3.6.1(a) [Matters of discretion - Heritage items and heritage settings].	<b>Reject</b>
S825.6 S825.7	Church Property Trustees	Seek Amendment	Delete Heritage Item 465 and Heritage Setting 220 regarding 65 Riccarton Road from Appendix 9.3.7.2.	<b>Reject</b>
S825.8	Church Property Trustees	Oppose	Retain the status quo [with regard to Appendix 9.3.7.4 Heritage item and heritage setting exemptions].	<b>Reject</b>
S834.106	Kāinga Ora – Homes and Communities	Support	15.11.1.2 C2 Works at 100 Cathedral Square 15.11.1.3 RD9 Works at 100 Cathedral Square 15.11.1.3 RD11 buildings on New Regent Street,	<b>Accept</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
			the Arts Centre, and in the Central City Heritage Qualifying Matter and Precinct.  Retain sites of historic heritage items and their settings (City Centre Zone) - Cathedral Square, New Regent Street, the Arts Centre.	
S834.107	Kāinga Ora – Homes and Communities	Support	15.11.2.11 Building height in area-specific precincts  Retain sites of historic heritage items and their settings (City Centre Zone) - Cathedral Square, New Regent Street, the Arts Centre.	<b>Accept</b>
S835.1	Historic Places Canterbury	Seek Amendment	Broadly supportive of the proposed changes, however amendments are suggested in respect of buffer zones [or reduced heights] surrounding Hagley Park, Cranmer Square and Latimer Square.	<b>Accept in part/Reject in part</b>
S835.2 S835.3 S835.4 S835.5 S835.6 S835.7	Historic Places Canterbury	Support	The submitter supports all qualifying matters.	<b>Accept (heritage items QM)</b>
S835.12 S835.13 S835.14 S835.15	Historic Places Canterbury	Seek Amendment	[Strongly support the lower height limits proposed adjacent to New Regent Street, the Arts Centre and Cathedral Square.] The submitter suggests that creating a Qualifying Interface Area similar to that proposed for Riccarton Bush may be a more	<b>Accept in part/Reject in part</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
			flexible means of providing a buffer for the heritage areas of Hagley Park, Cranmer Square and Latimer Square than adjusting the height limits around them. The submitter believes that it is important that some mechanism be put in place to protect their heritage values, their open space landscape values and the view southwards from within those spaces.	
S835.19	Historic Places Canterbury	Seek Amendment	The submitter supports the proposed simplification and clarification of the rules for heritage to help make them more workable, effective and easily understood. However, the submitter is concerned that the rules around consent to demolish contain no acknowledgement of the waste generated through demolition, or the carbon retention benefits of embodied energy within buildings. It is the submitter's contention that the carbon impact of granting a demolition consent needs to be factored into the decision making process and that the rules should be amended accordingly. Owners should also be required to provide information on the cost of demolition to allow a fairer assessment of the cost to them of retaining a listed building.	<b>Accept in part</b>
S835.24	Historic Places Canterbury	Support	The submitter supports the proposed addition of sites and interiors to the heritage schedule, including the upgrading of some listings. The submitter commends the commitment of the	<b>Accept in part</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
			Council to providing interior protection for scheduled buildings and recognise that this is an ongoing process. It is pleasing that 26 interiors are proposed to be added to the schedule in this plan change. [Also seeks heritage protection of Barnett Avenue Pensioner cottages, the Upper Riccarton War Memorial Library, The Princess Margaret Hospital and the former High Court.]	
S835.25	Historic Places Canterbury	Oppose	The submitter notes that Paragraph 3.3.15 of the s. 32 Report states that the owners of Daresbury (Highly Significant) and 32 Armagh St (Significant) wish to have their buildings removed from the Heritage Schedule. The submitter is strongly opposed to this. Though 32 Armagh is only scheduled as Significant we believe it is important that this building should also be retained on the list, especially as it forms part of the Inner City West Residential Heritage Area.	<b>Accept</b>
S857.1	Bruce Neill Alexander	Seek Amendment	The submitter seeks that their property, 111 Hackthorne Road is included in the heritage schedule due to its age and history.	<b>Reject</b>
S874.1	Daresbury Ltd	Oppose	[Seeks to oppose the] [d]efinition of 'Alteration'.	<b>Reject</b>
S874.2	Daresbury Ltd	Oppose	[Seeks to oppose the] [d]efinition of 'Demolition.	<b>Reject</b>



Submission No.	Submitter	Position	Decision Requested	Recommendation
S874.3	Daresbury Ltd	Oppose	[Seeks to oppose the] [d]efinition of 'Heritage setting'.	<b>Reject</b>
S874.4	Daresbury Ltd	Support	[Seeks council retains the] [d]efinition of 'Heritage Building Code Works' [as proposed].	<b>Accept</b>
S874.5	Daresbury Ltd	Support	Seeks council to retain the [d]efinition of 'Reconstruction' as proposed.	<b>Accept</b>
S874.6	Daresbury Ltd	Oppose	[Regarding the definition of 'Relocation'] [o]pposes the deletion of the exclusions in (a) and (b).	<b>Reject</b>
S874.7	Daresbury Ltd	Support	[Seeks Council retain the proposed definition of 'repairs'.	<b>Accept</b>
S874.8	Daresbury Ltd	Support	[Seeks Council retain the proposed] definition of 'Restoration'.	<b>Accept</b>
S874.9	Daresbury Ltd	Support	Seeks Council retains the '8.9-Rules - Earthworks' as proposed.	<b>Accept</b>
S874.10	Daresbury Ltd	Oppose	[Regarding Policy 9.3.2.2.3 - Management of Scheduled Historic Heritage] seeks to oppose the amendments to clause (a)(ii) of this policy.	<b>Reject</b>
S874.11	Daresbury Ltd	Oppose	[Regarding Policy 9.3.2.2.8 - Demolition of scheduled historic heritage] seeks to oppose the changes to clause (a)(ii) of this policy.	<b>Reject</b>

<b>Submission No.</b>	<b>Submitter</b>	<b>Position</b>	<b>Decision Requested</b>	<b>Recommendation</b>
S874.12	Daresbury Ltd	Oppose	[Regarding Rule 9.3.4.1.1 (P9)] seeks to oppose the deletion of P9.	<b>Reject</b>
S874.13	Daresbury Ltd	Oppose	[Seeks to oppose the proposed changes to] 'Matters of discretion 9.3.6.1(a)'.]	<b>Reject</b>
S874.14	Daresbury Ltd	Seek Amendment	[Seeks that Council] deletes Heritage Item 185 and Heritage setting 602 over Daresbury [9 Daresbury Lane] from Appendix 9.3.7.2.	<b>Reject</b>
S874.15	Daresbury Ltd	Oppose	[Seeks to oppose the changes proposed to Appendix 9.3.7.4].	<b>Reject</b>
S886.3	Helen Broughton	Oppose	Oppose [proposed zoning] for Matai Street, [and] Christchurch Boys' High School [on] Straven [Road], Riccarton.	<b>Reject</b>
S902 (no submission point, see submission para 3.42)	Waipuna Halswell-Hornby-Riccarton Community Board	Oppose	[Oppose high density zoning in area around St Peter's Church, Upper Riccarton.]	<b>Reject</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
S902.33 S1090.5	Waipuna Halswell- Hornby- Riccarton Community Board	Seek Amendment	[That the] war memorial statue on Jane Deans Close Cul -de- Sac [is] recognised as a Heritage Item.	<b>Reject</b>
S903.46 FS2066	Danne Mora Limited	Seek Amendment	[Amend] heritage setting [of Spreydon Lodge as agreed with Council Heritage staff - Council submission S751.39, Attachment 6] [].	<b>Accept</b>
S908.1	Christchurch Civic Trust	Seek Amendment	[Seeks that] Hagley Park be included in PC14 as a Qualifying Matter.	<b>Reject</b>
S1004.3 S1004.4	Sally Dixon	Oppose	Oppose intensification on Windermere Rd and St James Avenue [adjoining Papanui War Memorial Avenue heritage item #1459].	<b>Reject</b>
S1012.1	John Hardie On Behalf Of JG & JL Hardie Family Trust	Oppose	The submitter opposes the inclusion of [the heritage setting] of 47 Rue Balguerue under Qualifying Matters.	<b>N/A (PC13 only – see Out of Scope Submissions section 7.2)</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
S1012.2	John Hardie On Behalf Of JG & JL Hardie Family Trust	Seek Amendment	47 Rue Balguerie Akaroa [interior] should be removed from [not be included in] the heritage schedule.	<b>N/A (PC13 only – see Out of Scope Submissions section 7.2)</b>
S1019.1	Julie Florkowski	Oppose	Supports the Residential Heritage Areas of Otautahi, Christchurch (specifically Alpha Avenue)[opposes intensification in Papanui War Memorial Avenues proposed heritage item 1459].	<b>Accept in part/Reject in part</b>
S1020.1	Chris Florkowski	Oppose	Support the 16 Papanui War Memorial Avenues including Alpha Avenue [which] have been accorded 'highly significant' status [opposes intensification in Papanui War Memorial Avenues proposed heritage item #1459].	<b>Accept in part/Reject in part</b>
S1021.1	Matty Lovell	Support	[General support for heritage topic].	<b>Accept</b>
S1021.2	Matty Lovell	Support	[Supports heritage protection of the street, trees and plaques in St James Avenue - Papanui War Memorial Avenues, proposed heritage item #1459].	<b>Accept in part/Reject in part</b>
S1029.1	Tom Reece	Seek Amendment	Change the CCC policy for funding the restoration of historic property so the criteria for funding is based on value to its historic nature (the 'worth' of the building in its own right) [specifically in relation to Former Kukupa Side School, 380 Pettigrews Road, Pigeon Bay [operative heritage item 1209].	<b>N/A (PC13 only – see Out of Scope Submissions section 7.2)</b>
S1035.1	Ben Hay- Smith	Oppose	Oppose heritage overlay to 9 Ford Road, Opawa, 129 High Street, Christchurch, 159 Manchester	<b>Reject</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
S1035.2			Street, Christchurch, 35 Rata Street, Riccarton and the 25 baches at Taylor's Mistake.	
S1035.3	Ben Hay-Smith	Seek Amendment	Seeks that heritage regulation should be accompanied by some sort of guarantee that a building or area of significance will actually receive the requisite funding to keep it in a good condition.	<b>Reject</b>
S1038.2	Peter Earl	Oppose	The submitter opposes the scheduling of heritage buildings in Plan Change 14 [Appendix 9.3.7.2].	<b>Reject</b>
S1041.1 S1041.2 S1041.3	Ruth Morrison On Behalf Of Morrison Family	Seek Amendment	Keep the area around Paparoa St, Dormer St, Rayburn Ave and Perry St as heritage area.	<b>Reject</b>
S1043.1	Cameron Parsonson	Seek Amendment	Remove 471 ferry road from the schedule of [] heritage buildings.	<b>Accept</b>
S1044.1	Paul Scott	Oppose	Oppose HRZ along St James Avenue, Papanui [and other Papanui War Memorial Avenues [proposed heritage item #1459].	<b>Reject</b>
S1045.1	Ross Boswell	Seek Amendment	The submitter requests that Council add the memorial in Jane Deans Close to the list of recognised heritage sites.	<b>Reject</b>
S1050.1	Defyd Williams, for Papanui	Oppose	Oppose the HRZ zoning for Memorial Avenues [Papanui War Memorial Avenues heritage item 1459] (St James Avenue, Dormer, Perry Street,	<b>Reject</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
	Heritage Group		Gambia Street, Halton Street, Tomes Road, and one [northeast] side of Windermere Road) [and adjoining streets Paparoa Street and Rayburn Avenue].	
1050.2	Defyd Williams, for Papanui Heritage Group	Support	Support the scheduling of the sixteen (we believe fifteen Papanui Memorial Avenues, plus Tillman Avenue), to the District Plan's Schedule of Significant Historic Heritage for protection.	<b>Accept</b>
S1051.1	Sarah Smith	Seek Amendment	The submitter requests that the historic Kukupa school building is added to the heritage schedule [operative heritage item 1209, Former Kukupa Side School, 380 Pettigrews Road, Pigeon Bay is restored along with the grounds, and there is no change of use to accommodation].	<b>N/A (PC13 only – see Out of Scope Submissions section 7.2)</b>
S1055.1	Anita Collie, for The Rannerdale Trust	Seek Amendment	Seek [to] change the extent of the heritage [setting] surrounding Stevenholm[e] (also known as Rannerdale House []) [heritage item #234] to reflect the recent subdivision of the wider property (RMA/2022/3600).	<b>Reject</b>
1055.2	Anita Collie, for The Rannerdale Trust	Seek Amendment	Seek removal of the vehicle access from Suva Street, driveway and parking areas from within the heritage setting boundary.	<b>Reject</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
S1056.1	Anita Collie On Behalf Of Mitre Hotel Holdings Limited	Seek Amendment	The deletion of heritage item 1060 Mitre Hotel and Setting – 40 Norwich Quay, Lyttelton from the District Plan through Plan Change 13 [and 14].	<b>Reject</b>
S1059.1	The Canterbury Jockey Club	Support	Retain the deletion of Heritage Setting 183 [in relation to the Riccarton Racecourse Public Grandstand] from the Heritage Items and Settings Aerial Maps and Natural and Cultural Heritage Planning Map 30C as notified.	<b>Accept</b>
S1059.2	The Canterbury Jockey Club	Seek Amendment	Amend Heritage Setting 684 [Riccarteron Racecourse Tea House] as shown on the Heritage Items and Settings Aerial Maps and Natural and Cultural Heritage Planning Map 30C.	<b>Accept in part/Reject in Part</b>
1059.3	The Canterbury Jockey Club	Support	Retain the deletion of Heritage Item 453 [Riccarteron Racecourse Public Grandstand] from Appendix 9.3.7.2 Schedule of Significant Historic Heritage Items as notified.	<b>Accept</b>
S1065.1	Graham Robinson	Seek Amendment	The submitter requests that the Teddington Lockup (153 Governor's Bay-Teddington Road) should be scheduled as a heritage item in the District Plan [Appendix 9.3.7.2], for its high heritage values.	<b>N/A PC13 only – see Out of Scope Submissions section 7.2</b>
S1067.1	Catherine Elvidge	Seek Amendment	The submitter seeks that the 16 Papanui War Memorial Avenues not be listed as a heritage item in Appendix 9.3.7.2 [proposed heritage item #1459]. Alternatively they seek that:	<b>Accept in part/Reject in Part</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
			<ul style="list-style-type: none"> <li>- The listing be amended to include the specific aspects of the streets which comprise the item [original and mature trees].</li> <li>- The plaques not be included in the listing.</li> <li>- A street-by-street assessment of each street be undertaken and only trees from the original memorial planting or others of significant landscape value be listed.</li> <li>- The trees be included in sub-chapter 9.4 Significant and other trees, rule 9.4.1.1 P6 and P12, instead of sub-chapter 9.3 Historic heritage.</li> </ul> <p>[The standard for earthworks within 5 metres of the heritage item should not apply to the plaques rule 8.9.2.1 P1 i)/8.9.2.3 RD1].</p>	<b>See Out of Scope Submissions section 7.2</b>
S1070.1	Danny Whiting	Seek Amendment	Reduce the spatial extent of the heritage setting 423 (for heritage item 209 at 27 Glandovey Road) [Appendix 9.3.7.2] so as to exclude 7 and 9 Thornycroft Street.	<b>Accept</b>
S1070.2	Danny Whiting	Oppose	Delete/reject proposed amendments to [heritage] definitions, policies, rules and assessment matters [where they are less enabling] and retain the status quo in respect of these provisions [especially where these are inconsistent with Strategic Objective 3.3.1, 3.3.2 and Historic Heritage Objective 9.3.2.1.1.]	<b>Reject</b>



Submission No.	Submitter	Position	Decision Requested	Recommendation
S1071.1	Richard Peebles, for Peebles Group Ltd	Oppose	Delete/reject proposed amendments to [heritage] definitions, policies, rules and assessment matters [where they are less enabling] and retain the status quo in respect of these provisions [especially where these are inconsistent with Strategic Objective 3.3.1, 3.3.2 and Historic Heritage Objective 9.3.2.1.1.]	<b>Reject</b>
S1072.1 S1072.2	Richard and Suzanne Peebles	Seek Amendment	Reduce the spatial extent of the heritage setting 423 (for heritage item 209 at 27 Glandovey Road) [Appendix 9.3.7.2] so as to exclude 7 and 9 Thornycroft Street.	<b>Accept</b>
S1072.3	Richard and Suzanne Peebles	Oppose	Delete/reject proposed amendments to [heritage] definitions, policies, rules and assessment matters [where they are less enabling] and retain the status quo in respect of these provisions [especially where these are inconsistent with Strategic Objective 3.3.1, 3.3.2 and Historic Heritage Objective 9.3.2.1.1.]	<b>Reject</b>
S1073.1	Richard Peebles, for 181 High Ltd	Seek Amendment	Reduce the spatial extent of the heritage setting 555 [Former AJ Whites building, Appendix 9.3.7.2] as proposed on Aerial map reference 693 [and 642], for Heritage item number 1313 so that it is coincidental to the extent of the heritage item.	<b>Reject</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
S1073.2	Richard Peebles, for 181 High Ltd	Seek Amendment	Delete/reject proposed amendments to [heritage] definitions, policies, rules and assessment matters [where they are less enabling] and retain the status quo in respect of these provisions [especially where these are inconsistent with Strategic Objective 3.3.1, 3.3.2 and Historic Heritage Objective 9.3.2.1.1.]	<b>Reject</b>
S1074.1	James David Bundy	Seek Amendment	The submitter requests the following buildings be added to the heritage schedule [Appendix 9.3.7.2]: - Burnside Stable at 79 Bamfords Road, Allandale - Lockup at Allandale on Council reserve [153 Governors Bay-Teddington Road].	<b>N/A PC13 only – see Out of Scope Submissions section 7.2</b>
S1075.5	Diana Shand	Oppose	Seeks that the Commercial use be confined to Oxford Terrace and that the Medium Density Zone should extend south from 59 Gloucester Street in a direct line south to the River at 75 Cambridge Terrace, displacing the Mixed Use Zone [on basis of the heritage values of the Arts Centre and dwellings. Proposed zoning of these blocks is HRZ in part of the block on the north side of Gloucester Street and otherwise City Centre zone.]	<b>Reject</b>
S1077.3	Callum Ward, for Waihoru Spreydon-	Support	Supports the inclusion [as notified] of the following properties to the Heritage Schedule [Appendix 9.3.7.2]:	<b>Accept</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
	Cashmere-Heathcote Community Board		<ul style="list-style-type: none"> <li>- The Tuberculosis Sanatorium Shelter Hut in Coronation Reserve, Huntsbury [29 Major Aitken Drive, 1456]</li> <li>- The modernist dwelling on [9] Ford Rd, Opawa [1439]</li> <li>- Sydenham Cemetery on Roker St, Somerfield [1443]</li> <li>- Somerfield War Memorial Community Centre and Setting, on [47] Studholme St, Somerfield [#1444]</li> <li>- 25 baches at Taylors Mistake and their settings.</li> </ul>	
S1085.1 S1085.2	Duncans Lane Limited	Oppose	Retain the existing spatial extent of the heritage item and setting for the Duncan's Buildings as shown on Aerial map reference 693, Heritage item number 1432, heritage setting number 604.	<b>Reject</b>
S1085.3	Duncans Lane Limited	Oppose	Delete/reject proposed amendments to [heritage] definitions, policies, rules and assessment matters [where they are less enabling] and retain the status quo in respect of these provisions [especially where these are inconsistent with Strategic Objective 3.3.1, 3.3.2 and Historic Heritage Objective 9.3.2.1.1.]	<b>Reject</b>
S1089.1	Christchurch Civic Trust	Support	Support Qualifying Matter Heritage.	<b>Accept</b>
S1089.4	Christchurch Civic Trust	Seek Amendment	Include Upper Riccarton War Memorial Library in the Schedule of Heritage buildings.	<b>Reject</b>

<b>Submission No.</b>	<b>Submitter</b>	<b>Position</b>	<b>Decision Requested</b>	<b>Recommendation</b>
S1089.5	Christchurch Civic Trust	Seek Amendment	Include Princess Margaret Hospital buildings and site in the Schedule of Heritage buildings.	<b>Reject</b>
S1089.6	Christchurch Civic Trust	Oppose	Include Daresbury House in the Schedule of Heritage buildings [oppose removal].	<b>Accept</b>
S1089.7	Christchurch Civic Trust	Oppose (removal) [Support]	Include Englefield Lodge in the Schedule of Heritage buildings.	<b>Accept</b>
S1089.8	Christchurch Civic Trust	Seek Amendment	Include Barnett Avenue Pensioner Cottages in the Schedule of Heritage buildings.	<b>Reject</b>
S1089.9	Christchurch Civic Trust	Seek Amendment	Amend Assessment Criteria for the demolition of Heritage Buildings to include an energy consumption and emissions 'whole of life' audit be undertaken for building projects to establish costs to the environment of energy consumption and CO2 emissions.	<b>Reject</b>
S1089.10	Christchurch Civic Trust	Seek Amendment	Amend Assessment Criteria for building beside heritage items such as Hagley Park.	<b>Reject</b>
S1092.1	Wynn Williams for Cambridge 137 Limited	Oppose	Opposes listing of 137 Cambridge Terrace (Harley Chambers) [seeks removal from the planning maps].	<b>Reject</b>
S1092.2	Wynn Williams for Cambridge 137 Limited	Oppose	Delete within Appendix 9.3.7.2 'Schedule of Significant Historic Heritage' reference to the Heritage Listing (Building and Setting) for 137 Cambridge Terrace 'Commercial Building and	<b>Reject</b>

Submission No.	Submitter	Position	Decision Requested	Recommendation
			Setting, Harley Chambers' Item No 78 and Setting No 309.	
S1092.3	Wynn Williams for Cambridge 137 Limited	Seek Amendment	Delete changes to Rule 9.3.4.1.1 (P9) and proposed deletion of P11 and P12.	<b>Reject</b>
S1092.4	Wynn Williams for Cambridge 137 Limited	Oppose	[Oppose deletion of] Matter of Discretion 9.3.6.1[a] [].	<b>Reject</b>