

Vicki Jones for QLDC – Summary of Evidence, 24 June 2016

Chapter 26 - Historic heritage – Hearing Stream 3

1. While the structure of the notified Historic Heritage Chapter remains largely unchanged, I have recommended relatively significant changes to the provisions themselves. The focus of the changes has been on providing stronger, more directive policies; reducing ambiguity and improving for enforceability and certainty of the rules; defining the various heritage categories; providing evaluation criteria; and amending the inventory of protected features (**Inventory**) to ensure it is as accurate and clear as possible and in response to the expert evidence of Mr Richard Knott. Various consequential changes have also been made to the planning maps.
2. More specifically:
 - a. The objectives are re-phrased as outcome statements and a number of new policies are introduced to provide stronger and more detailed direction;
 - b. The amended rules:
 - (i) introduce separate rules for total and substantial demolition, with different activity statuses and/or policies applying to each;
 - (ii) define the term 'heritage fabric or characteristics' in order to improve certainty;
 - (iii) no longer include rules relating to subdivision; recommending instead that such rules reside in the Subdivision chapter;
 - (iv) provide a more appropriate definition of 'setting', provide greater clarity as to what constitutes 'development' and, where possible, 'extents of place' are included in the Inventory;
 - (v) relating to heritage precincts are reformatted to be clearer, the statements of significance and key features are referred to in the rules and policies, and the all-encompassing development rule has been deleted;
 - (vi) relating to archaeological sites are more workable, clearly applying only to those sites listed in the PDP and no longer relying on obtaining an Authority prior to applying for resource consent; and

- (vii) relating to heritage landscapes have been refined and no longer include an all-encompassing development rule.
- c. The categories of some items in the Inventory have been amended and new features and archaeological sites added where sufficient information existed to enable Mr Knott to undertake a well-informed peer review. Three features have been removed. One because it no longer exists, another because it is more appropriately listed as an archaeological site, and another because it is in the Plan Change 50 area and is therefore now not part of Stage 1 of the District Plan review (with the Operative District Plan (ODP) provisions continuing to be applicable for that defined area). For completeness and consistency with Appendix 2 of the s 42A report, paragraph 21.9 of the s 42A report should also recommend that 13, 15 Stanley Street not be listed in the Inventory due to a lack of information supporting such a listing.
3. Subject to incorporating a number of the specific changes suggested in submitters' evidence, as I shortly turn to, I consider that the amended provisions as recommended in my evidence are the most appropriate way to protect historic heritage while enabling and encouraging ongoing use and appropriate adaptation.
4. I accept Ms Jane O'Dea's¹ recommended amendments to the rules relating to archaeological sites (26.6 - table 5), as outlined in her paragraphs 13.8, 13.11, and 13.13. I consider these are an improvement on those recommended in the s 42A report. I note that it is beyond scope to amend Chapter 21 (signage) in the manner Ms O'Dea suggests as that chapter has not been notified in Stage 1 of the PDP.
5. Based on the commentary in Mr Carey Vivian's evidence² regarding the inconsistency between the earthworks definitions of the ODP and PDP (paragraphs 4.81 - 4.85) I agree that it may be necessary to exclude mining from the earthworks rule (26.6.21). Regarding Mr Vivian's suggestion in paragraph 4.27, I do not favour listing all/any other relevant zones in section 26.4 of the chapter but, if the panel considered it useful, I would support potentially adding a note clarifying that the heritage rules are an overlay and not a zone and, as such, the underlying zone provisions also apply in all cases.

¹ For Heritage New Zealand Pouhere Taonga.

² For New Zealand Tungsten Mining Limited.

6. Mr Vivian considers there is scope to refer to the "key features to be protected" within Rule 26.6.21 (at his paragraph 4.77). I support this change on the merits. Furthermore, I note that the NZTML submission does not appear to be constrained to only the Glenorchy Heritage Landscape and, therefore, this and any other rule amendments stemming from this submission should apply to all heritage landscapes.