

## **Speaking notes Historic Heritage – Bryony Steven**

My name is Bryony Steven, I am a Graduate Planner in the Development Planning Unit at the Waimakariri District Council. I prepared the S42A report on the Historic Heritage chapter and I can confirm that I have read all the submissions, further submissions, submitter evidence and higher order policies. Additionally, I have undertaken some site visits as needed.

The historic heritage chapter is subject to identifying mark up as a result of variation 1. All submissions received on variation 1 are addressed in the S42A report for Variation 1 and no part of the variation is addressed within this S42A report.

To introduce the historic heritage topic, I would like to provide you with an overview of the S32 report, the submissions received, the S42A report and my recommendations in that report. Then I will go through the questions from the hearing panel and my preliminary written responses. After which, I will be happy to take questions on the S42A report.

### **Procedural issue**

Initially, I would like to highlight a further submission that I consider to be out of scope.

In section 1.5 of the S42A report, I have outlined a procedural issue in a further submission by PA Dallimore on behalf of Oxford Equity Ltd [FS117]. This further submission was made on several original submissions addressed within the S42A report. In section 1.5 I have outlined why I consider the further submission to be out of scope and within the body of the report I have discussed the further submission in greater detail in relation to the original submissions to which it relates.

As a quick summary, I consider the further submission to be out of scope as it seeks decisions and amendments to provisions that are not sought in the relevant original submissions. Schedule 1 clause 8(2) of the RMA sets out that a further submission can only support or oppose an original submission. Consequently, I did not consider the decisions sought in the further submission where those decisions were new or different to what was sought in the original submissions.

### **RMA direction for Historic Heritage**

Section 6 of the RMA provides specific direction in regard to heritage. This is section 6(f) that requires *“the protection of historic heritage from inappropriate subdivision, use, and development”* and section 6(e) that requires the recognition and provision for *“the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga”*. This national direction is carried into the Canterbury Regional Policy Statement chapter 13. The Historic Heritage chapter in the Proposed Plan gives effect to this direction, as well as other relevant higher order direction as outlined in the section 32 Report.

### **Operative plan provisions**

The Operative Plan rule framework provides for all land use activities and subdivision involving identified heritage items as a restricted discretionary activity in the first instance. The historic heritage schedule in the operative plan identifies 105 historic heritage items.

### **Key resource management issues**

In section 4 of the section 32 report, the key resource management issues for heritage are identified. these issues are as follows:

1. Activities that alter or remove historic heritage can lead to the loss of tangible connections to the community's social, cultural, and economic past and affect the District's sense of identity, as well as amenity values and the character of the environment.

2. The ability for landowners to use their property for anticipated uses whilst protecting the identified historic heritage item and its heritage values.

### **Proposed plan provisions**

The historic heritage chapter in the proposed plan includes one objective, eight policies and nine rules. The chapter includes advice notes, matters of discretion and two schedules.

There are 119 items listed on Historic Heritage Schedule 2 in the proposed plan.

In a change from the operative plan, the proposed plan establishes a range of activity status for various activities. The proposed chapter establishes two different significance categories for scheduled items and some activities are managed according to the item's significance category.

For the preparation of the proposed plan, the schedule of items was reviewed and updated and subsequently, more items are protected under the proposed plan than the operative. Additionally, the proposed plan identifies settings for some items which provides further protection.

### **Submissions on the chapter**

The historic heritage chapter received 103 submission points from 21 submitters and 49 further submission points from 11 further submitters.

The main topics that emerged through submissions included archaeological sites, infrastructure needs, proposed new policies, strategic direction objectives, definitions, consistency between provisions, and the addition, deletion or amendment of items on HH-SCHED2.

### **Recommended amendments to the Historic Heritage chapter**

In response to the issues raised in submissions, I have recommended several amendments to the Historic Heritage chapter as shown in Appendix A in the S42A report. Some of my recommendations are based on the expert evidence provided by Dr Ann McEwan. In my S42A report, I have recommended changes to the Introduction, HH-P5, eight of the rules, advice note 4 and schedule 2 to add, delete or amended scheduled items.

### **Submitter evidence**

I have read the submitter evidence received on this topic. The majority of the evidence is agreeable with my recommendations. The following are the areas submitters do not agree with my recommendations.

Ms Baird on behalf of Heritage New Zealand:

- Notes her continuing support for a definition of "earthworks within an archaeological site" and requests that this definition is included in advice note 2.
- Seeks that the definition of archaeological site is available in full in the Proposed Plan.
- Seeks a strategic direction objective for the District's Historic Heritage.
- Continues to seek a standalone adaptive reuse policy.
- Continues to seek that six properties on the New Zealand heritage List are scheduled in the Proposed Plan.

Mr Dallimore on behalf of Oxford Equity Limited does not accept the extent of the setting for his property as notified in the Proposed Plan. A legal submission on behalf of Oxford Equity Limited states that the further submitter no longer seeks the relief that was sought to the various provisions in the HH chapter but continues to pursue the mapping request in the further submission made on the original submission by Bellgrove Rangiora Limited.

I note that some of the areas in contention may be addressed in my response to the questions from the Panel.

**Preliminary responses to Panel questions**