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Change 66: Heritage Buildings, Protected Trees and Cultural Heritage

Decisions and Reasons

Final Decision 625.1

C66.849.1	Heritage New Zealand	Allow
C66.849.2	Heritage New Zealand	Disallow
C66.849.3	Heritage New Zealand	Allow
C66.849.4	Heritage New Zealand	Disallow
C66.849.5	Heritage New Zealand	Disallow
C66.849.6	Heritage New Zealand	Disallow
C66.849.7	Heritage New Zealand	Disallow
C66.849.8	Heritage New Zealand	Disallow
C66.849.9	Heritage New Zealand	Disallow
C66.849.10	Heritage New Zealand	Disallow
C66.849.11	Heritage New Zealand	Disallow
C66.849.12	Heritage New Zealand	Allow
C66.849.13	Heritage New Zealand	Allow
C66.849.14	Heritage New Zealand	Disallow
C66.849.15	Heritage New Zealand	Disallow
C66.849.16	Heritage New Zealand	Disallow
C66.849.17	Heritage New Zealand	Disallow
C66.2799.10	Tasman District Council staff	Allow
C66.2799.11	Tasman District Council staff	Allow
C66.4138.1	Batt, Roger	Allow

Plan Amendments**Topic : 6.0**

Expand the list of key locational and urban form issues for urban environment effects in the introduction to chapter 6 by adding issue (I) to section 6.0:

“The effect of urban development and expansion on historic and cultural heritage.”

Topic : 6.1.3.1

Further amend policy 6.1.3.1 by adding a new criterion (I): “enabling protection of heritage sites, items and values, cultural heritage and protected trees.”

Topic : 16.3.3.1A

- In 16.3.3.1A matter (13), break heritage and archaeological sites and protected trees up so that matter (13) refers to archaeological or heritage sites and new matter (13A) refers to protected trees, rewording as follows:

"Archaeological or Heritage Sites

(13) In relation to land, including a heritage site or item referred to in Schedules 16.13A, 16.13C or 18.1A:

(a) whether the proposed subdivision would have an adverse or beneficial effect on the integrity or heritage value of the site or item and the extent of that effect;

(b) the extent to which land integral to the significance of an archaeological site or site of significance to Māori would be separated from that site;

(c) the provisions of any relevant management plan.

Protected Trees

(13A) In relation to a protected tree referred to in Schedule 16.13B:

(a) whether the proposed subdivision would have an adverse or beneficial effect on the protected tree and the extent of that effect;

(b) the provisions of any relevant management plan.

- Amend the heading of condition 16.3.3.1A (d) ‘Services, Existing Buildings, Heritage Site or Item Present, Cultural Heritage Sites, Stormwater and Transport’ to include “Protected Trees.”

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Other Action

In terms of the submissions recommended to be out of scope on heritage, a review that focuses on the topic of heritage and the way it is managed across the district would be a more appropriate vehicle to assess the broader submission requests – possibly in a District Plan Part 2 review.

Reasons

1. Issues and policy – The driving force behind PC66 is to enable housing choice in Richmond to cater for a growing population and changing demographic profile, hence the introduction to chapter 6.0 was amended in the notified Plan Change. In making the list of key locational and urban form issues complete, it is appropriate to add the effect of urban development and expansion on historic and cultural heritage.
2. To complete policy 6.1.3.1, the effects of urban development and expansion on historic and cultural heritage should be included. Policy 6.1.3.1 therefore logically needs to give effect to this issue and relevant objectives as a new criterion (I). Chapter 10 of the TRMP already covers significant natural values and historic heritage in more detail.

Staff recommend it is inappropriate to amend existing criterion (i) of policy 6.1.3.1 on sustainable urban design principles to include historic heritage values, as this criterion addresses cross boundary effects between land uses and is therefore unrelated.
3. Rules – The effect of subdivision on heritage sites, items, protected trees and archaeology should be a matter for consideration for both intensive residential subdivision in RIDA and standard density residential subdivision. There are operative and proposed rules for both, with varying degrees of detail. While the level of detail in such a matter should be consistent between these different residential types, to amend standard residential density rules is recommended beyond the scope of this Plan Change. A change would need to be notified and the section 32 evaluation would need to assess the change.
4. A criteria-based policy concerning heritage protection from subdivision, as suggested by a submitter, is not required. The protection circumstances sought have already been encapsulated as rules within the proposed Plan Change so that protection to all heritage assets, protected trees and cultural heritage sites is afforded with subdivision proposals.
5. The proposed rules need to be clear for the reader so that the reader can quickly ascertain which rules are relevant for the proposal. Breaking down rules can help with this.
6. Sub-headings for the rules need to be complete as to what they concern, so as not to be misleading for the reader.
7. Information requirements for resource applications – to further amend the requirements in relation to cultural heritage site assessment, as requested by Heritage New Zealand in its submission, is recommended to be out of scope for this Plan Change. This is because it would affect any subdivision applications anywhere that potentially involve cultural heritage effects and is not limited to RIDA. Therefore such a change would need to be notified separately and assessed in the section 32 evaluation.