



**SECOND
GENERATION
DISTRICT PLAN**

**Heritage
Section 42A Report**

**Proposed Second Generation Dunedin City
District Plan (2GP)**

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Code of Conduct

I confirm that I have read, and agree to comply with, the Environment Court Code of Conduct for Expert Witnesses (Consolidated Practice Note 2014).

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1.0 Introduction

1.1 Purpose of the Officer's Report

1. This report is prepared under the provisions of section 42A of the Resource Management Act 1991 (RMA) to:
 - assist the Hearing Panel in making their decisions on the submissions and further submissions on the 2GP; and
 - provide submitters with information about how their submissions have been evaluated and the recommendations being made by officers, prior to the hearing.
2. The evaluations and recommendations presented in this report are based on the information available prior to the hearing, including information contained in submissions.
3. In evaluating the submissions and further submissions, the matters considered include:
 - whether a decision requested falls within the functions of Dunedin City Council (DCC) under section 31 of the RMA
 - the matters to be considered in the preparation of District Plans as outlined in section 74, including:
 - the matters outlined in section 32 of the RMA
 - the provisions of Part 2 of the RMA
 - having regard to the proposed Regional Policy Statement
 - having regard to the Dunedin Spatial Plan
 - the required content of district plans as outlined in section 75, including giving effect to the operative regional policy statement and any national policy statements
 - any restrictions on rules as outlined in section 76.

1.2 Scope of report/section

4. This report focusses on the heritage provisions of the 2GP. These are structured as follows:
 - Section 13, containing the introduction to the heritage provisions objectives, policies, performance standards and assessment rules
 - Rules governing activities that affect scheduled heritage buildings, structures and heritage sites, within relevant management and major facility zones;
 - Rules governing activities affecting heritage precincts, within the residential, commercial and mixed use, and network utility sections
 - Schedule A1.1, which details all scheduled heritage items and character-contributing buildings
 - Appendix A2, which details the values and characteristics of the Heritage Precincts, and provides design guidance for new buildings within those precincts

2.0 Statutory Context

2.1 Resource Management Act 1991 (RMA)

5. Under the RMA, district plans must be prepared in accordance with the provisions of Part 2 (ss5-8). The purpose of the RMA, as stated in section 5, is the sustainable management of natural and physical resources to meet the reasonably foreseeable needs of future generations which enables people and communities to provide for their social, economic, and cultural well-being while safeguarding the environment.
6. Of particular relevance are sections 6(f) and 7(c) and (f). These require that historic heritage is protected from inappropriate subdivision, use, and development as a matter of national importance, and that particular regard should be given to the maintenance and enhancement of amenity values and the quality of the environment.
7. Objectives and policies that provide for the protection of heritage buildings and sites, whilst also allowing for the re-use of buildings, are consistent with section 6(f). The protection of heritage precincts contributes to achieving section 7(c) and (f). Such provisions are consistent with the purpose of the Act.

2.2 National Policy Statements (NPS) and National Environment Standards (NES)

8. Under section 75(3) of the RMA, district plans must give effect to any NPS or NES that affects a natural or physical resource that the plan manages. There are no relevant NPS or NES.

2.3 Operative and Proposed Regional Policy Statement

9. The Operative and Proposed RPS highlight the resource management issues of the region, and clarify the roles and responsibilities of the ORC and territorial authorities. Relevant provisions of the operative RPS are included in Table 1 below.

Table 1: Relevant Operative Otago Regional Policy Statement Policies

	<i>9.3.1 The adverse effects of urban development and settlement can impact upon the quality of the built environment and the use of natural and physical resources.</i>
	<i>9.4.3 To avoid, remedy or mitigate the adverse effects of Otago's built environment on Otago's natural and physical resources.</i>
	<p><i>9.4.1 To promote the sustainable management of Otago's built environment in order to:</i></p> <p style="padding-left: 40px;"><i>d) recognise and protect heritage values.</i></p> <p><i>9.5.1 To recognise and provide for the relationship Kai Tahu have with the built environment of Otago through:</i></p> <p style="padding-left: 40px;"><i>b) Recognising and providing for the protection of sites and resources of cultural importance from the adverse effects of the built environment.</i></p> <p><i>9.5.4 To minimise the adverse effects of urban development and settlement, including structures, on Otago's environment through avoiding, remedying or mitigating:</i></p> <p style="padding-left: 40px;"><i>d) significant irreversible effects on:</i></p> <p style="padding-left: 40px;"><i>v) heritage values.</i></p> <p><i>9.5.5 To recognise and protect Otago's regionally significant heritage sites through:</i></p>

	<p>a) identifying Otago's regionally significant heritage sites in consultation with Otago's communities; and</p> <p>b) Developing means to ensure those sites are protected from inappropriate subdivision, use and development.</p>
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10. The provisions in the RPS encourage councils to identify heritage sites, including sites of significance to Kai Tahu, in order to ensure they are protected from inappropriate subdivision, use and development. Sites of significance to Kāi Tahu are managed in the 2GP as wāhi tūpuna. See Manawhenua s42A report for more detail.
11. Consolidating the guidance provided in the operative RPS is the Proposed RPS, notified in May 2015. Relevant provisions are included in Table 2 below.

Table 2: Relevant Proposed Regional Policy Statement for Otago (2015) provisions

	<p>Part B, Chapter 4. Sometimes, subdivision, use, and development risk damage to Otago's rich historic heritage.</p>
es:	<p>4.2. Historic heritage resources are recognised and contribute to the region's character and sense of identity</p>
	<p>4.2.1 Recognising heritage themes Recognise the following elements as characteristic or important to Otago's historic heritage:</p> <ul style="list-style-type: none"> a) Residential and commercial buildings; b) Māori cultural and heritage values; c) 19th and early 20th century pastoral sites; d) Early surveying, communications and transport, including roads, bridges and routes; e) Early industrial heritage, including mills and brickworks; f) Gold mining systems and settlements; g) Dredge and ship wrecks; h) Coastal heritage, particularly takata whenua occupation sites and those associated with early European activity such as whaling; i) Memorials. <p>4.2.2 Identifying historic heritage Identify historic heritage places and areas of regional or national significance and their values, using the following attributes, detailed in Schedule 7:</p> <ul style="list-style-type: none"> a) Physical values, including: <ul style="list-style-type: none"> i. Archaeological information; ii. Architecture; iii. Technology; iv. Scientific; v. Rarity; vi. Representativeness; vii. Integrity; viii. Vulnerability; ix. Context or group; b) Historic values, including: <ul style="list-style-type: none"> i. People; ii. Events; iii. Patterns; c) Cultural values, including: <ul style="list-style-type: none"> i. Identity; ii. Public esteem; iii. Commemorative; iv. Education; v. Takata whenua; vi. Statutory recognition.

	<p style="text-align: center;">4.2.3 Managing historic heritage values</p> <p style="text-align: center;"><i>Protect and enhance the values of places and areas of historic heritage, by:</i></p> <p><i>a) Recognising that some places or areas are known or strongly suspected of containing archaeological sites, wāhi tapu or wāhi taoka which could be of significant historic or cultural value; and</i></p> <p><i>b) Applying these provisions immediately upon discovery of such hitherto unidentified archaeological sites or areas, wāhi tapu or wāhi taoka; and</i></p> <p><i>c) Avoiding adverse effects on those values which contribute to the area or place being of regional or national significance; and</i></p> <p><i>d) Avoiding significant adverse effects on other values of areas and places of historic heritage; and</i></p> <p><i>e) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and</i></p> <p><i>f) Remediating, when adverse effects on other values cannot be avoided; and</i></p> <p><i>g) Mitigating when adverse effects on other values cannot be avoided or remediated; and</i></p> <p><i>h) Encouraging the integration of historic heritage values into new activities; and</i></p> <p><i>i) Enabling adaptive reuse or upgrade of historic heritage places and areas where heritage values can be maintained.</i></p>
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12. The provisions in the operative and proposed RPS encourage councils to identify and assess heritage in order to protect representative examples of Otago's thematic heritage values and to manage heritage places and buildings in ways that reduce the risk of damage to their values.
13. The proposed heritage provisions give effect to these provisions. The criteria used in the review of scheduled items and the criteria for scheduling in the 2GP are consistent with the RPS criteria. I consider the proposed provisions (including any amendments discussed in this report) give effect to the Operative Regional Policy Statement and have regard to the proposed Regional Policy Statement.

2.4 Dunedin Spatial Plan (September 2012)

14. The Spatial Plan sets the strategic directions for Dunedin's growth and development for the next 30 plus years.
15. I have had regard to the Spatial Plan as a key strategy prepared under the Local Government Act in accordance with s74(2)(b)(i).
16. Provisions of the Spatial Plan that are relevant to heritage are:

Table 3: Relevant Provisions within the Dunedin Spatial Plan

Objectives	Policies
ESR 6. <i>All buildings with heritage and townscape value are earthquake-strengthened.</i>	<i>(a). Support on-going earthquake-strengthening of heritage buildings</i>
MEM 2. <i>Dunedin is recognised as a beautiful place, enhanced by quality architectural, urban and landscape design</i>	<i>(b) Manage the demolition of buildings in centres to ensure demolition does not result in inappropriate gaps in the streetscape.</i> <i>(d). Protect significant view corridors from key vantage points to key heritage buildings, the Harbour and</i>

	<p><i>hills</i></p> <p><i>(f) Identify the causes and solutions to the problem of 'demolition by neglect' and the impacts on city amenity from inadequate building maintenance.</i></p>
<p>MEM 3. <i>The identity, character, and history of the diverse communities that make up Dunedin are protected and celebrated</i></p>	<p><i>(d). Ensure areas with significant heritage values are recognised and protected as 'special character' areas</i></p>
<p>MEM. 5. <i>Dunedin's built heritage is valued as a resource and successful re-use of heritage buildings contributes to the economic prosperity of the city</i></p>	<p><i>(a). Identify and protect Dunedin's heritage buildings and integrated heritage streetscapes</i></p> <p><i>(b). Promote the economic re-use of heritage buildings in the city</i></p> <p><i>(d) Take an integrated approach to address barriers to investment in areas targeted for revitalisation.</i></p>
<p>MEM 6. <i>Dunedin is a city that actively acknowledges and celebrates its tangata whenua and New Zealand European culture and heritage</i></p>	<p><i>(a). Support the protection and management of cultural areas and sites, including archaeological sites, historic areas, trees, and cultural landscapes</i></p>

17. The Spatial Plan gives clear direction with regard to identifying and protecting a range of heritage buildings, structures and sites. It also promotes a strong focus on enabling the re-use of heritage buildings and their earthquake strengthening, given the importance of these issues to their long-term protection and ability to contribute positively to the safety, amenity, and the economy of the city. The Spatial Plan also promotes a stronger focus on identifying and protecting sites of significance to tangata whenua.
18. The policy direction for the Heritage section is consistent with the RMA, the RPS and the Spatial Plan.

2.5 Heritage New Zealand Pouhere Taonga Act 2014

19. The Heritage New Zealand Pouhere Taonga Act promotes the protection, preservation, and conservation of the historical and cultural heritage of New Zealand. It governs the activities of Heritage New Zealand.
20. Heritage New Zealand maintains the 'New Zealand Heritage List' ('the List'), which identifies New Zealand's significant and valued historical and cultural heritage places. The list includes historic places (archaeological sites, buildings and memorials), historic areas, and wāhi tūpuna and wāhi tapu. Historic places may be Category 1 – of special or outstanding historical or cultural significance or value, or Category 2, which are of historic or cultural significance. Historic areas are groups of related historic places such as a geographical area with a number of properties or sites, a heritage precinct or a historical and cultural area.
21. Items on the List have no automatic protection. Rather, the List is an information tool to identify significant heritage places. Local authorities are required to notify Heritage New Zealand if a building consent application is received regarding a property on the List.
22. Almost all items on the Heritage New Zealand List within Dunedin are included on, or are recommended in this report to be included on, the heritage Schedule A1.1 in the 2GP.

23. The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or any part of an archaeological site without the prior authority of Heritage New Zealand. This is the case regardless of whether the land on which the site is located is designated, or the activity is permitted under the District or Regional Plan or a resource or building consent has been granted.

3.0 Background

3.1 Consultation

24. Extensive consultation has been undertaken on the 2GP. See *Introduction to Section 32 Reports* for details on the methods that were used to engage with the public and key stakeholders. In addition there were a number of targeted consultation processes as described below.

3.1.1 Issues and options consultation

25. A public Issues and Options process included a questionnaire on heritage protection, however there were so few respondents that few conclusions can be drawn. Opinion was mixed in relation to the options presented for most topics, with no clear consensus on most topics.
26. In addition, a focussed workshop was held with heritage stakeholders. Feedback at the workshop reflected the connection between demolition and other parts of the plan – for example, allowing for a wider range of uses in heritage buildings would reduce the potential need for demolition, as buildings could be viably re-used.

3.1.2 Preferred options consultation

27. A Q&A sheet on heritage topics was provided, to which nine people responded. In relation to the review of the heritage schedule, four respondents made comments, mostly raising concerns around the cost and restriction placed on building owners and developers.
28. Nine respondents provided feedback on the review of townscape and heritage precincts. Along with a number of supporting comments, feedback related to areas that should (or should not) be included, provisions for heritage precincts, and the activity status given to new buildings and alterations. The comments were mixed, including concern that old housing should be replaced as it is not possible / economic to effectively insulate and heat, and concern that heritage values will be lost if medium density provisions are allowed.
29. There was concern that the rules only address the streetscape, and do not protect the historic pattern of development, including un-developed rear yards. Good quality design was seen as important.

3.1.3 Heritage focus group

30. A heritage building owners focus group was convened, including a number of heritage building owners and developers who were familiar with issues relating to development of heritage buildings. Two meetings were held initially, to discuss proposed approaches to different issues. Later, two meetings were held with an expanded group to explain and seek feedback on draft provisions. Many of the comments made

and issues raised concerned the detail of the rules and were able to be incorporated into the provisions. Feedback at the final meeting was generally positive.

3.1.4 Heritage New Zealand

31. A number of formal and informal discussions were held with Heritage New Zealand staff, covering the same issues as discussed with the focus group, and more detailed discussion of the approach to archaeological site management, including mapping the scheduled archaeological sites and archaeological alert layer. Feedback through the process was positive, with general agreement being reached on many of the provisions.

3.2 **Heritage Precinct Consultation**

32. Consultation was undertaken with residents in four Heritage Precincts: the three proposed new precincts (York Place – Stuart Street - Arthur Street, Queen Street and View Street), and the Royal Terrace – Pitt Street – Heriot Row Heritage Precinct. Feedback included the following:

3.2.1 Queen Street

- Concern that provisions would only apply to alterations visible from the adjoining street, whereas the precinct is visible from the Botanic Garden
- Cosy Dell (Lachlan Ave) should not be included in precinct but general approval of Queen Street being in a precinct
- General concern about amenity - noise, rubbish, car parking, from student accommodation
- Concern there would be too many constraints on design.
- Desire for new builds needing to meet a better standard of design as recent new buildings look "cheap".

3.2.2 York Place – Stuart Street – Arthur Street

- Concern proposed medium density zoning would impact on the character of the area - currently a family area but if density was to increase could become a student area.
- Green spaces and gardens at rear of sites not visible from the street were important to preserve. General reluctance to block neighbours views / enjoyment of these areas.
- High quality design is important. Would support an architectural review panel, to consider new building design. Good to have a range of high quality designed houses from 1860s to present day.

3.2.3 View Street - Tennyson Street precinct

- Approval of proposed precinct but felt proposal has come too late with new or proposed buildings of poor design in the area

- Concern that a plan to put on site car parking would be prevented
- General approval of effort to try and protect streetscape but concerned about cost to building owners
- General concern about DCC's right to impose rules on private property

3.2.4 Royal Terrace - Pitt Street – Heriot Row

- Comment that parking and rubbish needed to be managed as the area provided a lot of student accommodation. This comment reflected the concern that the area was changing character.
- Attendees generally agreed that asphaltting front yards was undesirable and that walls/ fences should be protected under the proposed provisions in this area
- Some residents felt higher density should be encouraged as some of the large heritage homes were too big for families and should be allowed to be turned into smaller student flats as an affordable way to encourage re-use, retain heritage exterior and prevent deterioration.
- Others opposed higher density provisions.

3.3 Research and background documents

3.3.1 Review of operative plan

33. Research undertaken in the formulation of the 2GP provisions included a review of the Townscape and Heritage section in 2004, which sought feedback from both the general public and heritage professionals and organisations on the way heritage was managed in the District Plan. Issues raised included the need to clarify the difference between townscape and heritage precincts (the operative plan has both, but they are effectively the same); the way in which precincts were managed (with divided opinions over whether more or less management should be exercised and over which matters); and the lack of focus on items other than buildings.

3.3.2 Heritage Strategy

34. In 2007 a Heritage Strategy was released. This included recommendations to clarify the difference between townscape and heritage; improve recognition and management of archaeological sites; expand the range of heritage items protected (including sites, gardens etc.); and protecting entire buildings and their surrounding curtilage wherever possible.
35. These issues have been addressed in the 2GP by removing the distinction between townscape and heritage precincts, fine-tuning management of precincts, expanding the heritage schedule to include heritage sites, including sites of significance to Māori in the wāhi tūpuna provisions (in the Manawhenua section), expanding the list of scheduled archaeological sites, mapping their full extent, and mapping an archaeological alert layer.

3.3.3 Thematic Study

36. In 2008-2009 the DCC commissioned a thematic study, in order to ascertain which types of heritage the city should be protecting. This recommended which types of

heritage items should be scheduled in order to ensure a more representative sample of Dunedin's heritage is protected. Some specific items were suggested. The report also suggested a large amount of new research to identify which items should be protected; however due to resource constraints, this research has not been undertaken. Moreover, following the Canterbury earthquakes there has also been a greater focus on reviewing and justifying the existing protected items, rather than adding new items, given the increased risk of demolition of existing items. Where new items have been added to the 2GP they are generally in themes that were identified as under-represented in the Thematic Study, such as industrial buildings. Improved identification and inclusion of heritage sites is also consistent with this study.

3.3.4 Dunedin City Heritage Commercial Buildings: Economic Re-use Report, and Heritage Buildings Economic Re-use Steering Group Report

37. Following completion of the heritage strategy research was commissioned regarding the barriers and opportunities for greater re-use of heritage buildings in the city. Both of these reports identified a number of areas in the District Plan that were considered barriers to re-use of buildings. The strong focus in the 2GP on enabling on-going use, re-use, earthquake strengthening and Building Act upgrades reflects the findings and recommendations of these reports.

3.3.5 Heritage precincts research

38. The s32 Zoning Special Report – Heritage Precincts summarises the process and associated consultation undertaken to review the heritage precincts proposed within the 2GP.
39. Briefly, research was undertaken to identify 'special character areas', which were included within the Spatial Plan in 2011. The research focussed on residential areas and Local Activity Zones across the city and assessed these areas for heritage and architectural special character. Areas were assessed on the following factors:
40. The research identified nine special character areas. The Spatial Plan also identifies the need to review the current heritage and townscape precinct boundaries and the type of protection provided to them. South Dunedin in particular was identified as an area where the extent of heritage protection needed to be reconsidered.
41. A further review of the heritage and townscape precincts in the current District Plan and the special character areas identified in the Spatial Plan was undertaken. These areas were visited by DCC City Development staff on one or more occasions between 2012 – 2014 to confirm that the areas remained worthy of protection and that the boundaries were appropriate.
42. The considerations included:
 - Whether the area is cohesive, either in terms of geographical, typological or simply visual connectivity, including being united by a particular vista or landmark; and
 - The degree of alteration/ removal of buildings since previous assessments
43. Areas suggested through consultation were also visited, despite these having been considered and dismissed as part of the special character area research, to re-assess whether the areas were worthy of protection.
44. As a result, two areas were removed and the boundaries of almost all precincts amended. None of the additional areas identified through consultation were considered suitable for precinct status. New heritage precincts in the 2GP are York Place – Stuart Street - Arthur Street, Queen Street and View Street.

45. The provisions that apply to these areas were also reviewed, and a decision made to distinguish between 'character-contributing' and non 'character-contributing' buildings, with more relaxed rules applied to the latter.

3.4 Expert advice

46. In forming the recommendations in this report I have relied on the advice of the following experts:

- a) Glen Hazelton, DCC Team Leader Urban Design (and Heritage Planner). Dr Hazelton has provided evidence in relation to requests to add, remove or alter listings of scheduled heritage items, submissions to add, remove or alter the boundaries of heritage precincts, the appropriate status of buildings within precincts (character-contributing or non character-contributing), and the heritage precinct design guidance included within Appendix A2 of the 2GP.

Dr Hazelton was also closely involved in drafting the Heritage section of the 2GP, and has provided informal advice on the wording of objectives, policies and rules.

- b) Mr Peter Christos, DCC Urban Designer. Mr Christos, with Dr Hazelton, provided advice on submissions to add, remove or alter the boundaries of heritage precincts, the appropriate status of buildings within precincts (character-contributing or non character-contributing) and the heritage precinct design guidance included within Appendix A2 of the 2GP.

4.0 Summary

4.1 Overview of submissions received

47. 613 original submissions and 399 further submissions were received. 159 original submissions were in support, and 448 either sought an amendment or opposed the provisions.

4.2 Overall recommendations

4.2.1 Heritage general approach background

48. The objectives and policies in the heritage section aim to protect scheduled heritage buildings, structures, sites and archaeological sites, and maintain or enhance the heritage streetscape character of heritage precincts. These are similar to the objectives in the operative plan, with a greater focus on earthquake strengthening and encouraging adaptive re-use of heritage buildings.

4.2.2 Heritage general approach submissions

49. The approach to managing heritage in the 2GP is generally supported by submitters. Some minor changes to the introduction of the heritage section are recommended, to recognise that incremental changes to heritage buildings or precincts can result in cumulative effects on heritage values over time, and these should be taken into account when assessing the effects of activities.

Report Section	2GP Section/Topic	Number of original submission points (OS) and Further submission points (FS)	Amendment recommended?
5.2	Heritage general approach		
5.2.1	Heritage section	6 OS Support	
5.2.2	Heritage general comments	3 OS Amend	
5.2.3	Introduction to heritage section	3 OS Amend 5 OS Support 1 FS	
5.2.4	Objective 2.4.1	1 OS Amend 1 FS	
5.2.5	Objective 2.4.2	2 OS Amend 7 OS Support 9 FS	
5.2.6	Heritage section Objectives and Policies - general	3 OS Support 2 FS	

4.2.3 Scheduled heritage buildings and sites background

50. The operative plan contains a large number of scheduled heritage buildings and structures and a significant area of the central city and inner city residential areas protected as heritage precincts. A key issue is loss of these heritage resources through demolition or 'demolition by neglect', where poorly maintained buildings deteriorate to such a state that demolition is the only option. Related to this, is the view expressed through consultation that the operative plan has insufficient focus on encouraging reuse of heritage buildings, and some of the current plan provisions act to discourage owners from works enabling adaptive reuse, particularly in the case of alterations for earthquake strengthening and fire upgrades, as required under the Building Act.
51. Demolition of heritage buildings results in the permanent and irreversible loss of the building and its fabric and tangible links to the past. Cumulatively it has negative effects for the heritage character of the city. Preventing 'demolition by neglect', by encouraging on-going use and adaptive re-use, is a key focus of the 2GP. Related to this is managing additions and alterations to buildings, including those that enable re-use, in a way that protects heritage values as far as practicable.
52. A new category of heritage item in the 2GP is heritage sites. These are areas of open space, which may contain a group of interrelated buildings, where the site as a whole, is significant, rather than just the individual buildings.
53. Rules manage additions and alterations and demolition of heritage buildings and structures, and development activities such as new buildings and car parking within heritage sites. The aim is to protect the heritage values of these resources. Earthquake strengthening and adaptive re-use are encouraged through lenient activity status and enabling policies.

4.2.4 Submissions on scheduled heritage buildings objectives and policies

54. The objectives and policies dealing with the management of scheduled heritage buildings and structures are generally supported. There is wide support in particular for the provisions which encourage the adaptive re-use of heritage buildings.
55. Concerns have been raised from the University of Otago in particular that the policies are overly restrictive. No major amendments are proposed in response to this, but minor wording changes are recommended to two policies.

Report Section	2GP Section/Topic	Number of original submission points (OS) and Further submission points (FS)	Amendment recommended?
5.3	Scheduled heritage buildings		
5.3.1	Policy 2.4.2.1	2 OS Amend 3 OS Support 3 FS	Yes
5.3.2	Objective 13.2.1	1 OS Support	No
5.3.3	Policy 13.2.1.2	2 OS Amend 1 FS	No
5.4	Earthquake strengthening		
5.4.1	Policy 2.2.1.9	1 OS Support	Yes
5.4.2	Policy 13.2.1.3	2 OS Amend	No
5.5	Adaptive re-use		
5.5.1	Policy 2.4.2.3	2 OS Amend 4 OS Support 5 FS	No
5.5.2	Policy 13.2.1.1	2 OS Support	No
5.5.3	Policy 13.2.1.4	1 OS Amend 2 OS Support 1 FS	No
5.5.4	Policy 13.2.1.9	1 OS Amend 1 FS	No
5.6	Additions and alterations		
5.6.1	Policy 13.2.1.5	1 OS Amend 2 FS	No
5.7	Subdivision		
5.7.1	Policy 13.2.1.6	1 OS Amend	No
5.8	Demolition		
5.8.1	Policy 13.2.1.7	2 OS Amend 1 OS Support	No
5.9	Relocation		
5.9.1	Policy 13.2.1.8	1 OS Amend 4 OS Support 3 FS	No

4.2.5 Submissions on Scheduled heritage sites objectives and policies

56. There is support for the identification and protection of heritage sites. As above, one submitter considers that the policy that details matters to be considered in the design of new development on heritage sites, is overly restrictive. No amendment is recommended.

Report Section	2GP Section/Topic	Number of original submission points (OS) and Further submission points (FS)	Amendment recommended?
5.10	Scheduled Heritage Sites		
5.10.1	Policy 2.4.2.2	4 OS Support 4 FS	No

5.10.2	Objective 13.2.2	2 OS Support	No
5.10.3	Policy 13.2.2.1	5 OS Amend 3 OS Support 1 FS	Yes
5.10.4	Policy 13.2.2.2	2 OS Amend	Investigate option

4.2.6 Submissions on rules related to heritage buildings (scheduled and in precincts)

57. There are a small number of submissions to make the activity status for various activities more lenient, in particular works required under s112 of the Building Act where triggered by the earthquake strengthening works, alterations of non-character buildings, and demolition. Heritage New Zealand seeks to make restoration and the replacement of elevated features on Category 1 buildings more restrictive (restricted discretionary rather than permitted or controlled). Amendments are recommended to achieve this. Other activity statuses are retained as notified.
58. Minor changes are made to the 'materials and design' performance standard in response to concerns by Heritage New Zealand that loss of some heritage features might result.
59. A large number of submitters seek additional design guidance for development in heritage precincts, pre-application advice and consideration of applications using a architectural design panel. It is recommended that additional design guidance in the form of illustrations and photographs is provided to assist with interpretation of the design guidance in Appendix A2. This could be developed gradually in the future, to site alongside the 2GP. Pre-application advice is already available. Use of a design panel to consider applications is not recommended.

Report Section	2GP Section/Topic	Number of original submission points (OS) and Further submission points (FS)	Amendment recommended?
5.12	Rules		
5.12.1	Heritage Rules - general	1 OS Support 1 FS	No
5.12.2	Heritage Rules - Activity status	14 OS Amend 3 OS Support 4 FS	Yes
5.12.3	Notification rule	3 OS Amend	Yes
5.12.4	Rule 13.3 Development Performance Standards	3 OS Amend 5 OS Support 1 FS	Yes
5.12.5	Rule 13.4 Assessment of Controlled Activities	1 OS Amend	No
5.12.6	Rule 13.5 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)	6 OS Amend 5 OS Support 3 FS	Yes
5.12.7	Rule 13.6 and 13.7 Assessment of Restricted Discretionary and Discretionary Activities	9 OS Amend 1 OS Support 2 FS	Yes
5.12.8	Rule 13.9 Special Information Requirements	3 OS Support 1 FS	No
5.12.9	Heritage panel and design guidelines	17 OS Amend 1 OS Support 8 FS	Yes

Heritage precincts background

- 60. As well as individual heritage buildings and structures, heritage precincts protect collections of buildings that have high heritage streetscape values. Demolition of buildings in such areas, and replacement with buildings of inappropriate design or no replacement at all (such as conversion to open-air/surface car parking), can have adverse effects on the whole streetscape.
- 61. The focus of heritage precinct provisions is on maintaining or enhancing the heritage streetscape character. Additions and alterations and demolition of buildings within precincts are managed. Rules also manage new buildings and structures, including network utilities, within a precinct.
- 62. Following a review of the precincts in the operative plan, three new precincts were included, two removed, and the boundaries of remaining precincts amended.
- 63. With heritage precincts, buildings are classified as ‘character-contributing’ or ‘non character-contributing’. Provisions relating to non character-contributing buildings are less stringent.

4.2.7 Submissions on Heritage precincts objectives and policies

- 64. Submitters generally support the approach taken to identifying character-contributing and non character-contributing buildings within precincts. There is opposition from two submitters that Policy 2.4.1.3, which details the criteria used to identify character-contributing buildings, is too broad.
- 65. The Property Council considers that the policies which detail design criteria for new buildings and structures within precincts, is too prescriptive. A minor amendment is recommended.

Report Section	2GP Section/Topic	Number of original submission points (OS) and Further submission points (FS)	Amendment recommended?
5.11	Heritage Precincts		
5.11.1	Objective 13.2.3	1 OS Amend	No
5.11.2	Policy 2.4.1.3	3 OS Amend 7 OS Support 10 FS	No
5.11.3	Policy 13.2.3.1	1 OS Amend	No
5.11.4	Policy 13.2.3.8	3 OS Amend	No
5.11.5	Policy 13.2.3.7	1 OS Amend	Yes
5.11.6	Policy 13.2.3.2	3 OS Amend 3 OS Support 1 FS	Yes
5.11.7	Policy 13.2.3.3	2 OS Amend 3 OS Support	Yes
5.11.8	Policy 13.2.3.10	3 OS Amend 1 OS Support	No
5.11.9	Policy 13.2.3.4	1 OS Amend	No

4.2.8 Submissions requesting changes to the Heritage Schedule

- 66. Schedule A1.1 contains details of all the scheduled heritage buildings and character-contributing buildings, ordered by precinct.

67. A large number of submissions were received to add heritage buildings to the schedule or alter the listing details increase the extent of protection. A smaller number of submissions were received to remove items.
68. In each case building owners were contacted by with DCC or Heritage New Zealand. Where owners are strongly opposed to a new listing or increase in extent, the recommendation is generally not to proceed. This is because it is preferred to maintain good relationships with building owners and work with them towards a possible future listing. Where no, or a favourable response was received, and there are heritage values worth protecting, the recommendation is generally to include the building.
69. Submissions were also received to remove the 'character-contributing' status from some buildings within heritage precincts. These have been assessed against the design values for the precinct, and removed where appropriate.
70. Amendments are also requested to improve the usability of the schedule by adding numbering and providing a list in numerical order, as well as by precinct.

4.2.9 Submissions requesting new heritage precincts and changes to precinct boundaries

71. Several submissions were received to extend the boundaries of existing heritage precincts, and to nominate new areas. Where the areas are clearly identified they have been assessed for inclusion by Dr Hazelton and Mr Christos. As a result, two additional precincts are recommended: a commercial precinct in lower Stafford Street, and a residential precinct covering the Windle Historic Area (Rosebery Street). Minor extensions are also recommended for the South Princes and View Street precincts, and minor reductions of the High Street and Dundas – Castle Street precincts.
72. A small number of submissions were received to remove two of the new heritage precincts in the plan, York Place – Stuart Street – Arthur Street, and Queen Street. No changes are recommended.
73. A large number of submissions identified broad areas for further assessment of heritage values (generally inner city residential areas), for possible inclusion as heritage precincts or for scheduling more buildings. These areas were assessed through the precinct review process prior to the notification of the 2GP and were rejected at that stage. They have not been reviewed.

Report Section	2GP Section/Topic	Number of original submission points (OS) and Further submission points (FS)	Amendment recommended?
5.14	Schedule of Protected Heritage Items		
5.14.1	Format of heritage schedule	5 Amend 3 Support 4 FS	Yes
5.14.2	Heritage Precincts Mapping - General	3 Support 1 FS	No
5.14.3	A1.1 Schedule of Protected Heritage Items and Sites	4 Amend 4 Support 4 FS	No
5.15	Amendments to precinct boundaries and submissions on scheduled items within Commercial Heritage Precincts		
5.15.1	Amendments to Port Chalmers Commercial Heritage Precinct	2 Amend 3 FS	Yes - Amendment to Appendix A1.1
5.15.2	Amendments to George Street Commercial Heritage Precinct	7 Amend 8 FS	Yes - Amendments to Appendix A1.1 and planning maps
5.15.3	Amendments to the Octagon Commercial	3 Amend 3 FS	Yes - Amendments to Appendix A1.1 and

	Heritage Precinct		planning maps
5.15.4	Amendments to Stuart Street Commercial Heritage Precinct	6 Amend 7 FS	Yes - Amendments to Appendix A1.1 and planning maps
5.15.5	Amendments to Moray Place - Dowling Street Commercial Heritage Precinct	8 Amend 8 FS	Yes - Amendments to Appendix A1.1 and planning maps
5.15.6	Amendments to Princes Street - Exchange Commercial Heritage Precinct	11 Amend 4 Support 10 FS	Yes - Amendments to Appendix A1.1 and planning maps
5.15.7	Amendments to South Princes Commercial Heritage Precinct	3 Amend 1 Support 4 FS	Yes - Amendments to Appendix A1.1 and planning maps
5.15.8	Amendments to View Street Commercial Heritage Precinct	3 Amend 3 Support 3 FS	Yes - Amendments to Appendix A1.1, Appendix A2 and planning maps
5.15.9	Amendments to Warehouse Industrial Commercial Heritage Precinct	3 Amend 2 Support	Yes - Amendments to Appendix A1.1 and planning maps
5.16	Amendments to precinct boundaries and submissions on scheduled items within Residential Heritage Precincts		
5.16.1	Amendments to Queen Street Residential Heritage Precinct	5 Amend 1 Support 6 FS	Yes - Amendments to Appendix A1.1 and planning maps
5.16.2	Amendments to Dundas Street - Castle Street Residential Heritage Precinct	6 Amend 5 FS	Yes - Amendments to Appendix A1.1 and planning maps
5.16.3	Amendments to George Street North Residential Heritage Precinct	3 Amend 2 Support 5 FS	Yes - Amendments to Appendix A1.1 and planning maps
5.16.4	Amendments to North Ground Residential Heritage Precinct	8 Amend 8 FS	Yes - Amendments to Appendix A1.1 and planning maps
5.16.5	Amendments to Royal Terrace - Pitt Street - Heriot Row Residential Heritage Precinct	10 Amend 1 Support 8 FS	Yes - Amendments to Appendix A1.1 and planning maps
5.16.6	Amendments to York Place - Stuart Street - Arthur Street Residential Heritage Precinct	5 Amend 2 Support 3 FS	No
5.16.7	Amendments to High Street Residential Heritage Precinct	8 Amend 7 FS	Yes - Amendments to Appendix A1.1 and planning maps
5.17	Suggested new heritage precincts		
5.17.1	Broad areas	8 Amend 28 FS	No
5.17.2	Windle Settlement Workers Dwellings	1 Amend 1 FS	Yes - Amendments to Appendix A1.1 and planning maps
5.17.3	Hyde Street	1 Amend 3 FS	No
5.17.4	Harbourside Historic Area	2 Amend 2 FS	No
5.17.5	Russell Street / Adam Street	4 Amend 5 FS	No
5.17.6	Canongate / Catholic Heritage Precinct	6 Amend 3 FS	Yes - Amendments to Appendix A1.1 and planning maps
5.17.7	Park Street – Queen Street	1 Amend 4 FS	No

5.17.8	Lower Stafford Street	1 Amend 2 FS	Yes - Amendments to eplan, Appendix A1.1 and planning maps
5.17.9	South Dunedin Commercial	1 Amend 4 FS	No
5.18	Submissions on scheduled items not in a heritage precinct		
5.18.1	Heritage Sites	2 Amend 6 Support 3 FS	Yes - Amendments to Appendix A1.1 and planning maps
5.18.2	Retention of Scheduled Heritage Buildings (unopposed)	25 Support 2 FS	No
5.18.3	Removal of Scheduled Heritage Buildings	5 Amend 1 support 6 FS	No
5.18.4	Addition of new listings (unopposed)	16 Amend 1 Support 16 FS	Yes - Amendments to Appendix A1.1 and planning maps
5.18.5	Addition of new listings (opposed)	9 Amend 2 Support 13 FS	Yes - Amendments to Appendix A1.1 and planning maps
5.18.6	Addition of new listings – non-specific requests	7 Amend 1 FS	Yes - Amendments to Appendix A1.1 and planning maps
5.18.7	Amendments to extent of protection (unopposed)	14 Amend 2 Support 18 FS	Yes - Amendments to Appendix A1.1 and planning maps
5.18.8	Amendments to extent of protection (opposed)	6 Amend 1 Support 13 FS	Yes - Amendments to Appendix A1.1
5.18.9	Errors	14 Amend 11 FS	Yes - Amendments to Appendix A1.1 and planning maps

4.2.10 Submissions on Appendix A2 - Heritage precinct values

74. Appendix A2 details the descriptions, values and threats for each heritage precinct. It also contains a list of 'features and characteristics to be incorporated into design' for new buildings and alterations, with each feature listed as 'suggested' or 'preferred'.
75. A number of submissions were received to tighten the precinct design guidance, in particular by amending design guidance that is 'suggested' to 'preferred'. These have been assessed by Dr Hazelton and Mr Christos and changes recommended where appropriate.

Report Section	2GP Section/Topic	Number of original submission points (OS) and Further submission points (FS)	Amendment recommended?
5.19	Heritage Precinct Values		
5.19.1	5.19.1 Heritage precinct values - General	8 Amend 3 FS	Yes
5.19.2	5.19.2 Description of precincts	5 Support	Yes

5.19.3	Values to be protected	10 Amend 1 FS	Yes
5.19.4	Principal threats to values	6 Amend 2 Support 1 FS	Yes
5.19.5	Residential Heritage Precinct Values - Height	5 Amend 2 FS	No
5.19.6	Residential Heritage Precinct Values – Design	22 Amend Not stated 2 FS	Yes
5.19.7	Residential Heritage Precinct Values – Fences	11 Amend Not stated 4 FS	Yes
5.19.8	Residential Heritage Precinct Values – Colour	2 Amend 2 FS	No
5.19.9	Residential Heritage Precinct Values - Materials	3 Amend	No
5.19.10	Commercial Heritage Precinct Values - Height	1 Amend 1 FS	No
5.19.11	Commercial Heritage Precinct Values – Design	12 Amend	Yes
5.19.12	Commercial Heritage Precinct Values – Car parking	2 Amend 1 FS	No
5.19.13	Commercial Heritage Precinct Values – Other guidance	3 FS	Yes

4.2.11 Archaeological sites background

76. There are a large number of archaeological sites within Dunedin City. Most archaeological sites are not identified in the current plan and are at risk of damage if landowners are unaware of them when undertaking activities on their land.
77. Statutory responsibility for archaeological sites rests with Heritage New Zealand. The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to destroy, damage or modify the whole or any part of an archaeological site without the prior authority of Heritage New Zealand. For this reason, the 2GP focuses on alerting land and building owners to their responsibilities under the Heritage New Zealand Act rather than duplicating Heritage New Zealand's authority process by requiring additional resource consents.
78. This is achieved by mapping the most significant archaeological sites as scheduled archaeological sites. Earthworks are permitted provided an archaeological authority has been obtained (if one is required). An archaeological alert layer is also mapped, with advice on the correct process to follow should archaeological material be discovered.

4.2.12 Submissions on Archaeological sites provisions

79. Submissions have been made both to clarify that the 2GP rules do not waive the requirement to obtain an archaeological authority from Heritage New Zealand for disturbance of an archaeological site, and to remove the rules as they duplicate Heritage New Zealand's functions. The focus of the provisions is to raise awareness of the archaeological authority process without duplication of Heritage New Zealand's

role. Amendments are proposed to the advice note to clarify the relationship between the provisions.

80. A number of submitters seek to remove the archaeological alert layer from their properties. The alert layer was identified in consultation with Heritage New Zealand. It is for information only and no rules are attached. I have not recommended any changes.

Report Section	2GP Section/Topic	Number of original submission points (OS) and Further submission points (FS)	Amendment recommended
5.13	Archaeological Provisions		
5.13.1	Objective 13.2.4	1 OS Amend 3 OS Support 2 FS	No
5.13.2	Rule 13.3.3 Archaeological sites and Note 13.3A	5 OS Amend 1 OS Support 4 FS	Yes
5.13.3	Schedule of Protected Heritage Items and Sites - Archaeological Sites	3 OS Amend 1 OS Support 4 FS	Yes - Amendments to Appendix A1.1
5.13.4	Heritage New Zealand Pouhere Taonga Accidental Discovery Protocol	1 OS Amend 2 OS Support 1 FS	Yes
5.13.5	Archaeological Alert Layer Mapped Area	9 OS Amend 2 OS Support 9 FS	Yes - Amendment to planning maps

4.2.13 Definitions

81. A small number of submissions were received on the definitions of activities used in the heritage rules. A minor amendment is recommended to clarify that 'additions and alterations' activity applies to building utilities and does not include network utilities.

Report Section	2GP Section/Topic	Number of original submission points (OS) and Further submission points (FS)	Amendment recommended?
5.1	Definitions		
5.1.1	Additions and Alteration	4 OS Amend 1 OS Support 4 FS	Yes
5.1.2	Repairs and Maintenance	1 OS Support	No
5.1.3	Restoration	1 OS Amend 1 FS	Yes
5.1.4	Public Place	2 OS Amend	No
5.1.5	Proposed new definition - Conservation	1 OS Amend	Yes

5.0 Provision by Provision assessment and recommendations

5.1 Definitions

5.1.1 Additions and Alterations definition

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS322.1	KiwiRail Holdings Limited	I support the provision	Retain definition of Additions and Alteration.	Accept	No amendment required
OS360.17	Dunedin City Council	I seek to have the above provision amended	Amend definition of 'Additions and Alteration' to read 'Additions and Alterations': 'Any changes to the fabric, characteristics, or size of a building or structure, including the removal or replacement of building components, and the attachment or construction of additional components, <u>including building utilities</u> '.	Accept	Amend definition of 'Additions and Alteration' to include "building utilities"
-- FS2440.70	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.17 . Allow submission.	Accept	Amend definition of 'Additions and Alteration'
OS576.2	Vodafone NZ Ltd	I oppose the provision	Amend definition of	Accept	Amend definition of

			Additions and Alteration by adding a further exclusion as follows: <u>Network utilities placed on or connected to a building or structure within a scheduled heritage site.</u>		'Additions and Alteration' to exclude "network utilities"
-- FS2440.1	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS576.2. Disallow submission and include building utilities in the definition of 'Additions and alterations'.	Accept in part	Amend definition of 'Additions and Alteration' to include "building utilities"
OS923.2	Spark New Zealand Trading Limited	I oppose the provision	Amend definition of Additions and Alteration by adding a further exclusion as follows: <u>Network utilities placed on or connected to a building or structure within a scheduled heritage site.</u>	Accept	Amend definition of 'Additions and Alteration' to exclude "network utilities"
-- FS2440.2	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS923.2. Disallow submission and include building utilities in the definition of 'Additions and alterations'.	Accept	Amend definition of 'Additions and Alteration' to exclude "network utilities"
OS925.2	Chorus New Zealand Limited (Chorus)	I oppose the provision	Amend definition of Additions and Alteration by adding a further exclusion as follows: <u>Network utilities placed on or connected to a building or structure within a scheduled heritage site.</u>	Accept in part	Amend definition of 'Additions and Alteration' to exclude "network utilities"

-- FS2440.3	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS925.2. Disallow submission and include building utilities in the definition of 'Additions and alterations'.	Accept	Amend definition of 'Additions and Alteration' to include "building utilities"

Discussion:

Background

'Additions and Alteration' are defined in the 2GP as:

"Any changes to the fabric, characteristics, or size of a building or structure, including the removal or replacement of building components, and the attachment or construction of additional components.

For the purposes of the heritage provisions of this Plan, earthquake strengthening and restoration are managed as sub-activities of additions and alterations. Additions and alterations that are related to work required to comply with section 112 (Alterations) or section 115 (Change of use) of the Building Act 2004 are also treated differently in the policies and the assessment rules.

This definition excludes:

- activities defined as repairs and maintenance or demolition; and
- signs, for the purposes of heritage activity status provisions."

Submissions

KiwiRail Holdings Ltd (OS322.1) seeks to retain the definition of 'Additions and Alteration' without amendment. The submitter's support is noted.

Dunedin City Council (OS360.17), supported by Heritage New Zealand (FS2440.70), wishes to correct the definition by adding an 's': 'Additions and Alterations', as this is the term used in the plan. It also seeks to add "including building utilities" to the end of the definition, to clarify that these are included.

Vodafone NZ Ltd (OS576.2), Spark New Zealand Trading Ltd (OS923.2) and Chorus New Zealand Ltd (OS 925.2) all seek to amend the

definition of Additions and Alteration by adding the following additional exclusion:

- Network utilities placed on or connected to a building or structure within a scheduled heritage site.

This is to ensure that network utility equipment (e.g. service connections) on a building is not treated as an addition and alteration to a scheduled heritage building or item within a scheduled heritage site.

Heritage New Zealand (FS2440.1, 2 and 3) opposes the submission, as it considers that it is appropriate to specifically include building utilities in the definition because such equipment has the potential to adversely impact on the fabric and appearance of heritage buildings and should be controlled, along with all other activities which alter or add to a protected part of a scheduled building.

Recommendation

I recommend that the defined term is corrected to 'additions and alterations' to match the phrasing used in the plan provisions, and that 'building utilities' are included for clarification.

Network utilities are managed separately from additions and alterations, under rules in section 5 of the 2GP. Certain network utilities require consent in scheduled heritage sites and heritage precincts. It is therefore appropriate that the definition of additions and alterations excludes network utilities, for clarity.

I also note that further recommendations and associated amendments on how additions and alterations are provided for will be provided at a later hearing. As part of these changes, I understand that network utility connections will be excluded from the definition.

Recommended amendment:

Amend definition of additions and alterations as follows:

"Additions and alterations

Any changes to the fabric, characteristics, or size of a building or structure, including the removal or replacement of building components, and the attachment or construction of additional components, including building utilities.

This definition excludes:

- activities defined as repairs and maintenance or demolition; and

- signs, for the purposes of heritage activity status provisions and
- network utilities

5.1.2 Repairs and Maintenance definition

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS322.5	KiwiRail Holdings Limited	I support the provision	Retain definition of Repairs and Maintenance.	Accept	No amendment required
Discussion:					
KiwiRail (OS322.5) supports the definition of repairs and maintenance. Its support is noted. No amendment is required.					
Recommended amendment:					
None.					

5.1.3 Restoration definition

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS547.75	Heritage New Zealand /Otago and Southland Office	I oppose the provision	Amend definition of Restoration to the ICOMOS NZ Charter definition or the definition provided below, to	Accept in part	Amend definition of Restoration

			<p>better define activities:</p> <p><u>Restoration is a process by which the fabric of a building or structure or site is accurately returned to a known earlier form by reassembling and reinstating components in accordance with known earlier details using new or original material or, if necessary, new materials, or removing later components or additions. The process of restoration can include reconstruction to re-build as accurately as possible to a documented earlier form, using new materials.</u></p>		
-- FS2429.64	Elizabeth Kerr	I support the submission	Support OS547.75. Allow submission.	Accept in part	Amend definition of Restoration
<p>Discussion:</p> <p>Background</p> <p>Restoration is defined in the 2GP as: "To return the fabric of a building or structure to its original form by reassembling and reinstating components in accordance with known earlier details using new or original materials. Restoration includes the removal of later additions, except where they are specifically protected in Schedule A1.1.</p> <p>Restoration is a sub-activity of additions and alterations."</p> <p>Submission</p> <p>Heritage New Zealand (OS547.75), supported by Elizabeth Kerr (FS2429.64), seeks to amend the definition to be consistent with the ICOMOS</p>					

NZ Charter definition for 'restoration and reconstruction', or revise it to better define the activities, as follows:

"Restoration is a process by which the fabric of a building, or structure or site is accurately returned to a known earlier form by reassembling and reinstating components using original, or, if necessary, new materials, or removing later components or additions. The process of restoration can include reconstruction - to re-build as accurately as possible to a documented earlier form, using new materials."

Recommendation

The two definitions are essentially the same, and the 2GP definition was derived from the ICOMOS definition, with the removal of superfluous words. The phrase "except where they are specifically protected in Schedule A1.1" was added to prevent the removal of protected parts. The reference to reconstruction was not included, as this is covered by the remainder of the definition – re-building to an earlier form using new materials.

Minor changes could be made to align the wording further, if necessary. A suggested amendment is shown below. Correspondence with Heritage NZ indicates that it agrees with the proposed wording.

Recommended amendment:

Amend the definition of restoration as follows:

"To accurately return the fabric of a building or structure to ~~its original~~ a known earlier form by reassembling and reinstating components ~~in accordance with known earlier details~~ using new or original materials. Restoration includes the removal of later components or additions, except where they are specifically protected in Schedule A1.1.

Restoration is a sub-activity of additions and alterations."

5.1.4 Public Place definition

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS308.480	University of Otago	I seek to have the above provision amended	Amend definition of Public Place to exclude unformed legal roads.	Reject	Do not amend definition

OS588.34	Otago Peninsula Community Board	I seek to have the above provision amended	Amend definition of Public Place to clarify that a school is not considered a public place and therefore public amenities rules required for public places do not apply to schools (inferred not stated)	Reject	Do not amend definition
<p>Discussion:</p> <p>Background</p> <p>Public Place is defined in the 2GP as “roads and reserves.”</p> <p>Submissions</p> <p>The University of Otago (OS308.480) seeks to amend the definition of public place by excluding unformed legal roads. Its reasoning is that references to 'public places' in the Proposed Plan all relate to circumstances where there could be effects on the general public in their everyday activities. Accordingly, these provisions should not apply to 'paper roads'.</p> <p>The Otago Peninsula Community Board (OS588.34) seeks clarification that schools are not a public place.</p> <p>Recommendation</p> <p>'Public place' was intended to apply only to publicly accessible roads and reserves, including footpaths on road reserve. I am concerned that excluding unformed roads may inadvertently exclude public footpaths that are not themselves on formed roads. I suggest that a better definition is “publicly accessible roads, reserves and footpaths/tracks”.</p> <p>In relation to the submission from the Community Board, unless a school is also a reserve, they are not public places for the purpose of the 2GP provisions.</p>					
<p>Recommended amendment:</p> <p>Amend definition of 'public place' to: “<u>publicly accessible roads</u>, and reserves <u>and footpaths / tracks</u>”.</p>					

5.1.5 Proposed new definition – Conservation

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS743.2	Elizabeth Kerr	I seek to have the above provision amended	Add new definition of Heritage Conservation. See ICOMOS NZ charter for possible wording. Amend the definition of Buildings and Structures Activities to include Heritage Conservation.	Accept	Add new definition: <u>Heritage Conservation</u>

Discussion:

Submissions

Elizabeth Kerr (OS743.2) seeks a new definition be added to the 2GP, for 'Heritage Conservation'. She suggests the ICOMOS NZ charter for possible wording. The submission relates to the request to include 'conservation' within a number of 2GP objectives and policies. These submissions are discussed in sections 5.2.5, 5.3.1 and 5.5.1.

Recommendation

While no specific rule for 'conservation' is proposed, I have recommended that the term 'heritage conservation' is added into Objective 2.4.2 and Policy 2.4.2.1 (see section 5.3.1). The ICOMOS NZ definition is:

"all the processes of understanding and caring for a place so as to safeguard its cultural heritage value. Conservation is based on respect for the existing fabric, associations, meanings, and use of the place. It requires a cautious approach of doing as much work as necessary but as little as possible, and retaining authenticity and integrity, to ensure that the place and its values are passed on to future generations."

The Plan Overview s42A report discusses which terms are defined in the 2GP. As 'conservation' is not used in the 2GP as an activity, it does not need to be defined unless there is no clear 'every day' meaning, or a specific definition is required in order to interpret the plan provisions. However, the term 'conservation' is also used in the 2GP in relation to biodiversity. If it is added into the heritage objectives and policies, as

proposed, the 2GP will automatically hyperlink to the current 'conservation' definition. To avoid this, an alternative term such as 'heritage conservation' needs to be used, and also defined.

I therefore suggest that a simplified definition of 'heritage conservation' is included: "safeguarding the cultural heritage value of a building or place, while retaining authenticity and integrity."

Recommended amendment:

Add new definition:

Heritage conservation: Safeguarding the cultural heritage value of a building or place, while retaining authenticity and integrity

5.2 Heritage general approach

5.2.1 Heritage section

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS1.6	Peter Entwisle	I support the provision	Support s13 in its entirety	Accept	No amendment required
OS53.13	Jack Austin	I support the provision	Retain Section 13 Heritage	Accept	No amendment required
OS290.2	Louise Croot	I support the provision	Support heritage precinct provisions.	Accept	No amendment required
OS429.5	Raymond and Evelyn Beardsmore	I support the provision	Retain heritage provisions in the 2GP.	Accept	No amendment required
OS801.2	Jo Galer	I support the provision	Retain Section 13 Heritage.	Accept	No amendment required
OS908.73	Otago Regional Council	I support the provision	Retain Chapter 13 Heritage.	Accept	No amendment required

Discussion

Submissions

All the submitters listed above support Section 13. Some submitters have made additional submission points seeking changes to particular

aspects. These are dealt with elsewhere in this report.

The submitters' support is noted. No amendments are required as a result of these points, although recommended changes are provided elsewhere in response to other submission points.

Recommended amendment: None

5.2.2 Heritage general comments

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS840.3	Athol Parks	I seek to have the above provision amended	Ensure development in or adjacent to heritage or character-contributing areas is strictly controlled.	Accept in part	No amendment required
OS840.4	Athol Parks	I seek to have the above provision amended	Ensure re-use of existing buildings takes priority over the construction of unsightly and possibly unnecessary apartment buildings, especially in North Dunedin and the area between the Town Belt and the railway line.	Accept in part	No amendment required
OS840.5	Athol Parks	I seek to have the above provision amended	Undertake further work to identify and safeguard Dunedin's heritage.	Accept in part	No amendment required
<p>Discussion:</p> <p><i>Submissions</i></p>					

Athol Parks (OS840.3, 4 and 5) seeks to ensure that development in or adjacent to heritage or character-contributing areas is strictly controlled, that re-use of existing buildings takes priority over the construction of unsightly and possibly unnecessary apartment buildings, especially in North Dunedin and the area between the Town Belt and the railway line, and that further work to identify and safeguard Dunedin's heritage.

Recommendation

In response to Mr Parks' submissions, work is ongoing to identify and protect the city's heritage resources. This is evident through consideration of a number of requested heritage building listings and new heritage precincts through the 2GP submission process, and ongoing community work such as Heritage Fund support. DCC cannot, however, require that re-use of existing buildings takes priority over construction of new buildings. The city is evolving, and old buildings will be replaced by new. Many buildings with significant heritage values are protected within the 2GP schedule, with provisions aimed at encouraging their re-use and strongly discouraging their demolition. Heritage precincts cover those areas that are considered to have heritage streetscape values worth protecting, and development within these areas is managed. Controlling development over wider areas of the city is not justified or appropriate in terms of the purpose of the RMA.

As many of the outcomes that Mr Parks seeks are already being provided, I recommend that his submissions are accepted in part, but that no amendments are made to the 2GP.

Recommended amendment: None.

5.2.3 Introduction to Heritage section

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS293.71	Southern Heritage Trust & City Rise Up	I support the provision	Retain 13.1 Introduction	Accept	No amendment required
OS299.119	Rosemary & Malcolm McQueen	I support the provision	Retain 13.1 Introduction	Accept	No amendment required
OS444.39	John and Clare Pascoe	I support the provision	Retain 13.1 Introduction	Accept	No amendment required
OS547.71	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend wording of introduction as follows in order to better address cumulative effects: Heritage buildings: ' In order	Accept	Amend wording of introduction

			<p>to avoid the loss of heritage character and values, it is necessary to manage changes to these buildings and structures. <u>It is important to manage change in light of the incremental effect of any previously approved works on the heritage values of the building or structure as originally assessed when first scheduled</u>'.</p> <p>Heritage precincts: 'The focus in the precincts is on managing the <u>collective</u> historic streetscape character <u>created by individually scheduled buildings and 'character contributing buildings of that individual precinct, as assessed at the time of scheduling</u>'.</p>		
-- FS2429.60	Elizabeth Kerr	I support the submission	Support OS547.71. Allow submission.	Accept	Amend wording of introduction
OS919.124	Federated Farmers of New Zealand	I support the provision	Retain the Archaeological Sites section of 13.1 Introduction to the Heritage chapter.	Accept	No amendment required
OS919.50	Federated Farmers of New Zealand	I seek to have the above provision amended	Amend 13.1 Introduction to focus on sustainable management of historic heritage, rather than	Reject	Do not amend introduction

			protection.		
OS959.2	Jackie Gillies + Associates	I support the provision	Retain 13.1 introduction particularly pertaining to heritage precincts	Accept	No amendment required
OS1071.47	Kati Huirapa Runaka ki Puketeraki and Te Runanga o Otakou	I seek to have the above provision amended	Amend 13.1 Introduction - Archaeological Sites to include an alert for landowners that there is potential for mapped waahi tuupuna to be disturbed and to be cautious around waahi tuupuna	Accept	Amend 13.1 Introduction - Archaeological Sites

Discussion:

Submissions

Southern Heritage Trust & City Rise Up (OS293.71), Rosemary & Malcolm McQueen (OS299.119) and John and Clare Pascoe (OS444.39) all support the introduction to Section 13. They note that Dunedin's built heritage is correctly identified as one of the city's most important attributes, and agree that reuse is a good way of avoiding 'demolition by neglect' and that the establishment of heritage precincts will protect the streetscape as well as individual buildings.

Jackie Gillies and Associates (OS959.2) supports the introduction, especially the acknowledgement of "contributing" and "non-contributing" buildings within heritage precincts, as this reflects the reality of many precincts.

Heritage New Zealand (OS547.71), supported by Elizabeth Kerr (FS2429.60), seeks to amend the introduction as follows:

Heritage buildings and structures: ..."In order to avoid the loss of heritage character and values, it is necessary to manage changes to these buildings and structures. It is important to manage change in light of the incremental effect of any previously approved works on the heritage values of the building or structure as originally assessed when first scheduled. However, it is also recognised that the best way to manage changes..."

Heritage precincts: ... "The focus in the precincts is on managing the collective historic streetscape character created by individually scheduled buildings and character contributing buildings of that individual precinct, as assessed at the time of scheduling'. For that reason, the proposed rules only apply to the parts of buildings visible from the street..."

Heritage New Zealand considers that it is important for the 2GP to be clear that a proposal which includes additions and alterations, removals,

demolition, new building, car parking and colour schemes to an individual property will be assessed in light of its effects on the property and the cumulative effects of this and previous changes on the overall character of the individual precinct. The values of the heritage item and/or precinct at the time of scheduling should be the baseline against which all proposals in the future are assessed. The proposed amendments should better address cumulative effects.

Federated Farmers of New Zealand (OS919.50) oppose the introduction (in part), and consider that it should be re-written to focus on sustainable management of historic heritage, rather than protection. It considers that overly onerous protection over time can undermine heritage values.

Federated Farmers of New Zealand (OS919.124) seeks to retain the archaeological sites section of the introduction, as it supports the intention to alert land and building owners to their responsibilities under the Heritage New Zealand Pouhere Taonga Act 2014, rather than duplicating the authority process by requiring additional resource consents for work that may disturb archaeological sites.

Kati Huirapa Rūnaka ki Puketeraki and Te Rūnanga o Otakou (OS1071.47) wish to amend the introduction, and advice notes for each zone, to include the following: “There is increased potential for archaeological sites to be disturbed within the mapped wāhi tūpuna areas.” This is to alert landowners to the potential for the accidental discovery of these sites.

Recommendation

The amendments proposed by Heritage New Zealand highlight the issues of cumulative changes to heritage items. This is appropriate, and I recommend revised wording be added into the introduction, as shown below. This issue is also dealt with in relation to proposed changes to the heritage precinct threats, in section 5.19.4.

I further suggest that the outcomes sought by Heritage New Zealand are emphasised in the ‘General assessment guidance’ for consent applications, by adding an additional clause to Rule 13.6.2.1 – restricted discretionary activities: “For additions and alterations to and demolition of heritage and character-contributing buildings within heritage precincts, the work is assessed taking account of cumulative changes over time to heritage streetscape values”, and “For additions and alterations to heritage buildings, work is assessed taking into account the effect on heritage values of cumulative changes to the building over time”.

In response to Federated Farmers request to re-write the introduction to focus more on management than protection, I consider that the 2GP provisions have a strong focus on management and re-use, rather than purely protection. This is reflected in the 3rd and 4th paragraphs under the heading ‘Heritage buildings and structures’ and the 3rd paragraph under the heading ‘heritage precincts’. I do not consider that further changes are necessary.

The addition to the introduction requested by the rūnaka is reasonable and I recommend it is accepted. The relevant advice note appears in rule 13.3.3. I recommend that this is amended to highlight that the plan archaeological sites may be found outside the scheduled sites mapped in the plan, and are more likely to be found in the archaeological alert layer (which includes wāhi tūpuna areas).

Recommended amendment:

1. Amend Section 13 introduction, 3rd paragraph under 'Heritage buildings and structures':

"In order to avoid the loss of heritage character and values, it is necessary to manage changes to these buildings and structures. These changes should be considered in relation to the heritage values of the building or structure as originally assessed when first scheduled, to allow consideration of the cumulative effects of any previously approved works to be considered. However, it is also recognised that the best way to manage changes..."

2. Amend Section 13 introduction, 3rd paragraph under 'Heritage precincts'

"The focus in the precincts is on managing the collective historic streetscape character created by individually scheduled buildings and character contributing buildings of that precinct, as assessed at the time of scheduling". For that reason, ~~the~~ The proposed rules, therefore, only apply to the parts of buildings visible from the street ..."

3. Amend Section 13 Introduction, 6th paragraph under 'Archaeological sites':

"...recorded archaeological sites close by. There is increased potential for archaeological sites to be disturbed within the mapped wāhi tūpuna areas. These are generally included either as scheduled archaeological sites or within the archaeological alert layer."

4. Amend Rule 13.6.2.1. under 'General assessment guidance' as follows:

c. For work affecting a scheduled heritage building or structure, Council will consider:

- i. the extent to which the work enables the ongoing use... ; and
- ii. the cumulative effects of the proposed work together with any previous changes on the heritage values of the property.

d. For work affecting a character-contributing or structure, Council will consider:

- i. the extent to which the work enables the ongoing use... ; and
- ii. the cumulative effects of the proposed work together with any previous changes on the heritage values of the property and on the overall heritage character of the precinct."

5. Amend Note 13.3A.1 to add new clause (c):

"c. Scheduled Archaeological Sites are identified on the planning maps. Archaeological sites may also be found outside these areas, but are more likely to be found within the archaeological alert layer. "

5.2.4 Objective 2.4.1

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS417.7	Margaret Davidson	I seek to have the above provision amended	Retain Objective 2.4 and add recognition of Dunedin as a nationally important heritage city.	Accept	Amend Objective 2.4.1.c
-- FS2020.1	Jeffrey Herkt	I support the submission	Support OS417.7. Allow submission and retain Objective 2.4.	Accept	Amend Objective 2.4.1.c

Discussion:

Background

Objective 2.4.1 is: "Form and structure of the urban environment

The elements of the urban environment that contribute to residents' and visitors' aesthetic appreciation for and enjoyment of the city are protected and enhanced. These include:

- a. important green and other open spaces;
- b. trees that make a significant contribution to the visual landscape and history of neighbourhoods;
- c. built heritage;
- d. important visual landscapes and vistas;
- e. the amenity and aesthetic coherence of different urban environments; and
- f. the compact and accessible form of Dunedin."

Submissions

Margaret Davidson (OS 417.7), supported by Jeffrey Herkt (FS2020.1), supports "Objective 2.4", but seeks to amend it to add recognition of Dunedin as a nationally important heritage city. The reasons given refer to Objective 2.4.1, so I have assumed that the submission point relates to this objective.

Ms Davidson's reasons are that Dunedin played a vital role in NZ'S European settlement and prosperity. Instead of emulating other cities and

their idea of 'progress', she considers that the city should build on its point of difference, and these are succinctly encapsulated in Objective 2.4.1.

Recommendation

I have no objection to the amendment sought, and recommend that clause (c) is amended to read "built heritage, including nationally recognised built heritage".

Recommended amendment:

Amend Objective 2.4.1.c:
"c. built heritage, including nationally recognised built heritage;"

5.2.5 Objective 2.4.2

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS53.10	Jack Austin	I support the provision	Retain Objective 2.4.2.	Accept	No amendment required
-- FS2440.10	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS53.10. Allow submission and retain Objective 2.4.2.	Accept	No amendment required
OS293.55	Southern Heritage Trust & City Rise Up	I support the provision	Retain Objective 2.4.2 and associated policies.	Accept	No amendment required
-- FS2440.11	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS293.55. Allow submission and retain Objective 2.4.2 and associated policies.	Accept	No amendment required
OS299.35	Rosemary & Malcolm McQueen	I support the provision	Retain Objective 2.4.2 and associated policies 2.4.2.1-2.4.2.3.	Accept	No amendment required
-- FS2440.12	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS299.35. Allow submission and retain Objective 2.4.2 and	Accept	No amendment required

			associated policies.		
OS308.65	University of Otago	I support the provision	Retain Objective 2.4.2.	Accept	No amendment required
-- FS2440.13	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS308.65. Allow submission and retain Objective 2.4.2	Accept	No amendment required
OS417.13	Margaret Davidson	I support the provision	Retain Objective 2.4.2	Accept	No amendment required
-- FS2440.14	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS417.13. Allow submission and retain Objective 2.4.2.	Accept	No amendment required
OS444.23	John and Clare Pascoe	I support the provision	Retain Objective 2.4.2 and Policies 2.4.2.1.a and b, 2.4.2.2 and 2.4.2.3.	Accept	No amendment required
-- FS2440.15	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS444.23. Allow submission and retain Objective 2.4.2 and associated policies.	Accept	No amendment required
OS743.9	Elizabeth Kerr	I seek to have the above provision amended	Amend Objective 2.4.2 as follows: 'Dunedin's heritage is central to its identity and is protected and celebrated as a core value of the city, through the <u>conservation and</u> retention of important heritage items, and the maintenance and active use of built heritage'.	Accept	Amend Objective 2.4.2
OS840.2	Athol Parks	I seek to have the above provision amended	Retain Objective 2.4.2.	Accept	No amendment required
-- FS2440.16	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS840.2. Allow submission and retain Objective 2.4.2.	Accept	No amendment required

OS843.2	Arthur St Neighbourhood Support	I support the provision	Retain Objective 2.4.2	Accept	No amendment required
-- FS2440.17	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS843.2. Allow submission and retain Objective 2.4.2.	Accept	No amendment required
-- FS2489.2	Liz Angelo	I support the submission	Support OS843.2. Allow submission.	Accept	No amendment required

Discussion:

Background

Objective 2.4.2 Heritage is as follows:

“Dunedin's heritage is central to its identity and is protected and celebrated as a core value of the city, through the retention of important heritage items, and the maintenance and active use of built heritage.”

Submissions

All the above submitters support Objective 2.4.2, with Southern Heritage Trust & City Rise Up (OS293.55), Rosemary and Malcolm McQueen (OS299.35), John and Clare Pascoe (OS444.23) additionally supporting the associated policies. I note that other submissions in relation to these policies are discussed in sections 5.3.1, 5.5.1 and 5.10.1 of this report.

The reasons include that adaptive re-use of heritage buildings is a win-win solution for the city's heritage, amenity values, residents' work settings, residential options and the environment; the focus on heritage re-use and the prioritisation of heritage values over other performance standards; and that heritage buildings are Dunedin's most important asset.

Elizabeth Kerr (OS743.9) seeks to amend Objective 2.4.2 by adding ‘the heritage conservation and retention of important heritage items’.

Recommendation

The support of the submitters is noted. The amendment proposed by Ms Kerr is not reasonable; however, as discussed in section 5.1.5, ‘conservation’ is a defined term in the 2GP in relation to biodiversity. I have therefore recommend that the term ‘heritage conservation’ is used.

Recommended amendment:

Amend Objective 2.4.2 as follows:

“Dunedin's heritage is central to its identity and is protected and celebrated as a core value of the city, through the heritage conservation and retention of important heritage items, and the maintenance and active use of built heritage.”

5.2.6 Heritage Section Objectives and Policies – general

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS293.44	Southern Heritage Trust & City Rise Up	I support the provision	Retain objectives 13.2.1-13.2.4 and associated policies.	Accept	No amendment required
-- FS2440.28	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS293.44. Allow submission and retain objectives 13.2.1-13.2.4 and associated policies.	Accept	No amendment required
OS299.117	Rosemary & Malcolm McQueen	I support the provision	Retain objectives 13.2.1-13.2.4 and associated policies.	Accept	No amendment required
-- FS2440.29	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS299.117. Allow submission and retain objectives 13.2.1-13.2.4 and associated policies.	Accept	No amendment required
OS444.15	John and Clare Pascoe	I support the provision	Retain objectives 13.2.1-13.2.4 and associated policies.	Accept	No amendment required

Discussion:

Objectives 13.2.1 –13.2.4 relate to the protection of scheduled heritage buildings and structures, heritage sites and archaeological sites, and to maintain or enhance the heritage streetscape character of heritage precincts.

All the above submissions and further submissions support Objectives 13.2.1-13.2.4. Submissions seeking amendments to individual policies

are discussed in other sections of this report.

The support of the submitters is acknowledged.

Recommended amendment: None.

5.3 Scheduled heritage buildings

5.3.1 Policy 2.4.2.1

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS308.66	University of Otago	I support the provision	Retain Policy 2.4.2.1.	Accept	No amendment required
-- FS2440.18	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS308.66. Allow submission and retain Policy 2.4.2.1.	Accept	No amendment required
OS308.67	University of Otago	I seek to have the above provision amended	Amend Policy 2.4.2.1.a.i as follows: 'Identify in a schedule (Appendix A.1.1) buildings and structures that have significant heritage values and use rules to: i. manage additions and alterations to, and demolition or removal for relocation of these buildings, in a way that maintains <u>recognises</u> important heritage values'.	Accept	Amend Policy 2.4.2.1.a.i
OS322.63	KiwiRail Holdings Limited	I support the provision	Retain Policy 2.4.2.1.	Accept	No amendment required
-- FS2440.19	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS322.63. Allow submission and retain Policy 2.4.2.1.	Accept	No amendment required

OS417.16	Margaret Davidson	I support the provision	Retain Policy 2.4.2.1	Accept	No amendment required
-- FS2440.20	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS417.16. Allow submission and retain Policy 2.4.2.1.	Accept	No amendment required
OS743.10	Elizabeth Kerr	I seek to have the above provision amended	Amend Policy 2.4.2.1.a.ii to read 'supporting adaptive re-use, <u>conservation</u> , and restoration; and'	Accept	Amend Policy 2.4.2.1.a.ii

Discussion:

Background

Policy 2.4.2.1 reads:

- a. Identify in a schedule (Appendix A.1.1) buildings and structures that have significant heritage values and use rules to:
 - i. manage additions and alterations to, and demolition or removal for relocation of these buildings, in a way that maintains important heritage values;
 - ii. supporting adaptive re-use and restoration; and
 - iii. prioritise protection of heritage values over compliance with other performance standards where there is a conflict.
- b. Identify heritage buildings and structures based on the following criteria:
 - i. historic and social significance;
 - ii. spiritual/cultural significance, including significance to Māori;
 - iii. design significance; and
 - iv. technological/scientific significance.

Submissions

Support

Kiwirail Holdings Ltd (OS322.63), supported by Heritage New Zealand (FS2440.19), supports Policy 2.4.2.1 as notified. Consideration of the ability to maintain and operate its scheduled assets, including through additions and alterations as appropriate, is supported by KiwiRail.

Margaret Davidson (OS417.16), supported by Heritage New Zealand (FS2440.20), also supports Policy 2.4.2.1. Ms Davidson notes that researching and listing buildings is the important first step in preserving our built heritage. Clear rules and guidelines will give developers certainty of success when seeking resource consent and streamline the process. She supports the focus on heritage re-use and the prioritisation

of heritage values over other performance standards.

The University of Otago (OS308.66) supports Policy 2.4.2.1, but seeks to amend clause a.i by replacing 'maintains' with 'recognises' (OS308.67). This is to recognise that it will not be possible to fully maintain important heritage values, especially when demolition or relocation are involved. It considers that the policy as worded is a de facto prohibition of such activities.

Heritage NZ (FS2440.18) supports submission OS308.66.

Elizabeth Kerr (OS743.10) seeks to amend Policy 2.4.2.1.a.ii to add: "supporting adaptive re-use, conservation and restoration". No specific reasons are given.

Recommendation

I acknowledge the University's concerns, that heritage values are not always able to be maintained, however I consider that 'recognise' is not a strong enough term. Objective 13.2.1 is to 'protect' heritage buildings, and Policy 13.2.1.7, which sits underneath it, details a limited set of circumstances which need to be met for demolition to proceed. Policy 2.4.2.1.a could be amended to reflect this, as show below.

The amendment requested by Ms Kerr is also appropriate, and reflects the change recommended to be made to Objective 2.4.2 (section 5.2.5). I note, however, that the term 'heritage conservation' should be used to avoid confusion with (biodiversity) 'conservation' which is also used in the 2GP. I also note a minor correction that needs to be made to "supporting" in the same clause.

Recommended amendment:

Amend Policy 2.4.2.1.a.:

- a. Identify in a schedule (Appendix A.1.1) buildings and structures that have significant heritage values and use rules to:
 - i. manage additions and alterations to, ~~and demolition~~ or removal for relocation of these buildings, in a way that maintains important heritage values;
 - ii. allow demolition of these buildings only in limited circumstances; and
 - iii. ~~supporting~~ adaptive re-use, heritage conservation and restoration;"

5.3.2 Objective 13.2.1

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
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OS308.241	University of Otago	I support the provision	Retain Objective 13.2.1 and associated policies 13.2.1.1 and 13.2.1.2.	Accept	No amendment required.
<p>Discussion:</p> <p>Background</p> <p>Objective 13.2.1 is that: "Scheduled heritage buildings and structures are protected."</p> <p>Submissions</p> <p>The University of Otago (OS308.241) considers that Objective 13.2.1 is appropriate, although it considers some elements of the related policies are too restrictive. These are considered under various submission points in other sections of this report.</p> <p>Recommendation</p> <p>The submitters' support is noted. No amendment is required.</p>					
<p>Recommended amendment: None.</p>					

5.3.3 Policy 13.2.1.2

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS317.8	Property Council New Zealand	I seek to have the above provision amended	Amend Policy 13.2.1.2 as follows: 'Require repairs and maintenance and <u>encourage</u> restoration that affect a protected part of a scheduled heritage building...'	Reject	Retain Policy 13.2.1.2
OS547.82	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend Policy 13.2.1.2, and make a consequential amendment to rule 13.5.3,	Reject	Retain Policy 13.2.1.2

			to add the following: Require repairs and maintenance and restoration that affect a protected part of a scheduled heritage building or scheduled heritage structure to preserve and protect the heritage values of the building or structure by using <u>original or equivalent</u> appropriate materials and <u>appropriate</u> design.		
-- FS2429.71	Elizabeth Kerr	I support the submission	Support OS547.82. Allow submission.	Reject	Retain Policy 13.2.1.2
<p>Discussion:</p> <p>Background</p> <p>Policy 13.2.1.2. is as follows:</p> <p>"Require repairs and maintenance and restoration that affect a protected part of a scheduled heritage building or scheduled heritage structure to preserve and protect the heritage values of the building or structure by using appropriate materials and design."</p> <p>Submissions</p> <p>The Property Council New Zealand (OS317.8) seeks to amend Policy 13.2.1.2 by adding: "Require repairs and maintenance and <u>encourage</u> restoration that affect a protected part of a scheduled heritage building or scheduled heritage structure to preserve and protect the heritage values of the building or structure by using appropriate materials and design." Its reasons are that restoration should be encouraged rather than required.</p> <p>Heritage New Zealand (OS547.82), supported by Elizabeth Kerr (FS2429.71), seeks to amend Policy 13.2.1.2 by replacing 'appropriate materials and design' as follows: "<u>original or equivalent</u> appropriate materials and <u>appropriate</u> design".</p>					

It considers the term “equivalent”, rather than “appropriate”, should be used in relation to materials, as it is less confusing and provides more certainty where the original materials cannot be re-used.

Recommendation

With regards to Heritage New Zealand’s amended wording, performance standard Rule 13.3.2 (Materials and design) requires that the materials used for repairs and maintenance and restoration, and the design of the work, are the “same or closely similar” to those being replaced. If this standard cannot be met, Policy 13.2.1.2 provides guidance on what is acceptable.

I consider that in this situation “equivalent” may not be possible. If it was, the performance standard would be met. “Appropriate” provides a little more flexibility while still achieving the overall goal of “preserv[ing] and protect[ing] the heritage values of the building of structure”.

I therefore recommend that “appropriate” is retained.

The Property Council seeks to encourage, rather than require, restoration. Policy 13.2.13 does not require restoration, rather it requires that when restoration is undertaken, the materials and design of any work is appropriate. I therefore recommend that the submission is rejected.

Recommended amendment: None.

5.4 Earthquake strengthening

5.4.1 Policy 2.2.1.9

Sub pt #	Submitter Name	Support/Oppose /Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS308.35	University of Otago	I support the provision	Retain Policy 2.2.1.9.	Accept	Retain 2.2.1.9. but amend 2.4.2.3.

Discussion:

Background

Policy 2.2.1.9 is to:

“Support and encourage earthquake strengthening of heritage buildings that are earthquake-prone through more lenient rules on:

- a. earthquake strengthening affecting the scheduled parts of heritage buildings; and
- b. replacement of elevated features where there is a risk to safety.”

Submission

The University of Otago (OS308.35) supports Policy 2.2.1.9, as earthquake strengthening reduces the risk to people and property. However, the University notes that in many cases earthquake strengthening works will trigger a requirement for improvements to fire safety and accessibility. If these works are not also covered by the policy, it will often fail to achieve its purpose. It therefore seeks to add a provision for fire and access works, where they are required as part of earthquake strengthening works.

Recommendation

The importance of fire safety and access work in the re-use of buildings, and the need to provide for it, is already recognised in the 2GP policies (eg. policies 13.2.1.1 and 13.2.14). Policy 2.2.1.9 specifically relates to earthquake strengthening work, and so including the additional clause in this policy is not appropriate. However, it could be included in Policy 2.4.2.3, another strategic direction policy that is specifically concerned with encouraging adaptive re-use.

Recommended amendment:

Amend Policy 2.4.2.3 as follows:

“Encourage adaptive re-use of heritage buildings through rules that:

- 1. enable a wider range of activities to be undertaken in scheduled heritage buildings in certain zones with a large number of heritage buildings (the Warehouse Precinct and the Smith Street and York Place zones);
- 2. exempt scheduled heritage buildings from minimum parking standards; ~~and~~
- 3. enable earthquake strengthening; and
- 4. enable work required to comply with sections 112 and 115 of the Building Act 2004.”

5.4.2 Policy 13.2.1.3

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS308.244	University of Otago	I seek to have the above provision amended	Amend Policy 13.2.1.3 (earthquake strengthening)	Reject	Retain Policy 13.2.1.3

			to recognise limitations in what is practicable and justified to achieve, as cost or functionality may make full retention of architectural features impracticable.		
OS317.9	Property Council New Zealand	I seek to have the above provision amended	Amend Policy 13.2.1.3 by deleting sub-clause b: 'Require earthquake strengthening that affects a protected part of a scheduled heritage building ...including by: b. retaining the original façade material;..'	Reject	Retain Policy 13.2.1.3

Discussion:

Background

Policy 13.2.1.3 is to:

"Require earthquake strengthening that affects a protected part of a scheduled heritage building or scheduled heritage structure to use appropriate materials and design to minimise any adverse effects on the heritage values of the building, including by:

- a. protecting, as far as possible, architectural features and details that contribute to the heritage values of the building;
- b. retaining the original façade material;
- c. minimising the visual impact of additions on protected parts of the building; and
- d. in the case of the replacement of an elevated feature on a façade or roof, the new feature is visually indistinguishable from the feature being replaced."

Submissions

The University of Otago (OS308.244) seeks to revise Policy 13.2.1.3 to recognise limitations in what is practical and justifiable to achieve. It

considers that in many cases, cost or functionality may make full retention of architectural features, designs and facades impracticable. It considers that heritage requirements should not act as a disincentive to the safety benefits of earthquake strengthening.

The Property Council New Zealand (OS317.9) wishes to remove clause (b) be from the policy. While it supports the intention of the policy, it has concerns about retaining the original façade material, especially if it is unreinforced masonry.

Recommendation

Earthquake strengthening is a controlled activity in the 2GP, and so consent must be granted provided performance standards are met. Retaining the original material and keeping intervention to a minimum is the preferred approach and this is ensured by the performance standards. If the performance standards are not met then the strengthening becomes a restricted discretionary activity. Experience in Dunedin has shown that it is generally possible to retain the façade, but I acknowledge that this will not always be possible. I therefore recommend that the submissions are rejected.

Recommended amendment: None.

5.5 Adaptive re-use

5.5.1 Policy 2.4.2.3

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS53.12	Jack Austin	I support the provision	Retain Policy 2.4.2.3.	Accept	No amendment required
-- FS2440.25	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS53.12. Allow submission and retain Policy 2.4.2.3.	Accept	No amendment required
OS252.23	Carol Devine	I support the provision	Retain Policy 2.4.2.3	Accept	Retain Policy 2.4.2.3
-- FS2429.140	Elizabeth Kerr	I support the submission	Support OS252.23. Allow submission.	Accept	Retain Policy 2.4.2.3
-- FS2440.27	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS252.23. Allow submission and retain Policy 2.4.2.3.	Accept	Retain Policy 2.4.2.3

OS308.69	University of Otago	I seek to have the above provision amended	Amend Policy 2.4.2.3 to include Campus in the list of zones where a wider range of activities are enabled in scheduled heritage buildings.	Reject	Retain Policy 2.4.2.3
OS417.18	Margaret Davidson	I support the provision	Retain Policy 2.4.2.3	Accept	Retain Policy 2.4.2.3
OS743.33	Elizabeth Kerr	I seek to have the above provision amended	Amend Policy 2.4.2.3 by adding new clause after (a) as follows: ' <u>enable conservation and restoration of significant heritage fabric for scheduled heritage buildings</u> '	Reject	Retain Policy 2.4.2.3
OS849.49	David Murray	I support the provision	Retain Policy 2.4.2.3 adaptive re-use of heritage buildings	Accept	Retain Policy 2.4.2.3
--FS2050.3	Rosalind Whiting	I support the submission	Support OS849.49. Allow submission.	Accept	Retain Policy 2.4.2.3
--FS2429.104	Elizabeth Kerr	I support the submission	Support OS849.49. Allow submission.	Accept	Retain Policy 2.4.2.3
<p>Discussion:</p> <p>Background</p> <p>Policy 2.4.2.3 is to:</p> <p>"Encourage adaptive re-use of heritage buildings through rules that:</p> <ol style="list-style-type: none"> enable a wider range of activities to be undertaken in scheduled heritage buildings in certain zones with a large number of heritage buildings (the Warehouse Precinct and the Smith Street and York Place zones); exempt scheduled heritage buildings from minimum parking standards; and enable earthquake strengthening." 					

Submissions

The submitters and further submitters listed above support Policy 2.4.2.3. Reasons include it making economic sense to retain and re-use buildings, it is a pragmatic and creative way of ensuring buildings' survival; and can achieve increased density without the need for infill housing, thereby retaining a neighbourhood's character.

The University of Otago (OS308.69) supports the policy in part, but wishes to include Campus in the list of zones where a wider range of activities are enabled in scheduled heritage buildings. Its reason is that adaptive use requires that heritage buildings within the Campus can be used for the full range of activities that occur in a modern university.

Elizabeth Kerr (OS743.33) seeks to add a new clause (b), to read: 'enable conservation and restoration of significant heritage fabric for scheduled heritage buildings.

Recommendation

The support of the submitters is noted.

While the amendment proposed by Ms Kerr reflects one of the main focusses of the heritage provisions, it does not specifically relate to encouraging the adaptive re-use of buildings. I therefore do not consider that the clause is appropriate within this policy.

In relation to the University's submission, the activities provided for in the Campus Zone should include all activities that occur in a modern university. Exceptions have been made in the Warehouse Precinct and Smith Street York Place zones to allow general retail and office activity as a way of encouraging the retention of these buildings. There are 19 scheduled heritage items within the Campus zone in the notified 2GP and many activities that these buildings can be used for. The 2GP has strong policy guidance to prevent the spread of office and retail activities out of the CBD and centres (eg. policies 2.3.2.2, 18.2.1.2, 18.2.13).

I therefore recommend that this submission is rejected. I note that an amendment to this policy was made in section 5.4.1 to add "work required to comply with section 112 and 115 of the Building Act 2004".

Recommended amendment: None

5.5.2 Policy 13.2.1.1

Sub pt #	Submitter Name	Support/Oppose/Seek	Summary Of Submission	Accept/Reject/Accept	Staff
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		Amend		in part	recommendation
OS317.7	Property Council New Zealand	I support the provision	Retain Policy 13.2.1.1.	Accept	Retain Policy 13.2.1.1
OS290.3	Louise Croot	I support the provision	Support the reuse of heritage buildings where practicable.	Accept	Retain Policy 13.2.1.1
<p>Discussion:</p> <p>Policy 13.2.1.1 is to:</p> <p>“Encourage the maintenance, on-going use and adaptive re-use of scheduled heritage buildings, including by enabling repairs and maintenance, earthquake strengthening, and work required to comply with section 112 (Alterations) and section 115 (Change of Use) of the Building Act 2004 where it is done in line with policies 13.2.1.2-13.2.1.4.”</p> <p>The Property Council New Zealand (OS317.7) supports the policy as it approves of the DCC encouraging the refurbishment of heritage buildings where economically feasible to do so.</p> <p>Louise Croot (OS290.3) supports the re-use of heritage buildings where practicable. I have interpreted this as supporting Policy 13.2.1.1 and associated provisions.</p> <p>The submitters' support is noted. No amendment is required.</p> <p>Recommended amendment: None.</p>					

5.5.3 Policy 13.2.1.4

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff recommendation
OS308.245	University of Otago	I seek to have the above provision amended	Amend Policy13.2.1.4 so that it is not overly restrictive and does not act as a disincentive to the fire safety and accessibility benefits of alterations.	Reject	Retain Policy 13.2.1.4.

-- FS2323.3	New Zealand Fire Service Commission	I support the submission	Support OS308.245. Allow submission.	Accept	Retain Policy 13.2.1.4.
OS317.10	Property Council New Zealand	I support the provision	Retain Policy 13.2.1.4.	Accept	Retain Policy 13.2.1.4.
OS959.6	Jackie Gillies + Associates	I support the provision	Retain Policy 13.2.1.4 pertaining to building upgrade work.	Accept	Retain Policy 13.2.1.4.

Discussion

Background

Policy 13.2.1.4 is to:

“Enable work required to comply with section 112 (Alterations) and section 115 (Change of Use) of the Building Act 2004 that affects a protected part of a scheduled heritage building or structure, provided both of the following criteria are met:

- a. it is carried out in a manner that minimises adverse effects on the heritage values of the building; and
- b. the benefit in terms of long-term protection and future use of the building outweighs any loss of heritage values.”

Submissions

The Property Council New Zealand (OS317.10) supports Policy 13.2.14 on the basis of its flexibility and recognition that the refurbishment and ongoing use of the building is more important than some heritage aspects.

Jackie Gillies + Associates (OS959.6) supports the policy as it acknowledges the special requirements of compliance with some features of the Building Act.

The University of Otago (OS308.245) seeks to amend Policy 13.2.1.4 to recognise limitations in what it is practicable and justifiable to achieve. It considers that the policy is overly restrictive, and could act as a disincentive to the fire safety and accessibility benefits of alterations.

The University's submission is supported by the New Zealand Fire Service Commission (FS2323.3), on the basis that benefits of alterations that provide for enhanced fire safety enable people and communities to provide for their safety and well-being in a manner that is consistent with the

purpose of the RMA.

Recommendation

I disagree with the University that the policy is overly restrictive. It is intended to be enabling, but to recognise that scheduled heritage buildings and structures have heritage values and work should be undertaken in a matter that minimises adverse effects on these. It is more enabling than the plan provisions governing additions and alterations, for example Policy 13.2.1.5, which requires that adverse effects on heritage values are avoided, or if this is not possible, are no more than minor.

I recommend that Policy 13.2.1.4 is retained as notified.

Recommended amendment: None.

5.5.4 Policy 13.2.1.9

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS317.13	Property Council New Zealand	I support the provision	Retain Policy 13.2.1.9.	Accept	Retain Policy 13.2.1.9
-- FS2333.2	Stephen Macknight	I support the submission	Support OS317.13. Allow submission and allow change in zoning in the Warehouse precinct.	Accept	Retain Policy 13.2.1.9

Discussion

Background

Policy 13.2.1.9 is to:

“Provide for general retail in scheduled heritage buildings in the Warehouse Precinct Zone and offices in scheduled heritage buildings in the Smith Street and York Place and Warehouse Precinct zones, in order to maximise the potential opportunities for adaptive re-use of heritage buildings in these areas.”

Submissions

The Property Council New Zealand (OS317.13) fully supports this policy as part of its wider support for DCC encouraging the refurbishment of heritage buildings where possible.

Stephen Macknight (FS2333.2) supports the Property Council's submission to allow change in use in the Warehouse Precinct as it encourages reuse of the historic area of the City.

Recommendation

I acknowledge the submitters' support. I also note that submissions on the distribution of retail and office activity, including within these two zones, was discussed at the Commercial and Mixed Use hearing. The recommendation at that hearing was to retain the provision for allowing these activities within scheduled heritage buildings in these areas. However, should the hearings panel reject that recommendation, then an amendment may be required to this policy.

Recommended amendment: None.

5.6 Additions and alterations5.6.1 Policy 13.2.1.5

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS308.246	University of Otago	I seek to have the above provision amended	Amend Policy 13.2.1.5 so that it is not overly restrictive and acts as a disincentive to additions and alterations which are required to provide a viable future for heritage buildings.	Reject	Retain Policy 13.2.1.5
OS317.11	Property Council New Zealand	I support the provision	Retain Policy 13.2.1.5.	Accept	Retain Policy 13.2.1.5
OS322.99	KiwiRail Holdings Limited	I support the provision	Retain Policy 13.2.1.5.	Accept	Retain Policy 13.2.1.5

Discussion:

Policy 13.2.1.5 is as follows:

“Only allow other additions and alterations that affect a protected part of a scheduled heritage building or structure where:

- a. adverse effects on heritage values are avoided or if avoidance is not possible, are no more than minor; and
- b. the visual impact of additions on protected parts of the building, including building utilities, is minimised.”

Submissions

The Property Council New Zealand (OS317.11) and KiwiRail Holdings Limited (OS322.99) both support Policy 13.2.1.5. Reasons include acknowledgement that some heritage values might be lost during refurbishment, and the ability to maintain and operate heritage assets, including through additions and alterations as appropriate.

The University of Otago (OS308.246) seeks to revise the policy to recognise limitations in what is practicable and justified to achieve. It considers that the policy is overly restrictive and could act a disincentive to additions and alterations which are required to provide a viable future for heritage buildings.

Recommendation

The University has not provided suggestions as to how the policy could be improved. I consider the policy wording to be reasonable and appropriate, allowing changes to scheduled heritage items provided the visual effects of additions are minimised, and effects that cannot be avoided are minor.

Consequently, I recommend the policy be retained as notified.

Recommended amendment: None.

5.7 Subdivision

5.7.1 Policy 13.2.1.6

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
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OS308.247	University of Otago	I oppose the provision	Remove Policy 13.2.1.6.	Reject	Retain Policy 13.2.1.6
<p>Discussion:</p> <p>Background</p> <p>Policy 13.2.1.6 is as follows:</p> <p>“Only allow subdivision of sites containing scheduled heritage buildings and scheduled heritage structures where the subdivision is designed to:</p> <p>a. provide sufficient curtilage around the scheduled heritage building or scheduled heritage structure to protect heritage values; and</p> <p>b. ensure any future land use or development will maintain existing views of scheduled heritage buildings or scheduled heritage structures from adjoining public places, as far as is practicable.”</p> <p>Submissions</p> <p>University of Otago (OS308.247) seeks that the policy is removed as it considers there is no justification in terms of effects for limiting subdivision of heritage sites.</p> <p>Recommendation</p> <p>The policy seeks to ensure that sufficient curtilage is retained with any scheduled heritage item to protect heritage values, and that existing views of the item from public places are maintained. Section 6(f) of the RMA requires that historic heritage is protected from inappropriate subdivision, development and use.</p> <p>I recommend that the submission is rejected.</p> <p>Recommended amendment: None.</p>					

5.8 Demolition

5.8.1 Policy 13.2.1.7

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS308.248	University of Otago	I seek to have the above	Amend Policy 13.2.1.7 so	Reject	Retain Policy 13.2.1.7

		provision amended	that it is not overly restrictive.		
OS317.12	Property Council New Zealand	I seek to have the above provision amended	Amend Policy 13.2.1.7.c.i as follows: 'Avoid the demolition of a protected part of a scheduled heritage building or structure unless all of the following criteria are met: ... c.for buildings and structures located within a heritage precinct: i. <u>encourage</u> development post demolition will to maintain or enhance the heritage streetscape character and amenity in accordance with Policy 13.2.3.6; ...'	Reject	Retain Policy 13.2.1.7
OS959.7	Jackie Gillies + Associates	I support the provision	Retain Policy 13.2.1.7 relating to demolition	Reject	Retain Policy 13.2.1.7

Discussion

Background

Policy 13.2.1.7 is as follows:

"Avoid the demolition of a protected part of a scheduled heritage building or structure unless all of the following criteria are met:

- a. the building or part of the building poses a significant risk to safety or property; and
- b. there is no reasonable alternative to demolition, including repair, adaptive re-use, relocation or stabilising the building for future repair; and
- c. for buildings and structures located within a heritage precinct:
 - i. development post demolition will maintain or enhance the heritage streetscape character and amenity in accordance with Policy 13.2.3.6; and

- ii. conditions can be imposed which would give reasonable certainty that this will be completed within an acceptable timeframe.

Submissions

Jackie Gillies + Associates (OS959.7) supports the policy as it strengthens the control around demolition of heritage buildings, permitting demolition only under very strict criteria.

The University of Otago (OS308.248) seeks to revise the policy to recognise limitations in what it is practicable and justified to achieve. It considers that requiring all of the listed criteria to be met for demolition is overly restrictive, particularly when it applies to parts of buildings as well as entire buildings.

The Property Council (OS317.12) agrees that scheduled heritage buildings should be protected and maintained where possible. However, it does not consider that post-demolition development needs to maintain or enhance the heritage streetscape, as there will generally be existing buildings in the streetscape which are not heritage. The juxtaposition of old and new is an exciting principle of good urban design.

Consequently, it seeks to amend clause (c) as follows:

“c. for buildings and structures located within a heritage precinct:

- i. encourage development post demolition ~~with~~ to maintain or enhance the heritage streetscape character and amenity in accordance with Policy 13.2.3.6; ...”

Recommendation

The University has not provided any suggestions as to how the policy might be amended. It is intended to be restrictive, to allow demolition only where it poses a risk to safety or property. Demolition should be a last resort for heritage buildings, considered only once all reasonable alternatives to retain the building have been exhausted.

In response to the Property Council’s submission, this clause applies only within heritage precincts and reflects Policy 13.2.3.6, which aims to maintain heritage streetscape character. I do not consider that inserting “encourage” in this instance would be strong enough direction to ensure that appropriate development occurs. There is no requirement to build copies of older buildings within the heritage precincts. The important criterion is that any new design is sympathetic to the design features and characteristics listed in Appendix A2, for the particular precinct.

I therefore recommend that the submissions are rejected.

Recommended amendment: None.

5.9 Relocation

5.9.1 Policy 13.2.1.8

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS308.249	University of Otago	I seek to have the above provision amended	Amend Policy 13.2.1.8 so that it is not overly restrictive.	Reject	Retain Policy 13.2.1.8
OS959.3	Jackie Gillies + Associates	I support the provision	Retain Policy 13.2.1.8 relocation	Accept	Retain Policy 13.2.1.8
OS547.83	Heritage New Zealand /Otago and Southland Office	I support the provision	Retain Policy 13.2.1.8	Accept	Retain Policy 13.2.1.8
-- FS2429.72	Elizabeth Kerr	I support the submission	Support OS547.83. Allow submission.	Accept	Retain Policy 13.2.1.8
OS547.87	Heritage New Zealand /Otago and Southland Office	I support the provision	Retain Assessment Rule 13.6.3 in relation to removal of a scheduled heritage building for relocation.	Accept	Retain Policy 13.2.1.8
-- FS2429.75	Elizabeth Kerr	I support the submission	Support OS547.87. Allow submission.	Accept	Retain Policy 13.2.1.8
OS547.88	Heritage New Zealand /Otago and Southland Office	I support the provision	Retain Objective 13.2.1	Accept	Retain Policy 13.2.1.8
-- FS2429.76	Elizabeth Kerr	I support the submission	Support OS547.88. Allow submission.	Accept	Retain Policy 13.2.1.8
Discussion					
Background					

Policy 13.2.1.8 is as follows:

"Only allow removal for relocation of a scheduled heritage building or structure where all of the following criteria are met:

- a. the removal is necessary to facilitate the on-going use or protection of the building or ensure public safety;
- b. measures are in place to minimise the risk of damage to the building;
- c. the heritage values of the building or structure in its new location are not significantly diminished; and
- d. for buildings and structures located within a heritage precinct:
 - i. development post relocation will maintain or enhance the heritage streetscape character and amenity in accordance with Policy 13.2.3.6; and
 - ii. conditions can be imposed which would give reasonable certainty that this will be completed within an acceptable timeframe."

Submissions

Heritage New Zealand (OS547.83, 87, 88), supported by Elizabeth Kerr (FS2429.72, 75, 76), considers that the restricted discretionary activity status proposed for 'removal for relocation' of a scheduled heritage building or structure is acceptable when taken in combination with Objective 13.2.1, Policy 13.2.1.8, and the assessment matters in section 13.6.3. It considers that relocation should be discouraged, except where it is necessary as a last resort to save the building and ensure continuity of heritage values. It further notes that Heritage New Zealand's own guidelines recommend non-complying or discretionary status for relocation of heritage buildings.

However, the submitter considers that the group of interrelated 2GP provisions clearly signal that proposals for relocation will be carefully considered and only approved where it can be demonstrated that effects on heritage values would be acceptable, and on this basis, restricted discretionary activity status, together with Objective 13.2.1 and Policy 13.2.1.8, are supported.

Jackie Gillies + Associates (OS959.3) supports Policy 13.2.18 as it fills a gap in previous plans.

The University of Otago (OS308.249) opposes the policy, in part and seeks that it is revised to recognise the limitations in what it is practicable and justified to achieve. It considers requiring all of the listed criteria to be met for relocation is overly restrictive.

Recommendation

I do not consider that the policy is overly restrictive. The University has not provided any suggestions as to how the policy might be improved. I also note Heritage New Zealand's guidelines that relocation should generally be considered as a non-complying or discretionary activity, and that Policy 13.2.18 provides sufficient safeguards to allow relocation to be considered as a restricted discretionary activity.

I recommend that the policy is retained as notified.

Recommended amendment: None.

5.10 Scheduled heritage sites

5.10.1 Policy 2.4.2.2

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS252.22	Carol Devine	I support the provision	Retain Policy 2.4.2.2	Accept	No amendment required
-- FS2429.139	Elizabeth Kerr	I support the submission	Support OS252.22. Allow submission.	Accept	No amendment required
-- FS2440.21	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS252.22. Allow submission and retain Policy 2.4.2.2.	Accept	No amendment required
-- FS2440.26	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS252.22. Allow submission and retain Policy 2.4.2.2.	Accept	No amendment required
OS308.68	University of Otago	I support the provision	Retain Policy 2.4.2.2.	Accept	No amendment required
-- FS2440.22	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS308.68. Allow submission and retain Policy 2.4.2.2.	Accept	No amendment required
OS322.64	KiwiRail Holdings Limited	I support the provision	Retain Policy 2.4.2.2.	Accept	No amendment required
-- FS2440.23	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS322.64. Allow submission and retain Policy 2.4.2.2.	Accept	No amendment required
OS417.17	Margaret Davidson	I support the provision	Retain Policy 2.4.2.2	Accept	No amendment required

-- FS2440.24	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS417.17. Allow submission and retain Policy 2.4.2.2.	Accept	No amendment required
<p>Discussion:</p> <p>Policy 2.4.2.2 is to:</p> <p>"Identify in a schedule (Appendix A.1.1) important heritage sites that have significant heritage values and use rules to manage development on these sites in way that maintains important heritage values. Identify these sites based on the following factors:</p> <ul style="list-style-type: none"> a. importance as part of the relationship between two or more heritage buildings and adding value to the overall heritage value of the group; or b. Importance in providing a foreground to, and views of, key heritage buildings or groups of buildings; or c. significant heritage values in their own right in terms of criteria outlined in Policy 2.4.2.1. <p>Submissions</p> <p>All the submitters and further submitters listed above support Policy 2.4.2.2.</p> <p>The reasons include allowing protection to be implemented for values beyond the physical buildings or structures, and gives clarity to property owners and the general public about which sites are protected in this way; and allowing maintenance and operation of assets scheduled as heritage sites, including through additions and alterations as appropriate;</p> <p>The submitters' support is noted. No amendment is required.</p> <p>Recommended amendment: None.</p>					

5.10.2 Objective 13.2.2

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS308.250	University of Otago	I support the provision	Retain Objective 13.2.2	Accept	No amendment required

OS959.5	Jackie Gillies + Associates	I support the provision	Retain Objective 13.2.2 relating to heritage sites	Accept	No amendment required
<p>Discussion:</p> <p>Objective 13.2.2 is: "The heritage values of scheduled heritage sites are protected."</p> <p>Both the University of Otago (OS308.250) and Jackie Gillies + Associates (OS959.5) support Objective 13.2.2. The University notes that some aspects of the associated policies are too restrictive. These points are considered in sections 5.10.3 and 5.10.4 below.</p> <p>The submitters support is noted. No amendment is required.</p> <p>Recommended amendment: None.</p>					

5.10.3 Policy 13.2.2.1

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	
OS308.251	University of Otago	I seek to have the above provision amended	Amend Policy 13.2.2.1 so that it is not overly restrictive, which could act as a disincentive to developments which support a viable future for heritage sites.	Reject	Retain Policy 13.2.2.1.
OS322.100	KiwiRail Holdings Limited	I support the provision	Retain Policy 13.2.2.1.	Accept	Retain Policy 13.2.2.1.
OS457.37	Aurora Energy Limited	I seek to have the above provision amended	Amend Policy 13.2.2.1 as follows: e. network utilities activities, natural hazard mitigation activities and building utilities are designed, located and/or <u>(where appropriate)</u> screened to be as unobtrusive as possible.	Reject	Retain Policy 13.2.2.1.

-- FS2076.21	Vodafone NZ Ltd	I support the submission	Support OS457.37. Allow submission	Reject	Retain Policy 13.2.2.1.
-- FS2079.6	Chorus New Zealand Limited (Chorus)	I support the submission	Support OS457.37. Allow submission	Reject	Retain Policy 13.2.2.1.
-- FS2146.6	Spark New Zealand Trading Limited	I support the submission	Support OS457.37. Allow submission	Reject	Retain Policy 13.2.2.1.
OS576.33	Vodafone NZ Ltd	I oppose the provision	Amend Policy 13.2.2.1 as follows: e. network utilities activities, natural hazard mitigation activities and building utilities are designed, located and/or screened to be as unobtrusive as possible <u>practicable</u> .	Accept	Amend Policy 13.2.2.1.
OS923.33	Spark New Zealand Trading Limited	I oppose the provision	Amend Policy 13.2.2.1 as follows: e. network utilities activities, natural hazard mitigation activities and building utilities are designed, located and/or screened to be as unobtrusive as possible <u>practicable</u> .	Accept	Amend Policy 13.2.2.1.
OS925.33	Chorus New Zealand Limited (Chorus)	I oppose the provision	Amend Policy 13.2.2.1 as follows: e. network utilities activities, natural hazard mitigation activities and building utilities are designed, located and/or screened to be as unobtrusive as possible <u>practicable</u> .	Accept	Amend Policy 13.2.2.1.
Discussion					

Background

Policy 13.2.2.1 is to:

"Only allow new buildings and structures, additions and alterations, network utilities activities, public amenities, natural hazard mitigation activities, transportation activities, and parking, loading and access on a scheduled heritage site where the heritage values of the site are protected, including by ensuring:

- a. the form, scale and proportion of the development, and the materials used, are architecturally compatible with the existing scheduled heritage buildings and scheduled heritage structures within the scheduled heritage site;
- b. the location of the development is compatible with that of scheduled heritage buildings and scheduled heritage structures on the site, and respects the relationship between scheduled heritage buildings, scheduled heritage structures and open space;
- c. existing views of scheduled heritage buildings or scheduled heritage structures from adjoining public places and publicly accessible areas within the scheduled heritage site are maintained as far as is practicable;
- d. scheduled heritage sites that are primarily open space are protected from inappropriate development; and
- e. network utilities activities, natural hazard mitigation activities and building utilities are designed, located and/or screened to be as unobtrusive as possible."

Submissions

KiwiRail Holdings Limited (OS322.100) supports Policy 13.2.2.1 as notified, including that the function of the heritage site is required to be considered in relation to new proposals or uses on the site.

Vodafone NZ Ltd (OS576.33), Spark New Zealand Trading Limited (OS923.33) and Chorus New Zealand Limited (OS925.33) all seek to amend Policy 13.2.2.1.e to replace "possible" with "practicable": "e. network utilities activities, natural hazard mitigation activities and building utilities are designed, located and/or screened to be as unobtrusive as ~~possible~~ practicable." They consider that "practicable" is more appropriate for use in an RMA context, and takes the practicality of the design and any mitigation measures for any network utility works into account.

Aurora Energy Limited (OS457.37) seeks to amend Policy 13.2.2.1 as follows: "e. network utilities activities, natural hazard mitigation activities and building utilities are designed, located and/or (where appropriate) screened to be as unobtrusive as possible." Its reasoning is that it is not always necessary or appropriate to screen network utilities as this can sometimes lead to a greater visual impact.

Vodafone NZ Ltd (FS2076.21), Chorus New Zealand Limited (FS2079.6 and Spark New Zealand Trading Limited (FS2146.6) all support Aurora's amendment as they all consider that landscaping may not always be an appropriate or practical response to mitigating the effects of network utilities.

The University of Otago (OS308.251) opposes the policy in part as it needs revising to recognise limitations in what is practicable and justified to achieve. It considers the policy as drafted is overly restrictive, and could act a disincentive to developments which support a viable future for heritage sites.

Recommendation

In response to the telecommunications companies' submission, I consider that while the word 'possible' is acceptable in the policy, the word 'practicable' is also appropriate, and would improve consistency within the plan. I recommend that the submission is accepted. A consequential amendment is required to assessment rules that reference this policy.

With regards to Aurora's submission, the 'and/or' in the policy wording provides flexibility; that is, screening is not required if the network utility can be made unobtrusive through its design and location. The additional words do not add anything to the policy, and I therefore recommend that the submission is rejected.

The University has not provided any suggestions as to how the policy might be improved. I do not consider that the current wording is overly restrictive, and recommend that the submission be rejected.

Recommended amendment:

Amend Policy 13.2.2.1.e:

"e. network utilities activities, natural hazard mitigation activities and building utilities are designed, located and/or screened to be as unobtrusive as practicable ~~possible~~."

Amend assessment rule 13.7.2.2.b.v:

"v. network utilities and hazard mitigation activities are designed, located and/or screened to be as unobtrusive as practicable ~~possible~~ (Policy 13.2.2.1)"

Amend assessment rule 13.6.3.1.a.ii.5:

"5. network utilities, natural hazard mitigation activities and building utilities are designed, located and/or screened to be as unobtrusive as practicable ~~possible~~ (Policy 13.2.2.1)"

5.10.4 Policy 13.2.2.2

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS308.252	University of Otago	I oppose the provision	Remove Policy 13.2.2.2.	Reject	Retain Policy 13.2.2.2
OS908.74	Otago Regional Council	I seek to have the above provision amended	Amend Policy 13.2.2.2(c) so it clarifies the heritage values as defined in Appendices A1 and A2 of the 2GP.	Reject	Retain Policy 13.2.2.2
<p>Discussion</p> <p>Background</p> <p>Policy 13.2.2.2 is as follows:</p> <p>“Only allow subdivision of scheduled heritage sites where:</p> <p>a. the subdivision is designed to ensure any future land use or development respects the relationship between scheduled heritage buildings, scheduled heritage structures and open space;</p> <p>b. scheduled heritage sites that are primarily open space are protected from unnecessary development; and</p> <p>c. the heritage values for the site are maintained.</p> <p>Submissions</p> <p>Otago Regional Council (OS908.74) seeks to amend Policy 13.2.2.2(c) so that it clarifies the heritage values for the site are those defined in Appendices A1 and A2 of the 2GP.</p> <p>The University of Otago (OS308.252) requests that the policy be deleted. It considers there is no justification in terms of effects for limiting subdivision of heritage sites.</p> <p>Recommendation</p> <p>The heritage values of the heritage sites are not specifically listed within the 2GP. Some heritage buildings and structures have assessment reports or other information which sits in the heritage register and can be requested by any member of the public. This is searchable online.</p>					

Heritage New Zealand holds information about items also listed separately by that organisation, and that information is generally available through the Heritage New Zealand website.

Appendix A1 lists the protection required, but the level details for heritage sites are typically 'the whole site'. For items where reports are not available, the heritage values are likely to be identified through direct discussion with DCC's Heritage Planner or Heritage New Zealand. Proposals for significant work on these items may also involve an expert heritage assessment, which considers the effects of the proposed work on the heritage values.

ORC therefore identifies a gap in how information about specific items can be easily accessed. I recommend that further work is undertaken to pull together all available information about scheduled items into a easily accessible (online) register, as a priority.

In response to the University's submission, I consider that subdivision (and subsequent development) can potentially affect the heritage value of a site, by, for example, breaking it up into parts that lose the value of the whole. It is appropriate, therefore, that consent is required.

Recommended amendment: No change to policy. Investigate development of a searchable heritage register detailing heritage values.

5.11 Heritage precincts

5.11.1 Objective 13.2.3

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS308.253	University of Otago	I seek to have the above provision amended	Retain Objective 13.2.3. Amend policies 13.2.3.1 - 13.2.3.10 to recognise limitations in what is practicable and justified to achieve in line with submission points on policies 13.2.1.3 - 13.2.1.8 and 13.2.2.1.	Accept in part	No amendment required
Discussion:					

Objective 13.2.3 is that: "The heritage streetscape character of heritage precincts is maintained or enhanced."

The University of Otago (OS308.253) supports the objective, but considers that some elements of the related policies are too restrictive. Submissions on specific policies are considered in other sections of this report.

Recommended amendment: None.

5.11.2 Policy 2.4.1.3

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS1.3	Peter Entwisle	I support the provision	Retain Policy 2.4.1.3 in relation to the identification of character contributing buildings in heritage precincts	Accept	Retain Policy 2.4.1.3
--FS2429.108	Elizabeth Kerr	I support the submission	Support OS1.3. Allow submission.	Accept	Retain Policy 2.4.1.3
--FS2440.4	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS1.3. Allow submission and retain Policy 2.4.1.3.	Accept	Retain Policy 2.4.1.3
OS53.8	Jack Austin	I support the provision	Retain Policy 2.4.1.3.	Accept	Retain Policy 2.4.1.3
--FS2440.5	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS53.8. Allow submission and retain Policy 2.4.1.3.	Accept	Retain Policy 2.4.1.3
OS252.17	Carol Devine	I support the provision	Retail Policy 2.4.1.3	Accept	Retain Policy 2.4.1.3
--FS2429.135	Elizabeth Kerr	I support the submission	Support OS252.17. Allow submission.	Accept	Retain Policy 2.4.1.3
--FS2440.6	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS252.17. Allow submission and retain Policy 2.4.1.3.	Accept	Retain Policy 2.4.1.3

OS308.63	University of Otago	I oppose the provision	Amend Policy 2.4.1.3 to provide better focus on relevant design aspects, or re-evaluate the use of this policy when deciding which buildings are 'character contributing'.	Reject	Retain Policy 2.4.1.3
OS293.54	Southern Heritage Trust & City Rise Up	I support the provision	Retain Policy 2.4.1.3	Accept	Retain Policy 2.4.1.3
FS2446.5	Scenic Circle Hotels Limited	I oppose the submission	Oppose OS293.54 (in part). Disallow submission in regards to Policy 2.4.1.3.	Reject	Retain Policy 2.4.1.3
OS417.15	Margaret Davidson	I support the provision	Retain Policy 2.4.1.3	Accept	Retain Policy 2.4.1.3
--FS2440.8	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS417.15. Allow submission and retain Policy 2.4.1.3.	Accept	Retain Policy 2.4.1.3
OS417.9	Margaret Davidson	I support the provision	Retain Policy 2.4.1.3	Accept	Retain Policy 2.4.1.3
--FS2440.7	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS417.9. Allow submission and retain Policy 2.4.1.3.	Accept	Retain Policy 2.4.1.3
OS743.27	Elizabeth Kerr	I seek to have the above provision amended	Review Policy 2.4.1.3 in terms of the weighting given in the plan to character contributing buildings, to ensure their full history and significance is assessed, with a view to scheduling and protection as heritage items.	Reject	Retain Policy 2.4.1.3
OS849.48	David Murray	I support the provision	Retain Policy 2.4.1.3	Accept	Retain Policy 2.4.1.3
--FS2050.2	Rosalind Whiting	I support the submission	Support OS849.48. Allow submission.	Accept	Retain Policy 2.4.1.3

--FS2429.103	Elizabeth Kerr	I support the submission	Support OS849.48. Allow submission.	Accept	Retain Policy 2.4.1.3
--FS2440.9	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS849.48. Allow submission and retain Policy 2.4.1.3.	Accept	Retain Policy 2.4.1.3

Discussion:

Background

Policy 2.4.1.3 is to:

"Identify in a schedule of 'character-contributing buildings' (see Appendix A1.1), buildings that contribute to the heritage streetscape character of heritage precincts as a result of their design being broadly consistent with the predominant values and characteristics of the heritage precinct, and use rules to manage additions, alterations and demolition of these buildings. Design aspects that may be relevant in determining whether a building is 'character-contributing' include:

- a. building age;
- b. architectural style;
- c. materials;
- d. height;
- e. bulk and location; and
- f. quality."

Submissions

Most of the above submitters support Policy 2.4.1.3. Reasons include the encouragement to retain Dunedin's old housing stock where it demonstrates the character and history of Dunedin, acknowledgement of the collective contribution of character-contributing buildings to the character and historical importance of the areas, and safeguarding the high quality streetscape of the older suburbs of Dunedin.

Elizabeth Kerr (OS743.27) seeks to amend Policy 2.4.1.3 to review the weighting given to character-contributing buildings, to ensure they are assessed for their full history and significance, with a view to scheduling as heritage items.

The University of Otago (OS308.63) considers Policy 2.4.1.3 needs to be re-worded to provide better focus on relevant design aspects, or re-evaluate the use of this policy when deciding which buildings are character-contributing. The submitter comments that while Policy 2.4.1.3 itself appears reasonable, in practice a number of buildings have been identified in the plan as character-contributing when this is not justified. Either

the policy itself, or its use, should be revised so that the focus is only on buildings with values that warrant having controls placed on them.

Scenic Circle Hotels Ltd (FS2446.5) opposes OS293.54 on the grounds that the policy promotes the inclusion of a very wide range of buildings into the category of "character-contributing". The submitter considers that this is evident from DCC's submission (OS360.33) to apply character-contributing status to 123 and 250 Princes Street. As drafted the policy does not support the efficient redevelopment or modification of buildings in heritage precincts, as regulation will be applied to buildings that are not of heritage value.

Recommendation

Character-contributing buildings are protected for their contribution to the heritage streetscape character of an area. Buildings that meet the criteria for scheduled heritage buildings (which recognises the individual heritage significance of the building and confers a higher degree of protection) can be included as such. Many have been nominated through the 2GP process and have been assessed. Most character-contributing buildings would not meet the criteria for scheduled heritage building status.

In response to the University's and Scenic Circles' concerns, the character-contributing status is a new approach for the 2GP, to ensure that buildings that do not contribute to streetscape character are not unduly restricted from re-development or demolition. Under the operative plan all buildings in a heritage townscape precinct are treated in the same way, as if they are character-contributing. The criteria are expanded upon in Appendix A2, which details the specific values, features and characteristics for each precinct.

All buildings in each precinct were assessed to determine whether their design and current state were consistent with the predominant characteristics of the precinct, when the precincts were reviewed during the 2GP preparation process. All submissions received in relation to the status of character-contributing buildings, including from the University and Scenic Circle, have been re-assessed. Where appropriate, it is recommended that the character-contributing status of particular buildings is removed.

I do not consider there is any need to amend Policy 2.4.1.3, and I recommend that Ms Kerr's and the University's submissions, and Scenic Circle's further submission are rejected.

Recommended amendment: None

5.11.3 Policy 13.2.3.1

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS317.14	Property Council New Zealand	I seek to have the above provision amended	Amend Policy 13.2.3.1 as follows: ' <u>Require Encourage</u> repairs and	Reject	No amendment required

			maintenance, restoration and earthquake strengthening of a character-contributing building...'		
<p>Discussion:</p> <p>Policy 13.2.3.1 is as follows:</p> <p>"Require repairs and maintenance, restoration and earthquake strengthening of a character-contributing building, where the work is visible from an adjoining public place, to be undertaken in a way that maintains or enhances the heritage streetscape character of the precinct by using appropriate materials and design."</p> <p>Submission</p> <p>The Property Council New Zealand (OS317.14) partially supports the policy, but seeks to replace 'Require..' with 'Encourage...'. Its reasons are that it supports refurbishment of character-contributing buildings, but a business case should be developed for every character-building that outlines whether it is economically viable to refurbish and earthquake strengthen the building. Instead of having it as a requirement, it believes DCC should be encouraging refurbishment and earthquake strengthening.</p> <p>Recommendation</p> <p>The policy does not require refurbishing or earthquake strengthening. The requirement for earthquake strengthening is governed by the Building Act 2004. The policy requires that when certain activities are undertaken, they are undertaken in a manner that it is undertaken in a way that maintains or enhances the heritage streetscape character of the precinct.</p> <p>I therefore recommend that the submission is rejected.</p>					
<p>Recommended amendment: None.</p>					

5.11.4 Policy 13.2.3.8

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
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OS576.34	Vodafone NZ Ltd	I oppose the provision	Amend Policy 13.2.3.8 as follows: 'Encourage the maintenance, ongoing use and adaptive reuse of character contributing buildings, including by enabling repairs and maintenance, earthquake strengthening, <u>network utility service connections</u> , and work required in order to comply with...'	Reject	Do not change Policy 13.2.3.8
OS923.34	Spark New Zealand Trading Limited	I oppose the provision	Amend Policy 13.2.3.8 as follows: 'Encourage the maintenance, ongoing use and adaptive reuse of character contributing buildings, including by enabling repairs and maintenance, earthquake strengthening, <u>network utility service connections</u> , and work required in order to comply with...'	Reject	Do not change Policy 13.2.3.8
OS925.34	Chorus New Zealand Limited (Chorus)	I oppose the provision	Amend Policy 13.2.3.8 as follows: 'Encourage the maintenance, ongoing use and adaptive reuse of character contributing buildings, including by enabling repairs and maintenance, earthquake strengthening, <u>network utility service connections</u> , and work required in order to comply with...'	Reject	Do not change Policy 13.2.3.8
Discussion					

Background

Policy 13.2.3.8 is to:

“Encourage the maintenance, ongoing use and adaptive re-use of character-contributing buildings, including by enabling repairs and maintenance, earthquake strengthening, and work required in order to comply with the Building Act 2004 section 112 and section 115 where it is done in line with policies 13.2.3.1 and 13.2.3.5.”

Submissions

Vodafone NZ Ltd (OS576.34), Spark New Zealand Trading Limited (OS923.34) and Chorus New Zealand Limited (925.34) seek to amend Policy 13.2.3.8 as follows:

“Encourage the maintenance, ongoing use and adaptive re-use of character contributing buildings, including by enabling repairs and maintenance, earthquake strengthening, network utility service connections, and work required in order to comply with the Building Act 2004 section 112 and section 115 where it is done in line with policies 13.2.3.1 and 13.2.3.5.”

Their reasoning is that network utility service connections can contribute to the viable ongoing use of character contributing buildings.

Recommendation

The approach taken in the 2GP is to treat network utility connections in a similar way as alterations, due to their potential impact on streetscape character. Network utility connections are not a defined activity in terms of the rules, but are part of network utilities activities. They are therefore managed under rules in section 5 of the 2GP. Connections of lines are likely to be classed as ‘small scale network utilities’ and not require consent.

So while the outcome sought by the submitter (favourable provisions for network utility connections) is already in place, I do not support the change, as the introduction of a new term ‘network utility connections’ may be confusing, and policies managing network utilities, where consent is required, are already in place (e.g. policies 13.2.3.2, 13.2.3.3, 13.2.3.10).

Recommended amendment:

None

5.11.5 Policy 13.2.3.7

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS317.18	Property Council New Zealand	I seek to have the above provision amended	Amend Policy 13.2.3.7 as follows: 'Only allow new buildings and structures that are visible from an adjoining public place, where their design, materials and location ensure the heritage streetscape character of the precinct is maintained or enhanced, including by: a. incorporating into the design the relevant preferred design features and characteristics listed in Appendix A2 and, where possible and appropriate, the relevant suggested features and characteristics; b. maintaining existing views of scheduled heritage buildings and character-contributing buildings from adjoining public places as far as practicable; and c. encouraging ensuring structures whose design unavoidably conflicts with precinct characteristics are as unobtrusive as possible.'	Reject	Do not amend Policy 13.2.3.7
<p>Discussion</p> <p>Background</p>					

Policy 13.2.3.7 is to:

“Only allow new buildings and structures that are visible from an adjoining public place, where their design, materials and location ensure the heritage streetscape character of the precinct is maintained or enhanced, including by:

- a. incorporating into the design the relevant preferred design features and characteristics listed in Appendix A2 and, where possible and appropriate, the relevant suggested features and characteristics;
- b. maintaining existing views of scheduled heritage buildings and character-contributing buildings from adjoining public places as far as practicable; and
- c. ensuring structures whose design unavoidably conflicts with precinct characteristics are as unobtrusive as possible.

Submission

The Property Council New Zealand (OS317.18) seeks to delete clauses (a) and (b), and amend (c) to replace “ensuring” with “encouraging.”

The Property Council notes that while it supports the intent of this policy, it considers it is too prescriptive and arguably subjective. It considers DCC must enable development, not stymie it. It notes that in clause (b), a public place could be a footpath.

Recommendation

Clause (a) details the preferred design features and characteristics and provides guidance for the design of new buildings. Removal of this clause would increase uncertainty as to what is expected for this policy to be achieved. There is provision within the features and characteristics detailed in Appendix A2 to provide for modern design, subject to this being sensitive to existing architectural characteristics. I do not support removing this clause.

With regards to clause (b), a public place is defined as “roads and reserves”. The intent of the clause is to maintain views of an existing heritage or character-contributing buildings when a building, such as a garage or second dwelling is located at the front of the site, where practicable. In many cases, site constraints may mean that the new building screens a building in a rear section from view and this is acknowledged. However, where there is flexibility to locate the building in a way that maintains views, that is the preferred outcome.

The intent of clause (c) is to ensure that structures that cannot meet heritage streetscape character outcomes are designed or located to be as unobtrusive as possible. I consider that this is an appropriate goal, and ‘ensure’ is an appropriate term. There is no certainty that ‘encourage’ would achieve the best outcome.

Recommended amendment:

None.

5.11.6 Policy 13.2.3.2

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS317.15	Property Council New Zealand	I seek to have the above provision amended	Amend Policy 13.2.3.2 as follows: 'Require development within residential heritage precincts to maintain or enhance heritage streetscape character, including by ensuring: a.garages and carports do not dominate the street; b.off-street car parking is located at the rear of buildings, or where this is not feasible due to the location of the buildings, is set back from the street frontage; c.building heights, boundary setbacks, and scale reflect heritage streetscape character; <u>and</u> d.network utility structures are appropriately located; and e.fences do not screen buildings from view.	Accept in part	Amend Policy 13.2.3.2 as shown below
OS457.38	Aurora Energy Limited	I seek to have the above provision amended	Amend Policy 13.2.3.2 (d) as follows: Require development within residential heritage precincts to maintain or enhance	Accept in part	Delete Policy 13.2.3.2 (d)

			heritage streetscape character, including by ensuring:.... d. network utility structures are appropriately located, <u>taking into consideration operational and technical requirements;</u>		
OS547.72	Heritage New Zealand /Otago and Southland Office	I oppose the provision	Amend Policy 13.2.3.2.a as follows: Require development within residential heritage precincts to maintain or enhance streetscape character, including by ensuring a) garages and carports do not dominate the street <u>or obstruct views of the heritage building or structure, or contributing building, from a public space.</u>	Accept in part	Amend Policy 13.2.3.2 as shown below
-- FS2429.61	Elizabeth Kerr	I support the submission	Support OS547.72. Allow submission.	Accept in part	Amend Policy 13.2.3.2 as shown below
OS576.71	Vodafone NZ Ltd	I support the provision	Retain Policy 13.2.3.2.d.	Reject	Delete Policy 13.2.3.2.d
OS923.71	Spark New Zealand Trading Limited	I support the provision	Retain Policy 13.2.3.2.d.	Reject	Delete Policy 13.2.3.2.d
OS925.71	Chorus New Zealand Limited (Chorus)	I support the provision	Retain Policy 13.2.3.2.d.	Reject	Delete Policy 13.2.3.2.d
<p>Discussion</p> <p>Background</p> <p>Policy 13.2.3.2 is to:</p>					

"Require development within residential heritage precincts to maintain or enhance heritage streetscape character, including by ensuring:

- a. garages and carports do not dominate the street;
- b. off-street car parking is located at the rear of buildings, or where this is not feasible due to the location of the buildings, is set back from the street frontage;
- c. building heights, boundary setbacks, and scale reflect heritage streetscape character;
- d. network utility structures are appropriately located; and
- e. fences do not screen buildings from view."

Submissions

Heritage New Zealand (OS547.72), supported by Elizabeth Kerr (OS2429.61), seeks to amend clause (a) to add the following:

"a. garages and carports do not dominate the street or obstruct views of the heritage building or structure, or contributing building, from a public space."

It notes that although a broad interpretation of Policy 13.2.3.2 infers consideration of views to heritage buildings as part of maintaining or enhancing streetscape character, it considers that the policy could be strengthened by being expanded to specifically include the additional wording suggested.

The Property Council New Zealand (OS317.15) seeks to remove clauses (b) and (e). It does not support off-street car parking being located behind a building for safety reasons. It also considers that fences can be used to screen buildings from view. Fences provide privacy and delineate boundaries.

Vodafone NZ Ltd (OS576.71), Spark New Zealand Trading Limited (OS923.71) and Chorus New Zealand Limited (Chorus) (OS925.71) support Policy 13.2.3.2, in particular 13.2.3.2(d), as they consider it recognises that network utilities will be required to service development in heritage precincts. They note that appropriateness of the network utility can be determined by design, scale and location.

Aurora Energy Ltd (OS457.38) seeks to amend clause (d) as follows:

"d. network utility structures are appropriately located, taking into consideration operational and technical requirements."

Its reasoning is that Policy 13.2.3.2 requires development within heritage precincts to maintain or enhance heritage streetscape character by ensuring (among other things) structures are appropriately located.

Recommendation

The amendments proposed to clause (a) are already included with Policy 13.2.3.7. This requires that new buildings (including garages and car ports) maintain existing views of scheduled heritage buildings and character-contributing buildings from adjoining public places as far as practicable. This policy applies to both residential and commercial precincts. I do not consider there is any need to repeat the clause in Policy 13.2.3.2.

In relation to clause (b), open air/surface parking in front sections, particularly where gardens are removed and asphalted over, is a significant factor eroding the quality of residential heritage streetscapes. Clause (b) aims to address this by requiring car parking behind buildings where feasible, or if this is not possible, set back from the road frontage. Many houses have car parking at the rear.

The policy is implemented through performance standard Rule 15.6.8.1: "In residential heritage precincts, parking areas must not be visible from an adjoining public place, unless they are set back a minimum of 4m from the road boundary". Parking screened by fencing is acceptable under Rule 15.6.8.1, however this is not reflected in Policy 13.2.3.2.b. This should be amended. Appendix A2 of the 2GP also details design guidance for car parking for each precinct, which states that: "Where possible, parking areas should be located discreetly to the rear of dwelling units. Where they are located at the front of the site, they should be set back from the road frontage and where possible, incorporate fencing, walls, hedges or landscaping to reduce the negative amenity effects and visibility of vehicles."

The wording of Policy 13.2.3.2.b could also be improved to improve clarity and consistency with the rule wording, by referring to 'parking areas' in the policy, rather than 'off-street parking' to clarify that it does not include garages.

I also note that the assessment rule 13.5.4.5 which deals with contraventions of the relevant rule (15.6.8) does not reflect the correct wording of Policy 13.2.3.2.b, and needs to be corrected to match.

I have no strong concerns to Aurora's proposed amendment to clause (d). Operational requirements have to be considered in the location of network utility structures. However, I note that Policy 13.2.3.2(d), and its equivalent in commercial precincts (Policy 13.2.3.3.d) effectively duplicate Policy 13.2.3.10 – "Only allow public amenities and network utilities activities where these are located and designed to minimise, as far as practicable, any adverse effects on heritage streetscape character".

Policy 13.2.3.10 is slightly more enabling for network utility companies, through the phrase "minimise, as far as practicable, any adverse effects...". This allows for consideration of operational requirements, as requested by the submitter. Policy 13.2.3.10 is supported by the four network utility submitters (see section 5.11.8).

I therefore suggest that clause (d) is deleted from Policy 13.2.3.2 and Policy 13.2.3.3 (see section 5.11.7), and Policy 13.2.3.10 remain.

Clause (e) is intended to ensure that streetscape values are not diminished by high fences. Fences can still delineate boundaries, and alternative landscaping used, such as hedging, if privacy is important. Note that the relevant rule (15.6.3) sets a lower limit (1.4m) only along the road boundary and any side boundary within the road boundary setback). A maximum height of 2m applies along other side and rear boundaries.

Recommended amendment:

2. Amend assessment rule 13.5.4.5 as follows:

"Relevant objectives and policies:

- i. Objective 13.2.3
- ii. ...
- iii. Development within residential heritage precincts maintains or enhances heritage streetscape character by ensuring: off-street car parking is located at the rear of buildings, or where this is not feasible due to the location of the buildings, is set back from the street frontage within or behind buildings (Policy ~~13.2.3.3-a~~ 13.2.3.2.b)"

3. Delete Policy 13.2.3.2 (d):

~~"d. network utility structures are appropriately located~~

3. Amend Policy 13.2.3.2.b:

"off-street ~~car~~ parking areas are ~~is~~ located at the rear of buildings or screened from view, or where this is not feasible due to the location of the buildings, is ~~are~~ set back from the street frontage;

5.11.7 Policy 13.2.3.3

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS317.16	Property Council New Zealand	I seek to have the above provision amended	Amend Policy 13.2.3.3 as follows; 'Require development within commercial heritage precincts to maintain or enhance heritage streetscape character by ensuring: a.off-street car parking is located within or behind the buildings or set	Reject	Do not amend Policy 13.2.3.3 as requested

			back from the street frontage; b. building heights, boundary setbacks, and scale reflect heritage streetscape character; c. <u>encourage</u> vehicle crossings are to be kept to a minimum, including avoiding commercial drive-through facilities; and d. network utility structures are appropriately located.		
OS457.39	Aurora Energy Limited	I seek to have the above provision amended	Amend Policy 13.2.3.3 (d) as follows: Require development within commercial heritage precincts to maintain or enhance heritage streetscape character, including by ensuring: d. network utility structures are appropriately located, <u>taking into consideration operational and technical requirements</u> ; and	Accept in part	Delete Policy 13.2.3.3.d
OS576.72	Vodafone NZ Ltd	I support the provision	Retain Policy 13.2.3.3.d.	Reject	Delete Policy 13.2.3.3.d
OS923.72	Spark New Zealand Trading Limited	I support the provision	Retain Policy 13.2.3.3.d.	Reject	Delete Policy 13.2.3.3.d
OS925.72	Chorus New Zealand Limited (Chorus)	I support the provision	Retain Policy 13.2.3.3.d.	Reject	Delete Policy 13.2.3.3.d
Discussion					
Background					

Policy 13.2.3.3 is as follows:

"Require development within commercial heritage precincts to maintain or enhance heritage streetscape character by ensuring:

- a. off-street car parking is located within or behind buildings;
- b. building heights, boundary setbacks, and scale reflect heritage streetscape character;
- c. vehicle crossings are kept to a minimum, including avoiding commercial drive-through facilities; and
- d. network utility structures are appropriately located."

Submissions

The Property Council New Zealand (OS317.16) seeks to amend Policy 13.2.3.3 as follows:

"Require development within commercial heritage precincts to maintain or enhance heritage streetscape character by ensuring:

- a. off-street car parking is located within ~~or behind the buildings~~ or set back from the street frontage;
- b. building heights, boundary setbacks, and scale reflect heritage streetscape character;
- c. encourage vehicle crossings ~~are to be~~ kept to a minimum, including avoiding commercial drive-through facilities; ..."

The submitter notes that it supports the intent of the policy, but for safety reasons does not support off-street car parking behind a building. It also notes that vehicle crossings may be required for the type of commercial business or services located there.

Vodafone NZ Ltd (OS576.72), Spark New Zealand Trading Limited (OS923.72) and Chorus New Zealand Limited (OS925.72) support Policy 13.2.3.3.d, as they consider it recognises that network utilities are required to service development in heritage precincts. They note that appropriateness can be determined by design, scale and location.

Aurora Energy Limited (OS457.39) seeks to amend Policy 13.2.3.3.d as follows: "d. network utility structures are appropriately located, taking into consideration operational and technical requirements." No specific reasons are given.

Recommendation

In response to the Property Council's suggested changes to clause (a), the intent of the clause is to avoid visible parking in commercial heritage precincts due to the negative amenity effects of open air car parking at the front of buildings. This outcome is achieved through Rule 18.6.9 which states that parking areas within a heritage precinct (except View Street Heritage Precinct), or a primary pedestrian street frontage, must locate behind or within a building.

Simply requiring that surface carparks or parking areas are set back from the street frontage will not achieve the high amenity outcomes that

are sought within these areas. The policy has resulted partly from the increase in the number of open air/surface carparks that have developed following demolition of buildings, with consequent loss of streetscape values. It also serves as a disincentive to demolish buildings and convert a site to carpark, which is otherwise financially attractive due to the few maintenance costs, low rates, and high returns. There are many small inner city car parks located behind buildings, due to the existing built form. Safety concerns can be addressed by measures such as appropriate lighting or CCTV.

The change requested by the Property Council will not be effective in achieving the objective of maintaining or enhancing the heritage streetscape character. Consequently I recommend that the submission is rejected.

I note that rooftop carparks are also acceptable and this is not included within the policy. If the panel considers there is scope to do so, I recommend including rooftop carparks within clause (a).

Clause (c) (new vehicle accesses) is consistent with Rule 18.6.15.b - new vehicle accesses are not allowed on any primary pedestrian street frontage; and Rule 6.6.13.1.b – no new vehicles are all permitted on a ‘Commercial Centre Street’ (most streets within the commercial heritage precincts are ‘Commercial Centre Streets’).

The wording change proposed by the Property Council waters down the policy somewhat, and does not reflect the content of the rules. My recommendation is that the notified wording is retained.

As with the requested change to Policy 13.2.3.2 above (see 5.11.6), I consider Aurora’s proposed amendment to clause (d) is acceptable, however recommend that clause (d) is deleted, due to its duplication with Policy 13.2.3.10.

Recommended amendment:

Delete Policy 13.2.3.3.d:
~~d. network utility structures are appropriately located.~~

5.11.8 Policy 13.2.3.10

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS457.60	Aurora Energy Limited	I support the provision	Retain Policy 13.2.3.10	Accept	No amendment required
OS576.73	Vodafone NZ Ltd	I seek to have the above provision amended	Retain Policy 13.2.3.10.	Accept	No amendment required

OS923.73	Spark New Zealand Trading Limited	I seek to have the above provision amended	Retain Policy 13.2.3.10.	Accept	No amendment required
OS925.73	Chorus New Zealand Limited (Chorus)	I seek to have the above provision amended	Retain Policy 13.2.3.10.	Accept	No amendment required
<p>Discussion</p> <p>Background</p> <p>Policy 13.2.3.10 is to:</p> <p>“Only allow public amenities and network utilities activities where these are located and designed to minimise, as far as practicable, any adverse effects on heritage streetscape character.”</p> <p>All the above submitters support the policy. Aurora Energy Limited (OS457.60) notes that it is generally supportive of provisions that seek to provide opportunities to mitigate potential effects of development affecting historic heritage. Due to the specific locational and technical constraints of infrastructure it is not always possible to avoid development within historic heritage areas, and as such, opportunities to remedy or mitigate effects by way of siting and design is supported.</p> <p>Vodafone NZ Ltd (OS576.73), Spark New Zealand Trading Limited (OS923.73) and Chorus New Zealand Limited (Chorus) (925.73) support the policy as they consider it recognises that network utility activities will be required within heritage precincts, provided they are suitably designed and located.</p> <p>The submitters’ support is noted.</p> <p>Recommended amendment: None.</p>					

5.11.9 Policy 13.2.3.4

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS317.17	Property Council New Zealand	I oppose the provision	Remove Policy 13.2.3.4	Reject	Retain Policy 13.2.3.4
Discussion:					

Policy 13.2.3.4 is to: "Require signs within commercial heritage precincts to be located and designed to avoid, and if avoidance is not possible minimise, adverse effects on heritage streetscape character."

The Property Council (OS317.17) opposes the policy and seeks its deletion as it considers the policy is subjective and cannot be enforced.

The policy is achieved through Rule 18.6.14 which sets standards limiting the number and location of signs within heritage precincts. The standard sets objective limits. Assessing the effect of non-compliance of the standards on the heritage streetscape character will be undertaken by a heritage or urban design expert. It is no more subjective than other 2GP requirements to protect heritage streetscape character (and the RMA requirement to have particular regard to maintaining and enhancing amenity values (s7(c))).

I recommend that the policy is retained as notified.

Recommended amendment: None

5.12 Rules

5.12.1 Heritage rules - general

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS547.73	Heritage New Zealand /Otago and Southland Office	I support the provision	Retain heritage rule framework and supporting provisions, including matters of control, matters of discretion and assessment matters, except as specified in separate submission points.	Accept	No amendment required
-- FS2429.62	Elizabeth Kerr	I support the submission	Support OS547.73. Allow submission.	Accept	No amendment required

Discussion

Heritage New Zealand (OS547.73) generally supports the heritage rules. It requests that the rule framework and supporting provisions

(including matters of control, matters of discretion and assessment matters) be adopted, unless specifically requested in other submission points.

This point is supported by Elizabeth Kerr (FS2429.62).

Submissions to amend the rules are considered in sections 5.12.2 to 5.12.8 below.

The submitters' support is noted.

Recommended amendment: None

5.12.2 Heritage Rules - Activity status

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS547.84	Heritage New Zealand /Otago and Southland Office	I support the provision	Retain controlled activity status for earthquake strengthening where external features only are protected, subject to compliance with performance standard 13.3.2	Accept	No amendment required
-- FS2429.73	Elizabeth Kerr	I support the submission	Support OS547.84. Allow submission.	Accept	No amendment required
OS547.85	Heritage New Zealand /Otago and Southland Office	I support the provision	Retain restricted discretionary activity status for earthquake strengthening works where both interior and exterior features are protected.	Accept	No amendment required
-- FS2429.74	Elizabeth Kerr	I support the submission	Support OS547.85. Allow submission.	Accept	No amendment required
OS547.91	Heritage New Zealand /Otago and	I seek to have the above provision amended	Amend the activity status of restoration that affects a protected	Accept	Amend activity status from

	Southland Office		part of a scheduled heritage building or scheduled heritage structure from permitted to restricted discretionary.		permitted to restricted discretionary.
-- FS2429.79	Elizabeth Kerr	I support the submission	Support OS547.91. Allow submission.	Accept	Amend activity status from permitted to restricted discretionary.
OS896.13	Scenic Circle Hotels Limited	I oppose the provision	Amend Rule 18.3.6.13 to allow for demolition or removal of non-protected parts of a scheduled heritage building as follows: 13. Demolition or removal for relocation of: a. character-contributing building; b. a non-protected part of a scheduled heritage building; or c. a non-character contributing building that adjoins the road frontage.	Reject	Retain rule as notified
OS896.14	Scenic Circle Hotels Limited	I oppose the provision	Amend Rule to allow for additions and alterations to a non protected part of a scheduled heritage building as follows: 14. Additions or alterations to a character-contributing building or non-protected part of a scheduled building (other than earthquake	Reject	Retain rule as notified

			strengthening).		
OS899.18	Capri Enterprises Limited	I seek to have the above provision amended	Amend Rules 18.3.6.13 and 18.3.6.14 such that demolition or removal for relocation, and additions and alterations, to a non-protected part of a scheduled heritage building are permitted activities.	Reject	Retain rules as notified
OS930.16	Calder Stewart Development Limited	I seek to have the above provision amended	Change the activity status of Rule 18.3.6.24 (demolition of buildings and structures where affecting a protected part of a scheduled heritage building or scheduled heritage structure) from a Non-Complying to Restricted Discretionary activity in the Trade Related Zone.	Reject	Retain rule as notified
OS997.24	Construction Industry and Developers Association	I support the provision	Amend Rule 18.3.6.24 - demolition of scheduled heritage buildings from non-complying to discretionary in Commercial Mixed Use zones.	Reject	Retain rule as notified
OS997.28	Construction Industry and Developers Association	I seek to have the above provision amended	Amend Rule 20.3.4.11 (activity status of demolition) from Non-complying to Discretionary.	Reject	Retain rule as notified
OS997.4	Construction Industry and Developers Association	I seek to have the above provision amended	Amend Rule 15.3.4.23 (activity status of Demolition of heritage buildings) from Non-complying to Discretionary	Reject	Retain rule as notified
OS997.9	Construction Industry and Developers Association	I seek to have the above provision amended	Amend Rule 16.3.4.11 (demolition of buildings and structures that affect a protected part of a scheduled heritage or structure) for	Reject	Retain rule as notified

			rural zones from non-complying to discretionary.		
OS997.14	Construction Industry and Developers Association	I seek to have the above provision amended	Amend Rule 17.3.4 so that activity status for demolition in the Rural Residential zones changes from non-complying to discretionary	Reject	Retain rule as notified
OS997.27	Construction Industry and Developers Association	I seek to have the above provision amended	Amend activity status of demolition from non-complying to discretionary for Industry and Industry Port zones	Reject	Retain rule as notified
-- FS2267.95	Harbourside and Peninsula Preservation Coalition	I oppose the submission	Oppose OS997.14. Disallow submission.	Accept	Retain rule as notified
OS308.356	University of Otago	I seek to have the above provision amended	Amend Rule 34.3.4.11 by adding ' <u>provision for works required under section s112 of the Building Act 2004 where triggered by the earthquake strengthening works</u> '.	Reject	Retain rule as notified
OS308.357	University of Otago	I seek to have the above provision amended	Amend Rule 34.3.4.13 by specifying that the rule relates to 'external' additions and alterations.	Accept	See memo to be provided at future hearing
OS308.358	University of Otago	I seek to have the above provision amended	Remove Rule 34.3.4.14 (additions and alterations to a non-character contributing building).	Reject	Retain rule as notified
OS308.359	University of Otago	I seek to have the above provision amended	Amend Rule 34.3.4.20 by adding ' <u>provision for works required under s112 of the Building Act 2004 where triggered by the earthquake strengthening works.</u> '	Reject	Retain rule as notified
Discussion					

Earthquake strengthening

Submissions

Heritage New Zealand (OS547.84, 85), supported by Elizabeth Kerr (FS2429.73,74), seeks to retain the controlled activity status for earthquake strengthening where external features only are protected, subject to compliance with performance standard 13.3.2, and the restricted discretionary activity status for earthquake strengthening works where both interior and exterior features are protected.

It notes that it is important that heritage rules should not be a barrier or disincentive to undertaking earthquake strengthening and should ensure the work is undertaken in a manner compatible with the heritage values of the building. The University of Otago (OS308.356, 359) seeks changes to the Rules 34.3.4.11 and 34.3.4.20 (Campus Zone - earthquake strengthening of character-contributing buildings, and scheduled heritage items, respectively) to add "provision for works required under s112 of the Building Act 2004 where triggered by the earthquake strengthening works". This activity is treated as an 'addition or alteration' in the 2GP and has a more restrictive activity status (RD instead of P and C). The submitter states that the changes are necessary to be consistent with Policy 13.2.1.4.

This submission relates to a separate submission point to include recognition of the importance of access and fire safety building improvement (under section 112 and 115 of the Building Act) in Policy 2.2.1.9 (see section 5.4.1).

Recommendation

The University is correct that improvements to access and fire safety are generally required under the Building Act when the use of a building is changed and can be required when undertaking earthquake strengthening work. This is acknowledged through the plan provisions, particularly in relation to the provisions encouraging re-use of buildings. The activity status is restricted discretionary, to ensure that the work is undertaken in a way that minimises adverse effects on heritage values of scheduled heritage items, and the long term benefits outweigh any adverse effects on heritage values or heritage streetscape character (policies 13.2.1.4 and 13.2.3.5). These policies are more lenient than those governing other additions and alterations, and recognise that there are likely to be adverse effects. If this work, which may require the creation of new entrances and ramps, was permitted without any control, there is no certainty that the relevant objectives and policies would be achieved.

I therefore recommend that the submission is rejected.

With regards to Heritage New Zealand's request for clarification as to the activity status of earthquake strengthening where both interior and exterior parts of a scheduled building are protected, this is classed as 'all other additions and alterations' and is a restricted discretionary activity. The nested table in section 1.6 of the 2GP shows that earthquake strengthening is a sub-activity of additions and alterations.

Restoration

Heritage New Zealand / (OS547.91), supported by Elizabeth Kerr (FS2429.79), seeks to amend the activity status of restoration that affects a protected part of a scheduled heritage building or scheduled heritage structure from permitted to restricted discretionary.

The reasons given are that there may also be situations in which a building or structure's heritage significance derives not from the original period, but from a later period. In such cases, restoration to the original appearance may not be appropriate in terms of heritage best practice. Heritage New Zealand requests that restoration be treated as a restricted discretionary "alteration".

Further discussion with Heritage New Zealand has clarified that the request applies only to Heritage New Zealand's Category 1 listed buildings. These buildings are recognised as 'outstanding' at a national level.

Recommendation

Restoration is defined in the notified 2GP as: "To return the fabric of a building or structure to its original form by reassembling and reinstating components in accordance with known earlier details using new or original materials. Restoration includes the removal of later additions, except where they are specifically protected in Schedule A1.1.

Restoration is a sub-activity of additions and alterations."

I recommend in section 5.1.3 above that it is amended to: "To accurately return the fabric of a building or structure to a known earlier ~~its original~~ form by reassembling and reinstating components in accordance with known earlier details using new or original materials. Restoration includes the removal of later components or additions, except where they are specifically protected in Schedule A1.1."

Restoration could therefore be to any earlier period, and Heritage New Zealand's concern is that heritage values could be lost by restoring to the 'wrong' period is valid. The intent of the rules was to be as enabling as possible for restoration, in order to encourage it. The risk of inappropriate restoration was seen as small. However, altering the status for Category 1 buildings recognises that the risk is greatest for the most significant buildings in terms of potential loss of heritage values. I therefore recommend that restoration of a HNZ Category 1 Building becomes a Restricted Discretionary instead of a Permitted activity.

Additions and alterations

Additions and alterations to the protected parts of scheduled heritage buildings, character-contributing buildings visible from a public place, and certain large alterations to non character-contributing buildings, are a restricted discretionary activity.

Submissions

The University of Otago (OS308.357) seeks to amend Rule 34.3.4.13 (Campus zone – additions and alterations of character-contributing buildings) to clarify that the rule applies only to external alterations, not internal.

Recommendation

Rule 34.3.4.13 is intended only to capture external alterations to that are visible from a public place; however I agree that the rules could be

clarified. I understand that a recommendation to change the definition of additions and alterations during the Industrial hearing to clarify this. I therefore recommend that submission OS308.357 is accepted. A proposed amendment to the definition will be provided in a future memorandum to the hearings panel to address this issue.

Submissions

The University of Otago (OS308.358) also seeks to delete Rule 34.3.4.14 (Campus zone – additions and alterations to non character-contributing buildings), on the basis that non character-contributing buildings do not warrant this level of control.

Recommendation

In relation to additions and alterations of non character-contributing buildings, consent is required where there is an increase in footprint of 10m² or greater, an increase in height of more than 2m, or removal of a pitched roof, but only if such alterations are visible from a public place. These alterations (effectively a new room or additional storey) have the potential to adversely affect heritage streetscape values, in the same way that a new building visible from the street could. Consent is required to ensure that the changes do not adversely affect heritage streetscape character.

Consequently, I recommend that the rule is retained as notified.

Demolition of a non-protected part of a scheduled heritage building or structure

Demolition of a non-protected part of a scheduled heritage building or structure within a commercial heritage precinct, where visible from a public place, is a restricted discretionary activity.

Submissions

Scenic Circle Hotels Limited (OS896.13, 14) and Capri Enterprises Ltd (OS899.18) seek to amend Rules 18.3.6.13 and Rule 13.6.4 such that demolition or removal (i.e. an alteration) of a non-protected part of a scheduled heritage building is a permitted activity.

The submitters consider that requiring consent is unduly onerous and inefficient, and will unnecessarily constrain development options in the CBD Zone.

Recommendation

The restricted discretionary status is to ensure that the heritage streetscape character of the zone will be maintained or enhanced (Policy 13.2.3.6.a). Loss of any buildings in commercial heritage precincts is recognised as a factor in loss of streetscape character, due to the existing built form of adjoining buildings, built to the street front. Demolition of buildings and their replacement with car parks in past years has eroded

streetscape character. Assessment rule 13.6.4.3 requires that conditions are imposed that give reasonable certainty that a replacement building will be constructed; or the land will be put to an acceptable alternative land use that will make a positive contribution to the streetscape amenity. The approach is used for demolition of all buildings within a commercial heritage precinct.

Making demolition of non-protected parts of heritage buildings permitted provides no certainty that heritage streetscape character will be maintained. I therefore recommend that the submission is rejected.

Demolition of a protected part of a scheduled heritage building or structure

Demolition of a protected part of a scheduled heritage building or structure is a non-complying activity.

Submissions

Calder Stewart Development Limited (OS930.16) seeks to change the activity status of demolition of a protected part of a scheduled heritage building or structure from non-complying to restricted discretionary, in relation to the Caledonian War Memorial Gym (proposed B815), if this building is ultimately included within the Heritage Schedule. Discretion would be restricted to a full discussion of the alternatives, including quantified reasons why these are not reasonable.

The reasons given are that heritage rules will potentially constrain future development of the Caledonian site.

The Construction Industry and Developers Association (OS997.4, 14, 16, 24, 27, 28) seeks to amend the activity status of demolition of scheduled heritage building from non-complying to discretionary, in the commercial and mixed Use zones, Recreation Zone, residential, rural residential, industrial and rural zones. The reason given is that the 2GP does not provide enough flexibility for activities and development in a financially viable way.

The Harbourside and Peninsula Preservation Coalition (FS2267.95) oppose submission OS997.14 (in relation to the rural residential zone).

Recommendation

In my view, restricted discretionary activity status is not a high enough test to ensure that scheduled heritage buildings and structures are retained wherever practicable, and Policy 13.2.1.7 will be achieved. I recommend that non-complying activity status is retained.

The recommendation in respect of the Caledonian gym is to include the building on the heritage schedule, for the express purpose of ensuring it is not demolished unless there are specific circumstances that allow Policy 13.2.1.7 to be met. I recommend that no change is made to the rule.

Recommended amendment:

Amend activity status tables in all management zones, and major facility zones where there are scheduled heritage

buildings or structures, as follows:				
x.	Restoration	P	1. Materials and design	
<u>x.</u>	<u>Restoration of a building or structure with a Heritage New Zealand Category 1 listing</u>	<u>RD</u>		

5.12.3 Notification rule

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS299.67	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Amend Rule 15.4 (Notification) such that the approval of Heritage New Zealand is required for activities affecting character contributing buildings and buildings and precincts undergoing assessment for scheduling.	Reject	Retain Rule 15.4
OS308.362	University of Otago	I oppose the provision	Remove Rule 34.4.3 Notification (demolition of a protected part of a scheduled heritage building or structure).	Accept	Delete Rule 34.4.3
OS444.70	John and Clare Pascoe	I seek to have the above provision amended	Amend Rule 15.4 (Notification) to require the	Reject	Retain Rule 15.4

			approval of Heritage New Zealand is required for activities affecting character contributing buildings, and buildings and precincts undergoing assessment for scheduling.		
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Discussion:

Background

Submissions

The University of Otago (OS308.362) seeks to delete Rule 34.4.3 (Public notification of applications to demolish scheduled buildings within the Campus Zone). It considers that demolition could involve only a minor or unimportant part of a scheduled building, so mandatory notification should not apply.

Rosemary & Malcolm McQueen (OS299.67) and John and Clare Pascoe (OS444.70) are concerned that character –contributing buildings and buildings undergoing assessment for scheduling may be removed or altered without input from Heritage New Zealand. I have interpreted this to mean that they seek that demolition of these buildings requires the written approval of Heritage New Zealand.

Recommendation

Rule 34.4.3 is: “Applications for resource consent for the following activities will be publicly notified in accordance with section 95A(2) of the RMA:

1. demolition of a protected part of a scheduled heritage building or scheduled heritage structure.”

The rule is repeated in every management zone and major facility where there are scheduled heritage items. I agree with the University that demolition could involve only a part of a building. However, the schedule identifies which parts of a building are important from a heritage perspective, and does not protect other parts. The University’s submission may be partly addressed by ensuring that the protected parts for each building are correctly identified.

From a wider perspective, mandatory public notification may not be appropriate in every instance, and I agree that this is best left to a case – by-case decision process. Where the building is listed with Heritage New Zealand, they are automatically considered an adversely affected

party, under Rule 34.4.2 (and the equivalent rules in other sections). In other cases, the DCC has a heritage expert who can advise whether there should be public involvement in a consent to demolish. The RMA has clear criteria about when applications should be publicly, limited or non-notified. I therefore recommend that this clause is removed from all management and major facility sections.

In respect of Mr and Mrs Pascoe's and Mr and Mrs McQueen's concerns about character-contributing buildings, Heritage New Zealand is primarily concerned where the building is on the Heritage New Zealand List. Almost all buildings on the Heritage New Zealand List are also on (or recommended to be on) the 2GP schedule. It is not appropriate to require Heritage New Zealand approval for all character-contributing buildings. Applications to demolish or alter these can be appropriately assessed by DCC heritage and urban design staff, and a decision made on notification / written approval on that basis.

Recommended amendment:

Delete mandatory public notification rule for demolition of heritage buildings from all management and major facility zones where it appears: 15.4.2, 16.4.3.4, 17.4.3, 18.4.3, 19.4.3, 20.4.3, 22.4.3, 26.4.3, 27.4.3, 31.4.3, 34.4.3

5.12.4 Rule 13.3 Development Performance Standards

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS293.45	Southern Heritage Trust & City Rise Up	I support the provision	Retain 13.3 Development Performance Standards.	Accept	No amendment required
OS299.118	Rosemary & Malcolm McQueen	I support the provision	Retain 13.3 Development Performance Standards.	Accept	No amendment required
OS444.16	John and Clare Pascoe	I support the provision	Retain 13.3 Development Performance Standards.	Accept	No amendment required
OS826.5	Moi Bien Investments Ltd	I oppose the provision	Remove Rule 13.3.1 (Building colour) as far as it relates to the Neighbourhood Centre Zone, and make all consequential changes.	Accept	No amendment required
OS896.5	Scenic Circle Hotels	I support the provision	Retain Rule 13.3.1 Building	Accept	No amendment required

	Limited		Colour rule in heritage precincts.		
OS308.266	University of Otago	I seek to have the above provision amended	Amend Rule 13.3.2 Materials and Design such that it is not unduly restrictive.	Reject	Do not amend rule
OS547.74	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend Rule 13.3.2 as follows to reduce risk to heritage fabric: 1. For repairs and maintenance and restoration of any part of a character contributing building, and protected part of a scheduled heritage structure, or any non-protected part of a scheduled heritage building within a heritage precinct, that are visible from an adjoining public place: a. the materials used and the design of any replacement building components are the same or closely similar to those being repaired or replaced, or those that were in place originally. Except that: i. concrete roofing tiles or metal and stone chip roofing tiles may be replaced with any roofing material; and ii. wooden windows may be retrofitted with double glazed units into the existing window joinery b. Unpainted walls must not be painted, and unrendered walls must	Accept in part	Make amendments as shown below

			not be rendered. 2. Where an elevated feature is replaced, the replacement feature must appear exactly the same as the feature being replaced, when viewed from a public place. ...		
-- FS2429.63	Elizabeth Kerr	I support the submission	Support OS547.74. Allow submission.	Accept in part	Make amendments as shown below
OS896.6	Scenic Circle Hotels Limited	I support the provision	Retain Rule 13.3.2 Materials and Design for heritage precincts	Accept	No amendment required

Discussion

Rule 13.3 contains three performance standards that relate to works on heritage buildings: Rule 13.3.1 Building colour; Rule 13.3.2 Materials and design standards; and Rule 13.3.3 Requirement to obtain an archaeological authority for work on an archaeological site. Submissions on Rule 13.3.3. are discussed in section 5.13.2.

Rosemary & Malcolm McQueen (OS299.118), John and Clare Pascoe (OS444.16) and Southern Heritage Trust & City Rise Up (OS293.45) support Rule 13.3 in its entirety. Southern Heritage Trust & City Rise Up notes that the standards and guidelines are comprehensive, and cover all contingencies for changes and additions to the building stock in heritage precincts, and for alterations and additions to scheduled buildings.

The submitters' support is noted.

Rule 13.3.1 Building colour

Background

Rule 13.3.1 requires that neutral or heritage colour palettes are used for visible parts of buildings in commercial heritage precincts.

Submissions

Scenic Circle Hotels Limited (OS896.5) supports Rule 13.3.1 as it considers that the rule is appropriate to provide for the sympathetic repair, maintenance and additions and alterations in heritage precincts.

Moi Bien Investments Ltd (OS826.5) opposes the rule and seeks its deletion as far as it relates to the St Clair Neighbourhood Centre Zone. It

considers that the rule framework that provides for development within the zone is overly restrictive and onerous.

Recommendation

The St Clair Neighbourhood Destination Centre is not within a commercial heritage precinct, and so Rule 13.3.1 does not apply. The relief sought by the submitter is therefore already provided.

Scenic Circle's support is noted. No amendment is required.

Materials and design

Rule 13.3.2 details requirements around the design, and the nature and type of materials that may be used, for repairs and maintenance and restoration of character-contributing and scheduled heritage buildings and structures.

Submissions

Scenic Circle Hotels Limited (OS896.6) supports Rule 13.3.2, as it considers that the rule is appropriate to provide for the sympathetic repair, maintenance and additions and alterations to heritage buildings and structures.

The University of Otago (OS308.266) seeks to revise Rule 13.3.2 to recognise limitations in what it is practicable and justified to achieve. Its reasons are that the rule should not be unduly restrictive, especially where the same standard is required for non-scheduled as for scheduled buildings. Suggested amendments to the wording are not provided.

Heritage New Zealand (OS547.74), supported by Elizabeth Kerr (FS2429.63), seeks to amend Rule 13.3.2. as follows:

"1. For repairs and maintenance ~~and restoration~~ of any part of a character contributing building, and protected part of a scheduled heritage structure, or any non-protected part of a scheduled heritage building within a heritage precinct, that are visible from an adjoining public place:

a. the materials used and the design of any replacement building components are the same or closely similar to those being repaired or replaced, or those that were in place originally.

~~Except that:~~

~~i. concrete roofing tiles or metal and stone chip roofing tiles may be replaced with any roofing material; and~~

~~ii. wooden windows may be retrofitted with double glazed units into the existing window joinery~~

b. Unpainted walls must not be painted, and un-rendered walls must not be rendered.

~~2. Where an elevated feature is replaced, the replacement feature must appear exactly the same as the feature being replaced, when viewed from a public place."~~

It notes that the rule framework ensures that heritage values are not unnecessarily lost or damaged as a result of making various activities permitted. It considers that the exemptions proposed under 13.3.2 (1)(a) do not adequately manage the risk to heritage values of buildings on a case by case basis.

I note that Heritage New Zealand have also submitted to make restoration a restricted discretionary activity (see section 5.12.2)

Recommendation

Discussion with Heritage New Zealand has clarified some of their concerns. With respect to concrete tiles (clause 1.a.i), these may be significant on some buildings, and their removal should not be exempted from the rule. I accept these concerns; however, consider this is likely to be more of an issue for heritage buildings, with their higher heritage values, than character-contributing buildings. I recommend that this clause is amended to reflect this.

Secondly, the exception for double glazing of windows may result in loss of stained glass or multi-light windows. In response to those concerns, I consider it appropriate that an exclusion is made for double glazing, as many buildings to which this rule applies are homes, and it is not justified to require resource consent, where work is undertaken sensitively (ie. retrofitting of wooden windows, rather than replacement with aluminium). I therefore recommend that clause 1.a.ii be retained, but amended to exclude stained glass and multi-light windows. These can be insulated, if required, by internal secondary glazing, which is unlikely to be visible from the street, and therefore would not require consent. This approach is acceptable to Heritage NZ.

Heritage New Zealand has requested that restoration is a restricted discretionary activity for Category 1 buildings (see section 5.12.2). However, it is appropriate that the reference to restoration in clause 1 remains in relation to restoration of all other buildings, which is still a permitted activity. I therefore recommend that this part of the submission is rejected.

The removal of clause 2, which is concerned with the replacement of elevated features (eg. parapets; part of 'earthquake strengthening' activity), relates to Heritage New Zealand's view that replacement of these features in Category 1 buildings should require restricted discretionary consent. Earthquake strengthening is currently a controlled activity.

Heritage New Zealand, in recent correspondence, comments that the conditions that may need to be imposed if the activity is controlled, to

achieve the desired heritage outcomes, may have the effect in practice of authorising something that amounts to 'repairs and maintenance', and would not have required consent in the first place. Restricted discretionary status provides an opportunity to ensure that the replacement is justified, given the outstanding significance of the building.

I accept that the outstanding status of Category 1 buildings means that replacement of elevated features may not always be appropriate, and so may not achieve Objective 13.2.1. Heritage New Zealand did not explicitly ask for a change in activity status to this rule, and so there is a question of scope. [check other subs for scope] If the panel consider there is scope to do so, I recommend that the replacement of elevated features in Category 1 listed buildings is amended to restricted discretionary, with consequential amendments as appropriate.

As the activity status for all other buildings will remain controlled, it is appropriate that clause 2 of the materials and design standard is retained.

In response to the University's submission, I consider the rule to be reasonable, and without further information as to what amendments are sought, I recommend that the submission is rejected.

Recommended amendment:

1. **Amend Rule 13.3.2** as follows:

1. For repairs and maintenance and restoration-of any part of a character contributing building, and protected part of a scheduled heritage structure, or any non-protected part of a scheduled heritage building within a heritage precinct, that are visible from an adjoining public place:

a. the materials used and the design of any replacement building components are the same or closely similar to those being repaired or replaced, or those that were in place originally.

Except that:

i. concrete roofing tiles or metal and stone chip roofing tiles on character-contributing buildings may be replaced with any roofing material; and

ii. wooden windows (except stained glass and multi-light windows) may be retrofitted with double glazed units into the existing window joinery,

b. Unpainted walls must not be painted, and un-rendered walls must not be rendered.

2. Where an elevated feature is replaced, the replacement feature must appear exactly the same as the feature being replaced, when viewed from a public place."

2. **Amend activity status tables** in all management zones, and in major facility zones where there are scheduled heritage items, as follows:

x.	Earthquake strengthening (where external features only are protected, <u>and for replacement of elevated features, where the building or structure is either not listed with Heritage New Zealand, or listed as Category 2</u>)	C	1. Materials and design
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5.12.5 Rule 13.4 Assessment of Controlled Activities

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS444.18	John and Clare Pascoe	I seek to have the above provision amended	Retain Rule 13.4.	Accept	No amendment required
Discussion					
Rule 13.4 is the assessment rule for earthquake strengthening of a protected part of a scheduled heritage building or structure (a controlled activity).					
John and Clare Pascoe (OS444.18) support Rule 13.4. The submitter's support is noted. No amendment is required.					
Recommended amendment: None.					

5.12.6 Rule 13.5 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS293.52	Southern Heritage Trust & City Rise Up	I support the provision	Retain Rule 13.5	Accept	No amendment required
OS293.73	Southern Heritage Trust & City Rise Up	I support the provision	Retain Rule 13.5	Accept	No amendment required
OS444.19	John and Clare Pascoe	I seek to have the above	Retain Rule 13.5	Accept	No amendment

		provision amended			required
OS1.5	Peter Entwisle	I seek to have the above provision amended	Retain Rules 13.5.2 e and k	Accept	No amendment required
-- FS2429.110	Elizabeth Kerr	I support the submission	Support OS1.5. Allow submission.	Accept	No amendment required
OS417.22	Margaret Davidson	I support the provision	Retain Assessment Rules 13.5.2.1.e and 13.5.2.1.k.	Accept	No amendment required
OS849.47	David Murray	I support the provision	Retain Rules 13.5.2e and k 'heritage values take precedence when assessing performance standard contraventions in residential areas	Accept	No amendment required
-- FS2429.102	Elizabeth Kerr	I support the submission	Support OS849.47. Allow submission.	Accept	No amendment required
OS959.4	Jackie Gillies + Associates	I support the provision	Retain Rules 13.5.2.1 d-g	Accept	No amendment required
OS576.35	Vodafone NZ Ltd	I oppose the provision	Amend Rule 13.5.4.8.ii (assessment of performance standard contraventions in a Heritage Precinct) as follows: Development within heritage precincts maintains or enhances heritage streetscape character by ensuring: network utilities structures are appropriately located (Policy 13.2.3.2.d and 13.2.3.3.d). The extent to which the scale and location of network utility structures maintains heritage streetscape	Reject	No amendment required

			<u>character.</u>		
OS923.35	Spark New Zealand Trading Limited	I oppose the provision	Amend Rule 13.5.4.8.ii (assessment of performance standard contraventions in a Heritage Precinct) as follows: Development within heritage precincts maintains or enhances heritage streetscape character by ensuring network utility structures are appropriately located (Policy 13.2.3.2.d and 13.2.3.3.d). <u>The extent to which the scale and location of network utility structures maintains heritage streetscape character.</u>	Reject	No amendment required
OS925.35	Chorus New Zealand Limited (Chorus)	I oppose the provision	Amend Rule 13.5.4.8.ii (assessment of performance standard contraventions in a Heritage Precinct) as follows: Development within heritage precincts maintains or enhances heritage streetscape character by ensuring network utility structures are appropriately located (Policy 13.2.3.2.d and 13.2.3.3.d). <u>The extent to which the scale and location of network utility structures maintains heritage streetscape character.</u>	Reject	No amendment required
OS547.89	Heritage New Zealand /Otago and Southland	I seek to have the above provision amended	Amend Rule 13.5.3 (1)(a) as	Accept	Amend Rule 13.5.3 (1)(a)

	Office		follows: vii. where unpainted surfaces are painted, either the unpainted surface is not a key architectural, <u>aesthetic, or historical</u> feature of the building or structure, or the <u>aesthetic</u> quality of the unpainted surface is low and its appearance will be improved by painting including through the installation of approved murals or street art, <u>and it is determined that painting will not prove damaging to the underlying fabric and threaten the overall condition of the building or structure.</u>		
-- FS2429.77	Elizabeth Kerr	I support the submission	Support OS547.89. Allow submission.	Accept	Amend Rule 13.5.3 (1)(a)
<p>Discussion</p> <p>Assessment Rule 13.5 and 13.5.2.1 (performance standard contraventions – general)</p> <p>Background</p> <p>Rule 13.5 details the assessment rules for contravention of performance standards that affect a scheduled heritage item or a heritage precinct.</p> <p>Rule 13.5.2.1 contains assessment guidance for all performance standard contraventions. Submissions relate specifically to the following clauses:</p>					

"Potential circumstances that may support a consent application include: ...

e. Where there is a conflict between compliance with performance standards and protection of heritage values, protection of heritage values should take precedence. ...

General assessment guidance

- h. For work affecting a scheduled heritage building or structure, Council will consider the extent to which the work enables the on-going use of the building or structure in line with Policy 13.2.1.1
- i. For work affecting a character-contributing building or structure, Council will consider the extent to which the work enables on-going use of the building in line with Policy 13.2.3.8
- j. Where more than one standard is contravened, the combined effects of the contraventions should be considered.
- k. In balancing consideration of the objectives and policies related to the maintenance of heritage values or heritage precinct streetscape character and those related to general amenity, greater weight will usually be placed on heritage policies."

Submissions

Southern Heritage Trust & City Rise Up (OS293.52 and .73) and John and Clare Pascoe (OS444.19) support Rule 13.5. They note in relation to some parts of the assessment rules that applications should be judged by a heritage architecture panel. These submission points are discussed in section 5.12.19.

Peter Entwisle (OS1.5), supported by Elizabeth Kerr (FS2429.110), David Murray (OS849.47), supported by Elizabeth Kerr (FS2429.102), and Margaret Davidson (OS417.22), all support Rules 13.5.2 e and k, noting that heritage values take precedence when assessing performance standard contraventions.

Jackie Gillies and Associates (OS959.4) supports Rules 13.5.2.1 d-g, commenting that they acknowledge precedence of heritage needs and requirements over other parts of the plan, particularly with respect to adaptive and new use.

The support of the submitters is noted.

Rule 13.5.3 – Assessment of contravention of Materials and Design performance standard (painting of unpainted surfaces)

Background

Rule 13.5.3.1.a.vii is concerned with contravention of the Materials and Design performance standard, in relation to painting an unpainted

surface. It states:

“Potential circumstances that may support a consent application: ...

vii. Where unpainted surfaces are painted, either the unpainted surface is not a key architectural feature of the building or structure, or the quality of the unpainted surface is low and its appearance will be improved by painting, including through the installation of approved murals or street art.”

Submission

Heritage New Zealand (OS547.89, supported by Elizabeth Kerr (FS2429.77) seeks to amend Rule 13.5.3.1.a.vii as follows:

“vii. where unpainted surfaces are painted, either the unpainted surface is not a key architectural, aesthetic, or historical feature of the building or structure, or the aesthetic quality of the unpainted surface is low and its appearance will be improved by painting including through the installation of approved murals or street art, and it is determined that painting will not prove damaging to the underlying fabric and threaten the overall condition of the building or structure.”

The submitter notes that painting has the potential to adversely affect heritage fabric. Whether the surface is a key aesthetic, or historical feature of the building is therefore a relevant consideration in determining the appropriateness of painting a previously unpainted surface.

Recommendation

The changes sought by Heritage NZ are appropriate to achieve the relevant policy and objective and I recommend they are accepted.

Assessment Rule 13.5.4.8 – contravention of location (network utilities) performance standard

Background

Rule 13.5.4.8 is the assessment rule for contravention of Rule 5.5.6 (location of network utility activities) within a heritage precinct. It states:

“Relevant objectives and policies:

i. Objective 13.2.3

ii. Development within heritage precincts maintains or enhances heritage streetscape character by ensuring: network utilities structures are

appropriately located (Policy 13.2.3.2.d and 13.2.3.3.d).”

Submissions

Vodafone NZ Ltd (576.35), Spark New Zealand Trading Limited (OS923.35) and Chorus New Zealand Limited (OS925.35) consider that Rule 13.5.4.8.ii needs re-framing to ensure it is practical and workable. They seek the following changes:

~~“Development within heritage precincts maintains or enhances heritage streetscape character by ensuring network utility structures are appropriately located (Policy 13.2.3.2.d and 13.2.3.3.d). The extent to which the scale and location of network utility structures maintains heritage streetscape character.”~~

Recommendation

The standard approach to assessment rules in the 2GP is to refer to the relevant policies, as outcomes to be achieved (see Plan Overview s42A report). In this case, the assessment rule references 13.2.3.2.d and 13.2.3.3.d. I note that in sections 5.11.6 and 5.11.7 the submitters support policies 13.2.3.2.d and 13.2.3.3.d. The additional words requested by the submitter repeat the policy in a different form.

The proposed change is not consistent with the assessment rule structure used elsewhere in the 2GP and is less effective and appropriate. I recommend that the notified wording remains.

Recommended amendment:

Amend Rule 13.5.3.1.a.vii as follows:

~~“vii. where unpainted surfaces are painted, either the unpainted surface is not a key architectural, aesthetic, or historical feature of the building or structure, or the aesthetic quality of the unpainted surface is low and its appearance will be improved by painting, including through the installation of approved murals or street art, and it is determined that painting will not prove damaging to the underlying fabric and threaten the overall condition of the building or structure.”~~

5.12.7 Rule 13.6 and 13.7 Assessment of Restricted Discretionary and Discretionary Activities

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS444.20	John and Clare Pascoe	I seek to have the above provision amended	Retain Rule 13.6.	Accept	No amendment required

OS444.21	John and Clare Pascoe	I seek to have the above provision amended	Retain Rule 13.7.	Accept	No amendment required
OS743.15	Elizabeth Kerr	I support the provision	Retain Rule 13.6.4.4.a (all restricted discretionary public amenity activities in a Heritage Precinct - effect on heritage streetscape character) and Rule 13.6.3.1.a (all restricted discretionary public amenities activities in a heritage site - effect on heritage values).	Accept	No amendment required
OS576.74	Vodafone NZ Ltd	I seek to have the above provision amended	Amend the assessment criteria in Rules 13.6.3, 13.6.4 and 13.7 as necessary by replacing the word 'possible' with 'practicable'.	Accept	Amend the assessment criteria in Rules 13.6.3, 13.6.4 and 13.7 as necessary
OS923.74	Spark New Zealand Trading Limited	I seek to have the above provision amended	Amend the assessment criteria in Rules 13.6.3, 13.6.4 and 13.7 as necessary by replacing the word 'possible' with 'practicable'.	Accept	Amend the assessment criteria in Rules 13.6.3, 13.6.4 and 13.7 as necessary
OS925.74	Chorus New Zealand Limited (Chorus)	I seek to have the above provision amended	Amend the assessment criteria in Rules 13.6.3, 13.6.4 and 13.7 as necessary by replacing the word 'possible' with 'practicable'.	Accept	Amend the assessment criteria in Rules 13.6.3, 13.6.4 and 13.7 as necessary

OS322.101	KiwiRail Holdings Limited	I seek to have the above provision amended	Amend Rule 16.6.3.1 as follows: 'On a Scheduled Heritage Site: New buildings and structures where visible from an adjoining public place or a public place within a heritage site <u>except where consistent with the purpose of the heritage site</u> '	Reject	Await further information from submitter
OS322.50	KiwiRail Holdings Limited	I seek to have the above provision amended	Amend Rule 13.6.3.1 as follows: 1. On a Scheduled Heritage Site: New buildings and structures where visible from an adjoining public place or a public place within a heritage site <u>except where consistent with the purpose of the heritage site</u>	Reject	Await further information from submitter
OS360.24	Dunedin City Council	I seek to have the above provision amended	Amend Rule 13.6.3.1 (Assessment of restricted discretionary development activities affecting a Scheduled Heritage Building, Structure or Site) by adding an additional bullet point: 'Biomass generators - on-site energy generation'.	Accept	Amend Rule 13.6.3.1
-- FS2440.71	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.24 . Allow submission.	Accept	Amend Rule 13.6.3.1
OS360.23	Dunedin City Council	I seek to have the above provision amended	Amend Rule 13.6.4.4 (Assessment of restricted discretionary development	Accept	Amend Rule 13.6.4.4

			activities in Heritage Precinct) by adding an additional bullet point as follows: ' <u>Biomass generators - on-site energy generation</u> '.		
-- FS2440.72	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.23. Allow submission.	Accept	Amend Rule 13.6.4.4
<p>Discussion</p> <p>Assessment rules 13.6 and 13.7 - General</p> <p>Rule 13.6 and 13.7 detail the assessment rules, for restricted discretionary and discretionary activities respectively, that affect a scheduled heritage item or a heritage precinct.</p> <p>Submissions</p> <p>John and Clare Pascoe (OS444.20, 21) support rules 13.6 and 13.7. They note in relation to some parts of the assessment rules that applications should be judged by a heritage architecture panel. These submission points are discussed in section 5.12.9.</p> <p>Elizabeth Kerr (OS743.15) seeks to retain of Rule 13.6.4.4.a (all restricted discretionary public amenity activities in a Heritage Precinct - effect on heritage streetscape character) and Rule 13.6.3.1.a (all restricted discretionary public amenities activities in a heritage site - effect on heritage values).</p> <p>Dunedin City Council (OS360.23, 24), supported by Heritage New Zealand (FS2440.71, 72), seeks to amend assessment rules 13.6.3.1 and 13.6.4.4 by adding an additional bullet point: '<u>Biomass generators - on-site energy generation</u>'.</p> <p>Recommendation</p> <p>The support of the submitters is noted.</p> <p>DCC's amendment is to correct an error in the plan, as no assessment rule currently exists for biomass generators within scheduled heritage sites or heritage precincts. I recommend that these points be accepted.</p>					

Replacement of 'possible' with practicable' in rules 13.6 and 13.7

Submissions

Vodafone NZ Ltd (OS576.74), Spark New Zealand Trading Limited (OS923.74) and Chorus New Zealand Limited (Chorus) (OS925.74) seek to amend the wording of rules 13.6.3, 13.6.4 and 13.7 by replacing "possible" with "practicable". They consider that "practicable" is more appropriate for use in an RMA context, and takes the practicality of the design and any mitigation measures for any network utility works into account.

A similar submission was made by the same submitters in relation to Policy 13.2.2.1 (see section 5.10.3). The recommendation was to accept the submission and amend the wording to "practicable" in both the policy and assessment rules that reference the policy.

Recommendation

The word 'possible' is used in rules 13.6.3, 13.6.4 and 13.6.7 in the following contexts:

13.6.3.1.a.ii.5: "network utilities, natural hazard mitigation activities and building utilities are designed, located and/or screened to be as unobtrusive as **possible** (Policy 13.2.2.1)".

13.6.4.1.a.ii: "Only allow new buildings and structures that are visible from an adjoining public place, where their design, materials and location ensure the heritage streetscape character of the precinct is maintained or enhanced, including by:

1. incorporating into the design the relevant preferred design features and characteristics listed in Appendix A2 and, where **possible** and appropriate, the relevant suggested features and characteristics; ... [also 13.6.4.2.a.iii]
3. ensuring structures whose design unavoidably conflicts with precinct characteristics are as unobtrusive as **possible** (Policy 13.2.3.7)

13.6.4.1.a.iii: "Maintaining or enhancing the heritage streetscape character may be achieved by:

1. Including the relevant preferred design features and characteristics and, where **possible** and appropriate, the relevant suggested features and characteristics, listed in Appendix A2.

13.6.4.2.a.iv: "Decorative architectural features and fabric on character-contributing buildings that contribute to the heritage streetscape

character are protected as far as **possible**.”

13.7.2.2.b.v: “network utilities and hazard mitigation activities are designed, located and/or screened to be as unobtrusive as **possible** (Policy 13.2.2.1)”.

I consider that while the word ‘possible’ is acceptable, the word ‘practicable’ is also appropriate, and would improve consistency within the plan. I recommend that the submission is accepted. Several of these changes have also been recommended in section 5.10.3. A consequential change is required to Policy 13.2.3.7.

Assessment of new buildings and structures on heritage sites

Background

Rule 13.6.3.1 is the assessment rule for new buildings and structures within a scheduled heritage site where they are visible from an adjoining public place or a public place within the site. Buildings that are not visible from a public place do not require consent under the heritage rules. “Public place” is defined in the 2GP as “Roads and reserves”. New buildings on the railway station site visible from roads or footpaths would therefore require consent.

Submissions

KiwiRail Holdings Limited (OS322.50 & 101) seeks to amend Rule 13.6.3.1. as follows:

“On a Scheduled Heritage Site: New buildings and structures where visible from an adjoining public place or a public place within a heritage site except where consistent with the purpose of the heritage site”.

It notes that one of the assessment criteria relates to the visibility of the new building or structure on a heritage site from an adjoining public place or a public place within a site. The Dunedin Railway Station is a heritage site, and the adjoining road network is a public space. Further, where the road runs parallel to the rail corridor, any other buildings or facilities within the rail corridor that are heritage assets are potentially visible from a public space. Therefore any proposed change, whether for railway purposes or not, would be visible from a public space and never able to comply with the permitted standards.

KiwiRail also comments that there is no definition proposed as to what a ‘public space’ is. It seeks to ensure that works can occur on a heritage structure or site in accordance with the current purpose of that structure or site, without requiring consent.

Recommendation

Kiwirail's concern is that the assessment rule prevents new buildings being visible from a public place, and that new buildings that are consistent with the purpose of the site should be exempt from the rule (in effect, to make them permitted activities). The assessment rule does not require that buildings are not visible: clause 2 requires that the location is "compatible with that of scheduled heritage buildings and scheduled heritage structures" and clause 3 protects views of scheduled heritage buildings and scheduled heritage structures from public places outside the site and publicly accessible areas within the site. Clause 5 requires that network utilities, natural hazard mitigation activities and building utilities are designed, located and/or screened to be as unobtrusive as [practicable]. I note that the change to "practicable" will allow a consideration of functional requirements.

The Railway Station heritage site includes part of the platform, part of a track to the south of the footbridge and parts of the carpark, as well as the Railway Station and gardens in front. While I do not agree that permitting all buildings and structures without any controls will protect the values of the heritage site, it may be possible to amend Policy 13.2.2.1 and/or assessment rule 13.6.3 if the submitter is able to provide more information about the types of development that are likely to be occur within the heritage site.

Recommended amendment:

1. Amend assessment rules as follows:

13.6.4.1.a.ii: "Only allow new buildings and structures that are visible from an adjoining public place, where their design, materials and location ensure the heritage streetscape character of the precinct is maintained or enhanced, including by:

1. incorporating into the design the relevant preferred design features and characteristics listed in Appendix A2 and, where practicable possible and appropriate, the relevant suggested features and characteristics; ...
3. ensuring structures whose design unavoidably conflicts with precinct characteristics are as unobtrusive as practicable possible (Policy 13.2.3.7)

13.6.4.1.a.iii: "Maintaining or enhancing the heritage streetscape character may be achieved by:

1. Including the relevant preferred design features and characteristics and, where practicable possible and appropriate, the relevant suggested features and characteristics, listed in Appendix A2.

13.6.4.2.a.iii: "The design includes the relevant preferred design features and characteristics, and where practicable possible and appropriate, the suggested features and characteristics listed in Appendix A2."

13.6.4.2.a.iv: "Decorative architectural features and fabric on character-contributing buildings that contribute to the heritage streetscape

character are protected as far as practicable possible.”

13.6.3.1 – add “biomass generators - on-site energy generation” to list of bullet points.

13.6.4.4 - add “biomass generators - on-site energy generation” to list of bullet points.

2. Amend Policy 13.2.3.7:

“Only allow new buildings... by:

- a. incorporating into the design the relevant preferred design features and characteristics listed in Appendix A2 and, where practicable possible and appropriate, the relevant suggested features and characteristics;
- b. ...
- c. ensuring structures whose design unavoidably conflicts with precinct characteristics are as unobtrusive as practicable possible.”

5.12.8 Rule 13.9 Special Information Requirements

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS293.46	Southern Heritage Trust & City Rise Up	I support the provision	Retain 13.9 Special Information Requirements.	Accept	No recommendation required
OS444.17	John and Clare Pascoe	I support the provision	Retain 13.9 Special Information Requirements.	Accept	No recommendation required
OS547.67	Heritage New Zealand /Otago and Southland Office	I support the provision	Retain 13.9 special information requirements.	Accept	No recommendation required
-- FS2429.57	Elizabeth Kerr	I support the submission	Support OS547.67. Allow submission.	Accept	No recommendation required

Discussion:

Rule 13.9.1 details the special information requirements that apply to applications to demolish scheduled heritage items.

All the above submitters and further submitters support Rule 13.9.

Heritage New Zealand (OS547.67) notes that it is appropriate that applications for demolition of scheduled heritage items are properly informed by professional advice and accompanied by a thorough assessment of alternatives and costs. Heritage New Zealand supports this section which provides clear guidance on the information required in order for the Council and affected parties to assess the heritage effects and reasonableness of applications for demolition.

The submitters' support is note. No amendment is required.

Recommended amendment: None.

5.12.9 Heritage panel and design guidelines

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS293.151	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Publish heritage guidelines or design standards for the heritage precincts.	Accept in part	Provide additional illustrative design guidance
OS293.152	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Involve a panel of heritage architects and design experts (and where appropriate inner city residents or their groups) in assessing resource consents in heritage precincts and for all scheduled buildings and include requirement for consent guidance and assessment matters in assessment rules 13.4, 13.5, 13.6, 13.7 and 13.8 to be judged by a panel of heritage experts.	Reject	Do not use a heritage design panel
OS793.4	Brent Lovelock	I seek to have the above provision amended	Establish a panel of heritage experts to assess heritage	Reject	Do not use a heritage design panel

			related consents, and increase involvement of DCC planners in the early stages of planning for development.		
OS793.5	Brent Lovelock	I seek to have the above provision amended	Amend heritage provisions to provide enhanced heritage guidelines and standards for heritage properties.	Accept in part	Provide additional illustrative design guidance
OS793.6	Brent Lovelock	I seek to have the above provision amended	Amend the provisions to strengthen the assessment of heritage values during consent processing.	Accept in part	Amendments made to Appendix A2 amended in response to other submissions
OS890.2	Josephine Dodd	I seek to have the above provision amended	Amend framework to include a panel of suitably qualified professionals to moderate the processing of consents.	Reject	Do not use a heritage design panel
OS890.3	Josephine Dodd	I seek to have the above provision amended	Develop heritage guidelines to give guidance to developers and private owners wishing to build in heritage precincts or alter/redevelop heritage buildings.	Accept in part	Provide additional illustrative design guidance
OS1.7	Peter Entwisle	I seek to have the above provision amended	Add additional guidelines and standards for developers and establish a panel of heritage professionals to consider consent applications.	Accept in part	Provide additional illustrative design guidance
OS444.104	John and Clare Pascoe	I seek to have the above provision amended	Amend heritage provisions by adding 'as judged by a heritage architecture panel.'	Reject	Do not use a heritage design panel

OS843.12	Arthur St Neighbourhood Support	I seek to have the above provision amended	Develop an architectural review panel consisting of architects, city planners, landscape architects and heritage specialists to consider all consents for alterations and new building.	Reject	Do not use a heritage design panel
FS2489.12	Liz Angelo	I support the submission	Support OS843.12. Allow submission.	Reject	Do not use a heritage design panel
OS848.5	Liz Angelo	I seek to have the above provision amended	Develop an aesthetics committee consisting of DCC heritage planners, heritage architects & landscape architects to assess every new building or alteration in central Dunedin.	Reject	Do not use a heritage design panel
FS2443.5	Arthur St Neighbourhood Support	I support the submission	Support OS848.5. Allow submission.	Reject	Do not use a heritage design panel
OS252.27	Carol Devine	I seek to have the above provision amended	Amend Section 13 Heritage to include additional heritage guidelines and standards, that planners provide guidance at an early stage and that a panel of heritage experts consider consent applications.	Accept in part	Provide additional illustrative design guidance
FS2429.144	Elizabeth Kerr	I support the submission	Support OS252.27. Allow submission.	Accept in part	Provide additional illustrative design guidance
OS417.20	Margaret Davidson	I seek to have the above provision amended	Include additional heritage guidelines to developers, that DCC planners provide guidance to applicants at an early stage, and that a panel of heritage architecture	Accept in part	Provide additional illustrative design guidance

			experts consider consent applications in assessment.		
OS571.4	Royal/Pitt/Heriot Residential Heritage Precinct Protection Inc	I seek to have the above provision amended	Define a process by which ratepayers and residents in our precinct, can be engaged meaningfully with heritage architects, heritage planners, and urban design experts in decisions related to resource consent.	Accept in part	Retain pre-application advice
FS2429.116	Elizabeth Kerr	I support the submission	Support OS571.4. Allow submission.	Accept in part	Retain pre-application advice
OS582.2	Marilyn Willis	I seek to have the above provision amended	Develop specific design guidelines for Royal Terrace precinct, including to: define 'sympathetic', 'important design cues', 'clearly looks like', 'preferred window placement', 'preferred roof pitch', 'discreet', and 'acceptable size, position, content and duration of signage', define a colour palette and colour design options, provide illustrative descriptions of suitable materials for building facades, provide illustrative descriptions of suitable mixes of materials, provide illustrative descriptions of fence heights and fence construction, provide protection for un-rendered brick and stone on existing buildings, and specify location and usage of	Accept in part	Provide additional illustrative design guidance

			utilities, heat pumps, CCTV and bright lights.		
-- FS2429.112	Elizabeth Kerr	I support the submission	Support OS582.2. Allow submission.	Accept in part	Provide additional illustrative design guidance
OS571.7	Royal/Pitt/Heriot Residential Heritage Precinct Protection Inc	I seek to have the above provision amended	Develop specific design guidelines for Royal Terrace precinct, including to: define 'sympathetic', 'important design cues', 'clearly looks like', 'preferred window placement', 'preferred roof pitch', 'discreet', and 'acceptable size, position, content and duration of signage', define a colour palette and colour design options, provide illustrative descriptions of suitable materials for building facades, provide illustrative descriptions of suitable mixes of materials, provide illustrative descriptions of fence heights and fence construction, provide protection for un-rendered brick and stone on existing buildings, and specify location and usage of, heat pumps, CCTV and bright lights.	Accept in part	Provide additional illustrative design guidance
-- FS2429.119	Elizabeth Kerr	I support the submission	Support OS571.7. Allow submission.	Accept in part	Provide additional illustrative design guidance

OS571.2	Royal/Pitt/Heriot Residential Heritage Precinct Protection Inc	I seek to have the above provision amended	Develop a heritage strategic plan for Royal Terrace to provide context for design guidelines and design codes to strengthen provisions.	Reject	Do not develop a strategic plan as part of 2GP
-- FS2429.114	Elizabeth Kerr	I support the submission	Support OS571.2. Allow submission.	Reject	Do not develop a strategic plan as part of 2GP
OS843.6	Arthur St Neighbourhood support	I support the provision	Develop a streetscape plan to complement the buildings in the Arthur Street – Stuart Street – York place Residential Heritage Precinct.	Reject	Do not develop streetscape plan as part of 2GP
FS24890.6	Liz Angelo	I support the submission	Support OS843.6. Allow submission.	Reject	Do not develop streetscape plan as part of 2GP

Discussion:

Submissions

The above submitters and further submitters all seek either:

- the provision of design guides or standards for the heritage precincts, to help developers interpret ‘undefinable’ terms within the 2GP provisions, including in Appendix A2 (Heritage Precinct Values); and/or
- a heritage or architectural panel to consider applications relating to work in heritage precincts (and the wider central city); and/or
- early advice and guidance for house owners and developers from consents planners.

Reasons include better heritage outcomes for the city, higher quality development, and more certainty for those undertaking work.

Arthur St Neighbourhood Support additionally requests a streetscape plan to complement the buildings in the York Place – Stuart Street – Arthur St Residential Heritage Precinct.

Recommendation

Pre-application meetings with consents staff and DCC's heritage planner and/or urban designer are already encouraged and provided free of charge. Information regarding this service is provided on the DCC website and on resource consent forms. Their success depends on the willingness of the applicant to engage with the DCC prior to and during the consent process. The relief sought by submitters requesting this outcome is therefore already provided.

Design guides have been developed in the past for some heritage precincts. They contain generally the same information as is contained within Appendix A2 of the 2GP, with the added advantage of pictures and diagrams illustrating appropriate, and inappropriate, ways to achieve the outcomes. I agree that photographs and illustrations can help to clarify what is meant by the terms used in the plan.

I suggest that photographs and illustrations in a separate document outside the plan could be developed over time and updated as required.

A streetscape plan is outside the scope of the 2GP, and is likely to be prepared only if streetscape amenity improvements were planned for the Arthur Street area. Amenity improvements can be requested through the Annual Plan process.

Use of a design panel to consider consent applications has also been considered previously several times. This idea has been rejected in the past for reasons including extra costs, time and uncertainty to consent applicants, uncertainty about where the panel would fit in the statutory process (eg. if they provided advice / recommendations on applications prior to a hearing, what weight does this carry in the decision-making process? If they comprised the consents panel, are they qualified to make decisions on other aspects of a development that may also require consent). Other concerns include obtaining truly independent and consistent advice and avoiding conflicts of interest in a city with limited heritage experts and a small pool of architects, and the fact that DCC has in-house staff who can and do already fill these roles. Including residents into all decision making on consents could effectively amount to notification of all applications, which is not a desired outcome for reasons of cost, resourcing, and the likely impact it would have in discouraging development.

The more critical factor is probably that the 2GP rules, policies and precinct values information in Appendix A2 are appropriate to ensure that appropriate heritage and design outcomes are achieved, and that staff continue to provide pre-application advice to applicants and advice to the consents team on the appropriateness of proposed developments. Amendments to Appendix A2 are considered in section 5.19.

Consequently, I recommend that submissions on the use of a design panel are rejected.

Recommended amendment:

Prepare design guides, including illustrations and photographs demonstrating appropriate design solutions for work in heritage precincts. It is noted these guides are not part of the 2gp.

5.13 Archaeological Provisions

5.13.1 Objective 13.2.4

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS308.264	University of Otago	I oppose the provision	Remove Objective 13.2.4 and Policy 13.2.4.1	Reject	Retain Objective 13.2.4 and Policy 13.2.4.1
OS547.77	Heritage New Zealand /Otago and Southland Office	I support the provision	Retain Objective 13.2.4	Accept	Retain Objective 13.2.4
-- FS2429.66	Elizabeth Kerr	I support the submission	Support OS547.77. Allow submission.	Accept	Retain Objective 13.2.4
OS547.78	Heritage New Zealand /Otago and Southland Office	I support the provision	Retain Policy 13.2.4.1	Accept	Retain Policy 13.2.4.1
-- FS2429.67	Elizabeth Kerr	I support the submission	Support OS547.78. Allow submission.	Accept	Policy 13.2.4.1
OS1088.52	Oceana Gold (New Zealand) Limited	I support the provision	Retain Policy 13.2.4.1	Accept	Policy 13.2.4.1
<p>Discussion:</p> <p>Objective 13.2.4 is that: "Dunedin's archaeological sites are protected from inappropriate development and use."</p> <p>Policy 13.2.4.1 is to: "Require an archaeological authority to be obtained, if one is required, prior to undertaking earthworks on a scheduled archaeological site."</p> <p><i>Submissions</i></p> <p>Heritage New Zealand (OS547.77), supported by Elizabeth Kerr (FS2429.66), supports the policy, noting that under section 6(f) of the RMA Councils are directed to recognise this and provide for the protection of historic heritage, which includes archaeology, as a matter of national</p>					

importance. Such a responsibility should be discharged by provisions within district plans.

The University of Otago (OS308.264) opposes Objective 13.2.4 and Policy 13.2.4.1 and seeks their deletion. It considers that the management of archaeological approvals is through the Heritage New Zealand Pouhere Taonga Act, and it is inappropriate and unlawful to duplicate those requirements in the District Plan.

Heritage New Zealand (OS547.78), supported by Elizabeth Kerr (FS2429.67) and Oceana Gold (New Zealand) Limited (OS1088.52), support Policy 13.2.4.1. Heritage New Zealand note that in their experience, the best outcome for scheduled archaeological sites is achieved where the heritage values are understood early on and consideration of these is incorporated into any development. Heritage New Zealand considers that the approach proposed in the 2GP is an effective and efficient way of avoiding duplication of RMA and Heritage New Zealand Pouhere Taonga Act processes, whilst ensuring that the management of significant archaeological heritage values is dealt with at an early stage, and in an integrated manner.

Recommendation

Objective 13.2.4 and Policy 13.2.4.1 contribute to fulfilling the Council's obligations under Section 6(f) of the RMA. They are achieved through Rule 13.3.3, which is discussed in section 5.13.2 below. The approach aims to achieve this, without duplicating Heritage New Zealand's role under the Heritage New Zealand Pouhere Taonga Act. Removal of the objective and policy would not achieve section 6(f).

I recommend that the objective and policy are retained as notified.

Recommended amendment:

None.

5.13.2 Rule 13.3.3 Archaeological sites and Note 13.3A

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS308.267	University of Otago	I oppose the provision	Remove Rule 13.3.3 Archaeological sites.	Reject	Retain Rule 13.3.3
-- FS2444.7	Waste Management (NZ) Limited	I support the submission	Support OS308.267. Allow submission and remove Rule 13.3.3.	Reject	Retain Rule 13.3.3

OS547.79	Heritage New Zealand /Otago and Southland Office	I support the provision	Retain Rule 13.3.3 and associated provisions in management zones	Accept	Retain Rule 13.3.3
-- FS2429.68	Elizabeth Kerr	I support the submission	Support OS547.79. Allow submission.	Accept	Retain Rule 13.3.3
OS796.5	Waste Management (NZ) Limited	I seek to have the above provision amended	Amend Rule 13.3.3 Archaeological sites to make it clear whether resource consent under this District Plan is required if an archaeological authority has already been obtained through Heritage NZ, or only if an authority has not been obtained	Accept	Amend Note 13.3A
OS826.10	Moi Bien Investments Ltd	I oppose the provision	Delete Rule 13.3.3 Archaeological sites, as far as it relates to the Neighbourhood Centre Zone	Reject	Retain Rule 13.3.3
OS826.14	Moi Bien Investments Ltd	I oppose the provision	Remove Rule 18.6.3.2 Earthworks Standards - Archaeological sites, as far as it relates to the Neighbourhood Centre Zone	Reject	Retain Rule 18.6.3.2
OS919.125	Federated Farmers of New Zealand	I support the provision	Retain Rule 13.3.3.	Accept	Retain Rule 13.3.3
OS547.80	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Include an additional advice note or additional explanatory text as follows: <u>Advice note; An archaeological authority is</u>	Accept	Amend Rule 13.3A

			<u>required under the Heritage New Zealand Pouhere Taonga Act 2014 to modify or destroy an archaeological site. This is the case regardless of whether resource consent for the activity has been obtained under this rule. Provided such authority is obtained, a resource consent for modifying or destroying the site will not be required.</u>		
-- FS2429.69	Elizabeth Kerr	I support the submission	Support OS547.80. Allow submission.	Accept	Amend Rule 13.3A
<p>Discussion:</p> <p><i>Background</i></p> <p>Rule 13.3.3 Archaeological sites states that:</p> <p>"1. Earthworks on a Scheduled Archaeological Site must have an archaeological authority if required. 2. Activities that contravene this performance standard are non-complying activities."</p> <p>Rule 13.3.3 Note 13.3A - Other requirements outside the District Plan states:</p> <p>"1. The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or any part of an archaeological site without the prior authority of Heritage New Zealand. If you wish to do any earthworks that may affect an archaeological site, you must first obtain an authority from Heritage New Zealand before you begin. This is the case regardless of whether the land on which the site is located is designated, or the activity is permitted under the District Plan or Regional Plan or a resource or building consent has been granted.</p> <p>2. The Heritage New Zealand Pouhere Taonga Accidental Discovery Protocol (Appendix A8) manages archaeological sites which may be discovered as a result of earthworks. The protocol applies to any area everywhere, not just <u>on</u> scheduled archaeological sites."</p>					

Submissions

Federated Farmers of New Zealand (OS919.125) supports Rule 13.3.3 as it outlines land and building-owner responsibilities under the Heritage New Zealand Pouhere Taonga Act, rather than duplicating the authority process by requiring additional resource consents for work that may disturb archaeological sites.

Heritage New Zealand (OS547.79 and 80), supported by Elizabeth Kerr (FS2429.68 and 69), supports Rule 13.3.3, but seeks that the following advice note is added, in order to clarify that obtaining resource consent is not an alternative to obtaining an archaeological authority:

"Advice note: An archaeological authority is required under the Heritage New Zealand Pouhere Taonga Act 2014 to modify or destroy an archaeological site. This is the case regardless of whether resource consent for the activity has been obtained under this rule. Provided such authority is obtained, a resource consent for modifying or destroying the site will not be required."

Waste Management (NZ) Limited (OS796.5) opposes Rule 13.3.3 and seeks that it is made clearer. The Heritage Act is clear that an authority must be obtained for works on a scheduled archaeological site. Therefore, it is not an option legally for an activity to contravene this standard. It is unclear from the wording of this provision whether resource consent under this District Plan is required if an archaeological authority has already been obtained through Heritage New Zealand, or only if an authority has not been obtained.

The University of Otago (OS308.267) seeks to delete Rule 13.3.3 as the management of archaeological approvals is through the Heritage New Zealand Pouhere Taonga Act, and it is inappropriate and unlawful to duplicate those requirements in the District Plan. Waste Management (NZ) Limited (FS2444.7) supports the University's submission and wants Rule 13.3.3 removed as it considers that the rule as notified is unclear.

Moi Bien Investments Ltd (OS826.10 and 14) seeks to delete Rule 13.3.3 Archaeological sites from application to the St Clair "Neighbourhood Centre".

Recommendation

Section 6(f) of the RMA requires that councils recognise and provide for the protection of historic heritage, which includes archaeological resources, as a matter of national importance. Rule 13.3.3 states that earthworks that are required to have an archaeological authority must do so, before work is undertaken. This is in effect stating the legal requirement under the Heritage New Zealand Pouhere Taonga Act. The intent is not to duplicate the functions of that Act, but to ensure that those undertaking activities are aware of the requirement. If an authority is obtained or one is not required, then the activity status remains permitted or restricted discretionary, depending on the relevant rule.

The approach was discussed and agreed with Heritage New Zealand prior to notifying the plan. The alternative, reliance solely on an advice note, would result in far greater risk that work was undertaken without appropriate authority, and damage to archaeological resources result. Arguably, this would not result in the Council protecting historic heritage. I therefore recommend that the submissions to remove the rule are

rejected. Another alternative, to make it clearer, would be for contravention of the performance standard to be a prohibited activity.

I accept that the advice note proposed by Heritage New Zealand will assist in clarifying the rule, and should address the concerns raised by Waste Management. I recommend that Rule 13.3.3 is amended as shown below.

Recommended amendment:

Amend Rule 13.3.3 Note 13.3A, as follows:

~~"1. The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or any part of an archaeological site without the prior authority of Heritage New Zealand. An archaeological authority is required under the Heritage New Zealand Pouhere Taonga Act 2014 to modify or destroy an archaeological site. This is the case regardless of whether resource consent for the activity has been obtained under this rule. If you wish to do any earthworks that may affect an archaeological site, you must first obtain an authority from Heritage New Zealand before you begin. This is the case regardless of whether the land on which the site is located is designated, or the activity is permitted under the District Plan or Regional Plan, or a resource or building consent has been granted.~~
 2."

5.13.3 Schedule of Protected Heritage Items and Sites - Archaeological Sites

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS360.16	Dunedin City Council	I seek to have the above provision amended	Amend Schedule A1.1 Schedule of Protected Heritage Items and Sites - Archaeological Sites heading in 2nd column to read: 'Includes NZAA site numbers (HNZ category) Delete 5th column (HNZ category) and incorporate this information into second column, as shown in attached document.	Accept	Amend Schedule A1.1 as requested

			Site A008 - add to second column the following site numbers: '144/391, 144/47, 144/343, 144/12'		
-- FS2440.105	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.16. Allow submission.	Accept	Amend Schedule A1.1 as requested
OS360.8	Dunedin City Council	I seek to have the above provision amended	Amend Schedule A1.1 (Schedule of Protected Heritage Items and Sites) Archaeological Site Number A048 (Fullertons deep sinking) by amending the address as follows: TO BE SPECIFIED <u>2338 Hartfield Road, Hyde</u>	Accept	Amend Schedule A1.1 as requested
-- FS2440.104	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.8. Allow submission.	Accept	Amend Schedule A1.1 as requested
OS547.76	Heritage New Zealand /Otago and Southland Office	I support the provision	Retain schedule of archaeological sites	Accept	Retain Schedule A1.1
-- FS2429.65	Elizabeth Kerr	I support the submission	Support OS547.76. Allow submission.	Accept	Retain Schedule A1.1
OS826.3	Moi Bien Investments Ltd	I oppose the provision	Remove archaeological site A037 and delete all associated provisions from application to the St Clair Neighbourhood Centre zone.	Reject	Retain site A037
-- FS2440.45	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS826.3. Disallow submission and retain the site within Schedule A1.1.	Accept	Retain site A037
Discussion:					

Submission

Heritage New Zealand (OS 547.76), supported by Elizabeth Kerr (FS 2429.65), seeks to retain the schedule of archaeological sites.

Moi Bien Investments Ltd (OS826.3) seeks to remove Archaeological Site A037 and all associated provisions from the St Clair Neighbourhood Centre Zone. The submitter considers that the rule framework that provides for development within the zone is overly restrictive and onerous.

The submission is opposed by Heritage New Zealand (FS2440.45), which states that site A037 has significant heritage values in the form of 19th century Pakeha and pre-contact Māori archaeological remains. Heritage New Zealand considers that the site merits recognition and management through the framework set out in the 2GP, and that it would therefore be inappropriate to remove the site from Schedule A1.1.

Recommendation

The scheduled archaeological sites in the 2GP were identified by Heritage New Zealand. Their advice is that site A037, a moa hunter site, has significant archaeological values. It is appropriate that it is identified in the plan, so that developers can take appropriate steps to obtain and archaeological authority prior to undertaking any work in the area.

I therefore recommend that the site, and associated provisions, remain in place.

Errors

Dunedin City Council, supported by Heritage New Zealand, seeks to amend Schedule A1.1 / Archaeological sites as follows:

- Amend the address of A048 (Fullertons deep sinking) as follows: "~~TO BE SPECIFIED~~ 2338 Hartfield Road, Hyde." (OS 360.8, FS2440.104)
- Amend heading in 2nd column to read: 'Includes NZAA site numbers (HNZ category)'.
- Delete 5th column (HNZ category) and incorporate this information into second column.
- A008 - add to second column the following site numbers: 'I44/391, I44/47, I44/343, I44/12' (OS360.16)

Recommendation

I recommend that the above errors are corrected.

Recommended amendment:

Amend Schedule A1.1 / Schedule of protected heritage items and sites / Archaeological sites as follows:

Amend the address of A048: " ~~TO BE SPECIFIED~~ 2338 Hartfield Road, Hyde."

Amend heading in 2nd column to read: ~~'NZA site number~~ Includes the following NZAA site numbers (HNZ category)'.

Delete 5th column (HNZ category) and incorporate this information into second column. See Appendix 4 for details.

A008 – add to second column: 144/391, 144/47, 144/343, 144/12 add to second column.

5.13.4 Heritage New Zealand Pouhere Taonga Accidental Discovery Protocol

OS547.62	Heritage New Zealand /Otago and Southland Office	I support the provision	Retain Appendix A8 accidental discovery protocol and references to it throughout plan, but remove name 'Dr Matt Schmidt' from the contact details and replace email with ' ArchaeologistOS@heritage.org.nz '	Accept	Amend Appendix A8 as requested
-- FS2429.53	Elizabeth Kerr	I support the submission	Support OS547.62. Allow submission.	Accept	Amend Appendix A8 as requested
OS881.166	New Zealand Transport Agency (NZTA)	I support the provision	Retain Appendix A8 Heritage New Zealand Pouhere Taonga Accidental Discovery Protocol.	Accept	Amend Appendix A8
OS1071.129	Kati Huirapa Runaka ki Puketeraki and Te Runanga o Otakou	I seek to have the above provision amended	Amend the spelling of 'koiwa' to 'koiwi' in paragraph 1. Amend the spelling of 'kiwi' to 'iwi' in paragraph 5.	Accept	Amend Appendix A8 as requested
Discussion:					

Submissions

The New Zealand Transport Agency (OS881.166) supports Appendix A8.

Heritage New Zealand (OS547.62), supported by Elizabeth Kerr (OS2429.53), supports Appendix A8 and the references to it throughout plan. However, it seeks that the name 'Dr Matt Schmidt' is removed from the contact email and replaced with 'ArchaeologistOS@heritage.org.nz'. This is to cover possible staff changes.

Kāti Huirapa Rūnaka ki Puketeraki and Te Rūnanga o Ōtākou (OS1071.129) seek to amend the spelling of 'koiwa' to 'koiwi' in paragraph 1 of Appendix A8, and amend the spelling of 'kiwi' to 'iwi' in paragraph 5.

Recommendation

I recommend that the changes sought are made.

Recommended amendment:

Amend Appendix A8 as follows:

Paragraph 1, last sentence: Burials/~~koiwa~~ koiwi takata may be found from any historic period.

Point 5: If human remains (kōiwi tākata) are uncovered ... Remains are not to be moved until such time as kiwi and Heritage New Zealand have responded.

Contact details:

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5.13.5 Archaeological Alert Layer Mapped Area

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS122.2	David Tordoff	I oppose the provision	Remove the Archaeological alert layer mapped area.	Reject	Retain archaeological alert layer
--FS2277.3	Francesse Middleton	I oppose the submission	Oppose OS122.2. Disallow submission unless archaeological assessment is paid for by council or heritage organisation.	Accept	Retain archaeological alert layer
OS308.240	University of Otago	I support the provision	Retain provision for archaeological alert layer.	Accept	Retain archaeological alert layer
OS360.18	Dunedin City Council	I seek to have the above provision amended	Remove the Archaeological Alert Layer Mapped Area from any area covered by a Scheduled Archaeological Site.	Accept	Retain archaeological alert layer
--FS2440.130	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.18. Allow submission.	Accept	Retain archaeological alert layer
OS461.7	Bruce Mark Norrish	I seek to have the above provision amended	Remove Archaeological Alert Layer Mapped Area from 171 Pigeon Flat Road	Reject	Retain archaeological alert layer
--FS2440.46	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS461.7. Disallow submission and retain archaeological alert layer.	Accept	Retain archaeological alert layer
OS547.81	Heritage New Zealand /Otago and Southland Office	I support the provision	Retain the archaeological alert layer.	Accept	Retain archaeological alert layer
--FS2429.70	Elizabeth Kerr	I support the submission	Support OS547.81. Allow submission.	Accept	Retain archaeological alert layer

OS686.2	Clutha District Council	I seek to have the above provision amended	Remove Archaeological Alert Layer Mapped Area from Clutha District	Accept	Remove archaeological alert layer from Clutha
OS826.1	Moi Bien Investments Ltd	I oppose the provision	Remove the archaeological alert overlays and delete all associated provisions from application to the St Clair Neighbourhood Centre.	Reject	Retain archaeological alert layer
-- FS2440.47	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS826.1. Disallow submission and retain archaeological alert layer.	Reject	Retain archaeological alert layer
OS874.7	Blackhead Quarries Ltd	I oppose the provision	Remove all 'archaeological alert' overlays and associated provisions as they apply to existing quarries particularly those at 333 Blackhead Road, 377 Main South Road, 386 Mt Cargill Road and 145 Anzac Ave.	Reject	Retain archaeological alert layer
-- FS2440.48	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS874.7. Disallow submission and retain archaeological alert layer.	Accept	Retain archaeological alert layer
OS895.3	McKeown Group Limited	I oppose the provision	Remove the "Archaeological Alert Layer" overlay from 36 Orari Street, Dunedin.	Reject	Retain archaeological alert layer
-- FS2440.49	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS895.3. Disallow submission and retain archaeological alert layer.	Accept	Retain archaeological alert layer
OS951.45	Timothy George Morris	I seek to have the above provision amended	Amend Archaeological Alert Layer Mapped Area in vicinity of Sandfly Bay and Morris Creek as per Figure 8 in submission	Accept	Amend archaeological alert layer if agreement with HNZ

-- FS2440.50	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS951.45. Disallow submission and retain archaeological alert layer unless further assessment demonstrates more appropriate boundaries.	Reject	Amend archaeological alert layer if agreement with HNZ
OS1054.45	Timothy Morris (on behalf of RG and SM Morris Family Trust)	I seek to have the above provision amended	Amend Archaeological Alert Layer Mapped Area in vicinity of Sandfly Bay and Morris Creek as per Figure 8 in submission	Accept	Amend archaeological alert layer if agreement with HNZ
-- FS2440.51	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS1054.45. Disallow submission and retain archaeological alert layer unless further assessment demonstrates more appropriate boundaries.	Reject	Amend archaeological alert layer if agreement with HNZ

Discussion:

Submissions in support

The University of Otago (OS 308.240) supports the archaeological alert layer, noting that it is useful as an information tool, without triggering duplication of the Heritage New Zealand Pouhere Taonga Act.

Heritage New Zealand (OS547.81), supported by Elizabeth Kerr (FS2429.70), also supports the alert layer. Heritage New Zealand notes that risk to heritage values, particularly archaeological values, can arise where there is a lack of awareness about their presence. In Heritage New Zealand's experience, developers are often unaware of the legal requirements under the Heritage New Zealand Pouhere Taonga Act. The alert layer (identified by Heritage New Zealand with the DCC) identifies areas where there is a high probability of archaeological material being present, for example coastal areas, and the oldest parts of the city. The layer is supported by information about the process to follow if material is uncovered.

Heritage New Zealand sees this as providing a higher level of integration between the 2GP and the Heritage New Zealand Pouhere Taonga Act. Furthermore, awareness of heritage values can be incorporated into development proposals, providing the potential for site avoidance and other positive heritage outcomes. Early awareness of the presence of archaeological values is also beneficial for owners/developers in terms of providing time and cost efficiencies to projects.

Request to remove archaeological alert layer

Submissions

David Tordoff (OS122.2) considers that the archaeological alert layer should cover either everything or nothing, as the mapped area is completely arbitrary. He states that if there are recognised sites, they should be identified. If sites are not identified, then allowance should be made for the fact that archaeological items may be found almost anywhere.

The submission is supported by Francesse Middleton (FS2277.3), who also opposes the archaeological alert layer unless all costs associated with it are met by either the DCC or Heritage New Zealand.

Bruce Norrish (OS461.7) seeks to remove the archaeological alert layer from 171 Pigeon Flat Road, as he considers that the map is wrong.

Moi Bien Investments Ltd (OS826.1) seeks that the archaeological alert layer is removed from the St Clair Neighbourhood Centre. The submitter considers that the rule framework does not promote the sustainable management of the area and should be amended.

Blackhead Quarries Ltd (OS874.7) seeks to remove the archaeological alert layer and associated provisions from existing quarries, particularly those at 333 Blackhead Road, 377 Main South Road, 386 Mt Cargill Road and 145 Anzac Ave. It considers that the 2GP does not provide adequate recognition of the importance of aggregate to the community and does not provide the appropriate level of protection for existing quarries or make adequate provision for the development of new quarries. It considers that the layer is not appropriate or justifiable when the quarry already exists.

McKeown Group Ltd (OS895.3) seeks to remove the archaeological alert layer from 36 Orari Street. No specific reasons are given.

The latter four submissions are opposed by Heritage New Zealand (FS2440.46, 47, 48 and 70), which considers that removing the layer from particular properties will reduce its effectiveness, and is unnecessary given that the layer is for information purposes and does not result in any additional consent obligations on property owners/developers.

Heritage New Zealand believes that alert layers will assist in ensuring the current or future owners are aware of the probable location of recorded and unrecorded archaeological sites on their properties. With this knowledge, owners can then contact Heritage New Zealand about the need to obtain an archaeological authority if those sites are proposed to be modified or destroyed. With early consultation Heritage New Zealand and developers can work together to reduce costs and delays and allow for sensitive designs to avoid sites or limit their modification.

Recommendation

As noted by Heritage New Zealand, the archaeological alert layer is intended to identify areas that have the highest risk of containing archaeological sites. This includes areas around the coastline, where early occupation was most prevalent, older parts of the city, and areas where there are collections of known archaeological sites. The layer has no rules associated with it, but is intended for information, to alert developers to this risk of uncovering archaeological material. Information is provided on what action should be taken if archaeological remains

are uncovered, and developers can contact Heritage New Zealand prior to undertaking works to identify the location of known archaeological sites.

As such, the layer does not impose any cost to landowners, but has significant benefits in that it will reduce the risk of damage of archaeological resources.

For this reason I recommend that the alert layer is retained.

Amend extent of archaeological alert layer

Submissions

Timothy Morris (on behalf of RG and SM Morris Family Trust, OS1054.45) and Timothy George Morris (OS951.45) seek several amendments to the archaeological alert layer in the vicinity of Sandfly Bay and Morris Creek. The submitter notes that he has a long association and extensive local knowledge of the area, including on cultural matters.

Heritage New Zealand (FS2440.50, 51) opposes the submissions, stating that the extent of the alert layer has been carefully considered. However, it nevertheless accepts that there may be some scope for corrections or amendments to the boundaries of certain parts of the alert layer following further assessment and consideration of the submitters' knowledge of the area.

Recommendation

I understand from Jane O'Dea of Heritage New Zealand that an amendment to the boundary of the mapped area has been agreed in consultation with the submitter. I accept Heritage New Zealand's advice as to the most appropriate areas to be included within the layer, and so recommend that any change they consider appropriate is made.

Correction of errors in the archaeological alert layer

Submission

Dunedin City Council (OS360.18) seeks to remove the archaeological alert layer from any area covered by a scheduled Archaeological Site, as there is no need for both layers at any site.

This submission is supported by Heritage New Zealand (FS2440.130) as an appropriate and necessary correction to the 2GP heritage provisions.

Clutha District Council (OS686.2) seeks removal of the archaeological alert layer from the Clutha District as this is clearly outside DCC's area of jurisdiction.

Recommendation

I recommend that the above errors are corrected.

Recommended amendment:

Amend archaeological alert mapped area, as follows:

Remove archaeological alert layer from any area mapped as a Scheduled Archaeological Site.

Remove all mapping from outside the DCC's territorial boundary,

Amend archaeological alert layer in the vicinity of Sandfly Bay as indicated by Heritage New Zealand.

5.14 Schedule of Protected Heritage Items

5.14.1 Format of heritage schedule

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS547.15	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Include New Zealand Heritage List reference numbers for scheduled items where appropriate. Applies to all items on New Zealand Heritage list.	Accept	Add HNZ list numbers to scheduled items in Appendix A1.1
-- FS2429.8	Elizabeth Kerr	I support the submission	Support OS547.15. Allow submission.	Accept	Add HNZ list numbers to scheduled items in Appendix A1.1
OS103.40	The Institution of Professional Engineers NZ	I seek to have the above provision amended	Amend Appendix A1.1 to give Heritage New Zealand list numbers where relevant.	Accept	Add HNZ list numbers to scheduled items in Appendix A1.1

OS103.1	The Institution of Professional Engineers NZ	I support the provision	Amend schedule to refer to heritage items within a Heritage Site in the Heritage Site description.	Accept	Amend schedule A1.1 to refer to heritage items within a Heritage Site
OS547.18	Heritage New Zealand /Otago and Southland Office	I support the provision	Retain overall structure of schedule, including heritage buildings, character contributing buildings and heritage sites. Amendments to details covered in other submission points.	Accept	No amendment required
-- FS2429.11	Elizabeth Kerr	I support the submission	Support OS547.18. Allow submission.	Accept	No amendment required
OS547.68	Heritage New Zealand /Otago and Southland Office	I support the provision	Retain the 'protection required' field on heritage items in Schedule A1.1 except as requested in other submission points.	Accept	Retain Schedule A1.1 protection required field
-- FS2429.58	Elizabeth Kerr	I support the submission	Support OS547.68. Allow submission.	Accept	Retain Schedule A1.1 protection required field
OS360.86	Dunedin City Council	I seek to have the above provision amended	Amend data shown on Heritage Precinct Overlay Zones to show current heritage precinct name, rather than precinct name under operative District Plan.	Accept	Amend Heritage Precinct Overlay map to show proposed 2GP heritage precinct name
-- FS2440.13 1	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.86. Allow submission.	Accept	Amend Heritage Precinct Overlay map to show proposed 2GP

Discussion:**Background**

Schedule A1.1, Protected Heritage Items and Sites, contains the details of the scheduled heritage buildings, structures and sites.

Submission

The Institution of Professional Engineers (OS103.40) and Heritage New Zealand (OS547.15), supported by Elizabeth Kerr (FS2429.8), request that Schedule A1.1 includes the New Zealand Heritage List reference numbers to Schedule A1.1 where applicable. This will assist plan users in accessing New Zealand Heritage List information about a place, and may be particularly useful where place names in Schedule A1.1 and the New Zealand Heritage List are not consistent.

In other respects, Heritage New Zealand (OS547.18) supports the overall structure of Schedule A1.1, including the new categories of character-contributing buildings and scheduled heritage sites. In particular, it supports identification of 'protection required' for scheduled items (OS547.68), noting that the protection of historic heritage should be properly targeted at those heritage values which give a place its heritage significance.

These submissions are supported Elizabeth Kerr (FS2429.11, 58).

The Institution of Professional Engineers (OS103.1) seeks that the information in Appendix A1.1 on heritage sites also includes reference to scheduled heritage buildings and structures within the site, and vice versa.

The Dunedin City Council (OS360.86), supported by Heritage New Zealand (FS2440.131), seeks to amend the data shown on the heritage precinct overlay map, to show the proposed 2GP heritage precinct name, rather than precinct name under operative District Plan.

Recommendation

The submitters' support of the overall structure of Schedule A1.1 is acknowledged.

Adding the Heritage New Zealand list numbers will improve plan usability by allowing users to easily link 2GP scheduled items to the same items on Heritage New Zealand's list. A full list of numbers is included in the Heritage New Zealand submission. Cross referencing information on scheduled heritage items within heritage sites, and vice versa, will also improve plan usability. I recommend that both amendments requested by the submitters are made.

I note that Appendix A1.1 is structured by heritage precinct, with all items within each precinct listed together. Because of this layout, there is no one list of items in numerical order that plan users can consult to find details of a particular known building. Providing such a list would improve plan usability, by allowing users to easily find details of a particular scheduled item, rather than first needing to determine which precinct it is located in. In order to retain the grouping of items by precinct (which itself has value, particularly for the character-contributing buildings), I recommend that a list of all the heritage and character-contributing buildings within each precinct is provided in Appendix A2. This list of buildings would hyperlink through to the details in Schedule A1.1.

This amendment could be made as a minor correction under clause 16. In case this recommendation is not accepted, I have recommended amendments to items within the schedule in the rest of this report using the same format as items currently appear in the 2GP (ie. grouped by precinct). However, these can easily be amended to refer to a single list of heritage buildings and a single list of character-contributing buildings.

I also recommend that the error identified by DCC in relation to precinct names on the heritage precinct overlay map is corrected.

Recommended amendment:

1. Add Heritage New Zealand list numbers to scheduled items in Appendix A1.1.
2. Amend heritage sites listings to include details of heritage items within the site.
3. Re-order Schedule A1.1 to provide a single list of heritage buildings, and a single list of character-contributing items, in numerical order. (cl 16)
4. Add a list of all relevant heritage items and character-contributing buildings to each precinct in Appendix A2 (cl 16)
5. Correct metadata on planning maps to show correct information for scheduled items when these are clicked on.

5.14.2 Heritage Precincts Mapping - General

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS417.38	Margaret Davidson	I support the provision	Retain all existing and proposed heritage precincts, especially Queen Street north	Accept	No amendment required
OS743.40	Elizabeth Kerr	I support the provision	Retain newly proposed heritage precincts	Accept	No amendment required

OS849.2	David Murray	I support the provision	Retain all Heritage Precincts unless indicated in other submission points	Accept	No amendment required
-- FS2429.80	Elizabeth Kerr	I support the submission	Support OS849.2. Allow submission.	Accept	No amendment required
<p>Discussion:</p> <p>Submissions</p> <p>Margaret Davidson (OS417.38) supports all existing and proposed heritage precincts, especially Queen Street. She considers that the area must be protected from the inappropriate development that has spread from the streets nearest the university to City Rise.</p> <p>Elizabeth Kerr (OS743.40) seeks to retain the heritage precinct overlays.</p> <p>David Murray (OS849.2), supported by Elizabeth Kerr (FS2429.80), supports all of the proposed precincts, though submits that some of the boundaries should be widened. These submission points are considered in later sections of this report.</p> <p>Recommendation</p> <p>The submitters' support is noted. No amendments are required.</p> <p>Recommended amendment</p> <p>None.</p>					

5.14.3 A1.1 Schedule of Protected Heritage Items and Sites

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS53.14	Jack Austin	I support the provision	Retain Schedule A1.1.	Accept	No amendment required
OS293.41	Southern Heritage Trust	I support the provision	Retain all items in Schedule	Accept	No amendment required

	& City Rise Up		A1.1 within a Heritage Precinct.		
OS317.42	Property Council New Zealand	I seek to have the above provision amended	Retain Appendix A1.1 but review in regards buildings that were not significant when built but that reflect their era, are in private ownership and from an economic perspective do not warrant major expenditure on upgrading.	Accept in part	Amend as appropriate in relation to various items added and removed from schedule in response to other submissions.
OS417.31	Margaret Davidson	I support the provision	Retain schedule of heritage and character contributing buildings (and expand to include new heritage precincts as detailed in other submission points)	Accept	No amendment required
-- FS2020.5	Jeffrey Herkt	I support the submission	Support OS 417.31. Allow submission and retain schedule of heritage and character contributing buildings (and expand to include new heritage precincts).	Accept	No amendment required
-- FS2307.8	Elaine Snell Family Trust	I oppose the submission	Oppose OS417.31 (in part). Disallow submission and do not include 56 Cargill St and the wider Cargill Street area as a heritage precinct.	Accept	Do not include 56 Cargill Street in heritage precinct
OS547.69	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Continue work to upgrade listings to include interiors.	Accept in part	Amend schedule as appropriate in response to other submission points
--	Elizabeth Kerr	I support the submission	Support OS547.69. Allow	Accept in part	Amend schedule as

FS2429.59			submission.		appropriate in response to other submission points
OS743.28	Elizabeth Kerr	I seek to have the above provision amended	Add further heritage interiors and outstanding or representative interior items to Schedule A1.1, including stained glass windows, staircases, entry halls, timber joinery, carving and cabinetry, plaster ceilings, original lighting fixtures, original bathroom and kitchen fixtures and finishes.	Accept in part	Amend schedule as appropriate in response to other submission points
-- FS2446.4	Scenic Circle Hotels Limited	I oppose the submission	Oppose OS743.28 (in part). Disallow submission and do not add further heritage interiors to Schedule A1.1.	Reject	Amend schedule as appropriate in response to other submission points
OS743.37	Elizabeth Kerr	I support the provision	Retain A1.1 schedules for heritage precincts, heritage buildings, character contributing buildings and heritage sites	Accept	No amendment required
OS553.1	Otago Railway and Locomotive Society Inc	I seek to have the above provision amended	Amend provisions to recognise there are heritage items other than buildings that can be affected by management rules. Protection of heritage resources should extend to the activities associated with keeping large and old equipment operating.	Reject	No amendment required
Discussion:					

Support

Submissions

Jack Austin (OS53.14), Elizabeth Kerr (OS743.37) and Southern Heritage Trust & City Rise Up (OS293.41) support Schedule A1.1 as notified.

Margaret Davidson (OS417.31), supported by Jeffrey Herkt (FS2020.5), supports the schedule subject to changes requested in other submission points.

The Elaine Snell Family Trust (FS2307.8) opposes Ms Davidson's submission in part, requesting that the submission is rejected and that 56 Cargill St and the wider Cargill Street area are not included as a heritage precinct.

Recommendation

The submitters support is noted. The further submission by the Elaine Snell Family Trust is considered in relation to submissions to expand heritage precinct areas (see later sections of this report). It is not recommended that 56 Cargill Street is included within a heritage precinct.

Interiors

Heritage New Zealand (OS547.69) seeks that work to upgrade listings to include interiors is continued. This is supported by Elizabeth Kerr (FS2429.59).

Elizabeth Kerr (OS743.28) seeks to amend the schedule to increase scheduled and protected heritage interiors and outstanding or representative interior items, including stained glass windows, staircases, entry halls, timber joinery, carving and cabinetry, plaster ceilings, original lighting fixtures, original bathroom and kitchen fixtures and finishings.

Scenic Circle Hotels Limited (FS2446.4) opposes Ms Kerr's submission in part. The submitter notes that Ms Kerr does not specify which buildings she seeks to protect. Scenic Circle opposes the blanket inclusion of these features as protected for all protected buildings. The inclusion of internal fixtures is likely to be unduly onerous and will compromise the economic re-use, upgrade and maintenance of the City's heritage buildings. The economic implications of this proposal may lead to the neglect of heritage buildings. Where internal features are of heritage value, Scenic Circle considers that the protection of such features is better managed by Heritage New Zealand under the Heritage New Zealand Pouhere Taonga Act 2014, rather than via the 2GP.

Recommendation

Both submissions above are of a general nature. Where submissions have sought inclusion of specific internal features in identified buildings, these have been considered and some amendments recommended. I recommend that the submissions are accepted in part.

Review Schedule A1.1

The Property Council New Zealand (OS317.42) seeks to retain Appendix A1.1 but review it in relation to buildings that were not significant when built but that reflect their era, are in private ownership and from an economic perspective do not warrant major expenditure on upgrading. It considers these need to be reviewed carefully in terms of their listing and protection in the Proposed District Plan.

Recommendation

The submission is general in nature and does not identify specific buildings that it considers need to be re-evaluated. Where submissions have been received to remove items from the schedule, these have been assessed. I therefore recommend that the submission is accepted in part.

Other heritage items

The Otago Railway and Locomotive Society Inc. (OS553.1) would like recognition in the 2GP that there are important heritage items other than buildings in the city that can be significantly affected by the rule provisions of the 2GP. Protection of the heritage resources of the city should extend to the activities associated with keeping large and old equipment operating.

Recommendation

The Otago Railway and Locomotive Society's concerns appear to relate primarily to ensuring that appropriate rules apply within the Recreation Zone to enable submitter's activities, rather than seeking changes within the Heritage section of the 2GP. The submission was heard at the Recreation Zone hearing. The 2GP scheduled items only includes fixed items – buildings and structures, for practical reasons.

I recommend that no amendments are made to the heritage provisions as a result of the submission.

Recommended amendment:

None.

5.15 Amendments to precinct boundaries and submissions on scheduled items within Commercial Heritage Precincts

5.15.1 Amendments to Port Chalmers Commercial Heritage Precinct

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS360.15	Dunedin City Council	I seek to have the above provision amended	Amend description in Schedule A1.1 (Schedule of Protected Heritage Items and Sites) Character-Contributing Building CC009 column 2, to: Railway Structures (<u>tunnel entrance</u>) Dunedin to Port Chalmers	Accept	Amend description of CC009
-- FS2162.9	KiwiRail Holdings Limited	I support the submission	Support OS360.15. Allow submission	Accept	Amend description of CC009
-- FS2440.73	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.15 . Allow submission.	Accept	Amend description of CC009
OS360.35	Dunedin City Council	I seek to have the above provision amended	Amend Appendix A1.1 (Schedule of protected heritage items and sites) to include CC603, 46 St David Street, in the Port Chalmers Commercial Heritage Precinct. Make consequential change to the maps.	Accept	Add CC603 to Schedule A1.1 and maps
-- FS2440.74	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.35. Allow submission.	Accept	Add CC603 to Schedule A1.1 and maps
Discussion:					

Submissions

Dunedin City Council (OS360.15) seeks to amend the description of CC009 to: "Railway Structures (tunnel entrance) ~~Dunedin to Port Chalmers~~", to more accurately describe the item being protected.

This submission is supported by KiwiRail Holdings Limited (FS2162.9) and Heritage New Zealand (FS2440.73).

Dunedin City Council (OS360.35), supported by Heritage New Zealand (FS2440.74), seeks to include Pioneer Hall, 45 George Street, in the Port Chalmers Commercial Heritage Precinct as a character-contributing building, as it was inadvertently missed off the schedule and 2GP maps. I note that there was an error in the submission summary, in that the address given is 46 St David Street, not 45 George Street so it is likely that the building owner is not aware of this submission.

Recommendation

Both these changes are to remedy errors in mapping / scheduling. Heritage New Zealand supports them as appropriate and necessary corrections and clarifications to the 2GP. I recommend that the changes are made.

Recommended amendment:

Amend Schedule A1.1 / Scheduled items in Heritage Precincts / Port Chalmers Commercial Heritage Precinct / Character-contributing buildings as follows:

Add: CC700, Pioneer Hall, 45 George Street, Port Chalmers

Amend the CC009 description to: "Railway Structures (tunnel entrance) ~~Dunedin to Port Chalmers~~".

5.15.2 Amendments to George Street Commercial Heritage Precinct

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
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OS360.90	Dunedin City Council	I seek to have the above provision amended	Amend address for Heritage Building B127 in Schedule A1.1 (Schedule of Protected Heritage Items and Sites) from 312 to 314 George Street.	Accept	Amend B127 address to 314 George Street
-- FS2440.75	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.90. Allow submission.	Accept	Amend B127 address to 314 George Street
OS547.38	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B150 392 George Street protection in Heritage Schedule to ' <u>facades to George Street and Frederick Streets</u> '	Accept	Amend listing details of B150
-- FS2429.29	Elizabeth Kerr	I support the submission	Support OS547.38. Allow submission.	Accept	Amend listing details of B150
OS360.88	Dunedin City Council	I seek to have the above provision amended	Remove Character Contributing Building CC321 at 8 Regent Road from Schedule A1.1 (Schedule of Protected Heritage Items and Sites).	Accept	Remove CC321 from Schedule A1.1
-- FS2440.76	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.88. Allow submission.	Accept	Remove CC321 from Schedule A1.1
OS849.4	David Murray	I seek to have the above provision amended	Retain the George Street Commercial Heritage Precinct and adjust the boundary to include: 24 Hanover Street, 26 Hanover Street, 73 St Andrew Street, 75 St Andrew Street, 91 St Andrew Street	Accept in part	Adjust boundary of heritage precinct to include 24 – 26 Hanover Street

--FS2107.3	Neville Hall and Julie Hall	I oppose the submission	Oppose OS849.4 (in part). Disallow submission and do not include 24 and 26 Hanover Street in the George Street Commercial Heritage Precinct.	Reject	Adjust boundary of heritage precinct to include 24 – 26 Hanover Street
--FS2429.81	Elizabeth Kerr	I support the submission	Support OS849.4. Allow submission.	Accept	Adjust boundary of heritage precinct to include 24 – 26 Hanover Street
OS360.44	Dunedin City Council	I seek to have the above provision amended	Add CC017 (at 237b Moray Place) to Scheduled Items - Character Contributing Building map.	Accept	Add CC017 to planning map.
--FS2440.107	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.44. Allow submission.	Accept	Add CC017 to planning map.
OS360.45	Dunedin City Council	I seek to have the above provision amended	Amend Scheduled Items - Character Contributing Building map by switching icons so that CC023 is on 328 George St and CC024 is on 324 George St.	Accept	Amend planning map so that CC023 is on 328 George St and CC024 is on 324 George St.
--FS2440.108	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.45. Allow submission.	Accept	Amend planning map so that CC023 is on 328 George St and CC024 is on 324 George St.
OS360.43	Dunedin City Council	I seek to have the above provision amended	Remove B253 (300 George Street) from Scheduled Items - Heritage Building map.	Accept	Remove B253 from planning map.
--	Heritage New Zealand	I support the submission	Support OS360.43. Allow	Accept	Remove B253 from

FS2440.118	/Otago and Southland Office		submission.		planning map.
<p>Discussion:</p> <p>Amendment to protection of B150</p> <p><i>Submission</i></p> <p>Heritage New Zealand (OS547.38), supported by Elizabeth Kerr (FS2429.29), seeks to amend the protection for B150, the former Crown Clothing Company Building at 392 George Street, to: 'facades to George Street above verandah and Frederick Streets'. This is to rectify a perceived deficiency in the existing listing.</p> <p><i>Recommendation</i></p> <p>Dr Hazelton notes that the proposed change is a minor amendment only, as the façade to George street is already effectively protected as part of the George Street heritage precinct in the operative plan. He considers, however, that protection should be limited to above the verandah.</p> <p>I note that no further submission was received in opposition to this change. I understand that Heritage New Zealand has contacted the building owner. Assuming that there are no concerns, I recommend that the amendment is made.</p> <p>Extension of precinct boundary</p> <p><i>Submission</i></p> <p>David Murray (OS849.4), supported by Elizabeth Kerr (FS2429.81), supports the George Street Commercial Heritage Precinct but seeks to adjust the boundary to include 24 Hanover Street, 26 Hanover Street, 73 St Andrew Street, 75 St Andrew Street and 91 St Andrew Street. Mr Murray considers that these properties strongly reflect the precinct values.</p> <p>The submission is opposed in part by Neville Hall and Julie Hall (FS2107.3) who do not want 24 and 26 Hanover Street included in the George Street Commercial Heritage Precinct. The further submitters note that in the past the DCC has not identified this building to have any heritage value.</p> <p><i>Recommendation</i></p> <p>The operative plan precinct (TH09) includes Hanover Street up to its intersection with Filluel Street (i.e. including 24 and 26 Hanover), and St</p>					

Andrew Street to its intersection with Great King Street (i.e. including 73, 75 and 91 St Andrew St).

Dr Hazelton and Mr Christos have considered this adjustment of the precinct boundary (see Appendix C1 of Dr Hazelton's evidence). They recommend that the boundary is extended to include 24-26 Hanover Street. They consider that this building contributes to the heritage streetscape in the area, particularly as it is clearly visible from George Street. Its strong heritage character provides a better termination point for the precinct than the modern building on the corner and nicely bookends the precinct. The building itself also has individual heritage character that is consistent with the precinct values.

I accept Dr Hazelton's advice and recommend that the building is included as a character-contributing building within the precinct. I also note that these buildings are currently within a townscape and heritage precinct and subject to precinct rules.

Errors

Submissions

Dunedin City Council, supported by Heritage New Zealand, seeks to correct errors within Schedule A1.1 / George Street Commercial Heritage Precinct, as follows:

- Amend the address for B127 from 312 to 314 George Street (OS360.90, FS2440.75).
- Add CC017 (237b Moray Place) to plan map (inadvertently missing)(OS360.44, FS2440.107).
- Amend plan map by switching icons so that CC023 is on 328 George St and CC024 is on 324 George St (OS360.45, FS2440.108).
- Remove CC321 (8 Regent Road) icon from the map, as this building is not in a heritage precinct (OS360.88; FS2440.76).
- Remove B253 (300 George Street), icon from the map as this building is not in the schedule (OS360.43; FS2440.118).

Recommendation

I recommend that the above errors are corrected.

Recommended amendment:

1. Amend Schedule A1.1 / Scheduled items in Heritage Precincts / George Street Commercial Heritage Precinct / Heritage buildings, as follows:

Amend the address for B127 to "~~312~~ 314 George Street"

Amend B150 protection required to: Façades to George Street and Frederick Street above verandah.

2. Amend Schedule A1.1 / Scheduled items in Heritage Precincts / George Street Commercial Heritage Precinct / Character-contributing buildings by adding:

CC701, Commercial building, 24 – 26 Hanover Street, George Street Commercial

3. Amend planning maps as follows:

- Amend mapping of George Street Commercial Heritage Precinct boundary to include 24 – 26 Hanover Street.
- Add CC701 icon to map at 24 -26 Hanover Street
- Add CC017 (237b Moray Place) to plan map.
- Amend plan map by switching icons so that CC023 is on 328 George St and CC024 is on 324 George St.
- Remove CC321 (8 Regent Road) icon from the map.
- Remove B253 (300 George Street) icon from the map.

5.15.3 Amendments to The Octagon Commercial Heritage Precinct

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS360.29	Dunedin City Council	I seek to have the above provision amended	Amend Appendix A1.1 (Schedule of protected heritage items and sites) to include B569 and B572 in The Octagon Commercial Heritage Precinct.	Accept	Add B569 and B572 to Schedule A1.1.
-- FS2440.77	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.29. Allow submission.	Accept	Add B569 and B572 to Schedule A1.1.
OS360.30	Dunedin City Council	I seek to have the above provision amended	Amend Appendix A1.1 (Schedule of protected heritage items and sites) and map to include CC109	Accept	Add CC109 to Schedule and planning map.

			The Octagon Commercial Heritage Precinct.		
-- FS2440.78	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.30. Allow submission.	Accept	Add CC109 to Schedule and planning map.
OS360.31	Dunedin City Council	I seek to have the above provision amended	Amend Scheduled Items - Character Contributing Building map to include the following missing Character Contributing buildings into The Octagon Commercial Heritage Precinct: CC109.	Accept	Add CC109 to planning map.
-- FS2440.106	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.31 Allow submission.	Accept	Add CC109 to planning map.

Discussion:

Submissions

Dunedin City Council, supported by Heritage New Zealand, seeks to correct errors within Schedule A1.1 / The Octagon Commercial Heritage Precinct, as follows:

- Include B569 and B572 in schedule (currently on map, but missing from schedule) (OS360.29, FS2440.77)
- Include CC109 in schedule and map (OS360.30, 31; FS2440.77, 106), as it was inadvertently missed off.

Recommendation

I recommend that the above errors are corrected.

Recommended amendment:

1. Amend Schedule A1.1 / Scheduled items in Heritage Precincts / The Octagon Commercial Heritage Precinct as follows:

Add: B569, Batchelor's Building, 145 - 155 Stuart Street Dunedin, [none], Façade to Stuart Street above verandah including fenestration.

timber window joinery, period architectural detail and parapet. Entrance lobby to ground floor and stairwell.

Add: B572, Manchester Unity Chambers, 134 - 142 Stuart Street Dunedin, [none], Entire building envelope including fenestration and timber window joinery to Stuart Street and Bath Street, tiled shop fronts and lead lighting, mouldings and architectural details to Stuart Street and Bath Street.

Add: CC109, Commercial building, 20 -26 Princes Street, The Octagon Commercial

2. Amend planning map as follows:

Add CC109 icon to map at 20-26 Princes Street

5.15.4 Amendments to Stuart Street Commercial Heritage Precinct

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/ Accept in part	Staff Recommendation
OS360.27	Dunedin City Council	I seek to have the above provision amended	Amend Appendix A1.1 (Schedule of protected heritage items and sites) to include the following missing heritage buildings in the Stuart Street Commercial Heritage Precinct: B004; B005; B048; B269; B270; B560; B561; B562; B563; B564; B565; B566; B567; B568; and B571.	Accept	Add B004; B005; B048; B269; B270; B560; B561; B562; B563; B564; B565; B566; B567; B568; and B571 to Schedule A1.1.
-- FS2440.79	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.27. Allow submission.	Accept	Add B004; B005; B048; B269; B270; B560; B561; B562; B563; B564; B565; B566; B567; B568; and B571 to Schedule A1.1.

OS547.17	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Add Heritage Buildings and Character Contributing Buildings to Stuart Street Commercial Heritage Precinct. While these are mapped they do not show up in the schedule.	Accept	Add missing mapped Heritage and Character Contributing Buildings to Schedule.
-- FS2429.10	Elizabeth Kerr	I support the submission	Support OS547.17. Allow submission.	Accept	Add missing mapped Heritage and Character Contributing Buildings to Schedule.
OS360.28	Dunedin City Council	I seek to have the above provision amended	Amend Appendix A1.1 (Schedule of protected heritage items and sites) to include CC445 in the Stuart Street Commercial Heritage Precinct.	Accept	Add CC445 to Schedule A1.1.
-- FS2440.80	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.28. Allow submission.	Accept	Add CC445 to ScheduleA1.1.
OS849.7	David Murray	I seek to have the above provision amended	Clarify status of 12-16 Castle Street as either character contributing or scheduled heritage buildings	Accept	Include Castle St façade of 52 Stuart St as a character-contributing building.
-- FS2429.82	Elizabeth Kerr	I support the submission	Support OS849.7. Allow submission.	Accept	Include Castle St façade of 52 Stuart St as a character-contributing building.
OS360.38	Dunedin City Council	I seek to have the above provision amended	Amend Appendix A1.1 (Schedule of protected heritage items and sites) to include HS12 - Dunedin Railway Station Heritage Site in the Schedule under 'Stuart Street Commercial Heritage Precinct' and	Accept	Add HS12 - Dunedin Railway Station Heritage Site to the 'Stuart Street Commercial Heritage Precinct' and remove from 'Scheduled items not in a Heritage precinct'.

			remove from 'Scheduled items not in a Heritage precinct'.		
-- FS2162.10	KiwiRail Holdings Limited	I support the submission	Support OS360.38. Allow submission	Accept	Add HS12 - Dunedin Railway Station Heritage Site to the 'Stuart Street Commercial Heritage Precinct' and remove from 'Scheduled items not in a Heritage precinct'.
-- FS2440.81	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.38. Allow submission.	Accept	Add HS12 - Dunedin Railway Station Heritage Site to the 'Stuart Street Commercial Heritage Precinct' and remove from 'Scheduled items not in a Heritage precinct'.
OS547.61	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B269 2 Castle Street listing to 'entire external building envelope including courtyard and internal courtyard elevations and roofslopes'	Accept	Amend B269 2 Castle Street listing to 'entire external building envelope including courtyard and internal courtyard elevations and roofslopes'
-- FS2429.52	Elizabeth Kerr	I support the submission	Support OS547.61. Allow submission.		

Discussion:

Addition to schedule

Submission

David Murray (OS849.7), supported by Elizabeth Kerr (FS2429.82), supports the schedule but seeks clarification of the status of 12-16 Castle Street as either a character-contributing or scheduled heritage building, as he considers it a strange omission from the lists.

Recommendation

The property at '12 – 16 Castle Street' is the Castle Street façade of 52 Stuart Street (the Allied Press building). The building as a whole is scheduled as B564, with the operative plan protection required listed as 'facades to Cumberland and Stuart streets, including all shop fronts'. Dr Hazelton has advised that the façade to Castle Street should be listed as a character-contributing building. The issue has arisen as the system used to record the building status and generate the maps only allows one number to be assigned to each building. I recommend that a technical solution is investigated to enable the Castle Street façade of the building to be added to the schedule separately.

Errors

Submissions

Dunedin City Council (OS360.27, 28), supported by Heritage New Zealand (FS2440.79, 80), and Heritage New Zealand (OS547.17), supported by Elizabeth Kerr (FS2429.10), request that the missing heritage and character contributing buildings within the Stuart Street Commercial Heritage Precinct are added to the schedule. While the heritage symbols are shown on the plan maps, the buildings are not listed in the schedule.

Heritage New Zealand (OS547.61), supported by Elizabeth Kerr (FS2429.52), seeks that the protection required for one of the missing buildings, B269 (Dunedin Prison, 2 Castle Street), reads 'entire external building envelope including courtyard and internal courtyard elevations and roofslopes'.

Dunedin City Council (OS360.38), supported by KiwiRail Holdings Limited (FS2162.10) and Heritage New Zealand (FS2440.81), seeks to amend the schedule by moving the listing for HS12 - Dunedin Railway Station Heritage Site from 'Scheduled items not in a Heritage precinct' to 'Stuart Street Commercial Heritage Precinct'.

Recommendation

I recommend that the buildings listed above that are missing from Schedule A1.1 are included. The listing details are shown on the plan maps, by clicking on the heritage building icon. I further recommend that the schedule is amended to move the listing for the Railway Station heritage site to the correct place within the schedule.

The protection required for B269 (Dunedin Prison) listed within the operative plan is "façade and bulk appearance to High Street". Dr Hazelton has assessed the recommended change (see Appendix A3 of Dr Hazelton's evidence) and recommends that protection is extended to 'Entire building envelope including courtyard and internal courtyard elevations and roof slopes.'

I note that no further submissions in opposition were received on this submission. I understand that Heritage New Zealand has contacted the building owner and that revised wording may be tabled at the hearing. Assuming that there are no concerns, I recommend the listing is

amended as proposed by heritage New Zealand.

Recommended amendment:

1. Amend Schedule A1.1 / Scheduled items in Heritage Precincts / Stuart Street Commercial Heritage Precinct / Heritage buildings, by adding:

B004, Station Mews, Stones Publishers (former), 5A Anzac Avenue, [none], Facade to Anzac Ave, including fenestration, timber window joinery, unrendered brick, mouldings and architectural details, allowing for restoration of original architectural details.

B005, Dunedin Railway Station, 20 Anzac Avenue, 1, entire external building envelope and foyer, stained glass windows featuring locomotives, Royal Doulton facings at the ticket offices, Royal Doulton frieze of cherubs and foliage, wrought iron balustrades, and mosaic floor

B048, May and Co. Factory (former), 249 Cumberland Street Dunedin, [none], facade and bulk appearance to Cumberland Street

B269, Dunedin Prison (former), 2 Castle Street Dunedin, 1, entire external building envelope including courtyard and internal courtyard elevations and roofslopes'

B270, Labour Department (former) 21 Dunbar Street Dunedin, 2, facade and bulk appearance to High Street

B560, Law Courts, 1 Stuart Street, 2, entire external building envelope

B561, McCarthy's Buildings (former), 2 Stuart Street, [none], facades to Stuart and Castle Streets

B562, Commercial Building, 49 Stuart Street, [none], facades to Stuart and Gaol Streets

B563, Law Courts Hotel, 53-65 Stuart Street, 2, facades to Cumberland and Stuart Streets

B564, Allied Press Building, 52 Stuart Street Dunedin, 2, facades to Cumberland and Stuart Streets, including all shop fronts

B565, Allied Press Building, 52 Stuart Street Dunedin, 2, facades to Cumberland and Stuart Streets, including all shop fronts

B566, Roberts Building, 91 Stuart Street Dunedin, [none], facades to Moray Place and Stuart Street

B567, Security Building, 115 Stuart Street Dunedin, 2, facades to Moray Place and Stuart Street

B568, Allbell Chambers, 117 Stuart Street Dunedin, 2, facades to Stuart Street

B571, Radio House, 368 Moray Place Dunedin, [None] facade to Stuart Street above verandah.

2. Amend Schedule A1.1 / Scheduled items in Heritage Precincts / Stuart Street Commercial Heritage Precinct / Heritage sites, as follows:

Move listing for HS12 - Dunedin Railway Station Heritage Site from 'Scheduled items not in a Heritage precinct' to 'Stuart Street Commercial Heritage Precinct'.

3. Amend Schedule A1.1 / Scheduled items in Heritage Precincts / Stuart Street Commercial Heritage Precinct / Character-contributing buildings, by adding:

CC445, Commercial building, 36 Stuart Street, Stuart Street Commercial

CC702, Commercial building, 52 Stuart Street facing Castle Street, Stuart Street Commercial

4. Amend planning map as follows:

Add CC702 icon to Castle Street façade of 52 Stuart Street.

5.15.5 Amendments to Moray Place - Dowling Street Commercial Heritage Precinct

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS103.10	The Institution of Professional Engineers NZ	I seek to have the above provision amended	Retain B061 30 Dowling Street on Heritage Schedule and extend listing to entire building envelope and interior features	Reject	Do not amend listing
-- FS2440.31	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS103.10. Allow submission and increase the protection of B061.	Reject	Do not amend listing
OS547.21	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Add St James' Theatre to Heritage Schedule: <u>facade to Moray Place below</u>	Accept	Add St James Theatre to Schedule A1.1 and map

			<u>verandah; first floor long room interior; all extant murals whether visible or not.</u>		
-- FS2429.13	Elizabeth Kerr	I support the submission	Support OS547.21. Allow submission.	Accept	Add St James Theatre to Schedule A1.1 and map
OS547.39	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B402 29 Moray Place protection to ' <u>Synagogue facade to Moray Place, stone wall on street front and wrought iron fence and gate. Interior of former temple space.</u> '	Accept	Amend listing details as requested.
-- FS2429.30	Elizabeth Kerr	I support the submission	Support OS547.39. Allow submission.	Accept	Amend listing details as requested.
OS547.40	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B452 50 Princes Street listing to ' <u>facades to Princes Street and Moray place. Dining room interior</u> '.'	Accept	Amend listing details as requested.
-- FS2429.31	Elizabeth Kerr	I support the submission	Support OS547.40. Allow submission.	Accept	Amend listing details as requested.
OS360.48	Dunedin City Council	I seek to have the above provision amended	Remove CC082 at 10 Dowling Street from Schedule A1.1 (Schedule of protected heritage items and sites) Character Contributing Buildings.	Accept	Remove CC082 from Schedule A1.1
-- FS2440.82	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.48. Allow submission.	Accept	Remove CC082 from Schedule A1.1
OS360.46	Dunedin City Council	I seek to have the above provision amended	Amend Scheduled Items - Character Contributing Building map by adding	Accept	Add CC081 to planning map

			CC081 (14 Dowling Street).		
-- FS2440.109	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.46. Allow submission.	Accept	Add CC081 to planning map
OS360.47	Dunedin City Council	I seek to have the above provision amended	Remove B061 icon at 14 Dowling Street from Scheduled Items - Heritage Building map.	Accept	Remove B061 from planning map.
-- FS2440.119	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.47. Allow submission.	Accept	Remove B061
OS360.67	Dunedin City Council	I seek to have the above provision amended	Remove Heritage Building B575 (at 233 Stuart Street) from Scheduled Items - Heritage Building map.	Accept	Remove B575 from schedule and map.
-- FS2440.122	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.67. Allow submission.	Accept	Remove B575 from schedule and map.

Discussion:

Amendments to protection required

Submissions

The Institution of Professional Engineers NZ (OS103.10), supported by Heritage New Zealand (FS2440.31), seeks to amend the listing for B061 (Milford House, 30 Dowling Street) to include the entire building envelope and interior features, rather than just the façade. The building is associated with Hallensteins, an important name in NZ manufacturing.

Heritage New Zealand (OS547.39), supported by Elizabeth Kerr (FS2429.30), seeks to amend the listing of B402 (the old synagogue, 29 Moray Place) to include the interior of the former temple space.

Heritage New Zealand (OS547.40), supported by Elizabeth Kerr (FS2429.31), seeks to amend the listing for B452 (the Savoy Haines building, 50 Princes Street) to include the dining room interior. These two interiors are considered by Heritage New Zealand to be highly significant.

Recommendation

Dr Hazelton (Appendix A3 of his evidence) recommends that the amendments sought to B061 are rejected as only the façade is properly visible from street. The owner is opposed to the amendments sought and Dr Hazelton considers it would be preferable to work with the owner through the seismic upgrade project to schedule further elements following the required upgrades.

I therefore recommend that the amendments to the listing are not made.

In relation to B452 and B402, Dr Hazelton recommends that the amendments are made, subject to the owners' approval. I note that there were no submissions received in opposition to these submissions. I understand the Heritage New Zealand has contacted the owners and assuming that there are no concerns, I recommend that the amendments are made.

Addition to schedule

Submission

Heritage New Zealand (OS547.21), supported by Elizabeth Kerr (FS2429.13), proposes that the St James' Theatre, 11 Moray Place, is included within Schedule A1.1. The proposed 'protection required' is: "façade to Moray Place below verandah; first floor long room interior; all extant murals whether visible or not". The theatre is on the Heritage New Zealand List and has significant heritage value.

Recommendation

Dr Hazelton has considered the merits of including this building within the schedule (see Appendix A1 of his evidence). The assessment report (Appendix B15 of Dr Hazelton's evidence) concludes that the building has local historical / social significance, due to its association with locally important architect Edward Anson, and stained glass specialist and watercolourist, John Brock. The report notes that in its previous incarnation, the St James could have been considered to be a surviving atmospheric theatre of the same quality as the Civic Theatre in Auckland. Although the theatre has been significantly altered, there is potential for some of these features to have survived and the potential for their survival should be considered in the protection.

Dr Hazelton recommends that it is included within Schedule A1.1 as B841. The protection required is recommended to be: "façade to Moray Place below verandah including doors, decorative glazing. Internal Features: First floor long room interior; all extant murals whether visible or not."

No further submission was received from the property owner in relation to the proposed listing. The owner was written to following close of submissions, and again more recently, advising them of the submission. I understand they have also been contacted by Heritage New Zealand in relation to the submission. Assuming there is no objection from them, I recommend that the building is included within the schedule.

Errors

Submissions

Dunedin City Council, supported by Heritage New Zealand, seeks to correct errors within Schedule A1.1 / Moray Place - Dowling Street Commercial Heritage Precinct, as follows:

- Remove CC082 (10 Dowling Street) as the building is correctly listed as a heritage building (B060) (OS360.48, FS2440.82).
- Remove B061 icon (14 Dowling Street) from the planning map as B061 is 20 Dowling St (OS360.47, FS2440.119).
- Remove B575 (233 Stuart Street) from the planning map as it is correctly listed as CC062 (OS360.67, FS2440.122).
- Add CC081 (14 Dowling Street) to the planning map (OS360.46, FS2440.109).

Recommendation

I recommend that the above errors are corrected.

Recommended amendment:

1. Amend Schedule A1.1 / Scheduled items in Heritage Precincts / Moray Place -Dowling Street Commercial Heritage Precinct / Character-contributing buildings by removing CC082.

2. Amend Schedule A 1.1 / Scheduled items in Heritage Precincts / Moray Place -Dowling Street Commercial Heritage Precinct / Scheduled heritage buildings:

Add: B841, St James' Theatre (former), 11 Moray Place, 1, Façade to Moray Place below verandah including doors, decorative glazing. Internal Features: First floor long room interior; all extant murals whether visible or not.

Amend protection required for B402 to: Synagogue façade to Moray Place, stone wall on street front and wrought iron fence and gate. Interior of former temple space.

Amend protection required for B452 to: Façades to Princes Street and Moray Place. Dining Room interior.

3. Amend planning map by:

- Removing B061 icon (14 Dowling Street)
- Removing B575 icon (233 Stuart Street)
- Add B841 icon at 11 Moray Place
- Adding CC081 (14 Dowling Street)

5.15.6 Amendments to Princes Street - Exchange Commercial Heritage Precinct

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS103.11	The Institution of Professional Engineers NZ	I support the provision	Retain B482, 283 Princes Street on Heritage Schedule.	Accept	No amendment required
OS103.38	The Institution of Professional Engineers NZ	I seek to have the above provision amended	Add the T&G Building/Upstart House 333-339 Princes Street to Heritage Schedule and protect entire building envelope.	Accept in part	Add the T&G Building/Upstart House to Schedule A1.1
OS360.70	Dunedin City Council	I seek to have the above provision amended	Remove Heritage Building B467 from Schedule A1.1 (Schedule of Protected Heritage Items and Sites).	Accept	Remove B467 from Schedule A1.1
-- FS2440.83	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.70. Allow submission.	Accept	Remove B467 from Schedule A1.1
OS360.72	Dunedin City Council	I seek to have the above provision amended	Remove Heritage Building B468 from Schedule A1.1 (Schedule of Protected Heritage Items and Sites).	Accept	Remove B468 from Schedule A1.1
-- FS2440.84	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.72. Allow submission.	Accept	Remove B468 from Schedule A1.1
OS360.74	Dunedin City Council	I seek to have the above provision amended	Remove Heritage Building B469 from Schedule A1.1 (Schedule of Protected	Accept	Remove B469 from Schedule A1.1

			Heritage Items and Sites).		
-- FS2440.85	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.74. Allow submission.	Accept	Remove B469 from Schedule A1.1
OS547.41	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B477 193 Princes Street listing to 'facade to Princes Street and interior of banking chamber'.	Accept in part	Amend B477 protection to: 'Facade to Princes Street and original walls, windows and ceiling of banking chamber'.
-- FS2429.32	Elizabeth Kerr	I support the submission	Support OS547.41. Allow submission.	Accept in part	Amend B477 protection to: 'Facade to Princes Street and original walls, windows and ceiling of banking chamber'.
-- FS2440.36	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS547.41. Disallow submission and amend the extent of proposed protection of the National Bank to: 'Facade to Princes Street and original walls, windows and ceiling of banking chamber'.	Accept	Amend B477 protection to: 'Facade to Princes Street and original walls, windows and ceiling of banking chamber'.
OS896.1	Scenic Circle Hotels Limited	I seek to have the above provision amended	Remove reference to 142 High Street from the heritage listing for item B271 in Appendix A1.1	Accept	Remove reference to 142 High Street from B271 in Schedule A1.1
OS103.27	The Institution of Professional Engineers NZ	I support the provision	Retain B056 Dowling Street steps on Heritage Schedule	Accept	No amendment required.
OS360.32	Dunedin City Council	I seek to have the above provision amended	Amend Appendix A1.1 (Schedule of protected heritage items and sites) to include B056 in the Princes	Accept	Add B056 to Schedule A1.1.

			Street - Exchange Heritage Precinct.		
-- FS2440.86	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.32. Allow submission.	Accept	Add B056 to Schedule A1.1.
OS360.33	Dunedin City Council	I seek to have the above provision amended	Amend Appendix A1.1 (Schedule of protected heritage items and sites) to include the following missing Character Contributing buildings into the Princes Street - Exchange Heritage Precinct: CC011; CC012; CC097; CC445; CC570; CC607; and CC606. Make consequential changes to the maps.	Accept	Add CC011; CC012; CC097; CC445; CC570; CC607; and CC606 to Schedule and map.
-- FS2440.87	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.33. Allow submission.	Accept	Add CC011; CC012; CC097; CC445; CC570; CC607; and CC606 to Schedule and map.
--FS2446.1	Scenic Circle Hotels Limited	I oppose the submission	Oppose OS360.33. Disallow submission and do not include 250 Princes Street (CC570) and 123 Princes Street (CC097) as character-contributing buildings.	Reject	Add CC570 & CC097 to schedule.
OS849.10	David Murray	I seek to have the above provision amended	Retain Princes Street - Exchange Commercial Heritage Precinct and add	Reject	Retain heritage precinct boundary as notified.

			the following properties to the precinct: 150 Rattray Street, 158 Rattray Street, 162-164 Rattray Street, 166 Rattray Street, 180 Rattray Street		
-- FS2429.83	Elizabeth Kerr	I support the submission	Support OS849.10. Allow submission.	Reject	Retain heritage precinct boundary as notified.
OS360.50	Dunedin City Council	I seek to have the above provision amended	Add CC094 at 300a Princes Street to Scheduled Items - Character Contributing Building map.	Accept	Add CC094 to planning map.
-- FS2440.110	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.50. Allow submission.	Accept	Add CC094 to planning map.
OS360.49	Dunedin City Council	I seek to have the above provision amended	Amend Scheduled Items - Heritage Building map by moving B803 icon from 16 to 20 Manse Street.	Accept	Move B803 icon to 20 Manse Street on planning map.
-- FS2440.120	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.49. Allow submission.	Accept	Move B803 icon to 20 Manse Street on planning map.
OS205.5	Stride Property Limited	I support the provision	Retain exclusion of the site at 35 MacLaggan Street from a heritage precinct overlay zone.	Accept	No amendment required
OS211.10	Harvey Norman Properties (NZ) Limited	I support the provision	Retain exclusion of 20 MacLaggan Street (Harvey Norman site) from a heritage precinct overlay zone.	Accept	No amendment required
Discussion:					

Precinct boundary

Background

The proposed Princes Street – Exchange heritage precinct extends a short distance west up Rattray Street from Princes Street. The operative TH03 precinct extends up Rattray Street as far as the Broadway intersection, and includes part of the Harvey Norman and The Warehouse sites (20 and 35 MacLaggan Street).

Submission

David Murray (OS849.10), supported by Elizabeth Kerr (FS2429.83), supports the Princes Street - Exchange Commercial Heritage Precinct, but seeks to extend it to include the following properties: 150 Rattray Street, 158 Rattray Street, 162-164 Rattray Street, 166 Rattray Street, 180 Rattray Street.

Stride Property Limited (OS205.5) and Harvey Norman Properties (NZ) Limited (OS211.10) seek to retain the 2GP mapping, such that their properties at 20 and 35 MacLaggan Street are not included within the heritage precinct.

Recommendation

Dr Hazelton and Mr Christos have considered the requested extension (see Appendix C2 of Dr Hazelton's evidence). They note that while this area contains buildings from Dunedin's early built history, due to demolitions, insensitive alterations and poor maintenance, the condition and streetscape quality of the buildings is low in comparison to other parts of the precinct. This particularly applies to buildings between 158 and 166 Rattray Street. They conclude that there is insufficient heritage streetscape value remaining in the area between 150-180 Rattray Street to extend the precinct to this area.

I accept Dr Hazelton's and Mr Christos' advice and recommend that the boundary is retained as notified.

Amendments to schedule

Submissions

The Institution of Professional Engineers NZ (OS OS103.11) supports retaining B482 (former Chief Post Office, 283 Princes Street) in Schedule A1.1, noting that the building has local engineering heritage value because its riveted steel frame, encased in concrete, was said to be Dunedin's first earthquake-proof building.

The Institution of Professional Engineers NZ (OS103.38) also seeks that the T&G Building/Upstart House 333-339 Princes Street is added to Schedule A1.1, with protection of the entire building envelope. It notes that the building is included in IPENZ's Dunedin Engineering Heritage Walk 2. It was designed in 1955 and is located at the corner of Princes and Liverpool Streets. IPENZ state that it is an early example of seismic

design by the eminent and world renowned engineer Tom Paulay, who pioneered ductile seismic design in New Zealand.

Scenic Circle Hotels Limited (OS896.1) seeks the removal of '142 High Street' from the listing details for item B271 in Schedule A1.1. It notes that the addresses for the site are not accurate. The heritage building only occupies a portion of 118 High Street and there are no heritage buildings at 142 High Street.

Heritage New Zealand (OS547.41 and FS2440.36), supported by Elizabeth Kerr (FS2429.32), seeks to amend the extent of protection of B477 (National Bank, 193 Princes Street) to add: "Facade to Princes Street and original walls, windows and ceiling of banking chamber". Heritage New Zealand considers that these interior features are highly significant.

Recommendation

Dr Hazelton has considered the merits of including the T&G Building in Appendix A1 of his evidence. The assessment report (Appendix B3 of Dr Hazelton's evidence) concludes that the building has regional historic / social significance, due to its association with T&G, and local design significance, as an example of the Modernist style applied to a multi-storey office block.

No further submission was received from the building owners in response to the listing request. Dr Hazelton notes that verbal approval for the protection of two facades, rather than entire building envelope, has been given. Dr Hazelton recommends that the building is scheduled with protection for the "façades to Princes Street and Jetty Street including granite cladding to both façades, fenestration and window frame design above ground floor."

I accept Dr Hazelton's advice and recommend that the building is included in the schedule as detailed above.

In relation to B271, the submitter is correct that 142 High Street does not contain a heritage building, as it is used for a car park. I recommend that the listing is corrected as requested and the icon removed from the map.

Dr Hazelton recommends that the amendments sought to the listing of the National Bank, B477, are accepted, subject to the owner's approval. I understand that Heritage New Zealand has discussed the amendments with the building's owners. Assuming there is no objection I recommend that the changes are made.

Errors

Submissions

Dunedin City Council, supported by Heritage New Zealand, seeks to correct the following errors in Schedule A1.1 and the planning map:

- Remove B467 (OS360.70, FS2440.83) from schedule, as this is a double up of B466
- Remove B468 (OS360.72, FS2440.84) from schedule, as this is a double up of B466

- Remove B469 (OS360.74, FS2440.85) from schedule, as this is a double up of B466
- Add B056 (OS360.32, FS2440.86) to schedule (currently on map, but missing from schedule)
- Move B803 icon on planning map from 16 to 20 Manse Street (mapping error) (OS 360.49, FS2440.120)
- Add CC011, CC012, CC097, CC445, CC570, CC607, CC606 to schedule and planning map (missed off in error) (OS360.33, FS2440.87)
- Add CC094 to planning map at 300a Princes Street (inadvertently missed off) (OS360.50, FS2440.110)

The Institution of Professional Engineers NZ (OS103.27) also seeks to include B056 in the schedule.

Scenic Circle Hotels Limited (FS2446.1) opposes the inclusion of CC570 (250 Princes Street) and CC097 (123 Princes Street) in the schedule as character-contributing buildings.

Recommendation

Dr Hazelton has considered Scenic Circles' request to remove the character-contributing status of CC570 (250 Princes Street) and CC097 (123 Princes Street) in Appendix C2. He notes that although neither building has a traditional Victorian form, both are broadly consistent with the other character-contributing buildings in the precinct in terms of elements such as height, glazing patterns, bulk and location. The precinct description also makes it clear that the precinct is characterised by buildings from a range of periods. These buildings are both relatively unmodified examples of their respective periods. Given their corner locations, ill-conceived alterations to the buildings could have significant negative effects on the precinct. Retaining character-contributing status does not prevent alterations being made, but ensures that any alterations are assessed in terms of their impacts on the precinct.

I accept Dr Hazelton's advice and recommend that the above errors are corrected, and character-contributing buildings CC570 and CC097 are retained within the schedule. I note that CC445 is located in the Stuart Street precinct, and no amendment is required to the Princes Street – Exchange precinct.

Recommended amendments:

1. Amend Schedule A1.1 / Scheduled items in heritage precincts / Princes Street – Exchange Commercial Heritage Precinct / Heritage Buildings as follows:

Add: B823, T&G Building/Upstart House, 333-339 Princes Street and 10 Jetty Street, [none], façades to Princes Street and Jetty Street including granite cladding to both façades, fenestration and window frame design above ground floor.

Amend: B271, Southern Cross Hotel, 118 ~~and 142~~ High Street Dunedin, ...

Amend B477 protection required to: Facade to Princes Street and original walls, windows and ceiling of banking chamber

Add: B056

Remove: B467

Remove: B468

Remove B469

2. Amend Schedule A1.1 / Scheduled items in heritage precincts / Princes Street – Exchange Commercial Heritage Precinct / Character-contributing Buildings as follows:

Add:

CC011, AMP building, 151 Princes Street Dunedin, Princes Street – Exchange Commercial

CC012, John Wickliffe House, 265 Princes Street Dunedin, Princes Street – Exchange Commercial

CC094 at 300a Princes Street, Princes Street – Exchange Commercial

CC097, Cargill house (former), 123 Princes Street Dunedin, Princes Street – Exchange Commercial

CC570, The Southern Cross Hotel, 250 Princes Street, Princes Street – Exchange Commercial

CC607, Commercial building, 178 Princes Street, Princes Street – Exchange Commercial

CC606, Philip Laing House, 144 Rattray Street, Princes Street – Exchange Commercial. All

3. Amend Schedule A1.1 / Scheduled items in heritage precincts / Stuart Street Commercial Heritage Precinct / Character-contributing Buildings as follows:

Add CC445 Commercial Building, 36 Stuart Street Dunedin Stuart Street Commercial

4. Amend planning map as follows:

Remove B467 icon from 128 Princes Street

Remove B468 icon from 132 Princes Street

Move B803 icon from 16 to 20 Manse Street

Add CC094 icon to 300a Princes Street

Add CC011 icon to 151 Princes Street

Add CC012 icon to 265 Princes street

Add CC097 icon to 123 Princes Street

Add CC570 to 250 Princes Street

Add CC607 to 178 Princes Street

Add CC606 to 144 Rattray Street

Add CC445 to 36 Stuart Street

5.15.7 Amendments to South Princes Commercial Heritage Precinct

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS360.52	Dunedin City Council	I seek to have the above provision amended	Remove Scheduled Heritage Building B487 at 372 Princes Street from Schedule A1.1 (Schedule of Protected Heritage Items and Sites) and maps. Double up with	Accept	Remove B487 from map

			B486		
-- FS2440.88	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.52. Allow submission.	Accept	Remove B487 from map
OS360.68	Dunedin City Council	I seek to have the above provision amended	Remove Heritage Building B487 from Schedule A1.1 (Schedule of Protected Heritage Items and Sites).	Accept	Remove B487 from Schedule A1.1
-- FS2440.89	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.68. Allow submission.	Accept	Remove B487 from Schedule A1.1
OS547.9	Heritage New Zealand /Otago and Southland Office	I support the provision	Retain B801 and B802 on Heritage Schedule	Accept	No amendment required
-- FS2429.2	Elizabeth Kerr	I support the submission	Support OS547.9. Allow submission.	Accept	No amendment required
OS849.12	David Murray	I seek to have the above provision amended	Retain South Princes Street Commercial Heritage Precinct and add the following properties to the precinct map: 4 Carroll Street, 10 Carroll Street, 12 Carroll Street, 16 Carroll Street, 18 Carroll Street	Accept	Add 4 – 18 Carroll Street to the South Princes Street Commercial Heritage Precinct.
-- FS2429.84	Elizabeth Kerr	I support the submission	Support OS849.12. Allow submission.	Accept	Add 4 – 18 Carroll Street to the South Princes Street Commercial Heritage Precinct.
Discussion:					
Scheduled items					

Heritage New Zealand (OS547.9), supported by Elizabeth Kerr (FS2429.2), supports the inclusion of B801 and B802 in Schedule A1.1.

Extension to precinct boundary

Background

The notified South Princes Commercial heritage precinct does not include properties on the north side of Carroll Street. The operative plan includes numbers 10, 12 and part of 14 Carroll Street within the TH04 precinct.

Submission

David Murray (OS 849.12), supported by Elizabeth Kerr (FS2429.84), supports the South Princes Street Commercial Heritage Precinct but seeks to extend it to include the following properties: 4 Carroll Street, 10 Carroll Street, 12 Carroll Street, 16 Carroll Street and 18 Carroll Street. No specific reasons are given.

Recommendation

Dr Hazelton and Mr Christos have evaluated the proposed extension (see Appendix C3 of Dr Hazelton's evidence).

They consider that the buildings on Carroll Street contribute positively to the streetscape of the area and present a relatively integrated heritage streetscape with positive architectural values. The values are 'more unique' due to the former industrial use of a number of the buildings. The block is visually integrated with the rest of the South Princes Street Commercial Heritage Precinct, particularly viewed from the south. Extending the precinct to also include 20 Carroll Street is recommended as it extends the precinct to the corner, and would ensure new development on that site is consistent with the rest of the precinct

The individual buildings have been assessed for character-contributing status. Dr Hazelton and Mr Christos recommend that 4, 10, 12, 16 and 18 Carroll Street are included as character-contributing buildings, and 14 and 20 Carroll Street as non character-contributing buildings.

I accept Dr Hazelton's and Mr Christos' advice regarding the extension of the precinct; however, I note that the original submission did not include 20 Carroll Street, and therefore the owner is unlikely to be aware of the proposed heritage precinct. There is scope to extend the size beyond that proposed by the submitter under submission OS417.27. However, given that the owner has not had the opportunity to comment, I consider that number 20 should not be included at this time, but considered for inclusion in a future plan change.

Errors

Submissions

Dunedin City Council, supported by Heritage New Zealand, seeks to correct the following errors in Schedule A1.1 and the planning map:

- Remove B487 (372 Princes Street) from schedule and map (double up with B486) (OS360.52, 68; FS2440.88, 89)

Recommendation

I recommend that the above errors are corrected.

Recommended amendment:

1. Amend Schedule A1.1 / Scheduled items in heritage precincts / South Princes Street Commercial Heritage Precinct / Heritage buildings, as follows:

Delete: B487

2. Amend Schedule A1.1 / Scheduled items in heritage precincts / South Princes Street Commercial Heritage Precinct / Character-contributing buildings, by adding:

CC703, Commercial building, 4 Carroll Street, South Princes Commercial

CC704, Commercial building, 10 Carroll Street, South Princes Commercial

CC705, Commercial building, 12 Carroll Street, South Princes Commercial

CC06, Commercial building, 16 Carroll Street, South Princes Commercial

CC707, Commercial building, 18 Carroll Street, South Princes Commercial

3. Amend planning map as follows:

Remove B487 icon from 372 Princes Street

Extend boundary of South Princes Commercial heritage precinct to include 4, 10, 12, 14, 16 and 18 Carroll Street.

Add CC703, 704, 705, 706, and 707 icons to map to 4, 10, 12, 16 and 18 Carroll Street.

5.15.8 Amendments to View Street Commercial Heritage Precinct

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS252.38	Carol Devine	I support the provision	Retain the View Street Commercial Heritage Precinct.	Accept	No amendment required
--FS2429.148	Elizabeth Kerr	I support the submission	Support OS252.38. Allow submission.	Accept	No amendment required
OS252.42	Carol Devine	I seek to have the above provision amended	Add 56 and 52 Tennyson St and the car park at the rear of 4 View Street to the View Street Commercial Heritage Precinct.	Accept	Extend precinct as requested
--FS2429.151	Elizabeth Kerr	I support the submission	Support OS252.42. Allow submission.	Accept	Extend precinct as requested
OS444.99	John and Clare Pascoe	I seek to have the above provision amended	Add 56 and 52 Tennyson St and the car park at the rear of 4 View Street to the View Street Commercial Heritage Precinct.	Accept	Extend precinct as requested
OS848.3	Liz Angelo	I support the provision	Retain View Street Heritage Precinct (not stated but inferred)	Accept in part	Extend precinct as requested
--FS2443.3	Arthur St Neighbourhood Support	I support the submission	Support OS848.3. Allow submission.	Accept in part	Extend precinct as requested
OS849.14	David Murray	I seek to have the above provision amended	Retain View Street Commercial Heritage Precinct and adjust boundary to include the following properties: 30 Tennyson Street, 36	Accept	Extend precinct as requested

			Tennyson Street, 52 Tennyson Street, 56 Tennyson Street		
-- FS2429.85	Elizabeth Kerr	I support the submission	Support OS849.14. Allow submission.	Accept	Extend precinct

Discussion:

Precinct boundary extension

Submissions

Carol Devine (OS252.38), supported by Elizabeth Kerr (FS2429.148) and Liz Angelo (OS 848.3), supported by Arthur St Neighbourhood Support (FS2443.3), seek to retain the View Street Commercial Heritage Precinct.

John and Clare Pascoe (OS444.99) and Carol Devine (OS252.42), supported by Elizabeth Kerr (FS2429.151), seek to extend the precinct boundary to include 56 and 52 Tennyson St, and the car park at the rear of 4 View Street.

David Murray (OS849.14), supported by Elizabeth Kerr (FS2429.85), supports the View Street Commercial Heritage Precinct but seeks to extend it to include 30 Tennyson Street, 36 Tennyson Street, 52 Tennyson Street and 56 Tennyson Street.

Recommendation

Dr Hazelton and Mr Christos have evaluated the merits of extending the precinct boundary (see Appendix C4 of Dr Hazelton's evidence).

They consider that the buildings at 52 and 56 Tennyson Street are consistent with the precinct values. 52 Tennyson Street is a scheduled heritage building. The buildings frame the view of Otago Girls High School when approaching from the west of Tennyson Street, and their inclusion in the precinct helps protect the overall quality of the streetscape in the area.

30 and 36 Tennyson Street are Victorian buildings and 32A Tennyson Street (between 30 and 36) is a car park. The two buildings are mostly consistent with the precinct values and they would be considered character-contributing. Some slight changes to the precinct values are required to rebalance the current focus on the deco buildings in order to also recognise the Victorian buildings in the precinct. The car park (32A) could be redeveloped in future and inclusion in the precinct would ensure the any future development makes a positive contribution to the overall streetscape. The same is true of the parking area in front of 30 Tennyson Street.

The building on the front part of 4 View Street is currently included within the precinct. Dr Hazelton and Mr Christos recommend that the precinct boundary is extended around the full site at 4 View Street, as this approach is more consistent with other sites in the precinct.

Development on the rear part of the site would only be subject to the precinct rules if it was visible from the street.

Consequently, Dr Hazelton and Mr Christos recommend that the precinct is extended to include 30, 32A, and 36 Tennyson Street, 52 Tennyson Street, 56 Tennyson Street and full site at 4 View Street.

I accept Dr Hazelton's advice and recommend that the precinct is extended. I note that 32A Tennyson Street was not included within the submission, possibly by error, as it appears to be the car park for 36 Tennyson Street. It is, however, owned separately, and the owner may not have been aware of the submission. I also note that because it was not included in the submission, no letter was sent to the site owner. While there is scope to include the precinct under OS417.27, the panel should be aware of this issue.

If the panel decide not to include this site in the precinct, it could be included as part of a future plan change.

I also recommend that amendments are made to the precinct values in Appendix A2 to reflect the changes, as discussed in Appendix C4 of Dr Hazelton's evidence.

Recommended amendment:

1. Amend Schedule A1.1 / Scheduled items in heritage precincts / View Street Commercial Heritage precinct by adding a new sub-heading:

'Heritage buildings'.

2. Amend Schedule A1.1 / Scheduled items in heritage precincts / View Street Commercial Heritage precinct / Heritage buildings, by adding:

B588, Hulme Court, 52 Tennyson Street Dunedin, 2, façade and bulk appearance to Tennyson Street.

3. Amend Schedule A1.1 / Scheduled items in heritage precincts / View Street Commercial Heritage precinct / Character-contributing buildings, by adding:

CC708, Residential building, 36 Tennyson Street Dunedin

CC709, Residential building, 30 Tennyson Street Dunedin

CC710, Residential building, 56 Tennyson Street Dunedin

4. Amend Schedule A1.1 / Scheduled items not in a heritage precinct / Heritage buildings, as follows:

Delete B588.

5. Amend planning maps as follows:

Extend the boundary of the View Street Commercial Heritage Precinct to include all of 4 View Street, 30, 36, 52 and 56 Tennyson Street

6. Amend Appendix A2.2.9 View Street Commercial Heritage Precinct as follows:

A2.2.9.1 paras 3 - 5:

The section encompassing the northern side of View Street and western section of Tennyson Street is dominated by brick early 20th century Edwardian buildings, predominantly built in brick with plaster detailing and anchored by the three impressive town houses (one a former manse) and the former Sunday school building. These buildings have small but important curtilage and setbacks, with front gardens, attractive walls and fences creating a more suburban feel. They generally have gabled roofs, are often clad in slate or tile, and with bay windows to the street frontage.

The section encompassing the southern side of View Street and eastern section of Tennyson Street houses a more eclectic style and range of building periods, with older properties at the lower end of View Street (plastered to give a 'modernised' appearance) ~~and the two~~ large moderne/deco apartment blocks from 1934 dominating the top half of the View Street street, and two Victorian buildings defining the Tennyson Street section. Buildings on this side of View Street are built closer to the front boundary, if not on it, and present a much higher density, inner city feel. Roofs are concealed behind parapets and the buildings exhibit a more streamlined architectural appearance. The buildings present as larger complexes and flats rather than individual homes. The two Victorian buildings on Tennyson Street are set back further from the street frontages allowing historically for gardens, though both are currently used for car parking. Locating future development on these sites and the car park at 32A Tennyson Street more closely to the street would be positive for the consistency of the precinct.

In general terms, then, there are two dominant characteristics within the area: an Edwardian/~~Victorian~~ residential character to the north and a moderne/deco or Victorian character to the south. These differences should be recognised in assessing alterations and additions to existing buildings and any new buildings that are constructed in the precinct.

A2.2.9.2 Values to be protected or enhanced

Southern section

- j. ~~Predominant use~~ Use of concrete, plaster or equivalent as primary construction material
- k. Retaining predominant use of plaster and streamlined lines in design
- l. Shallower set backs on View Street
- m. ~~Greater massing of buildings~~ New or additional development on Tennyson Street could benefit from being built closer to the street
- n. ~~Horizontality in design~~ Verticality in design of Victorian buildings and a greater focus on horizontality in Art Deco buildings

A2.2.9.3 Principal threats to values

- d. The replacement of building elements that make up key design features (e.g. replacement of original windows in Victorian, Edwardian or Art Deco ~~deco or Edwardian~~ buildings with insensitive window design)

A2.2.9.4 Features and characteristics to be incorporated into design

...

On the northern side of View Street new buildings will generally draw important design cues from the Victorian and Edwardian scheduled heritage and character-contributing buildings in the precinct, including scale, orientation, roof pitches, window alignment, materials and details, although these may expressed in a simpler fashion than on historic buildings. - Preferred

On the southern side of View Street, new buildings ~~will~~ can either draw ~~generally draw important~~ design cues from the Victorian and Edwardian buildings in the precinct or the Art Deco ~~deco~~ character-contributing buildings in the precinct, including scale, orientation, concealed rooflines, a greater emphasis on horizontality, materials and details, although these may expressed in a simpler fashion than on historic buildings. - Preferred

...

On the northern side of View Street roofs should be gabled, with at least one gable facing the street. Roof pitch should be 30° to 45°. Rooflines on the southern side of View Street ~~should~~ may be lower and may be concealed behind parapets or other architectural features. – Suggested

5.15.9 Amendments to Warehouse Industrial Commercial Heritage Precinct

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS103.9	The Institution of Professional Engineers NZ	I seek to have the above provision amended	Retain B011 7 Bond Street on Heritage Schedule and alter listing to entire building envelope and interior features	Accept in part	Amend listing of B011 to entire building envelope
-- FS2440.30	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS103.9. Allow submission and give consideration to extending	Accept	Amend listing of B011 to entire building envelope

			the protection of B011.		
OS360.42	Dunedin City Council	I seek to have the above provision amended	Amend Appendix A1.1 (Schedule of protected heritage items and sites) Heritage Building B014 'protection required' column as follows: ' <u>Facades to Crawford Street and Bond Street, including fenestration, mouldings and architectural details, timber doors, iron castings.</u> '	Accept	Amend B014 'protection required' as requested.
-- FS2440.90	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.42. Allow submission.	Accept	Amend B014 'protection required' as requested.
OS360.61	Dunedin City Council	I seek to have the above provision amended	Amend 'protection required' for Heritage Building B014 at 49 Bond Street as follows: ' <u>Facades to Crawford Street and Bond Street, including fenestration, mouldings and architectural details, timber doors, iron castings.</u> '	Accept	Amend B014 'protection required' as requested.
-- FS2440.91	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.61. Allow submission.	Accept	Amend B014 'protection required' as requested.
OS547.42	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B506 3 Crawford Street listing to 'Facades to Crawford and Rattray Street, <u>ceiling of ground floor</u>	Accept	Amend B506 listing to 'Façades to Crawford and Rattray Street, <u>ornate plaster ceiling of</u>

			<u>premises'</u>		<u>ground floor premises'</u> (formerly 49 Queens Gardens Dunedin)
-- FS2429.33	Elizabeth Kerr	I support the submission	Support OS547.42. Allow submission.	Accept	Amend B506 listing
OS547.8	Heritage New Zealand /Otago and Southland Office	I support the provision	Retain new listings B775 - B800 and B806 on Heritage Schedule	Accept	No amendment required
--FS2429.1	Elizabeth Kerr	I support the submission	Support OS547.8. Allow submission.	Accept	No amendment required
OS1.4	Peter Entwisle	I seek to have the above provision amended	Add 65 Crawford Street to Heritage Schedule	Accept	Add 65 Crawford St to Schedule A1.1
-- FS2429.109	Elizabeth Kerr	I support the submission	Support OS1.4. Allow submission.	Accept	Add 65 Crawford St to Schedule A1.1
OS849.46	David Murray	I seek to have the above provision amended	Add Sammy's/Former His Majesty's Theatre 65 Crawford Street to the Heritage Schedule	Accept	Add 65 Crawford St to Schedule A1.1
--FS2380.6	Alison Rowena Beck and Philip Jeffray Ward	I support the submission	Support OS849.46. Allow submission.	Accept	Add 65 Crawford St to Schedule A1.1
-- FS2429.101	Elizabeth Kerr	I support the submission	Support OS849.46. Allow submission.	Accept	Add 65 Crawford St to Schedule A1.1
OS360.59	Dunedin City Council	I seek to have the above provision amended	Remove Character Contributing Building CC100 at 41 Jetty Street from Schedule A1.1 (Schedule of Protected Heritage Items and Sites).	Accept	Remove CC100 from Schedule A1.1.
-- FS2440.92	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.59. Allow submission.	Accept	Remove CC100 from Schedule A1.1.
OS360.60	Dunedin City Council	I seek to have the above provision amended	Remove Character Contributing Building CC103	Accept	Remove CC103 from Schedule A1.1

			at 4-54 Crawford Street from Schedule A1.1 (Schedule of Protected Heritage Items and Sites).		
-- FS2440.93	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.60. Allow submission.	Accept	Remove CC103 from Schedule A1.1
OS360.91	Dunedin City Council	I seek to have the above provision amended	Remove Character Contributing Building CC104 from Schedule A1.1 (Schedule of Protected Heritage Items and Sites).	Accept	Remove CC104 from schedule A1.1
-- FS2440.94	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.91. Allow submission.	Accept	Remove CC104 from schedule A1.1
OS360.54	Dunedin City Council	I seek to have the above provision amended	Add icon for Character Contributing Building CC101 to Scheduled Items - Character Contributing Area map (small building at rear of site).	Accept	Add CC101 to planning map
-- FS2440.111	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.54. Allow submission.	Accept	Add CC101 to planning map

Discussion:

Addition to Schedule

Submissions

Heritage New Zealand (OS547.8), supported by Elizabeth Kerr (FS2429.1), supports new listings B775 - B800 and B806 on the heritage schedule.

Peter Entwisle (OS1.4), supported by Elizabeth Kerr (2429.109), and David Murray (OS849.46), supported by Alison Rowena Beck and Phillip Jeffray Ward (FS2380.6) and Elizabeth Kerr (FS2429.101), seek to add 65 Crawford Street (Sammy's, formerly His Majesty's Theatre and

originally as the Otago Agricultural Hall) to the schedule. Mr Murray notes that this building has been one of the hubs of Dunedin culture, from the 1900s when Dame Nellie Melba praised its acoustics, through to the Dunedin Sound and other bands in more recent decades. It is a site of national significance. The facade is lost, but he considers that this was far less significant than the space within, which is largely well preserved, including the proscenium arch and decorative plasterwork. The appearance to Vogel Street makes a big contribution to the streetscape, and its loss would undermine the recent good work done in the Warehouse Precinct.

Mr Entwisle has also provided a detailed heritage history for the building to support its inclusion.

Recommendation

Dr Hazelton has evaluated the merits of including Sammy's within the Heritage Schedule (see Appendix A1 of his evidence). The assessment report (Appendix B2 of Dr Hazelton's evidence) concludes that the building has national historic / social significance, and local spiritual / cultural significance, having a substantial association with a number of nationally and internationally significant artists, including Thomas Brydone, Dame Nellie Melba, Sir Laurence Olivier, and Dame Vivien Leigh. It also has substantial associations with the Otago Agricultural and Pastoral Society, and the Dunedin Sound bands The Chills, The Verlaines and The Clean. It has national design significance, the auditorium being a good example of the revived Baroque style applied to interior theatre design in Victorian and Edwardian times.

Dr Hazelton notes that the building is located within a heritage precinct. Scheduling the building will extend protection to its interior elements. He recommends that the building is included in the schedule.

No further submissions in opposition were received. The building owner was contacted regarding the proposed listing. There has been no response, and so I assume there is no objection to scheduling the building. I therefore recommend that the building is added to Schedule A1.1.

Amendments to Schedule

Submissions

The Institution of Professional Engineers NZ (OS103.9), Heritage New Zealand (FS2440.30), seeks to amend the listing for B011 (Consultancy House, 7 Bond Street) to include the entire building envelope and interior features, not just the façade. Its reasons are that the building had many features which were very innovative for its time and pre-dated by many years their general adoption elsewhere in New Zealand. The building's engineering heritage significance relates to the entire structure and its innovative design and construction.

Heritage New Zealand (OS547.42), supported by Elizabeth Kerr (FS2429.33), seeks to amend the listing of B506 (Queens Gardens Court, 3 Crawford Street) to 'Facades to Crawford and Rattray Street, ceiling of ground floor premises (formerly 49 Queens Gardens, Dunedin)'. This is to rectify what Heritage New Zealand considers to be a deficiency in the existing listing.

Recommendation

Dr Hazelton notes that verbal approval has been given for protecting the entire external building envelope of B011. While the submission has been summarised as including the interior, this is not explicit in the submission wording, which is: "we suggest it is more appropriate to protect the entire building of this Category 1 historic place, rather than just the façade." On the basis that the owner has no concerns with the external features being protected, I recommend that this change is made.

Dr Hazelton notes that the owner for B506 had given verbal approval for the amendments to the listing. He notes that the protection should read "façades to Crawford and Rattray Street, ornate plaster ceiling of ground floor premises (formerly 49 Queens Gardens Dunedin)".

No further submissions in opposition were received on these amendments. Assuming there is no opposition, I recommend that the amendments are made

Errors

Dunedin City Council, supported by Heritage New Zealand, seeks to correct the following errors in the heritage schedule and planning map:

- Remove CC100 (41 Jetty Street) from the schedule as this is also correctly listed as a scheduled building (B781) (OS360.59, FS2440.92)
- Remove CC103 (4-54 Crawford Street) from the schedule as this is also correctly listed as a scheduled building (B014) (OS360.60, FS2440.93)
- Remove CC104 (1-54 Crawford Street) from the schedule as this is also correctly listed as a scheduled building (B014) (OS360.91; FS20440.94)
- Amend the protection required for B014 (49 Bond Street) to 'Facades to Crawford Street and Bond Street, including fenestration, mouldings and architectural details, timber doors, iron castings'. This expanded listing was intended to be included in the notified plan, but was missed out in error (OS360.42, 61; FS2440.90, 91).
- Add icon for CC101 to small building at rear of 1, Vogel Street (OS360.54, FS2440.111).

Recommendation

I recommend that all the above errors are corrected.

Recommended amendment:

1. Amend Schedule A1.1 / Scheduled items in heritage precincts / Warehouse Industrial Commercial Heritage Precincts / Heritage Buildings, as follows:

Add: B825, Sammy's, His Majesty's Theatre (former), Otago Agricultural Hall (former), 65 Crawford Street, [none], Façade to Vogel Street and north facing brick wall including unpainted brick, architectural details and timber doors to alley. Excluding modern breeze block insertions, fire

escape and vent. Interior: Decorative plasterwork and proscenium arch.

Amend B014 protection required to "Facades to Crawford Street and Bond Street, including fenestration, mouldings and architectural details, timber doors, iron castings"

Amend B011 protection required to "Entire external building envelope."

Amend B506 protection required to: façades to Crawford and Rattray Street, ornate plaster ceiling of ground floor premises (formerly 49 Queens Gardens Dunedin)"

2. Amend Schedule A1.1 / Scheduled items in heritage precincts / Warehouse Industrial Commercial Heritage Precincts / Character Contributing Buildings, as follows:

Remove CC105 (Sammy's)
Remove CC100
Remove CC103
Remove CC104

3. Amend planning maps as follows:

Remove CC100
Remove CC103
Remove CC104
Remove CC105 icon and replace with B825

Add CC101 icon to small building at rear of 1, Vogel Street

5.16 Amendments to precinct boundaries and submissions on scheduled items within Residential Heritage Precincts

5.16.1 Amendments to Queen Street Residential Heritage Precinct

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
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OS293.25	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Add 140 Queen Street to Heritage Schedule.	Accept	Amend Schedule A1.1 to include 140 Queen Street a heritage building and remove reference to it as CC301
OS299.19	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Add 140 Queen Street to Heritage Schedule.	Accept	Amend schedule A1.1 to include 140 Queen Street a heritage building and remove reference to it as CC301
OS444.7	John and Clare Pascoe	I seek to have the above provision amended	Add 140 Queen Street to Heritage Schedule.	Accept	Amend schedule A1.1 to include 140 Queen Street a heritage building and remove reference to it as CC301
OS167.5	Barry Smaill	I oppose the provision	Remove CC294 and other scheduled character contributing buildings from Queen Street Residential Heritage Precinct.	Reject	Retain CC294 in precinct.
-- FS2440.54	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS167.5. Disallow submission and retain items within Schedule A1.1.	Accept	Retain CC294 in precinct.
OS848.2	Liz Angelo	I support the provision	Retain new Queen Street Residential Heritage Precinct	Accept	Retain heritage precinct.
-- FS2043.1	Jesse Price	I oppose the submission	Oppose OS848.2. Disallow submission and remove the Queen St Heritage Precinct from the 2GP.	Reject	Retain heritage precinct.
-- FS2387.2	Owen F Duffy	I oppose the submission	Oppose OS848.2. Disallow the submission and remove Queen Street Residential Heritage Precinct.	Reject	Retain heritage precinct.
--	Arthur St Neighbourhood	I support the submission	Support OS848.2. Allow	Accept	Retain heritage

FS2443.2	Support		submission.		precinct.
OS871.1	Owen F Duffy	I oppose the provision	Remove 77 Warrender Street from Queen Street Residential Heritage Precinct.	Reject	Retain 77 Warrender Street in precinct
-- FS2054.1	Austin Gee	I oppose the submission	Oppose OS871.1. Disallow submission and retain Queen Street Residential Heritage Precinct for upper Warrender Street.	Accept	Retain 77 Warrender Street in precinct
-- FS2440.69	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS871.1. Disallow submission and retain building within Schedule A1.1.	Accept	Retain 77 Warrender Street in precinct

Discussion:

Removal of Queen St Heritage Precinct

Background

The Queen Street Residential Heritage Precinct is a new precinct in the 2GP.

Submissions

Liz Angelo (OS848.2), supported by Arthur St Neighbourhood Support (FS2443.2), supports the new Queen Street Residential Heritage Precinct.

This submission is opposed by Jesse Price (FS2043.1) and Owen Duffy (FS2387.2) who seek that the Queen St Heritage Precinct is removed from the 2GP. Mr Price considers the homes that make up Queen Street are mostly ugly, in dilapidated condition and built using the cheapest methods available at the time. They are uneconomic to renovate, especially if the building style has to be retained. He considers that Queen Street needs a bulldozer as many houses are falling apart. Mr Duffy considers that he would be seriously disadvantaged by being included in a heritage precinct, and there are limited heritage values in upper Warrender Street.

Mr Duffy has also lodged a submission to remove 77 Warrender Street from the precinct (OS871.1). This is opposed by Austin Gee (FS2054.1), who seeks retention of Upper Warrender St in the precinct.

Barry Smaill (OS167.5) seeks the removal of CC294 (131 Queen Street) and other scheduled character contributing buildings from the Queen

Street Heritage Precinct. He does not want heritage rules imposed on the Queen Street rise properties as he considers they impose arbitrary rules and limit design initiatives.

Both Mr Duffy's and Mr Smaill's submissions are opposed by Heritage New Zealand (FS2440.54, 69) as it considers that buildings should not be removed from Schedule A1.1 unless further assessment by an appropriately qualified person finds that the items do not meet the necessary criteria for inclusion.

Recommendation

Dr Hazelton notes in Appendix C5 of his evidence that the Queen Street heritage precinct has heritage streetscape character worth protecting, and controlling the design of new development in the precinct is important to retain this character. He has re-evaluated 77 Warrender Street and 131 Queen Street against the precinct values and concludes that both are character-contributing and should be retained as such.

The s32 Zoning Special Report – Heritage discusses the proposed precinct as follows:

"The [Queen Street precinct] is strongly defined by the large number of early homes and the steep topography (including the split road), the backdrop of the Town Belt, and other mature trees and gardens in the precinct. The area has mixed architectural forms, including modified early timber cottages, large Edwardian homes, bungalow styled brick and tile dwellings, art deco, and even modernist homes. The most common style of house is the timber villa. Some have multiple levels below the street with expansive covered verandahs, while others are single level and set further back on the sites with large front yards. Many homes reflect the topography of this area.

A growing number of modern buildings, built as student accommodation, do not conform to the character of the area and differ in scale, style, siting and off-street parking and tend to not blend into the neighbourhood as successfully as they could. There is a high likelihood of re-development of existing older buildings.

The area was included in the Spatial Plan as a Special Character Area and is proposed to be included in the 2GP due its heritage merits, its location on the hills above George Street (making it highly visible), and its need for protection against unsympathetic development in the area. Subsequent consultation with residents of the area was generally favourable and residents expressed a desire to protect the area from the unsympathetic development occurring in response to the increased pressure for student accommodation."

I recommend that the precinct is retained, and the submissions to remove it are rejected.

Amendments to schedule

Southern Heritage Trust & City Rise Up (OS293.25), Rosemary & Malcolm McQueen (OS299.19) and John and Clare Pascoe (OS444.7) seek to add 140 Queen Street to Schedule A1.1 as a heritage building. It is currently listed as a character-contributing building (CC301).

Recommendation

The merits of classifying 140 Queen Street as a scheduled heritage building are summarised in Appendix A1 of Dr Hazelton's evidence. The assessment report (Appendix B4 of Dr Hazelton's evidence) concludes that the house has national historic / social and design significance as an exceptionally old example of a colonial bay villa.

Dr Hazelton recommends that the entire building envelope is protected. There have been no submissions in opposition to listing the house as a heritage building. The owner was contacted at the closing of further submissions, and again more recently. There has been no response, so I assume that there is no concern with the proposed listing.

I therefore recommend that Schedule A1.1 is amended to change the building from character-contributing to a heritage building, B845.

Recommended amendment

1. Amend Schedule A1.1 / Scheduled items in heritage precincts / Queen Street Residential Heritage Precincts / Heritage Buildings, as follows:

Add: B845, Residential building, 140 Queen Street, [none], entire building envelope

2. Amend Schedule A1.1 / Scheduled items in heritage precincts / Queen Street Residential Heritage Precincts / Character-contributing, as follows:

Delete CC301.

3. Amend planning map by replacing CC301 icon with B845 icon.

5.16.2 Amendments to Dundas Street - Castle Street Residential Heritage Precinct

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS308.396	University of Otago	I oppose the provision	Remove scheduled building CC141, 670 Castle Street from the Heritage Schedule.	Accept	Remove CC141 from schedule A1.1.
--	Heritage New Zealand	I oppose the submission	Oppose OS308.396. Disallow	Reject	Remove CC141 from

FS2440.55	/Otago and Southland Office		submission and retain item within Schedule A1.1.		schedule A1.1.
OS308.397	University of Otago	I oppose the provision	Remove scheduled building CC210 (Studholme Hall) from the Heritage Schedule.	Accept	Remove CC210 from Schedule and amend precinct boundary
-- FS2440.56	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS308.397. Disallow submission and retain item within Schedule A1.1.	Reject	Remove CC210 from Schedule and amend precinct boundary
OS308.398	University of Otago	I oppose the provision	Remove the following scheduled buildings from the Heritage Schedule: CC214, CC215, CC216, CC217, CC218, CC219, CC220, CC221, CC222, CC223, CC224, CC225, CC226, CC227, CC228, CC229, CC230, CC231, CC232.	Reject	Retain CC214 - CC232.
-- FS2440.57	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS308.398. Disallow submission and retain items within Schedule A1.1.	Accept	Retain CC214 - CC232.
OS360.62	Dunedin City Council	I seek to have the above provision amended	Amend icons on Scheduled Items - Character Contributing Building map so that CC154 is on 639B Castle Street and CC155 is on 639A Castle Street.	Accept	Amend planning map so that CC154 is on 639B Castle Street and CC155 is on 639A Castle Street.
-- FS2440.13 2	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.62. Allow submission.	Accept	Amend planning map so that CC154 is on 639B Castle Street and CC155 is on 639A Castle Street.

OS849.19	David Murray	I seek to have the above provision amended	Retain the Dundas Street - Castle Street Residential Heritage Precinct and move the eastern boundary along Dundas Street as far as Harbour Terrace (adding 129-159 Dundas Street and 128-160 Dundas Street)	Reject	Retain boundary as notified apart from exclusion of Studholme Hall.
-- FS2429.86	Elizabeth Kerr	I support the submission	Support OS849.19. Allow submission.	Reject	Retain boundary as notified apart from exclusion of Studholme Hall.
OS308.420	University of Otago	I seek to have the above provision amended	Revise extent of the Dundas Street -Castle Street Residential Heritage Precinct.	Accept in part	Retain boundary as notified apart from exclusion of Studholme Hall.

Discussion:

Adjustment to precinct boundary

Background

The Dundas Street – Castle Street precinct includes part of existing precinct TH01, and also includes areas not currently protected as precincts.

Submissions

David Murray (OS849.19), supported by Elizabeth Kerr (FS2429.86), supports the Dundas Street - Castle Street Heritage Precinct, but seeks to extend the eastern boundary along Dundas Street as far as Harbour Terrace (adding 129-159 Dundas Street and 128-160 Dundas Street).

The University of Otago (OS308.420) also seeks revision of the extent of the Dundas Street -Castle Street Residential Heritage Precinct, noting that restrictions should only be applied where the heritage values justify the impacts of the new controls.

Recommendation

Dr Hazelton and Mr Christos have evaluated the boundaries of the precinct (see Appendix C6 of Dr Hazelton's evidence). They consider that Castle Street (adjoining the University of Otago), and Dundas Street, are highly consistent with the overall precinct values. They are some of the

more cohesive sections of the precinct and are important in demonstrating the area's residential heritage values. These residential values have been eroded around many of other boundaries of the University due to its expansion over time, and this section demonstrates the earlier and existing heritage streetscape values of the area particularly well.

With regards to extending the precinct to Harbour Terrace, Dr Hazelton and Mr Christos note that while there are a number of buildings in this area that would potentially be considered character-contributing, particularly the villas between 147-159 Dundas Street and 154-160 Dundas Street, there are also a number of buildings that would be considered non character-contributing. The overall quality consistency and quality of this section is lower than in the notified precinct. In addition, the area is not visually connected with the rest of the precinct due to the small hill in the middle. This hill has been used as a boundary to the precinct, given the streetscape on either side of the hill is not visible from the other. They do not consider that including this area will improve the cohesiveness of the entire precinct.

I accept Dr Hazelton's and Mr Christos' advice and recommend that the precinct boundaries are retained.

Amendments to schedule

Submissions

The University of Otago seeks to remove the following character contributing buildings from Schedule A1.1:

- CC141 (670 Castle Street) (OS308.396). It notes that this building is on a back lot from Castle Street and only fleetingly visible, so makes no significant contribution to the heritage precinct.
- CC210 (Studholme Hall, 127 Clyde Street) (OS308.397). It notes that this building is remote from Dundas Street and only fleetingly visible, so makes no significant contribution to the heritage precinct.
- CC214, CC215, CC216, CC217, CC218, CC219, CC220, CC221, CC222, CC223, CC224, CC225, CC226, CC227, CC228, CC229, CC230, CC231, CC232 (OS308.398). The University notes that these buildings are not protected under the current Plan. The University has gone to considerable effort to retain the heritage values of the buildings despite the lack of formal protection. Imposing new controls on these buildings now is unjustified, and would act as a deterrent to future voluntary heritage developments.

Heritage New Zealand (FS2440.55, 56 and 57) opposes the submissions and seeks retention of the buildings on the Heritage Schedule, as it opposes the removal of character-contributing and scheduled heritage buildings/structures from Schedule A1.1 unless further assessment by an appropriately qualified person finds that the items do not meet the necessary criteria for inclusion.

Recommendation

Dr Hazelton has evaluated these properties (see Appendix C6 of his evidence). He recommends that:

- CC141 is made non character-contributing. Dr Hazelton notes that the building was constructed in 1960 and, on further assessment

against the precinct criteria, is not entirely consistent with the precinct values. The building is also only marginally visible from Castle Street.

- The precinct boundary is moved so that Studholme Hall (CC210) is excluded from the precinct. He notes that the building is barely visible from the main part of the precinct. However, the front corner of the site has visual connection to the precinct and constructing a building on this site would have potential impacts on the heritage streetscape character of the precinct. He therefore recommends retaining that part of the site within the precinct.
- CC214-232: All these buildings are retained as character-contributing buildings. They create a coherent and clear precinct. The work the university has undertaken on upgrading the buildings in the block for the pre-school development have enhanced the precinct, due to the quality of the works.

I accept Dr Hazelton's advice, and recommend that CC141 and CC210 are removed from the schedule, the precinct boundary is adjusted, and that CC214-232 are retained in the schedule. I do not agree with the University's view that heritage controls will act as a deterrent to voluntary protection of heritage features.

Errors

Dunedin City Council (OS360.62), supported by Heritage New Zealand (FS2440.132), seeks to correct the following errors in the planning map:

- Move CC154 icon from 639A to 639B Castle Street
- Move CC155 icon from 638B to 639A Castle Street.

Recommendation

I recommend that the above errors are corrected.

Recommended amendment:

1. Amend Schedule A1.1, Scheduled Items in Heritage Precincts / Dundas Street - Castle Street Residential Heritage Precinct / Character contributing buildings as follows:

Delete CC141
Delete CC210

2. Amend planning maps as follows:

Delete CC141 icon from 670 Castle Street
Delete CC210 icon from 127 Clyde Street
Amend precinct boundary to exclude Studholme Hall (see map in Appendix C6)
Move CC154 icon to 639B Castle Street

Move CC155 icon to 639A Castle Street

5.16.3 Amendments to George Street North Residential Heritage Precinct

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS252.14	Carol Devine	I support the provision	Retain Schedule A1.1. Scheduled items in George Street North Residential Heritage Precinct	Accept	No amendment required.
-- FS2429.132	Elizabeth Kerr	I support the submission	Support OS252.14. Allow submission.	Accept	No amendment required.
OS360.65	Dunedin City Council	I seek to have the above provision amended	Remove Heritage Building B201 (at 861 George St) from Schedule A1.1 (Schedule of Protected Heritage Items and Sites).	Accept	Remove B201 from Schedule A1.1
-- FS2440.95	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.65. Allow submission.	Accept	Remove B201 from Schedule A1.1
OS308.417	University of Otago	I oppose the provision	Remove scheduled building CC321 (Toroa College) from the Heritage Schedule.	Accept	Remove CC321 from Schedule A1.1
-- FS2440.58	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS308.417. Disallow submission and retain item within Schedule A1.1.	Reject	Remove CC321 from Schedule A1.1
OS849.21	David Murray	I support the provision	Retain George Street North Residential Heritage Precinct and include 3-7 and 4-8 Dundas Street and 1-7 and 2-12 Albany Street.	Accept in part	Retain precinct boundary as notified.

-- FS2429.87	Elizabeth Kerr	I support the submission	Support OS849.87. Allow submission.	Accept in part	Retain precinct boundary as notified.
OS360.92	Dunedin City Council	I seek to have the above provision amended	Add Character Contributing Building CC306 icons to buildings at 850, 854 and 858 George Street on the Scheduled Items - Character Contributing Building map.	Accept	Add CC306 icons to planning map.
-- FS2440.115	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.92. Allow submission.	Accept	Add CC306 icons to planning map.

Discussion:

Amendments to precinct boundary

Submissions

Carol Devine (OS252.14), supported by Elizabeth Kerr (FS2429.132), supports the George Street North Residential Heritage Precinct. She notes that previous reports to the DCC have identified strong heritage values in areas earmarked for medium density development, with recommendations that these areas should be carefully managed. She considers that these recommendations have not been carried through into the 2GP. Demolition and/or development could seriously degrade the heritage values of these areas, some of which are equal in heritage value to other nearby proposed heritage precincts, while others have groups of houses noteworthy for their rarity. There are also individual houses that should be protected for their age or historical connections.

David Murray (OS849.21), supported by Elizabeth Kerr (FS2429.87), supports the George Street North Residential Heritage Precinct, but seeks to extend it to include 3-7 and 4-8 Dundas Street, and 1-7 and 2-12 Albany Street.

Recommendation

Dr Hazelton and Mr Christos have considered the proposed extensions to the precinct (see Appendix C7 of Dr Hazelton's evidence). They note that neither area is visually integrated with the core of the precinct on George Street, being located above George Street and accessed via flights of stairs. The buildings are mostly unable to be seen to any extent from George Street. In addition, the buildings are not of such high quality or consistency of character that the area warrants the creation of an additional precinct.

I accept Dr Hazelton's and Mr Christos' advice and recommend that the precinct is not extended as requested.

In regards to Ms Devine's comments, the precinct rules should protect the heritage streetscape character of the area. Concerns about the appropriateness of medium density development will be considered in the Residential section hearing. Requests to schedule additional buildings in other areas, or to include those areas as new heritage precincts, are considered in later sections of this report.

Errors

The University of Otago (OS308.417) seeks to remove CC321 (Toroa College, 8 Regent Street) from Schedule A1.1. It notes that the building is outside the George Street North Residential Heritage Precinct and the building values and location do not justify an extension to the precinct to include it.

The submission is opposed by Heritage New Zealand (FS2440.58), unless further assessment by an appropriately qualified person finds that the items do not meet the necessary criteria for inclusion.

Dunedin City Council, supported by Heritage New Zealand, seeks to correct the following errors in the schedule and planning map:

- Remove B201 (861 George St) from the schedule, as it is a double up of B200 (OS360.65, FS2440.95).
- Add icons for CC306 at 850 and 858 George Street, to clarify that the protection also applies to these buildings (OS360.92, FS2440.115).

Recommendation

CC321 is located outside the precinct and was included in 2GP in error. I recommend that it is removed from the schedule and map.

I recommend that the errors identified by Dunedin City Council are corrected.

Recommended amendment:

1. Amend Schedule A1.1 / Scheduled Items in Heritage Precincts / Dundas Street - Castle Street Residential Heritage Precinct / Heritage buildings as follows:

Remove B201

2. Amend Schedule A1.1 / Scheduled Items in Heritage Precincts / Dundas Street - Castle Street Residential Heritage Precinct / Character contributing buildings as follows:

Remove CC321

3. Amend planning map as follows:

Remove icon for CC321 from 8 Regent Street
Add CC306 icon to 850 and 858 George Street

5.16.4 Amendments to North Ground Residential Heritage Precinct

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS547.37	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend description of B065 50 Dundas Street to ' <u>Dundas Street Methodist Church and Sunday School</u> ' and listing details to ' <u>facade and bulk appearance to Dundas Street</u> ' in Heritage Schedule	Accept	Amend listing as requested.
-- FS2429.28	Elizabeth Kerr	I support the submission	Support OS547.37. Allow submission.	Accept	Amend listing as requested.
OS308.418	University of Otago	I oppose the provision	Remove scheduled buildings CC582, CC586, CC603 and CC604 from Heritage Schedule.	Reject	Retain buildings on schedule
-- FS2440.59	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS308.418. Disallow submission and retain items within Schedule A1.1.	Accept	Retain buildings on schedule
OS308.456	University of Otago	I oppose the provision	Remove building CC582 (24 St David Street) from Heritage Schedule.	Reject	Retain CC852 on schedule
-- FS2440.60	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS308.456. Disallow submission and retain item within Schedule A1.1.	Accept	Retain CC852 on schedule

OS308.472	University of Otago	I oppose the provision	Remove CC587 from the Heritage Schedule.	Reject	Retain CC587 on schedule
-- FS2440.61	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS308.472. Disallow submission and retain item within Schedule A1.1.	Accept	Retain CC587 on schedule
OS360.56	Dunedin City Council	I seek to have the above provision amended	Remove Character Contributing Building CC143 at 598 Great King Street from Schedule A1.1 (Schedule of Protected Heritage Items and Sites).	Accept	Remove CC143 from Schedule A1.1.
-- FS2440.96	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.56. Allow submission.	Accept	Remove CC143 from Schedule A1.1.
OS360.58	Dunedin City Council	I seek to have the above provision amended	Remove Character Contributing Building CC593 at 44 Dundas Street from Schedule A1.1 (Schedule of Protected Heritage Items and Sites).	Accept	Remove CC593 from Schedule A1.1
-- FS2440.97	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.58. Allow submission.	Accept	Remove CC593 from Schedule A1.1
OS360.85	Dunedin City Council	I seek to have the above provision amended	Amend numbering shown on Scheduled Items - Character Contributing Building map to be consistent with that in Schedule A1.1 (Schedule of Protected Heritage Items and Sites) for Character Contributing Buildings CC393, CC475 and CC586.	Accept in part	Amend address of CC586 to 40 St David Street
-- FS2440.114	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.85. Allow submission.	Accept	Amend address of CC586 to 40 St David

	Office				Street
OS360.53	Dunedin City Council	I seek to have the above provision amended	Add Scheduled Heritage Building B065 icon at 52 Dundas Street to Scheduled Items - Heritage building map.	Accept	Add B065 icon to planning map.
-- FS2440.121	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.53. Allow submission.	Accept	Add B065 icon to planning map.

Discussion:

Amendments to schedule

Submissions

Heritage New Zealand (OS547.37), supported by Elizabeth Kerr (FS2429.28), seeks to amend the listing for B065 (50 Dundas Street) to 'Dundas Street Methodist Church and Sunday School (former)'. This is to clarify that the heritage item includes both the former church and Sunday School, which are physically connected and share this address. The proposed amendment will ensure consistency with the New Zealand Heritage List entry.

The University of Otago (OS308.418, 456, 472) seeks to delete CC582 (24 St David Street), CC586 (693 Cumberland Street), CC587 (765 Cumberland Street), CC603 (46 St David Street) and CC604 (42 St David Street) from Schedule A1.1. It considers that precinct status provides sufficient protection given their heritage values, and scheduling as character-contributing buildings is not justified.

Heritage New Zealand (FS2440.59, 60 and 61) opposes the submissions and seeks retention of the buildings in the Heritage Schedule unless further assessment finds that the items do not meet the criteria for inclusion in Schedule A1.1.

Recommendation

Dr Hazelton recommends that the amendment to the Dundas Street Methodist Church listing is accepted, as it is a technical change only, to clarify that both parts of building are protected.

On that basis, I recommend that the listing details are amended.

Dr Hazelton and Mr Christos have evaluated the University's properties (see Appendix C8). They recommend that CC582, CC586, CC603, CC604 and CC587 are retained as character-contributing buildings on the schedule, as the buildings are all broadly consistent with the values of the

precinct. They note that alterations to these buildings should be dealt with via consent in order to ensure the character of the precinct is maintained. The buildings are located in a precinct in the operative plan (North Dunedin Residential Heritage Precinct) and so are currently subject to a similar level of control.

I accept Dr Hazelton's advice and recommend that these buildings are retained as character-contributing buildings.

I also note that while CC603 and CC604 are included on the 2GP map, the details are missing from Schedule A1.1. I recommend that this error is corrected.

Errors

Submissions

Dunedin City Council, supported by Heritage New Zealand, seeks to correct the following errors in Schedule A1.1 and the planning map:

- Remove CC143 (598 Great King Street) from the schedule and map as there is no building at this site (OS360.56, FS2440.96)
- Remove CC593 (44 Dundas Street) from the schedule and map as it is no longer present (OS360.58, FS2440.97)
- Amend numbering on map to be consistent with CC393, CC475 and CC586 (OS360.85, FS2440.114)
- Add B065 icon to map at 52 Dundas Street (OS360.53, FS2440.121)

Recommendation

I am unclear what correction is required for CC393 and CC475, as the map and schedule addresses match. The address of CC586 is listed as 693 Cumberland Street. This is the address given for the site in the DCC rating system; however, the street address is 40 St David Street. The schedule would be more helpful to users if the address was amended to reflect this.

I recommend that all other errors are corrected.

Recommended amendment:

1. Amend Schedule A1.1 / Scheduled Items in Heritage Precincts / North Ground Residential Heritage Precinct / Heritage buildings, as follows:

B065 (50 Dundas Street) to 'Dundas Street Methodist Church and Sunday School (former)

2. Amend Schedule A1.1 / Scheduled Items in Heritage Precincts / North Ground Residential Heritage Precinct / Character contributing buildings, as follows:

Add: CC603, Residential building, 46 St David Street Dunedin

Add: CC604, Residential building, 42 St David Street Dunedin
 Remove CC143
 Remove CC593
 Amend address for CC586: ~~693 Cumberland Street~~ 40 St David Street

3. Amend planning map as follows:

Remove CC593 from 44 Dundas Street
 Remove CC143 from 598 Great King Street

5.16.5 Amendments to Royal Terrace - Pitt Street - Heriot Row Residential Heritage Precinct

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS571.3	Royal/Pitt/Heriot Residential Heritage Precinct Protection Inc	I seek to have the above provision amended	Undertake a comprehensive heritage assessment to identify the significance of every house in the precinct and upgrade character contributing buildings to heritage listings	Reject	No amendment
-- FS2429.115	Elizabeth Kerr	I support the submission	Support OS571.3. Allow submission.	Reject	No amendment
OS547.43	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B259 26 Heriot Row listing to 'entire external building envelop, including garage at 28A Heriot Row, entrance hall including stair and fireplace.	Accept in part	Amend B259 listing details
-- FS2429.34	Elizabeth Kerr	I support the submission	Support OS547.43. Allow submission.	Accept in part	Amend B259 listing details
--	Heritage New Zealand	I oppose the submission	Oppose 547.43 (in	Accept	Amend B259 details

FS2440.37	/Otago and Southland Office		part). Disallow submission and amend extent of proposed protection of 26 and 28A Heriot Row to: 'Entire external building envelope of house, including the front porch. Interior ground floor entrance hall, including stair, and fireplace; and first floor landing. The passages extending from these areas are not included. Entire external building envelope of the garage at 28A Heriot Row, excluding the existing, non-original garage door.'		
OS643.2	Hilary and Michael Andrewes	I seek to have the above provision amended	Add 40 Heriot Row to list of character-contributing buildings	Accept	Add 40 Heriot Row to Schedule A1.1.
OS676.2	Veronica Dalloway	I oppose the provision	Remove character contributing listing from CC398 21 Constitution Street	Accept	Remove CC398 from Schedule A1.1.
-- FS2440.65	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS676.2. Disallow submission and retain item within Schedule A1.1.	Reject	Remove CC398 from Schedule A1.1.
OS5.2	Grant Neilson	I oppose the provision	Remove Heritage Precinct from 72 Royal Terrace, Dunedin.	Reject	No amendment required
OS360.95	Dunedin City Council	I seek to have the above provision amended	Remove Heritage Building B039 located at 37 Royal Terrace, and 7 and 9 Cobden Street from Scheduled Items - Heritage Building map.	Accept	Remove B039 from planning map.

-- FS2440.123	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.95. Allow submission.	Accept	Remove B039 from planning map.
OS360.78	Dunedin City Council	I seek to have the above provision amended	Remove Heritage Building B039 (at 37 Royal Terrace and 7 and 9 Cobden St) from Schedule A1.1 (Schedule of Protected Heritage Items and Sites).	Accept	Remove B039 from Schedule A1.1.
-- FS2440.98	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.78. Allow submission.	Accept	Remove B039 from Schedule A1.1.
OS360.80	Dunedin City Council	I seek to have the above provision amended	Move Character Contributing Building CC361 icon to 48 Heriot Row on Scheduled Items - Character Contributing Building map.	Accept	Move CC361 icon to 48 Heriot Row on planning map.
-- FS2440.112	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.80. Allow submission.	Accept	Move CC361 icon on planning map.
OS360.81	Dunedin City Council	I seek to have the above provision amended	Add Character Contributing Building CC338 icon at 45 London Street to Scheduled Items - Character Contributing Building map.	Accept	Add CC338 icon to planning map
-- FS2440.113	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.81. Allow submission.	Accept	Add CC338 icon to planning map
OS360.96	Dunedin City Council	I seek to have the above provision amended	Amend Scheduled Items - Character Contributing Building map by moving icon for Character Contributing Building CC337 from 34 Royal Terrace to 35 London Street.	Accept	Move icon for CC337 to 35 London Street.

-- FS2440.116	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.96. Allow submission.	Accept	Move icon for CC337 to 35 London Street.
<p>Discussion:</p> <p>Re-assessment of all houses in precinct</p> <p><i>Submissions</i></p> <p>The Royal/Pitt/Heriot Residential Heritage Precinct Protection Inc. (OS571.3), supported by Elizabeth Kerr (FS2429.115), seeks a comprehensive heritage assessment and a full significance assessment of the houses listed in its precinct, as it believes the heritage value of many of these houses has not been fully documented and it believes many of the character-contributing houses should actually have heritage listing with façade and bulk appearance protection.</p> <p><i>Recommendation</i></p> <p>The submission is general in nature and does not identify specific properties for re-assessment. It is not possible, given time constraints, to re-assess every building in the precinct for status as a heritage building. Where specific buildings have been identified, these have been assessed for inclusion on the schedule.</p> <p>B259, 26 Heriot Row</p> <p>Heritage New Zealand (OS547.43) and (FS2440.37), supported by Elizabeth Kerr (FS2429.34), seeks to amend the protection required for B259 (26 Heriot Row) to (as amended by the further submission): <u>'Entire external building envelope of house, including the front porch. Interior ground floor entrance hall, including stair, and fireplace; and first floor landing. The passages extending from these areas are not included. Entire external building envelope of the garage at 28A Heriot Row, excluding the existing, non-original garage door.'</u></p> <p>Heritage New Zealand considers that the amended wording provides more certainty in regards to the proposed extent of the protection.</p> <p><i>Recommendation</i></p> <p>I am advised by Jane O'Dea, from Heritage New Zealand, that owners Neil McDonald and Jacqui Dickson have agreed to the additional protection requested. I therefore recommend that the submission is accepted.</p> <p>40 Heriot Row</p> <p>Hilary and Michael Andrewes (OS643.2) request that 40 Heriot Row is added to the list of character-contributing buildings as it is a double-brick</p>					

two-storeyed house of strong architectural quality, and all eight of the houses bordering it, each of varying character, are all designated either heritage or character-contributing.

Recommendation

Dr Hazelton and Mr Christos have evaluated this property (see Appendix C9 of Dr Hazelton's evidence). The design of the building is consistent with the precinct characteristics and design. They note that although rear sites are not normally included as character-contributing, due to the fact the properties are typically marginally visible from the street, this building has been nominated by the owner and so should be included.

CC398 21 Constitution Street

Veronica Dalloway (OS676.2) seeks to remove CC398 (21 Constitution Street) from the schedule. She advises her property does have any of the typical Victorian, Edwardian or neoclassical features that almost all of the historic homes have in this area. She is at a loss as to why it has been put on the register.

Heritage New Zealand (FS2440.65) opposes the removal of CC398 from the list of character-contributing buildings. It advises that unless further assessment finds that CC398 does not meet the criteria for inclusion in Schedule A1.1, it should be retained on the schedule.

Recommendation

Dr Hazelton and Mr Christos note that CC398 is a rear site, and is only marginally visible from the street front, located down a right of way (see Appendix C9 of Dr Hazelton's evidence). Alteration or demolition of the building would have a negligible impact on the heritage streetscape. They recommend that the submission is accepted and CC398 removed from the schedule of character-contributing buildings.

I accept this advice and recommend that the submission is accepted.

72 Royal Terrace

Grant Neilson (OS5.2) seeks the removal of 72 Royal Terrace from the heritage precinct.

Recommendation

72 Royal Terrace is not within the heritage precinct and so the outcome the submitter seeks is already in place. I therefore recommend that the submission is accepted.

Errors

Submissions

Dunedin City Council seeks to correct the following errors in Schedule A1.1 and the planning map:

- remove B039 (37 Royal Terrace, and 7 and 9 Cobden St) from the map and schedule (OS360.95, 78);
- move CC361 icon from 50 Heriot Row to 48 Heriot Row (OS360.80);
- move CC337 icon from 34 Royal Terrace to 35 London Street (OS360.96);
- add CC338 icon to 45 London Street (inadvertently missed off) (OS360.81).

Heritage New Zealand supports these changes as appropriate and necessary corrections and clarifications to the 2GP heritage provisions, (FS2440.98, 123, 112, 116 and 113).

Recommendation

I recommend that the above errors are corrected.

Recommended amendment:

1. Amend Schedule A1.1 / Scheduled Items in Heritage Precincts / Royal Terrace – Pitt Street – Heriot Row / Heritage buildings, as follows:

Amend B259 protected features to: 'Entire external building envelope of house, including the front porch. Interior ground floor entrance hall, including stair, and fireplace; and first floor landing. The passages extending from these areas are not included. Entire external building envelope of the garage at 28A Heriot Row, excluding the existing, non-original garage door.'

2. Amend Schedule A1.1 / Scheduled Items in Heritage Precincts / Royal Terrace – Pitt Street – Heriot Row / Character contributing buildings, as follows:

Add new listing: CC711, Residential building, 40 Heriot Row, Royal Terrace – Pitt Street – Heriot Row Residential

Remove CC398

Remove B039

3. Amend planning map as follows:

Add CC711 icon to 40 Heriot Row

Remove CC398 icon from 21 Constitution Street

Remove B039 icon at 37 Royal Terrace and 7 and 9 Cobden St

Move CC361 icon from 50 Herriot Row to 48 Heriot Row

Move CC337 icon from 34 Royal Terrace to 35 London Street

Add CC338 icon to 45 London Street

5.16.6 Amendments to York Place - Stuart Street - Arthur Street Residential Heritage Precinct

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS293.2	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Add 9, 11 and 15 Arthur Street as character-contributing buildings.	Reject	Do not add buildings to schedule
OS299.1	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Add 9, 11 and 15 Arthur Street as character-contributing buildings.	Reject	Do not add buildings to schedule
OS444.1	John and Clare Pascoe	I seek to have the above provision amended	Add 9, 11 and 15 Arthur Street as character-contributing buildings.	Reject	Do not add buildings to schedule
OS252.15	Carol Devine	I support the provision	Retain Schedule A1.1 York Place - Stuart Street - Arthur Street Residential Heritage Precinct Character-Contributing Buildings.	Accept	No amendment required
-- FS2429.133	Elizabeth Kerr	I support the submission	Support OS252.15. Allow submission.	Accept	No amendment required

OS837.3	Robin Donald Graham	I oppose the provision	Delete character contributing building CC452 at 227 York Place off the list of character contributing buildings in the York Place/Stuart St/Arthur St Residential heritage Precinct.	Reject	Do not remove CC452
-- FS2440.64	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS837.3. Disallow submission and retain item within Schedule A1.1.	Accept	Retain CC452
OS837.2	Robin Donald Graham	I oppose the provision	Remove York Place/Stuart St/Arthur St Residential Heritage Precinct.	Reject	Retain the York Place - Stuart Street - Arthur Street Residential Heritage Precinct
OS843.13	Arthur St Neighbourhood Support	I support the provision	Retain the Arthur Street Residential Heritage Precinct and rename the precinct the Otago Boys High Heritage Precinct	Accept in part	Retain the York Place - Stuart Street - Arthur Street Residential Heritage Precinct
FS2489.13	Liz Angelo	I support the submission	Support OS843.13. Allow submission.	Accept in part	Retain the York Place - Stuart Street - Arthur Street Residential Heritage Precinct

Discussion:

The York Place – Stuart Street – Arthur Street is a new heritage precinct in the 2GP.

Retention of precinct

Submission

Carol Devine (OS252.15), supported by Elizabeth Kerr (FS2429.133), seeks to retain Schedule A1.1 for the York Place-Stuart St-Arthur St

Residential Heritage Precinct.

Robin Graham (OS837.2) objects to the new precinct. He states that there are no buildings listed in the Historic Places Trust [now Heritage New Zealand] register or the operative plan.

Recommendation

The submitters' support is acknowledged. Mr Graham is correct that there are no scheduled heritage buildings within the precinct; however, there is no requirement that precincts will contain listed buildings. The heritage precinct provisions are aimed at maintaining heritage streetscape character. This character can, and in many other precincts is, be derived from buildings that are not listed as heritage buildings. I recommend that the York Place-Stuart St-Arthur St Residential Heritage Precinct is retained.

Change to name of precinct

Submission

Arthur St Neighbourhood Support (OS843.13), supported by Liz Angelo (FS2489.13), seeks to retain the Arthur Street Residential Heritage Precinct and renaming of the precinct the "Otago Boys High Heritage Precinct."

Recommendation:

Dr Hazelton and Mr Christos have considered this request (see Appendix C10). While Dr Hazelton and Mr Christos are not opposed to a different name for the precinct, the precinct does not include the Otago Boys High School buildings and such a name would imply a connection that does not exist. It is not the school buildings that define the precinct. An alternative name could be considered; however, the value of using the street names is that it the area included is immediately identifiable.

I agree with this advice and recommend that the current name is retained.

Amendments to schedule

Southern Heritage Trust & City Rise Up (OS293.2), Rosemary & Malcolm McQueen (OS299.1) and John and Clare Pascoe (OS444.1) wish to add 9, 11 & 15 Arthur St to Schedule A1.1 as character-contributing buildings. They consider that the properties illustrate a "walk through time".

Robin Donald Graham (OS837.3) seeks the removal of CC452 (227 York Place) from the schedule. He objects to the listing with no consultation, and also considers that there are no character-contributing buildings in the Stuart St to Arthur St part of York Place.

Heritage New Zealand (FS2440.64) opposes the submission. It considers that unless further assessment finds that CC452 does not meet the

criteria for inclusion in Schedule A1.1, it should be retained on the schedule.

Recommendation

Dr Hazelton has considered including 9, 11 and 15 Arthur Street as character-contributing buildings (see Appendix C10 of his evidence). He notes that although these recent buildings are of high quality, they are not consistent with the design criteria of the precinct. The mono-pitch roof, in particular, on all three properties is a main detracting factor, in comparison to the more typical gabled, pitched roofs in the area.

In relation to 227 York Place, Dr Hazelton considers that the building is consistent with the heritage character of the precinct and one of the most attractive buildings in the precinct. He considers that it is character-contributing and should be retained on the schedule.

I accept Dr Hazelton's advice and recommend that CC452 is retained as a character-contributing building.

Recommended amendment:

None.

5.16.7 Amendments to High Street Residential Heritage Precinct

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS103.12	The Institution of Professional Engineers NZ	I support the provision	Retain B297 276 High Street on Heritage Schedule	Accept	Retain B297 on schedule
OS449.3	Clifford Seque	I oppose the provision	Remove building B308 (330 and 332 High St) in the High Street Residential Heritage Precinct from the Schedule of Protected Heritage items and Sites.	Reject	Retain B308 on schedule
-- FS2440.68	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS449.3. Disallow submission and retain item within Schedule A1.1.	Accept	Retain B308 on schedule

OS547.32	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Add Former High St School memorial gates and arches to Heritage Schedule: Entire structure and wrought iron fence section contained within Area A DP 462776.	Accept	Add High Street School Memorial Arch and Gateway to schedule
--FS2429.24	Elizabeth Kerr	I support the submission	Support OS547.32. Allow submission.	Accept	Add High Street School Memorial Arch and Gateway to schedule
OS302.1	Megan Ross	I seek to have the above provision amended	Remove the High Street Residential Heritage Precinct from the north end of Alva Street where it extends beyond the Heritage Precinct in the current District Plan.	Accept	Adjust heritage precinct boundary
--FS2010.1	Kevin Colbert	I support the submission	Support OS302.1. Allow submission and remove the High Street Residential Heritage Precinct from the north end of Alva Street.	Accept	Adjust heritage precinct boundary
--FS2368.1	Rosemarie Smith	I support the submission	Support OS302.1. Allow submission and remove the High Street Residential Heritage Precinct from the north end of Alva Street where it extends beyond the Heritage Precinct in the operative District Plan.	Accept	Adjust heritage precinct boundary
OS1075.2	Graham Street Investments Limited	I oppose the provision	Remove 15 Graham Street from the High Street Residential Heritage Precinct overlay zone, or alternatively remove the character-contributing status of the building	Accept in part	Remove CC497 from Schedule A1.1.

			(CC497).		
-- FS2440.67	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS1075.2. Disallow submission and retain item within Schedule A1.1.	Reject	Remove CC497 from Schedule A1.1.
OS84.1	Alvin Chong	I oppose the provision	Remove High Street Residential Heritage Precinct Overlay Zone from CC498at 7 Graham Street.	Accept in part	Remove CC498 from Schedule A1.1.
OS360.97	Dunedin City Council	I seek to have the above provision amended	Add Character Contributing Building CC472 to Scheduled Items - Character Contributing Building map at 20 William Street.	Accept	Add CC472 to planning map
-- FS2440.117	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.97. Allow submission.	Accept	Add CC472 to planning map
OS360.84	Dunedin City Council	I seek to have the above provision amended	Remove Character Contributing Building CC478 from Schedule A1.1 (Schedule of Protected Heritage Items and Sites).	Accept	Remove CC478 from Schedule A1.1.
-- FS2440.99	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.84. Allow submission.	Accept	Remove CC478
OS360.82	Dunedin City Council	I seek to have the above provision amended	Add address (236 High Street) to Schedule A1.1 (Schedule of Protected Heritage Items and Sites) for Heritage Building B285.	Accept	Add address (236 High Street) to Schedule A1.1 for B285.
Discussion:					
Precinct boundary					

Submissions

Megan Ross (OS302.1), supported by Kevin Colbert (FS2010.1) and Rosemarie Smith (FS2368.1), seeks to amend the boundary of the High Street Residential Heritage Precinct to remove the north end of Alva Street where it extends beyond the Heritage Precinct in the operative District Plan.

Recommendation

Dr Hazelton and Mr Christos note that adjusting the boundary as requested is consistent with the approach taken with other side streets on the north side of High Street, where the precinct boundary is generally located at the high point of the road (Appendix C11 of Dr Hazelton's evidence). This ensures that the sites most visible and visually connected to High Street are included in the precinct, whereas buildings located down towards Serpentine Ave are not included in the precinct, given that their visual connection to High Street is limited.

I accept this advice, and recommend that the precinct boundary is amended as shown in Appendix 2. As a consequential amendment, CC569 (34 Alva Street) will no longer be in the precinct, and should be removed from the schedule and planning map.

Amendments to schedule

The Institution of Professional Engineers NZ (OS103.12) seeks to retain B297 (276 High Street) on Schedule A1.1. The submitter's support is acknowledged.

B308 (330 and 332 High St)

Clifford Seque (OS449.3) seeks to remove building B308 (330 and 332 High St) from Schedule A1.1. The submission is opposed by Heritage New Zealand (FS2440.68), which considers that scheduled heritage buildings/structures should remain on the Schedule A1.1 unless further assessment by an appropriately qualified person finds that the items do not meet the necessary criteria for inclusion.

Recommendation

Dr Hazelton has re-assessed the heritage values of B308. The assessment report (Appendix B32 of his evidence) concludes that the building has strong streetscape character and is highly visible in the precinct. Replacement of the building should be considered through a consent process. For these reasons he recommends that the submission is rejected and B308 retained on Schedule A1.1 (Appendix A2 of Dr Hazelton's evidence).

I accept this advice and recommend that the building is retained as a heritage building.

Addition of High Street School Memorial Arch and Gateway

Heritage New Zealand (OS547.32), supported by Elizabeth Kerr (FS2429.24), seeks to add the High Street School (former) Memorial Arch and

Gateway (7 Montpellier Street), with protection for the “entire war memorial including plaques and wrought iron fence to boundary of site.”

Recommendation

Dr Hazelton has considered this request (see Appendix A1 of his evidence). The assessment report (Appendix B25 of Dr Hazelton’s evidence) concludes that the memorial arch has local historic / social significance, as a physical reminder of New Zealand’s war effort, suffering and grief. It also has local design significance.

He recommends that the High Street School (former) Memorial Arch and Gateway is added to Schedule A1.1, with protection of the “entire war memorial including plaques and wrought iron fence to boundary of site.”

I note that there were no further submissions opposing this listing. The owner was contacted following close of submissions, and I understand has also been contacted by Heritage New Zealand. Assuming the owner is not opposed to the listing, I recommend that the arch and gateway are added to Schedule A1.1 as a heritage building.

Requested removal of CC497 and CC498 (7 and 15 Graham Street)

Graham Street Investments Limited (OS1075.2) seeks to remove CC497 (15 Graham Street) from the High Street Residential Heritage Precinct, or alternatively remove the character-contributing status of the building.

This submission is opposed by Heritage New Zealand (FS2440.67) as it considers that scheduled items should not be removed from Schedule A1.1 unless further assessment by an appropriately qualified person finds that the items do not meet the necessary criteria for inclusion.

Alvin Chong (OS84.1) seeks to remove CC498 (7 Graham Street) from the heritage precinct.

Recommendation

Dr Hazelton and Mr Christos recommend that the character-contributing status is removed from both buildings, as they have been heavily altered over a number of years and their heritage streetscape significance has been compromised (see Appendix C11 of Dr Hazelton’s evidence). However, given that the sites are visible from High Street, any new buildings should be designed to be consistent with the precinct values. The precinct boundary should remain at the point in which the land slopes away from the precinct and sites/buildings become less visible from the main part of the precinct, consistent with the approach taken elsewhere.

I accept Dr Hazelton’s and Mr Christos’ advice and recommend that the submissions are accepted in part.

Errors

Dunedin City Council, supported by Heritage New Zealand, seeks to correct the following errors in Schedule A1.1 and the planning map:

- Add CC472 icon to planning map at 20 William Street (OS360.97, FS2440.117)
- Remove CC478 from Schedule A1.1 as it is not visible from the street and was included in error (OS360.84, FS2440.99).
- Add address (236 High Street) to Schedule A1.1 for B285 (OS360.82, FS2440.117)

Recommendation

I recommend that the above errors are corrected.

Recommended amendment:

1. Amend Schedule A1.1 / Scheduled Items in Heritage Precincts / High Street Residential / Heritage buildings, as follows:

Add: B833, High Street School (former) Memorial Arch and Gateway, 7 Montpellier Street, 2, entire war memorial including plaques and wrought iron fence to boundary of site

Add address 236 High Street to B285 listing

2. Amend Schedule A1.1 / Scheduled Items in Heritage Precincts / High Street Residential / Character-contributing buildings, as follows:

Remove CC569

Remove CC497

Remove CC498

Remove CC478

3. Amend planning maps follows:

Amend precinct boundary at Alva Street as shown below.

Remove CC569 icon from 34 Alva Street

Add B833 icon to memorial arch and gateway on 7 Montpellier Street (High Street frontage)

Remove CC497 icon from 15 Graham Street

Remove CC498 icon from 7 Graham Street

Add CC472 icon to 20 William Street

Remove CC478 from 236A High Street

5.17 Suggested new heritage precincts

5.17.1 Broad areas

Sub pt #	Submitter Name	Support/Oppose/See k Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS848.4	Liz Angelo	I seek to have the above provision amended	Undertake further research on inner city residences with a view to including them in the plan as heritage precincts, or strengthening the level of controls around design or demolition allowed	Accept in part	Areas assessed as new heritage precincts in response to other submissions
--FS2443.4	Arthur St Neighbourhood Support	I support the submission	Support OS848.4. Allow submission.	Accept in part	Areas assessed as new heritage precincts in response to other submissions
OS743.43	Elizabeth Kerr	I seek to have the above provision amended	Include other Heritage NZ historic areas in plan (unclear as to whether as overlays for information only or as precincts with rules attached)	Reject	Do not include other Heritage NZ historic areas
OS417.27	Margaret Davidson	I seek to have the above provision amended	Reassess inner city residential zone in City Rise area for additional heritage values for protection as heritage precincts.	Accept in part	Areas assessed as new heritage precincts in response to other submissions
--FS2020.3	Jeffrey Herkt	I support the submission	Support OS417.27. Allow submission and reassess inner city residential zone in City Rise area for additional	Accept in part	Areas assessed as new heritage precincts in response to other submissions. Do not

			heritage values for protection as heritage precincts.		include Clark Street within heritage precinct.
-- FS2050.15	Rosalind Whiting	I support the submission	Support OS417.27. Allow submission.	Accept in part	Areas assessed as new heritage precincts in response to other submissions
-- FS2142.15	University of Otago	I oppose the submission	Oppose OS417.27 (in part). Disallow submission where it relates to University property.	Accept	Do not create new heritage precincts in University area
--FS2307.7	Elaine Snell Family Trust	I oppose the submission	Oppose OS417.27 (in part). Disallow submission and do not include 56 Cargill St and the wider Cargill Street area as a heritage precinct.	Accept	Do not create new heritage precincts in Cargill Street area
--FS2380.1	Alison Rowena Beck and Philip Jeffray Ward	I support the submission	Support OS417.27. Allow submission and reassess City Rise areas especially Arthur St and Canongate area.	Accept in part	Areas assessed as new heritage precincts in response to other submissions
-- FS2443.13	Arthur Street Neighbourhood Support	I support the submission	Support OS417.27. Allow submission.	Accept in part	Areas assessed as new heritage precincts in response to other submissions
-- FS2489.34	Liz Angelo	I support the submission	Support OS417.27. Allow submission.	Accept in part	Areas assessed as new heritage precincts in response to other submissions
OS417.40	Margaret Davidson	I seek to have the above provision amended	Reassess City Rise between Queen Street north and Heriot-Row precincts, the Arthur St Canongate area and the Fernhill area for pockets of high heritage	Accept in part	Areas assessed as new heritage precincts in response to other submissions

			values that should be protected as heritage precincts.		
--FS2020.6	Jeffrey Herkt	I support the submission	Support OS417.40. Allow submission and reassess City Rise between Queen Street north and Heriot-Row precincts, the Arthur St Canongate area and the Fernhill area for pockets of high heritage values that should be protected as heritage precincts.	Accept in part	Areas assessed as new heritage precincts in response to other submissions
--FS2050.17	Rosalind Whiting	I support the submission	Support OS417.40 Allow submission.	Accept in part	Areas assessed as new heritage precincts in response to other submissions
--FS2380.8	Alison Rowena Beck and Philip Jeffray Ward	I support the submission	Support OS417.40. Allow submission	Accept in part	Areas assessed as new heritage precincts in response to other submissions
--FS2443.14	Arthur St Neighbourhood Support	I support the submission	Support OS417.40. Allow submission.	Accept in part	Areas assessed as new heritage precincts in response to other submissions
--FS2489.35	Liz Angelo	I support the submission	Support OS417.40. Allow submission.	Accept in part	Areas assessed as new heritage precincts in response to other submissions
OS849.31	David Murray	I seek to have the above provision amended	Develop a City Rise Residential Heritage Precinct in the area bounded approximately by the Town Belt, Canongate, Rattray Street, and Russell Street.	Reject	Do not create new City Rise heritage precinct

--FS2050.1	Rosalind Whiting	I support the submission	Support OS849.31. Allow submission.	Reject	Do not create new City Rise heritage precinct
--FS2294.2	Michael O'Neill	I support the submission	Support OS849.31. Allow submission and create a heritage precinct in the City Rise (Arthur Street) area.	Reject	Do not create new City Rise heritage precinct
--FS2380.4	Alison Rowena Beck and Philip Jeffray Ward	I support the submission	Support OS849.31. Allow submission.	Reject	Do not create new City Rise heritage precinct
--FS2429.90	Elizabeth Kerr	I support the submission	Support OS849.31. Allow submission.	Reject	Do not create new City Rise heritage precinct
--FS2443.8	Arthur St Neighbourhood Support	I support the submission	Support OS849.31. Allow submission.	Reject	Do not create new City Rise heritage precinct
--FS2489.29	Liz Angelo	I support the submission	Support OS849.31. Allow submission.	Reject	Do not create new City Rise heritage precinct
OS293.153	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Undertake further research to the inner city residential areas to identify additional areas, for possible inclusion as additional heritage precincts, or alternatively, strengthen the level of controls around design and demolition in the Inner City Residential Zone.	Accept in part	Areas assessed as new heritage precincts in response to other submissions
--FS2050.19	Rosalind Whiting	I support the submission	Support OS293.153. Allow submission.	Accept in part	Areas assessed as new heritage precincts in response to other submissions
OS743.59	Elizabeth Kerr	I seek to have the above provision amended	Add residential heritage areas below the town belt from Woodhaugh to Maitland St and extending west of George St and	Reject	Do not include new heritage precincts in these areas

			Princes St; the wider tertiary campus area; North East Valley (see settled river flat following Lindsay Creek); and the housing area extending west and north of Gardens shopping centre, including parts of Dalmore to the Residential Heritage precinct overlay zones (inferred).		
--FS2142.13	University of Otago	I oppose the submission	Oppose OS743.59 (in part). Disallow the submission where it relates to University-owned property.	Accept	Do not include new heritage precincts in these areas
OS801.4	Jo Galer	I seek to have the above provision amended	Include new heritage precincts in the following areas: rest of Queen St, Union St, Warrander St, London St, Cargill St, Stuart St, Stafford St, Carol St, Manor Place, Canongate, Russell St, and areas surrounding the Dunedin Club or Fernhill.	Accept in part	Create new heritage precincts in response to other submissions
--FS2021.1	Dunedin Club	I support the submission	Support OS801.4. Allow Submission and create a heritage precinct around the Dunedin Club building at 33 Melville Street Dunedin.	Reject	Do not create a heritage precinct around 33 Melville Street
--FS2050.7	Rosalind Whiting	I support the	Support OS801.4. Allow	Accept in part	Create new heritage

		submission	submission.		precincts in response to other submissions
--FS2142.8	University of Otago	I oppose the submission	Oppose OS801.4 (in part). Disallow the submission where it relates to University-owned property or campus zone.	Accept	Do not create a new heritage precinct in University areas
--FS2307.9	Elaine Snell Family Trust	I oppose the submission	Oppose OS801.4 (in part). Disallow submission and do not include 56 Cargill St and the wider Cargill St area in a heritage precinct.	Accept	Do not create a new heritage precinct in Cargill Street areas
--FS2380.2	Alison Rowena Beck and Philip Jeffray Ward	I support the submission	Support OS801.4. Allow Submission.	Accept in part	Create new heritage precincts in response to other submissions
--FS2411.3	Barry Douglas	I support the submission	Support OS801.4. Allow submission and add new heritage precincts to include Manor Place and areas surrounding the Dunedin Club.	Reject	Do not create a new heritage precinct in Manor Place / Melville Street

Discussion

Submissions

A number of submitters have requested broad or relatively undefined areas be assessed for inclusion as heritage precincts. I note that some of these requests for additional precinct areas have been inferred from comments made in the submissions. The areas of interest are:

Jo Galer (OS801.4): Queen St, Union St, Warrender St, London and Cargill Streets, Stuart Street, Stafford, Carol St, Manor Place, Canongate,

and Russell Streets, as well as the area surrounding the Dunedin Club (Fernhill).

David Murray (OS849.31): Town Belt, Canongate, Rattray Street, and Russell Street.

Margaret Davidson (OS417.40): City Rise between Queen Street north and Heriot-Row precincts, the Arthur St Canongate area and the Fernhill area

Margaret Davidson (OS417.27): Inner city residential zone in City Rise area

Southern Heritage Trust & City Rise Up (OS293.153): Inner city residential areas, including Fernhill, Manor Place and Russell Street, Canongate, Queen Street, Park Street, Union Street West, as well as sections of Stuart St, London St, Cargill and Warrender Streets; or alternatively strengthen the level of controls around design and demolition in the Inner City Residential Zone

Elizabeth Kerr (OS743.59): residential heritage areas below the town belt from Woodhaugh to Maitland St and extending west of George St and Princes St; the wider tertiary campus area; North East Valley (see settled river flat following Lindsay Creek); and the housing area extending west and north of Gardens shopping centre, including parts of Dalmore.

Elizabeth Kerr (OS743.43): other Heritage NZ historic areas

Liz Angelo (OS848.4): all inner city residences

These submissions are supported by a number of further submissions. The reasons given by submitters, and further submitters in support, include:

- these areas date back to early Dunedin and contain some of the grandest old houses. They connote city character and amenity and aesthetic values.
- the Council needs to place priority on encouraging re-use of houses and properties within their existing footprint, rather than encouraging developers to demolish and build more intensely on those sites
- some areas have lost character to development already.
- some areas are of the same era as the Warehouse Precinct, with a combination of 1860's workers cottages, and 1870 – 1920's grand homes
- large blocks or intense development of tasteless and characterless flats have started to invade some areas
- these areas contain historic streetscapes with many grand old two-storey houses
- streets have distinctive streetscape patterns (similar setbacks, height and form) that contribute to the inner city character, and to vistas as seen from George Street and the harbour
- residents are proud of the historic importance of heritage areas

- the Dunedin Club is one of the city's finest buildings. Buildings close by could affect its heritage values.
- Heritage New Zealand's historic areas have been established with national rigour. They are heritage advocacy tools and do not provide protection.

Jeffery Herkt (FS2020.3) considers that 5, 7, and 9 Clark Street, as well as properties on the eastern side of Clark Street and on lower Maclaggan street, including the old Wrightson's Stables, should be included in the [High Street] heritage precinct.

The University of Otago (FS2142.8, 13,15) opposes any additional precincts that relate to any University-owned property or Campus Zone. The submitter considers that the submissions are not sufficiently certain, and heritage values in these areas are already adequately protected so further controls are not justified.

The Elaine Snell Family Trust (FS2307.9) opposes submission OS801.4 as it does not want include 56 Cargill St and the wider Cargill St included in a heritage precinct.

Recommendation

Clark Street

Dr Hazelton has considered the request to include 5, 7, and 9 Clark Street, plus the eastern side of Clark Street, within the High Street heritage precinct (Appendix C11 of his evidence). He notes that while the large former stables building has potential architectural and historic significance, it is not particularly consistent with the values of the High Street Residential Precinct in terms of its design and interaction with the street.

Furthermore, the two properties at 5-9 Clark Street are not strongly linked visually into the main part of the precinct on High Street and their inclusion is not integral to protecting the streetscape values of the precinct.

I accept his advice and recommend that these properties are not included within the precinct.

Inner city areas general

Dr Hazelton has considered these submissions in Appendix D1 of his evidence. He comments that much of the inner city residential area is already included within precinct boundaries and other areas have already been investigated for further precinct development and discounted.

I note that the s32 report describes the assessment process undertaken prior to notification to assess much of the inner city residential area. It is not considered necessary to repeat that process now. Submissions for the inclusion of more defined areas have been assessed in other sections of this report. As a result two new precincts (one residential and one commercial) are recommended, and minor extensions to others are proposed.

Heritage New Zealand historic areas

The historic areas within the DCC boundary are as follows:

- The Harbourside area
- Quarantine Island
- Goat Island
- Burlington Street
- Pilot Station at Aramoana
- Windle settlement

Goat and Quarantine islands are protected as heritage sites. All the buildings within the Burlington Street and the Pilot Station areas are also included in Schedule A1.1. Inclusion of the Windle settlement is discussed in section 5.17.2, and the recommendation is to include this as a precinct. The Harbourside historic area in section 5.17.4, and the recommendation is not to include this as a precinct, although I note that a large number of buildings in the area are individually scheduled.

I therefore recommend that the submission is accepted in part, with no further amendment required.

Recommended amendment

None.

5.17.2 Windle Settlement Workers Dwellings

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS547.34	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Add the Windle Settlement Workers Dwellings Historic Area as a Residential Heritage Precinct. See submission for detail on area.	Accept	Add Windle Settlement as a heritage precinct
-- FS2429.25	Elizabeth Kerr	I support the submission	Support OS547.34. Allow submission.	Accept	Add Windle Settlement as a heritage precinct
Discussion					

Submission

Heritage New Zealand (OS547.34), supported by Elizabeth Kerr (FS2429.25), seeks to create a new heritage precinct covering the Windle Settlement workers dwellings at 2, 6, 10 Newport Street, and 14, 20, 22, 24, 28, 30, 32, 36, 38, 48, 50, 52, 54, 56, 58, 60 and 62 Rosebery Street. These were the first twenty houses built in Dunedin under the Workers' Dwellings Act 1905, as part of the first government state housing schemes, reflecting the principles and practices of the Liberal Government's housing policy.

Recommendation

Dr Hazelton and Mr Christos have evaluated the proposed new precinct (see Appendix D2 of Dr Hazelton's evidence). They note that the Windle Settlement is a registered Historic Area with Heritage New Zealand. The Windle Settlement Historic Area enjoys both a significant history and strong streetscape amenity. The strong architectural character of the arts and crafts buildings has been mostly maintained and a large number of properties have remained relatively unaltered. Only a small number have had insensitive alterations, and despite this, the broad character of the buildings remains. Overall the proposed precinct is strongly intact and in good condition.

Dr Hazelton and Mr Christos recommend that the area is included as a heritage precinct, with all buildings included in Schedule A1.1 as character-contributing.

I note that no submissions were received in opposition. Including this area as a heritage precinct will assist in achieving Objective 2.4.2 and Policy 2.4.3.1. I therefore recommend that that a new heritage precinct is created.

Recommended amendment

1. Add new subheadings to Schedule A1.1. / Scheduled items in heritage precincts: 'Windle Settlement Residential Heritage Precinct' and 'Character contributing buildings'

2. Add to Schedule A1.1. / Scheduled items in heritage precincts / Windle Settlement Residential Heritage Precinct / Character contributing buildings:

CC712, Residential building, 2 Newport Street Dunedin, Windle Settlement Residential

CC713, Residential building, 6 Newport Street Dunedin, Windle Settlement Residential

CC714, Residential building, 10 Newport Street Dunedin, Windle Settlement Residential

CC715, Residential building, 62 Rosebery Street Dunedin, Windle Settlement Residential

CC716, Residential building, 60 Rosebery Street Dunedin, Windle Settlement Residential

CC717, Residential building, 58 Rosebery Street Dunedin, Windle Settlement Residential

CC718, Residential building, 56 Rosebery Street Dunedin, Windle Settlement Residential

CC719, Residential building, 54 Rosebery Street Dunedin, Windle Settlement Residential

CC720, Residential building, 52 Rosebery Street Dunedin, Windle Settlement Residential

CC721, Residential building, 50 Rosebery Street Dunedin, Windle Settlement Residential

CC722, Residential building, 48 Rosebery Street Dunedin, Windle Settlement Residential

CC723, Residential building, 38 Rosebery Street Dunedin, Windle Settlement Residential

CC724, Residential building, 36 Rosebery Street Dunedin, Windle Settlement Residential

CC725, Residential building, 32 Rosebery Street Dunedin, Windle Settlement Residential

CC726, Residential building, 30 Rosebery Street Dunedin, Windle Settlement Residential

CC727, Residential building, 28 Rosebery Street Dunedin, Windle Settlement Residential

CC728, Residential building, 24 Rosebery Street Dunedin, Windle Settlement Residential

CC729, Residential building, 22 Rosebery Street Dunedin, Windle Settlement Residential

CC730, Residential building, 20 Rosebery Street Dunedin, Windle Settlement Residential

CC731, Residential building, 14 Rosebery Street Dunedin, Windle Settlement Residential

3. Add new heritage precinct to Appendix A2.1: A2.1.9 Windle Settlement Residential Heritage Precinct

4. Add A2.1.9.1 Description of area, A2.1.9.2 Values to be protected, A2.1.9.3 Principal threats to values, and A2.1.9.4 Features and characteristics to be incorporated into design, as detailed in Appendix 2.

5.17.3 Hyde Street

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS849.39	David Murray	I seek to have the above provision amended	Develop a Hyde Street Residential Heritage Precinct.	Reject	None required
-- FS2429.94	Elizabeth Kerr	I support the submission	Support OS849.39. Allow submission.	Reject	None required
-- FS2443.12	Arthur St Neighbourhood Support	I support the submission	Support OS849.39. Allow submission.	Reject	None required
-- FS2489.33	Liz Angelo	I support the submission	Support OS849.39. Allow submission.	Reject	None required

Discussion

Submission

David Murray (OS849.39) proposes an additional heritage precinct on Hyde Street, between Frederick and Albany streets. He considers that the street is significant both in terms of Dunedin's student culture, and for its surviving examples of early working-class dwellings (under-represented under current provisions). While the heritage of the wider area (for example Grange Street) has been more affected by redevelopment, Hyde Street is a compact pocket that has retained its essential character, and this should be recognised and protected in a Hyde Street Residential Heritage Precinct.

The submission is supported by Elizabeth Kerr (FS2429.94), Arthur St Neighbourhood Support (FS2443.12) and Liz Angelo (FS2489.33).

Recommendation

Dr Hazelton and Mr Christos have evaluated the potential for a new heritage precinct on Hyde Street (see Appendix D3 of Dr Hazelton's evidence). They note that there is a mix of styles in the area, and most buildings have been altered over time. These alterations have not all been sensitive to the character of the buildings and much original material and streetscape heritage character has been lost. There are also a number of modern buildings in the precinct, which do not add positively to the character of the area.

They consider that some of the character of the area is not related to the actual houses, but is due to factors like their smaller scale, the density of activity, and/or the spatial layout of the properties (facing the street with small front yards, for example). New development will be constrained by the size of sites and is likely to exhibit many similar features to existing buildings, thus potentially adding to the already eclectic nature of the precinct, rather than destroying an existing cohesive streetscape character.

Dr Hazelton and Mr Christos also note that there are other working class cottages protected in the Dundas-Castle Street, Willowbank, and North Ground precincts. They recommend that the submission is rejected.

I accept Dr Hazelton and Mr Christos' advice and note that with the relatively poor heritage streetscape character, compared to other heritage precincts, protecting the area would not assist in achieving Objectives 2.4.1 and 2.4.2. I therefore recommend that the submissions are rejected.

Recommended amendment

None.

5.17.4 Harbourside Historic Area

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS103.39	The Institution of Professional Engineers NZ	I seek to have the above provision amended	Add area covered by Heritage New Zealand Harbourside Historic Area List No. 7767 to Heritage Precincts.	Reject	Do not include Harbourside Historic Area as a heritage precinct
-- FS2440.52	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS103.39 (in part). Allow submission provided that any rules	Reject	Do not include Harbourside Historic Area as a heritage

			recognise and provide for ongoing port and industrial activity.		precinct
OS743.42	Elizabeth Kerr	I seek to have the above provision amended	Include the Heritage New Zealand Harbourside Historic Area (unclear as to whether as overlay for information only or as precinct with rules attached)	Reject	Do not include Harbourside Historic Area as a heritage precinct
-- FS2440.53	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS743.42 (in part). Allow submission provided that any rules recognise and provide for ongoing port and industrial activity.	Reject	Do not include Harbourside Historic Area as a heritage precinct

Discussion

Submissions

The Institution of Professional Engineers NZ (OS103.39) and Elizabeth Kerr (OS743.42) seek to add a new heritage precinct in the area covered by the Heritage New Zealand Harbourside Historic Area (List No. 7767). IPENZ note that there are many scheduled items within this area (B756, B757, B759, B762, B765, B766, B767, B770, B792), and these could be supplemented by others. Alternatively the proposed Warehouse Industrial Commercial Heritage Precinct could be extended to include the historic area identified by Heritage New Zealand.

The submissions are supported by Heritage New Zealand (FS2440.52 and 3), provided that any rules recognise and provide for ongoing port and industrial activity.

Recommendation

The Heritage New Zealand Historic Area is bounded by Fryatt Street, Cresswell Street and Thomas Burns Street, extending along Wharf Street to Roberts Street.

Heritage New Zealand Listing 7767 summarises the defining characteristic of the Dunedin Harbourside Historic Area as: "the interconnected nature of the history represented by the variety of activities carried out in the harbourside from the nineteenth century, and their development in the twentieth century. The streetscape that has developed reflects the consolidation of businesses, particularly engineering companies, as well as the rise and fall of businesses. The large engineering premises and the jumble of smaller premises give the streetscape its distinctive character, and while there are standout components within the Historic Area, it is the cumulative effect of the mix of style and form which contributes to its significance."

Dr Hazelton notes that the possibility of including this area as a heritage precinct was debated and consulted on during the proposed Harbourside Plan Change process (Appendix D1 of his evidence). The matter has been considered at length previously and discounted for a range of reasons, including the operational needs of industry in the area, the overall quality/condition of buildings, the amenity of the area, and the scaling back of the Harbourside Zone, which allows the type of mixed use developments that would most likely provide opportunities for adaptive re-use of industrial buildings. Instead, a number of heritage buildings in the area were scheduled, in order to capture the items of most significance in the area.

Dr Hazelton considers that these factors have not changed sufficiently since the Harbourside plan change to justify reassessment and engaging with owners in the area again on this matter. He has therefore not assessed the area further as a possible precinct and recommends that it is not included in the 2GP.

I accept Dr Hazelton's advice and recommend that the area is not included as a heritage precinct.

Recommended amendment

None.

5.17.5 Russell Street / Adam Street

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS907.1	Robert Thornton	I seek to have the above provision amended	Extend heritage precinct protection to Adam Street	Accept in part	Do not create new Adam Street precinct
--FS2380.3	Alison Rowena Beck and Philip Jeffray Ward	I support the submission	Support OS907.1. Allow submission.	Accept in part	Do not create new Adam Street precinct
OS1038.2	Joy Ruth McMiken	I seek to have the above provision amended	Add a residential heritage precinct on the row of houses 4-18 Adam Street	Accept in part	Do not create new Adam Street precinct
--FS2050.5	Rosalind Whiting	I support the submission	Support OS1038.2. Allow submission.	Accept in part	Do not create new Adam Street precinct
OS53.6	Jack Austin	I seek to have the above	Create new Heritage	Reject	Do not create new

		provision amended	Precinct covering 65-99 Russell Street, with all dwellings designated character contributing.		Russell Street precinct
OS417.42	Margaret Davidson	I seek to have the above provision amended	Add a new heritage precinct centred on 65-99 Russell Street	Reject	Do not create new Russell Street precinct
-- FS2050.18	Rosalind Whiting	I support the submission	Support OS417.42. Allow submission.	Reject	Do not create new Russell Street precinct
-- FS2443.16	Arthur St Neighbourhood Support	I support the submission	Support OS417.42. Allow submission.	Reject	Do not create new Russell Street precinct
-- FS2489.37	Liz Angelo	I support the submission	Support OS417.42. Allow submission.	Reject	Do not create new Russell Street precinct

Discussion

65-99 Russell Street

Submissions

Jack Austin (OS53.6) and Margaret Davidson (OS417.42) seek to create a new heritage precinct covering 65-99 Russell Street, with all dwellings designated 'character-contributing'. Their reasons are that the 15 cottages may comprise one of Dunedin's last intact clusters of Victorian workers' cottages, demonstrating the random, ad hoc nature of building at the time. Although some have been modified unsympathetically, there are no obviously post-Victorian buildings (with the possible exception of numbers 89 and 91 which could date from 1920), and only one empty section. Some cottages line a small unofficial lane called Adam Lane, while others have leg-in foot access to the back of long, narrow sections. Many different styles are represented but all are relatively modest in scale. The Adam Lane cottages are crowded on tiny sections, some semi-detached.

Mr Austin has owned three of these cottages for several years and has renovated them and is very keen to see them and the character of the area retained. He considers they are under threat as he was recently approached by a developer who wished to demolish two of them and build student accommodation. He considers that would destroy a valuable piece of Dunedin's history for short term gain.

The submissions are supported by Rosalind Whiting (FS2050.18), Arthur St Neighbourhood Support (2443.16) and Liz Angelo (FS2489.37). Ms Whiting notes that large blocks or intense development of tasteless and characterless flats have started to invade this area, which would be better served by preservation, adaptive reuse and interesting development (for example, retaining the facade and front gardens). Such re-use needs to be encouraged by the Council.

Recommendation

Dr Hazelton and Mr Christos have evaluated the area (see Appendix D4 of Dr Hazelton's evidence). They note that the buildings are a cluster of small workers' cottages, a form that is under-represented in the heritage schedule, although some areas are protected. However, they also note the lack of streetscape character, due to the location of the buildings down a lane or behind other buildings, meaning they are only marginally visible from the street. This would reduce the amount of protection afforded by precinct rules, which apply only to parts of buildings visible from the street. They also note the poor condition of the buildings.

They recommend that the area is not developed as a heritage precinct at this stage, due to the condition of the buildings, the degree of modification already experienced, the overall quality of the collection of buildings, and limited visibility from public places. These factors mean that it does not meet the threshold for protection that has been applied to other precincts in the 2GP.

However, Dr Hazelton and Mr Christos recognise that there could be considerable potential in this area for a heritage precinct, particularly if further sensitive restoration could be encouraged to increase the overall quality and condition of the buildings. If restoration of the area means there is a greater percentage of buildings that meet a higher quality and condition standard, then a precinct in the area could be better justified.

In order to assist this process it is recommended that the DCC and owners in the area investigate non-statutory, collaborative measures and incentives of a similar type to those that have occurred as part of the Warehouse Precinct Revitalisation Plan, in order to encourage upgrade and restoration of the properties, with a view to protection in a future plan change.

Should Mr Austin wish to schedule his buildings as individual items on the heritage schedule, those nominations should be accepted. These buildings could then form the core of a future heritage precinct

I accept Dr Hazelton's and Mr Christos' advice and recommend that the area is not included in the 2GP as a heritage precinct at this stage.

4-18 Adam Street

Submissions

Joy Ruth McMiken (OS1038.2), supported by Rosalind Whiting (FS2050.5), seeks to include the row of houses at 4-18 Adam Street in a new heritage precinct. She states that all 6 owners are in agreement. She notes the terrace was designed by Edmund Anscombe. The submission includes historical documented information regarding the houses.

Robert Thornton (OS907.1), supported by Alison Beck and Philip Ward (FS2380.3), also seeks to extend heritage protection over Adam Street.

Recommendation

Dr Hazelton and Mr Christos have assessed the merits of including this area as a heritage precinct (see Appendix D5 of Dr Hazelton's evidence).

They note that the proposed precinct is very small in size. Precincts are based on protecting the streetscape amenity of larger areas, where there are of significant clusters of character contributing buildings visible from public vantage points within the area. With only six buildings in the block, occupying three sections, the area does not create the sense of an area where a coherent neighbourhood exists.

The buildings are also substantially different from buildings around them in character, quality and condition, meaning that there is little scope to enlarge the precinct around these buildings. Dr Hazelton and Mr Christos looked at whether they could integrate the buildings with the neighbouring Russell Street cottages proposed by another submitter in a single precinct; however, there is insufficient similarity between the styles of the buildings in the two areas to create a legible precinct.

Rather than create a heritage precinct, Dr Hazelton and Mr Christos recommend that the buildings are scheduled individually as heritage buildings. This will provide the same or stronger protection to the architectural features of the buildings, irrespective of the size of the block or character of surrounding buildings. The recommended protection is of the "façade to Adam Street including fenestration, timber joinery, weatherboards, timber balconies and architectural details, low fences and retaining walls".

I note that the original submissions did not specifically ask for the buildings to be listed as heritage buildings. There is scope under submission OS417.36 (Identify further buildings for scheduling in the Arthur Street-Canongate area); however, the owners of these properties may not be aware of this option. Ms McMiken advised that they were agreeable to inclusion within a heritage precinct, however heritage building status would impose greater restrictions. I recommend that unless the owners are able to advise the hearing panel through Ms McMiken that they are happy with this approach, scheduling is pursued at a later time by means of a plan change, once proper consultation with the owners has been undertaken.

Recommended Amendment

None.

5.17.6 Canongate / Catholic Heritage Precinct

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS53.7	Jack Austin	I seek to have the above provision amended	Investigate 6-14 Canongate, with a view to the possible creation of a new Heritage Precinct covering these properties.	Reject	Do not include Canongate in a heritage precinct

OS907.5	Robert Thornton	I seek to have the above provision amended	Extend heritage precinct protection to Canongate in City Rise.	Reject	Do not include Canongate in a heritage precinct
-- FS2380.10	Alison Rowena Beck and Philip Jeffray Ward	I support the submission	Support OS907.1. Allow submission.	Reject	Do not include Canongate in a heritage precinct
OS417.41	Margaret Davidson	I seek to have the above provision amended	Add a new heritage precinct - the Catholic Heritage Precinct centred on Bishops Road and Elm Row	Reject	Do not create Catholic heritage precinct
-- FS2443.15	Arthur St Neighbourhood Support	I support the submission	Support OS417.41. Allow submission.	Reject	Do not create Catholic heritage precinct
-- FS2489.36	Liz Angelo	I support the submission	Support OS417.41. Allow submission.	Reject	Do not create Catholic heritage precinct
OS417.32	Margaret Davidson	I seek to have the above provision amended	Add 3 Bishops Road as a heritage building on the heritage schedule	Accept	Add 3 Bishops Road, to Schedule A1.1
OS417.33	Margaret Davidson	I seek to have the above provision amended	Add 30 Elm Row as a heritage building to the heritage schedule	Accept	Add 30 Elm Road, to Schedule A1.1
OS907.2	Robert Thornton	I seek to have the above provision amended	Include Bishops Palace in Bishops Road as scheduled building in Heritage Schedule (inferred not stated)	Reject	Do not add Rockmount, to Schedule A1.1

Discussion

6-14 Canongate and surroundings

Submissions

Jack Austin (OS53.7) seeks that 6-14 Canongate is considered as a new heritage precinct.

Robert Thornton (OS907.5) seeks heritage precinct protection for Canongate. Alison Rowena Beck and Philip Jeffray Ward (FS2380.10) support Mr Thornton's submission.

Recommendation

Dr Hazelton and Peter Christos have considered the appropriateness of a heritage precinct in Canongate (see Appendix D6 of Dr Hazelton's evidence). They note that 6 – 14 Canongate is a group of early workers' cottages, characterised by their age, small size and quirky design. Their form and character is also strongly influenced by their location and aspect. The buildings are on very small sites, on a steep incline, accessed only on foot from a set of stairs. These factors mean the cottages are quite different to the buildings around them.

Dr Hazelton and Peter Christos consider that with only five buildings in this cluster, the area is too small to create a sense of a coherent neighbourhood. The buildings are also substantially different from buildings immediately around them, meaning that there is little scope to enlarge the precinct around these buildings. They assessed whether the buildings could be integrated with neighbouring buildings on the steps of Elm Row; however concluded that there is insufficient similarity between the styles of the buildings in the two areas to create a legible precinct, particularly when there is limited visual connection between the two.

An alternative to creating a heritage precinct is to work with the owners of the buildings to investigate individual scheduling of the buildings. This has not been progressed at this stage. In the meantime, the buildings are assessed as having a relatively low risk of demolition, due to the constrained sites and poor access.

I accept the advice of Dr Hazelton and Mr Christos, and recommend that the area is not included as a heritage precinct.

Catholic Heritage Precinct

Submissions

Margaret Davidson (OS417.41) seeks the inclusion of parts of Elm Row, Bishops Rd and Bishops Place as a 'Catholic Heritage Precinct'. She refers to an earlier 2012 report commissioned by the Dunedin City Council, which states: "The cluster and array of built forms (colloquially referred to as the "Vatican" district) is worth preserving, given the immediate availability of budget and boutique visitor accommodation hosted in unique heritage buildings, and the close proximity of St Joseph's Cathedral, the former Dominican Priory, Clarendon Hotel, Speight's Brewery and Ale House (heritage tours), Crown Hotel, and the city's historic Exchange area".

She advises that St Joseph's Hall (255 Rattray St), the 'Hogwartz' buildings (Rockmount House, Bishops Palace), the coach house (277 Rattray St), its stables (2 Bishops Place) and The Brothers (295 Rattray St) are the cornerstones of this historic area. She understands that 48 Elm Row also has connections with the Catholic Church, being built as a residence and doubling as an administration centre for the Catholic Church. St Joseph's Hall is already a scheduled heritage building.

There are a number of modest Victorian houses which reflect the historic ambience of the area. This would be lost if they were demolished or unsympathetically developed. Ms Davidson considers that they should be listed as character-contributing buildings at the least. Two other properties in Elm Row have room for infill housing which, if more than single storey, would tower over Bishops Rd and would destroy the character of the street if they were not in keeping with existing buildings. What is now The Brothers' carpark could also detract from the streetscape if developed unsympathetically.

Ms Davidson has also nominated two houses in the area as scheduled heritage buildings, as part of a new precinct. These are discussed below.

Recommendation

Dr Hazelton and Mr Christos have evaluated the potential of the area as a new heritage precinct (see Appendix D7 of Dr Hazelton's evidence). They note that the precinct is made up of a highly eclectic group of buildings, including early workers cottages (nominated for scheduling), expansive mansions and a former hall and stables. Buildings from a wide range of periods and styles are represented. although there are a number from the late nineteenth and early twentieth century there are also some from the 1920s, one from the 1950s and some more recent additions.

The diversity of the styles and building scales in the precinct would make it difficult to develop guidelines for this precinct. There is a risk that the precinct values would have to be so broad that they would be insufficiently meaningful in terms of guiding new development. While there are some strong candidates for heritage listing and character-contributing buildings, there are also a number that would be considered non character-contributing. Unfortunately, these buildings have a negative effect on the overall precinct given their scale, corner locations and the small size of the proposed precinct. In addition, a number of character-contributing buildings are not easily visible from the street, limiting the protection that the precinct rules would afford.

Dr Hazelton and Mr Christos recommend that the area is not included as a heritage precinct, but conclude that scheduling some of the buildings could be considered in the future (see below).

I accept Dr Hazelton's and Mr Christos' advice and recommend that the area is not included as a heritage precinct.

Additions to Schedule A1.1

3 Bishops Road

Submission

Margaret Davidson (OS417.32) seeks to add her house, 3 Bishops Road, as a heritage building in Schedule A1.1. The house was built in 1875. The submission details the history of the building.

Recommendation

Dr Hazelton has considered the heritage value of the building (see Appendix A1 of his evidence). The assessment report (Appendix B6 of Dr Hazelton's evidence) concludes that 3 Bishops Road is a reasonably original and intact example of a mid-nineteenth century cottage form that marked a period between early building technology and the mass built houses of the industrialised building trade. Consequently it is a relatively rare survivor of the period which was largely overwritten by houses constructed between 1890 and 1910. Its modest outline fits well into the varied streetscape of the City Rise area which is at risk due to demolition and replacement of older housing stock.

Dr Hazelton recommends that the house is included on Schedule A1.1 as B835, with protection of the "façade to Bishop's Road and eastern elevation visible from Elm Row and Bishops Place, including fenestration and timber joinery but allowing for restoration of original fenestration patterns."

30 Elm Row

Submission

Margaret Davidson (OS417.33) seeks addition of 30 Elm Row to Schedule A 1.1. This house is owned by Justin Spiers, who is very supportive in principle of the concept of a Catholic Heritage Precinct and has given his support to her nomination of his house as a heritage building, conditional on his agreement with the rules in the district plan for heritage buildings.

Recommendation

Dr Hazelton has considered this building (see Appendix A1 of his evidence). The assessment report (Appendix B7 of Dr Hazelton's evidence) concludes that the house is a modified but recognisable example of a mid-nineteenth century cottage form, that marked a period between early building technology and the mass built houses of the industrialised building trade. It has been extended to the rear and roughcast. Both it and its companion are relatively rare survivors of the period which was largely overwritten by houses constructed between 1890 and 1910. Its distinctive but modest outline fits well into the varied streetscape of the City Rise area which is at risk due to demolition and replacement of older housing stock.

Dr Hazelton recommends that it is included on the schedule as B834, with protection of "Façades to Elm Row and eastern elevation visible from Elm Row and Bishops Place, including fenestration and timber joinery allowing for removal of roughcast".

There were no further submissions in opposition to the listing of this house. The owner was contacted at close of submissions, and again more recently. There has been no response, so I assume there is no opposition. I therefore recommend that the building is included in Schedule A1.1.

Rockmount / Bishops Palace, 277 Rattray Street

Submission

Robert Thornton (OS907.2) seeks addition of 'Bishops Palace' in Bishops Road as scheduled building in Heritage Schedule (inferred) as it is a historic building of note.

Recommendation

Dr Hazelton has considered the heritage values of the building (see Appendix A1 of his evidence). The assessment report (Appendix B13 of Dr Hazelton's evidence) concludes that the building has regional heritage significance. Rockmount was home to the Catholic Bishop of Otago for over 120 years and has special significance to the Catholic community. Now in use as Hogwartz Backpackers Lodge, it is an outstanding example of an owner-designed Victorian villa on an impressive scale. The absence of a trained architect is evident in the awkward and austere outer form, but the house is an outstanding example of Victorian enterprise from an important figure in the city's commercial and political past. He recommends that it is included as B838 Rockmount, with protection of the "entire external building envelope, including fenestration and remaining timber glazing, excluding modern glazing and extensions."

Dr Hazelton has discussed the proposed listing with the building owners, Gilbert Luke and Maja Mengisen. They have stated that "we are not categorically opposed to a scheduling of our property (we purchased it in large part due to its aesthetic appeal). However, we would be more comfortable with things left at the status quo. We believe that our property has already undergone extensive additions and alterations over the centuries, thus being of limited interest for protection. We have been careful to undertake renovations in keeping with its current appearance and will continue to do so regardless of protection in the new heritage schedule."

Dr Hazelton also notes that large residential homes of this type are well represented on the schedule. The building has been substantially modified and is not on the HNZ List. Given this, I recommend that the building is not included within Schedule A1.1.

Recommended Amendment

1. Amend Schedule A1.1 / Items not in a heritage precinct / Heritage buildings, as follows:

Add:

B835, Residential house, 3 Bishops Road, [none], façade to Bishop's Road and eastern elevation visible from Elm Row and Bishops Place, including fenestration and timber joinery but allowing for restoration of original fenestration patterns.

B834, Residential house, 30 Elm Row, façades to Elm Row and eastern elevation visible from Elm Row and Bishops Place, including fenestration and timber joinery allowing for removal of roughcast.

2. Amend planning map as follows:

Add B835 icon at 3 Bishops Road
Add B834 icon at 30 Elm Row

5.17.7 Park Street - Queen Street

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS849.32	David Murray	I seek to have the above provision amended	Develop a Park Street - Queen Street - Heriot Row Residential Heritage Precinct.	Reject	Do not create a Park Street heritage precinct
--FS2142.4	University of Otago	I oppose the submission	Oppose OS849.32 (in part). Disallow the submission where it relates to University-owned property (including Carrington College and Toroa College).	Support	Do not create a Park Street heritage precinct
--FS2429.91	Elizabeth Kerr	I support the submission	Support OS849.32. Allow submission.	Reject	Do not create a Park Street heritage precinct
--FS2443.9	Arthur St Neighbourhood Support	I support the submission	Support OS849.32. Allow submission.	Reject	Do not create a Park Street heritage precinct
--FS2489.30	Liz Angelo	I support the submission	Support OS849.32. Allow submission.	Reject	Do not create a Park Street heritage precinct

Discussion

Submission

- f. David Murray (OS849.32) has suggested an additional heritage precinct centred around Transit House (B424, 44 Park Street). He notes this area has a strong character dominated by late nineteenth and early twentieth century houses, many of architectural distinction. This heritage value should be recognised and protected through a Park Street – Queen Street– Heriot Row Residential Heritage Precinct.

g.

- h. The submission is supported by Elizabeth Kerr (FS2429.91), Arthur Street Neighbourhood Support (FS2443.9) and Liz Angelo (FS2489.30).
- i.
- j. The University of Otago (FS2142.4) opposes this in part and seeks to disallow the submission where it relates to University-owned property (including Carrington College and Toroa College).
- k.

Recommendation

Dr Hazelton and Peter Christos have evaluated the merits of including this area as a heritage precinct (see Appendix D8 of Dr Hazelton's evidence). They note that the area is very similar to the neighbouring Royal Terrace – Pitt Street – Heriot Row Residential Heritage Precinct and shares some similarities with the proposed York Place – Stuart Street – Arthur St Residential Heritage Precinct. However they do not consider that it is as good as those precincts, either in terms of how intact it is or in terms of the condition of the buildings. There are more areas of this precinct that do not have a positive heritage streetscape amenity than in the other two similar precincts, and more clusters of potentially non character-contributing buildings, including most of Carrington Hall and a number of modern buildings recently developed nearby on the Heriot Row/Park Street junction.

They question whether another residential heritage precinct is required in the area or whether there is already sufficient representation of this type of heritage streetscape character in the plan. Adding the precinct as proposed would result in almost all the area below the town belt between London Street and Duke Street, as well as George Street, Woodhaugh, and areas to the north and west of the campus, being included within heritage precincts. They are not convinced that this is necessary or appropriate, or consistent with the overarching strategic objectives of the 2GP.

Dr Hazelton and Mr Christos acknowledge that there are a number of good quality homes from the late nineteenth and early twentieth century that could be potential inclusions as scheduled heritage buildings, although they might represent styles, periods or themes that are already well- or over-represented on the schedule. Further investigation could take place over the coming years to identify such buildings and work closely with owners to investigate such scheduling. However, they recommend that further investigation should occur as a separate project to ascertain whether there are additional buildings that could be scheduled in future

Further engagement could also occur with owners in the area to ascertain the potential for a precinct in future.

I accept Dr Hazelton's and Mr Christos's advice and recommend that the area is not included as a heritage precinct.

Recommended amendment

None.

5.17.8 Lower Stafford Street

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS547.63	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Move precinct boundary of High Street Residential Precinct, Princes Street-Exchange Commercial Heritage Precinct or South Princes Street Commercial Heritage Precinct to include lower Stafford Street (between Hope St intersection and Princes St-Exchange Commercial Heritage Precinct and South Princes Street Commercial Heritage Precinct).	Accept in part	Create new heritage precinct
--FS2065.1	John's Furniture Warehouse	I oppose the submission	Oppose OS547.63. Disallow submission and do not include lower Stafford Street within a Heritage Precinct.	Reject	Create new heritage precinct
--FS2429.54	Elizabeth Kerr	I support the submission	Support OS547.63. Allow submission.	Accept in part	Create new heritage precinct
<p>Discussion</p> <p><i>Submissions</i></p> <p>Heritage New Zealand (OS547.63), supported by Elizabeth Kerr (2429.54), seeks to include lower Stafford Street within a heritage precinct. It notes there is a somewhat anomalous situation as the area is not included within any of the three adjoining heritage precincts. The area contains three scheduled heritage buildings, and benefits from an attractive streetscape with several buildings that Heritage New Zealand considers to be worthy of 'character-contributing' status. Heritage New Zealand requests that the DCC moves the precinct boundary of either the High Street Residential Precinct, the Princes Street-Exchange Commercial Heritage Precinct or the South Princes Street Commercial Heritage Precinct to</p>					

include lower Stafford Street (between the Hope St intersection and the Princes St-Exchange Commercial Heritage Precinct and South Princes Street Commercial Heritage Precinct).

The submission is opposed by John's Furniture Warehouse (FS2065.1), which owns several buildings in the area and has operated businesses there for 25 years. They note that none of the buildings occupied by the business are currently listed, protected or character-contributing. A blanket change to the rules affecting their buildings for the sake of a small number of other buildings in the street which are already protected, is needlessly disruptive to their business and particularly unfair given their long history in the area.

The submitter considers that already exists sufficient power for Heritage New Zealand to protect any building in the street that it deems necessary. It seeks that the status quo be maintained.

Recommendation

Dr Hazelton and Mr Christos have evaluated the heritage streetscape values of the area (see Appendix D9 of Dr Hazelton's evidence). The block of Stafford Street between Princes Street and Hope Street contains a high percentage of early Dunedin commercial-industrial buildings. Many of the buildings retain a substantial amount of their original street façades, including fenestration (unusually many retain much of their ground floor fenestration), window joinery, stonework, entrances, and simple architectural details and mouldings. While some have been re-styled in the past, this has generally been done in a simpler and much more sensitive way than elsewhere in the city. The result is that the buildings present an unusually intact commercial-industrial character to Stafford Street.

More recent additions have a commercial industrial character, with only the 1970s low rise tower diverging from this overall character. The result is that the area has a distinct architectural character that differentiates it from the adjoining High Street Residential, Princes Street-Exchange Commercial Heritage or South Princes Street Commercial Heritage Precinct. Dr Hazelton and Mr Christos recommend that the area should be protected as a separate heritage precinct, with slight boundary adjustments at the lower end to include some buildings earlier included in the Princes Street – Exchange Commercial Heritage Precinct.

I accept Dr Hazelton's and Mr Christos' advice and recommend that the area is included as the Stafford Street Industrial Commercial Heritage Precinct.

I note that the proposed boundary of the new precinct includes B804, which is currently included within the Princes Street – Exchange precinct, and B551, which is currently located in the High Street Residential Heritage Precinct. As a consequential amendment, the listing details for these properties will need to be moved into the Stafford Street precinct section.

Recommended amendment:

1. Add new subheadings to Schedule A1.1. / Scheduled items in heritage precincts: 'Stafford Street Industrial Commercial Heritage Precinct',

'Heritage buildings' and 'Character contributing buildings'

2. Amend Schedule A1.1. / Scheduled items in heritage precincts / Stafford Street Industrial Commercial Heritage Precinct / Heritage buildings, as follows:

Add:

B804, Ross & Glendining (former) no. 1 building, 8 Stafford Street Dunedin, Entire building envelope including fenestration and steel and timber joinery, architectural mouldings and other decoration (including lettering in relief) but allowing for restoration of earlier architectural detail, exposed brickwork and concrete. Excluding modern ground floor doors and security grilles.

B551, St Matthew's Church, 28 Hope Street Dunedin, 1, entire external building envelope and interior

B549, Sew Hoy Building (ex Kempthorne and Prosser Warehouse), 34 Stafford Street Dunedin, 1, facade to Stafford Street

B550, The Clothing Centre, 32 Stafford Street Dunedin, 1, Façade to Stafford Street including fenestration, timber window joinery, mouldings and architectural details

B548, Hill City House, 13 Stafford Street Dunedin, [none], façade to Stafford Street

3. Add to Schedule A1.1. / Scheduled items in heritage precincts / Stafford Street Industrial Commercial Heritage Precinct / Character contributing buildings:

CC732, and CC733 Commercial buildings, 24 Stafford Street, Stafford Street Industrial

CC734, and CC735 Commercial building, 22 Stafford Street, Stafford Street Industrial Commercial

CC736, Industrial building, 20 Stafford Street, Stafford Street Industrial Commercial

CC737, Sew Hoy building, 29 Stafford Street, Stafford Street Industrial Commercial

CC738, Commercial building, 25 Stafford Street, Stafford Street Industrial Commercial

CC739, Commercial building, 19 Stafford Street, Stafford Street Industrial Commercial

4. Remove the following listings:

B804 from Princes Street – Exchange Commercial Heritage precinct
 B551 from High Street Residential Heritage Precinct
 B549 from Items outside a heritage precinct
 B550 from Items outside a heritage precinct
 B548 from Items outside a heritage precinct

3. Add new heritage precinct to Appendix A2.2: A2.2.10 Stafford Street Industrial Commercial Heritage Precinct

4. Add A2.2.10.1 Description of area, A2.1.10.2 Values to be protected, A2.1.10.3 Principal threats to values, and A2.1.10.4 Features and characteristics to be incorporated into design, as detailed in Appendix 3.

5.17.9 South Dunedin Commercial

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS849.27	David Murray	I oppose the provision	Include a South Dunedin Commercial Heritage Precinct to replace current District Plan South Dunedin Townscape Precinct	Reject	Do not create a South Dunedin heritage precinct
--FS2086.1	Foodstuffs South Island Properties Limited	I oppose the submission	Oppose OS849.27. Disallow submission to include a South Dunedin Commercial Heritage Precinct.	Accept	Do not create a South Dunedin heritage precinct
--FS2429.88	Elizabeth Kerr	I support the submission	Support OS849.27. Allow submission.	Reject	Do not create a South Dunedin heritage precinct
--FS2443.6	Arthur St Neighbourhood Support	I support the submission	Support OS849.27. Allow submission.	Reject	Do not create a South Dunedin heritage precinct

--FS2489.27	Liz Angelo	I support the submission	Support OS849.27. Allow submission.	Reject	Do not create a South Dunedin heritage precinct
<p>Discussion</p> <p><i>Background</i></p> <p>The South Dunedin commercial area on King Edward Street is a Townscape precinct in the operative plan. The precinct is not included in the 2GP due to a loss of heritage buildings and a decline in heritage streetscape values.</p> <p><i>Submissions</i></p> <p>David Murray (OS849.27) opposes the removal of the existing South Dunedin Townscape Precinct and seeks that given the high concentration of scheduled heritage buildings in the area, there should be a South Dunedin Commercial Heritage Precinct.</p> <p>The submission is supported by Elizabeth Kerr (FS2429.88), Arthur St Neighbourhood Support (FS2443.6) and Liz Angelo (FS2489.27). No specific reasons are given.</p> <p>The submission is opposed by Foodstuffs South Island Properties Limited (FS2086.1). Foodstuffs own and operate the Dunedin Pak n Save at 86 Hillside Road, and other land holdings at the corner of Hillside Road and King Edward Street. Foodstuffs acknowledge the section 32 report and analysis undertaken for the 2GP. This outlines that the operative South Dunedin Townscape Precinct was removed due to the more degraded state of the streetscape and condition of individual buildings in the area. Only one heritage building is identified in the 2GP, on the northern corner of Hillside Road and King Edward Street. Foodstuffs consider that including the area as a heritage precinct would result in increased costs for building owners due to additional regulation, and would provide limited benefits to the community given the condition of the buildings.</p> <p><i>Recommendation</i></p> <p>Dr Hazelton has addressed this submission in Appendix D1 of his evidence. He notes that the South Dunedin Townscape Precinct was removed as part of the District Plan review due to the declining overall streetscape amenity in the area, which has been negatively affected by the deteriorating condition of the buildings (including demolition), long-term vacancies and the high turnover of tenants discouraging investment in buildings. Upgrade of many of the buildings in the area is becoming less financially viable. The area also faces broader socio-economic issues and issues related to climate change. Better representative examples of the type of commercial buildings in the area are located elsewhere in the city, where liquefaction and rising sea level and groundwater issues are less of an issue. Flooding to a number of buildings in the street in the June 2015 floods was a reminder of the challenges facing the area. Due to these issues, more comprehensive redevelopment in the area than would be envisaged in a heritage precinct may be necessary to ensure the area has a future.</p> <p>For these reasons, the precinct was not included in the 2GP. It is Dr Hazelton's assessment that these factors have not changed and the area</p>					

should remain without a heritage precinct overlay.

I agree with Dr Hazelton's advice and recommend that the submission is rejected.

Recommended amendment:

None.

5.18 Submissions on scheduled items not in a heritage precinct

5.18.1 Scheduled Items not in a Heritage Precinct - Heritage Sites

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS103.15	The Institution of Professional Engineers NZ	I support the provision	Retain HS12 Dunedin Railway Station 20 Anzac Ave on Heritage Schedule	Accept	No amendment required
OS103.3	The Institution of Professional Engineers NZ	I support the provision	Retain HS08 20 Braemar Street on Heritage Schedule	Accept	No amendment required
OS103.4	The Institution of Professional Engineers NZ	I support the provision	Retain HS06 1259 Harrington Point Road Tairaroa Head on Heritage Schedule	Accept	No amendment required
OS103.7	The Institution of Professional Engineers NZ	I support the provision	Retain HS09 Ross Creek Dam on Heritage Schedule	Accept	No amendment required
OS308.446	University of Otago	I support the provision	Retain University Clock Tower, 362 Leith St on Heritage Schedule.	Accept	No amendment required
OS547.14	Heritage New Zealand	I support the provision	Retain HS16 Upper Junction	Accept	No amendment required

	/Otago and Southland Office		RSA site on Heritage Schedule		
-- FS2429.7	Elizabeth Kerr	I support the submission	Support OS547.14. Allow submission.	Accept	No amendment required
OS547.31	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Add Seacliff Lunatic Asylum Site 22, 36 Russell Road and Coast Road Seacliff to Heritage Schedule: Land and buildings, structures and archaeological remains associated with the Seacliff Lunatic Asylum.	Accept	Add Seacliff Lunatic Asylum to Schedule A1.1
-- FS2429.23	Elizabeth Kerr	I support the submission	Support OS547.31. Allow submission.		Add Seacliff Lunatic Asylum to Schedule A1.1
OS547.35	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Add Old Dunstan Road Road Reserve; Sec 24 SO 301570 (CT47421), Otago Land District to Heritage Schedule as a heritage site: 20m from centre of road, or the formed road where it varies from the legal road. Includes any features within the legal width, road linkages on original alignments, and any historic associated structures (such as bridges, buildings, ruins, culverts, embankments, revetments, fences, ditches, abandoned alignment (immediately adjacent) an signs).	Accept	Add Old Dunstan Road to Schedule A1.1
-- FS2429.26	Elizabeth Kerr	I support the submission	Support OS547.35. Allow submission.		Add Old Dunstan Road to Schedule A1.1

Discussion:**Support for listings**

The Institution of Professional Engineers NZ (OS103.15, 3, 4 and 7), the University of Otago (OS308.446), and Heritage New Zealand (OS547.14), supported by Elizabeth Kerr (FS2429.7), support the listing of certain items. Their support is noted and no amendment is required.

Addition of Seacliff Lunatic Asylum*Submission*

Heritage New Zealand (OS547.31), supported by Elizabeth Kerr (FS2429.23), seeks to add the Seacliff Lunatic Asylum, 22 and 36 Russell Road, Seacliff, to Schedule A1.1. The site is currently on the Heritage New Zealand List and has significant heritage values. The protection required is proposed to be: "Land and buildings, structures and archaeological remains associated with the Seacliff Lunatic Asylum".

Recommendation

Dr Hazelton has evaluated the merits of scheduling the asylum (see Appendix A1 of his evidence). The assessment report (Appendix B24) concludes that the complex has outstanding historic significance, and national spiritual / cultural significance, representing the changing history of medical practice and also the experiences of those who lived out their lives in the institution. The associated records, still accessible to researchers, provide an important body of historical material which adds to the importance to New Zealand's history, and has formed the basis for published work which centres on the history of insanity as shown through the Seacliff site. The site has national design significance, being the largest commission in New Zealand at its time of construction, and is of outstanding importance in the history of New Zealand architecture. The building's spectacular failure was (and remains) notorious in New Zealand's architectural history.

Dr Hazelton recommends that the submission is accepted and the site added to the schedule. As heritage sites are intended to cover land, rather than buildings, the buildings on the site that are worthy of protection should be listed separately, as a heritage building. Dr Hazelton recommends that the site is listed as 'HS18 – Truby King Reserve', and the buildings listed as B839 - Seacliff Lunatic Asylum Complex (including blacksmith shop, morgue, motor garage, kitchen block, laundry block, isolation cell, boiler house).

I note that there are no further submissions opposing the listing. The owners of the site were contacted at close of submissions, and I understand that Heritage New Zealand has also been in contact. Assuming the owners have no objections, I recommend that the additions to the schedule are made.

Addition of Old Dunstan Road*Submission*

Heritage New Zealand (OS547.35), supported by Elizabeth Kerr (FS2429.26), seeks to add the Old Dunstan Road to the schedule, from Clark's junction to the DCC boundary. A full heritage assessment has been provided, noting the key role the road played in the establishment of Otago, and its fairly original condition. They propose that the heritage site include a 20m width from the centre of the road, or the formed road where it varies from the legal road, including any features within the legal width, road linkages on original alignments, and any historic associated structures such as bridges, buildings, ruins, culverts, embankments, revetments, fences, ditches, abandoned alignment (immediately adjacent) and signs.

Recommendation

Dr Hazelton has evaluated the merits of scheduling the road (see Appendix A1 of his evidence). The assessment report (Appendix B26 of his evidence) concludes that the Old Dunstan Road is a place of outstanding significance. One of the country's longest and oldest heritage roads, it remains in a substantially original state nearly 150 years after its construction. It has particular significance for its role in the early opening up of the interior for gold mining, for its continuous use since its construction, and for the dramatic and beautiful setting the road passes through. It is a familiar and much appreciated feature of the Central Otago landscape. Dr Hazelton recommends that the submission is accepted and the Old Dunstan Road is listed as HS17.

The site is owned by the DCC who have no objection to the listing. I also note that there are no further submissions opposing the listing. I accept Dr Hazelton's advice and recommend that the Old Dunstan Road is added to Schedule A1.1 as HS17.

Recommended amendment:

Amend Schedule A1.1 / Scheduled items not in a Heritage Precinct / Heritage Sites as follows:

Add: HS18, Truby King Reserve, 36 and 22 Russell Road Seacliff, 1, Entire Truby King Reserve, remains and archaeology of former Seacliff site including remnant of rear ground floor retaining wall.

Add: HS17, Old Dunstan Road, [address] Various - Legal Description: Road Reserve; Sec 24 SO 301570 (CT 47421), Otago Land District. Known deviations are shown in Appendix 2 of the registration report; the deviations are still legal road and are included in the scheduling, except where under water, [significance] 1, [protection required] Old Dunstan Road from Clarks Junction to DCC boundary, 20 metres (legal width) from the centre of the road, or the formed road where it varies from the legal road. Includes any features within the legal width, road linkages on original alignments, and any historic associated structures (such as bridges, buildings, ruins, culverts, embankments, revetments, fences, ditches, abandoned alignment [immediately adjacent], and signs).

2. Amend Schedule A1.1 / Scheduled items not in a Heritage Precinct / Heritage buildings as follows:

Add: B839, Seacliff Lunatic Asylum (former), 36 and 22 Russell Road Seacliff, 1, Entire external building envelope of blacksmith shop, morgue, motor garage, kitchen block, laundry block, isolation cell, boiler house, excluding asbestos roofs.

3. Amend planning map as follows:

Add HS18 icon and mapping to Truby King Reserve, as shown in Appendix 2.

Add B839 icon to Seacliff asylum complex at 22 Russell Road.

Add HS17 icon and mapping to Old Dunstan Road, as shown in Appendix 2.

5.18.2 Scheduled Items not in a Heritage Precinct - Retention of Scheduled Heritage Buildings (unopposed)

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS103.13	The Institution of Professional Engineers NZ	I support the provision	Retain B643 727 Portobello Road on Heritage Schedule	Accept	No amendment required
OS103.16	The Institution of Professional Engineers NZ	I support the provision	Retain B047 31 Queens Gardens on Heritage Schedule	Accept	No amendment required
OS103.17	The Institution of Professional Engineers NZ	I support the provision	Retain B381 Rope Walk 64 Bradshaw Street on Heritage Schedule	Accept	No amendment required
OS103.19	The Institution of Professional Engineers NZ	I support the provision	Retain B580 Taiaroa Head Fog Station on Heritage Schedule	Accept	No amendment required
OS103.2	The Institution of Professional Engineers NZ	I support the provision	Retain B021 and B022 (Dunedin Gasworks) 20 Braemar Street on Heritage Schedule	Accept	No amendment required
OS103.20	The Institution of Professional Engineers	I support the provision	Retain B601 University of Otago Former School of	Accept	No amendment required

	NZ		Mines 90 Union Place on Heritage Schedule		
OS103.21	The Institution of Professional Engineers NZ	I support the provision	Retain B616 18 Fryatt Street on Heritage Schedule	Accept	No amendment required
OS103.22	The Institution of Professional Engineers NZ	I support the provision	Retain B637 60 Factory Road on Heritage Schedule	Accept	No amendment required
OS103.23	The Institution of Professional Engineers NZ	I support the provision	Retain B725 8 Crossan Street on Heritage Schedule	Accept	No amendment required
OS103.24	The Institution of Professional Engineers NZ	I support the provision	Retain B726 8 Crossan Street on Heritage Schedule	Accept	No amendment required
OS103.25	The Institution of Professional Engineers NZ	I support the provision	Retain B747 76, 78, and 80 Moana Street Aramoana on the Heritage Schedule	Accept	No amendment required
OS103.26	The Institution of Professional Engineers NZ	I support the provision	Retain B035 Cargills Castle on the Heritage Schedule	Accept	No amendment required
OS103.5	The Institution of Professional Engineers NZ	I support the provision	Retain B579, B644 and B716 1259 Harrington Point Road on Heritage Schedule	Accept	No amendment required
OS103.8	The Institution of Professional Engineers NZ	I support the provision	Retain B516 (Ross Creek Valve Tower) and B517 (Ross Creek Earth Dam) on Heritage Schedule	Accept	No amendment required
OS182.15	Knox and Salmond Colleges Board	I support the provision	Retain B006 Knox College.	Accept	No amendment required
OS547.11	Heritage New Zealand /Otago and Southland Office	I support the provision	Retain B816 124 King Edward Street on Heritage Schedule.	Accept	No amendment required
--FS2429.4	Elizabeth Kerr	I support the submission	Support OS547.11. Allow	Accept	No amendment required

			submission.		
OS103.28	The Institution of Professional Engineers NZ	I support the provision	Retain B423 16 and 55 Sandymount Road on Heritage Schedule	Accept	No amendment required
OS103.29	The Institution of Professional Engineers NZ	I support the provision	Retain B 642 Otago Harbour Walls on Heritage Schedule	Accept	No amendment required
OS103.30	The Institution of Professional Engineers NZ	I support the provision	Retain B730 Pukerangi Road Bridge on Heritage Schedule	Accept	No amendment required
OS103.31	The Institution of Professional Engineers NZ	I support the provision	Retain B731 Harcus Road Bridge on Heritage Schedule.	Accept	No amendment required
OS103.33	The Institution of Professional Engineers NZ	I support the provision	Retain B733 George Street Bridge on Heritage Schedule	Accept	No amendment required
OS103.34	The Institution of Professional Engineers NZ	I support the provision	Retain B734 St David Street Footbridge on Heritage Schedule	Accept	No amendment required
OS547.13	Heritage New Zealand /Otago and Southland Office	I support the provision	Retain B811, B812, B813 and B814 in Heritage Schedule	Accept	No amendment required
--FS2429.6	Elizabeth Kerr	I support the submission	Support OS547.13. Allow submission.	Accept	No amendment required
OS293.42	Southern Heritage Trust & City Rise Up	I support the provision	Retain all items listed in Schedule A1.1. not in a heritage precinct	Accept	No amendment required

Discussion:

Submissions

The above submitters support various heritage buildings and structures in Schedule A1.1 (items not within a heritage precinct). The submissions

are unopposed.

Recommendation

I recommend that the submissions are accepted. No amendment is required.

Recommended amendment:

None.

5.18.3 Scheduled Items not in a Heritage Precinct - Removal of Scheduled Heritage Buildings

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS99.1	Jeremy Shearer	I oppose the provision	Remove heritage building B511 from the Heritage and Character Contributing Buildings schedule.	Reject	Retain B511 on schedule
--FS2440.63	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS99.1. Disallow submission and retain item within Schedule A1.1.	Accept	Retain B511 on schedule
OS288.3	Audrey Shearer	I seek to have the above provision amended	Remove scheduled heritage building B511 (at 232 Rattray Street) from the heritage building schedule.	Reject	Retain B511 on schedule
--FS2440.62	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS288.3. Disallow submission and retain item within Schedule A1.1.	Accept	Retain B511 on schedule
OS308.394	University of Otago	I oppose the provision	Remove scheduled	Reject	Retain B511 on schedule

			building B051, 692 Cumberland Street from Heritage Schedule.		
--FS2440.33	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS308.394. Disallow submission and retain B051 on the Heritage Schedule.	Accept	Retain B511 on schedule
OS597.3	Philip Gilchrist	I oppose the provision	Remove B354 and B355 from Schedule A1.1.	Reject	Retain B354 and B355 on the schedule
--FS2440.66	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS597.3. Disallow submission and retain items within Schedule A1.1.	Accept	Retain B354 and B355 on the schedule
OS930.15	Calder Stewart Development Limited	I oppose the provision	Remove the Caledonian War Memorial Gymnasium, Heritage Building Item no. B815, at 265 Andersons Bay Road from Schedule A1.1 Protected Heritage Items and Sites.	Reject	Retain B815 on schedule
OS547.10	Heritage New Zealand /Otago and Southland Office	I support the provision	Retain B815 Caledonian War Memorial on Heritage Schedule.	Accept	Retain B815 on schedule
--FS2430.12	Calder Stewart Development Limited	I oppose the submission	Oppose OS547.10. Disallow submission and do not retain B815 in the heritage schedule .	Reject	Retain B815 on schedule
--FS2429.3	Elizabeth Kerr	I support the submission	Support OS547.10. Allow submission.	Accept	Retain B815 on schedule
Discussion					

Background

The submissions above all seek to remove items from Schedule A1.1. The submissions are considered individually below.

Heritage New Zealand opposes almost all of the above submissions as it considers that scheduled heritage items should not be removed from Schedule A1.1 unless further assessment by an appropriately qualified person finds that the items do not meet the necessary criteria for inclusion in the schedule. Heritage New Zealand did not lodge a further submission against Calder Stewart's request to remove the Caledonian gym (OS930.15), but submitted separately to retain the building (OS547.10).

Dr Hazelton has considered each of these requests in Appendix A2 of his evidence.

B511, 232 Rattray Street

Jeremey Shearer (OS99.1) and Audrey Shearer (OS288.3) seek to remove protection of the facades of B511 (Modern Upholstery Ltd, 232 Rattray St). No specific reasons are given. Heritage New Zealand opposes the submissions (FS2440.62, 63).

Recommendation

Dr Hazelton recommends rejecting the submissions as the building has heritage values worth protecting and has a distinctive architectural style. He notes that such unmodified industrial buildings are unusual.

B051, 692 Cumberland Street

The University of Otago (308.394) seeks to remove B051 from Schedule A1.1. It states that B051 is currently HNZ listed and scheduled in the District Plan. However, the University considers it is of relatively low value and on a strategic site for University purposes. The University intends seeking its removal from the Heritage New Zealand List, and for consistency it should also be removed from the District Plan schedule.

Heritage New Zealand (FS2440.33) notes that this item is a Category 2 historic place (ref. 4696) on the New Zealand Heritage List. This listing is currently being reviewed in order to establish whether this item remains worthy of entry. Heritage New Zealand opposes the removal of the building from Schedule A1.1 until at least such time as the review is complete.

Recommendation

Dr Hazelton recommends awaiting the outcome of the Heritage New Zealand registration review before a decision is made on whether or not the building should be removed from the schedule. He therefore recommends that the submission is rejected at this stage.

I note that Heritage New Zealand's review is not yet complete and no decision has been made. Jane O'Dea from Heritage New Zealand has advised that the assessment of heritage values to date indicates that the building meets the criteria for inclusion on the List. Given this, I

recommend that the building remains on Schedule A1.1. It can be considered for removal at the next plan change if it is ultimately determined that it is not appropriate to retain its Heritage New Zealand listing.

B354 and B355 - former Wolfenden & Russell building, 138-148 King Edward Street

Philip Gilchrist (OS597.3) seeks to remove B354 and B355 (Wolfenden & Russell) from Schedule A1.1. His reasons are that while Wolfenden & Russell has been an important part of South Dunedin, that era has now passed. He notes that the original buildings are now tired and require strengthening and redevelopment or replacement, and that retention of the facades potentially limits the future use of the buildings. While the existing facades are attractive and form a part of the character of South Dunedin, in his opinion they are not architecturally significant. Cultural aspects of the history of the site and story could hopefully be incorporated in the future building development.

The submission is opposed by Heritage New Zealand (FS2440.66).

Recommendation

Dr Hazelton notes that the buildings have been assessed as having only local heritage value and are relatively simple architecturally. Limited information has been supplied by the submitter in terms of justification for removal from the schedule, aside of the need for upgrade and limits they create on the site. While the submitter has noted that the cultural aspects could be incorporated into a new development, reviewing that as part of a consent process for demolition of these buildings would be more appropriate than removing them from the schedule at this time with no certainty of how those cultural elements could be incorporated. He therefore recommends that the submission is rejected.

B815 - Caledonian War Memorial Gymnasium, 265 Andersons Bay Road

Background

The Caledonian War Memorial Gymnasium is a new listing in the 2GP.

Submission

Calder Stewart (OS 930.15) seeks to remove B815 from Schedule A1.1. It notes that the entire building envelope is listed and considers that the heritage listing will constrain future development of the block bounded by Kensington Ave, Andersons Bay Road and Hillside Road.

Heritage New Zealand (OS547.10), supported by Elizabeth Kerr (FS2429.3), submitted to retain B815 on the schedule. This is opposed by Calder Stewart (FS547.10).

Recommendation

Dr Hazelton recommends Calder Stewart's submission is rejected and that B815 is retained on Schedule A1., see Appendix A2 of his evidence.

He notes that assessment demonstrates clear value of building. There is clear potential for re-use and any demolition should be considered in light of the values of the building as a war memorial.

At a meeting between Heritage New Zealand and DCC Parks and Recreation Services department (PARS), which is responsible for the operation of the building, it was confirmed that the building is no longer fit for recreational uses, and will be sold once existing tenants have found other facilities. PARS do not oppose the heritage scheduling. Jonathon Howard (Heritage New Zealand manager) indicated that a reduced extent of protected features, for example the façade to Andersons Bay Road (the glass curtain wall) may be acceptable to facilitate future re-use. Heritage New Zealand may wish to provide evidence on this at the hearing.

Overall recommendation

I accept Dr Hazelton's advice with respect to the above submissions and recommend that the items are retained on the heritage schedule.

Recommended amendment

None required

5.18.4 Scheduled Items not in a Heritage Precinct - Addition of new listings (Unopposed)

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS103.36	The Institution of Professional Engineers NZ	I seek to have the above provision amended	Add Otago Iron Rolling Mills 131 Main South Road to Heritage Schedule and protect entire building envelope.	Reject	Do not add Otago Iron Rolling Mills to schedule.
OS1.2	Peter Entwisle	I seek to have the above provision amended	Add Former Aquarium at 190 Union Street to Heritage Schedule.	Reject	Do not add former aquarium to schedule.
--	Elizabeth Kerr	I support the submission	Support OS1.2. Allow	Reject	Do not add former

FS2429.107			submission.		aquarium to schedule.
OS300.1	Owain Morris	I oppose the provision	Add Manor Place Conveniences on corner of Princes Street and Manor Place to Heritage Schedule	Accept	Add Manor Place Public Lavatory (former) to Schedule A1.1.
OS547.26	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Add Carisbrook turnstile building and land parcel 18 Neville Street to Heritage Schedule: Turnstile building and entire land parcel.	Accept	Add Carisbrook Turnstile Building to Schedule A1.1
--FS2429.18	Elizabeth Kerr	I support the submission	Support OS547.26. Allow submission.	Accept	Add Carisbrook Turnstile Building to Schedule A1.1
OS547.27	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Add former Pelichet Bay Infectious Diseases Hospital 3 Butts Road to Heritage Schedule: Entire external building envelopes of former Fever Hospital building and morgue.	Accept	Add Pelichet Bay Infectious Diseases Hospital to Schedule
--FS2100.1	Hawkdun Properties Limited	I support the submission	Support OS547.27. Allow submission and include 3 Butts Road within the Heritage Schedule.	Accept	Add Pelichet Bay Infectious Diseases Hospital to Schedule
--FS2429.19	Elizabeth Kerr	I support the submission	Support OS547.27. Allow submission.	Accept	Add Pelichet Bay Infectious Diseases Hospital to Schedule
OS103.14	The Institution of Professional Engineers NZ	I seek to have the above provision amended	Add Gasworks Gas Holder 20 Braemar Street to Heritage Schedule	Accept	Amend B022 to include gasholder

--FS2440.32	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS103.14. Allow submission and include the Gasworks Gas Holder, 20 Braemar Street, in the Heritage Schedule.	Accept	Amend B022 to include gasholder
OS547.20	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Add former Caversham Immigration Barracks at 2 Elbe Street to Heritage Schedule	Accept	Add former Caversham Immigration Barracks to Schedule A1.1
--FS2429.12	Elizabeth Kerr	I support the submission	Support OS547.20. Allow submission.	Accept	Add former Caversham Immigration Barracks to Schedule A1.1
OS547.25	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Add (former) Dandie Dinmont Hotel 166 Portobello Road to Heritage Schedule: Entire building envelope.	Accept	Add Dandie Dinmont Hotel to Schedule A1.1
--FS2429.17	Elizabeth Kerr	I support the submission	Support OS547.25. Allow submission.	Accept	Add Dandie Dinmont Hotel to Schedule A1.1.
OS547.30	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Add St Peter's Anglican Church Complex 500 Hillside Road to Heritage Schedule: Entire building envelop of St Peter's Anglican Church, vicarage and cottage.	Accept	Add St Peter's Church to Schedule A1.1.
--FS2429.22	Elizabeth Kerr	I support the submission	Support OS547.30. Allow submission.	Accept	Add St Peter's Church to Schedule A1.1.
OS547.65	Heritage New Zealand /Otago and Southland Office	I support the provision	Add 15 Hope Street former Bell Tea building to Heritage Schedule.	Accept	Add Bell Tea building to schedule.
--FS2429.55	Elizabeth Kerr	I support the submission	Support OS547.65. Allow	Accept	Add Bell Tea building to

			submission.		schedule.
OS743.50	Elizabeth Kerr	I seek to have the above provision amended	Add the two heritage wharf sheds to the heritage schedule	Reject	Do not add wharf sheds to schedule.
--FS2440.42	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS743.50. Allow submission and include wharf sheds in Schedule A1.1.	Reject	Do not add wharf sheds to schedule.
OS849.40	David Murray	I seek to have the above provision amended	Add Kaikorai Presbyterian Church, 127 Taieri Road to the Heritage Schedule	Reject	Do not add Kaikorai Presbyterian Church to schedule.
--FS2429.95	Elizabeth Kerr	I support the submission	Support OS849.40. Allow submission.	Reject	Do not add Kaikorai Presbyterian Church to schedule.
OS849.41	David Murray	I seek to have the above provision amended	Add the Exchange Buildings 174 Gordon Road, Mosgiel to the Heritage Schedule.	Accept	Add Exchange Buildings to schedule
--FS2429.96	Elizabeth Kerr	I support the submission	Support OS849.41. Allow submission.	Accept	Add Exchange Buildings to schedule
OS849.42	David Murray	I seek to have the above provision amended	Add the former Allen residence (Maranatha) 32 Gordon Road Mosgiel to the Heritage Schedule	Reject	Do not add Maranatha to schedule.
--FS2429.97	Elizabeth Kerr	I support the submission	Support OS849.42. Allow submission.	Reject	Do not add Maranatha to schedule.
OS849.43	David Murray	I seek to have the above provision amended	Add the Grandstand at Waikouaiti Racecourse, 2 Clackmannan Street to the Heritage Schedule	Reject	Do not add the Waikouaiti Grandstand to schedule.
--FS2429.98	Elizabeth Kerr	I support the submission	Support OS849.43. Allow submission.	Reject	Do not add the Waikouaiti Grandstand to schedule.

OS547.24	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Add Dental School/Walsh Building 35 Frederick Street to Heritage Schedule: Entire external building envelope.	Accept	Add Dental School/Walsh Building to Schedule A1.1
--FS2429.16	Elizabeth Kerr	I support the submission	Support OS547.24. Allow submission.	Accept	Add Dental School/Walsh Building to Schedule A1.1
OS308.454	University of Otago	I support the provision	Retain non-inclusion of Walsh Building on Heritage Schedule, however if scheduled through a decision on Second Generation Plan, ensure that this does not compromise current redevelopment project or future use and development.	Accept in part	Add Dental School/Walsh Building to Schedule A1.1

Discussion

Background

The following submissions seek to add buildings and structures to Schedule A1.1. Further submissions in opposition were not received against any of these submissions. Many of the owners (all those whose properties are commended for inclusion) were contacted at the close of submissions, and / or contacted again by DCC or by Heritage New Zealand later in the process. I am not aware of any opposition from the owners to these requests, although in some cases no responses have been received. Heritage New Zealand may have additional information about responses received from building owners.

In each case the requests have been assessed by Dr Hazelton in Appendix A1 of his evidence. In many cases an assessment report has also been prepared.

Otago Iron Rolling Mills 131 Main South Road

Submission

The Institution of Professional Engineers NZ (OS103.36) seeks to add the Otago Iron Rolling Mills, 131 Main South Road, to Schedule A1.1, with

protection for the entire building envelope. The site is on IPENZ's Engineering Heritage Record. The submission details the history of the site.

Recommendation

Dr Hazelton notes that the building is subject to a resource consent that provides for substantial change to both the interior and exterior (LUC-2011-161). As such, he does not consider it appropriate to add to the schedule at this time and has not assessed it further.

190 Union Street, Former New Zealand and South Seas Exhibition Aquarium

Submissions

Peter Entwisle (OS1.2), supported by Elizabeth Kerr (FS2429.107), seeks to add the former Aquarium to Schedule A1.1, as it is one of only two buildings remaining from the 1925-1926 South Seas and International Exhibition.

Recommendation

The assessment report (Appendix B1 of Dr Hazelton's evidence) concludes that the building has regional technological significance due to its design as an aquarium and its construction alongside the New Zealand and South Seas Exhibition. However, Dr Hazelton does not recommend adding the building to Schedule A1.1 due to its poor condition. He notes that the building was not constructed with the intent of being a permanent structure, and this has a bearing on both the ability to upgrade it, and on the necessity for protection. He also notes that the former Art Gallery is scheduled as a representative building of the exhibition.

Manor Place Conveniences

Submissions

Owain Morris (OS300.1) seeks to include the Manor Place Conveniences in Schedule A1.1. He considers that the architecture inside should be retained forever. He notes it was opened in 1912 and has classic fittings. He also suggests an explanatory plaque be added.

Recommendation

The assessment report (Appendix B5 of Dr Hazelton's evidence) concludes that the building has local historic / social significance, due to its association with the early 20th century provision of extended public services by municipal authorities. The others constructed in Dunedin were underground and are now sealed off and invisible. This is the only which can still be seen. The building also has local design significance as a good, if modest, example of the Queen Anne style applied to a structure which had no parallel while Queen Anne reigned.

Dr Hazelton recommends that the former lavatory is included as B829, with protection of the "entire external building envelope and internal

features, including unpainted brick and concrete, window grilles but excluding bricked up entrances and utility equipment attached to the structure. Interior tiling and other original features where salvageable." The landowner (DCC) has indicated it has no concerns with the scheduling. I accept Dr Hazelton's advice and recommend that the building is listed as B829 with protection as described.

Carisbrook turnstile building

Submissions

Heritage New Zealand (OS 547.26), supported by Elizabeth Kerr (FS2429.18), seeks to add the Carisbrook turnstile building and land parcel at 18 Neville Street to Schedule A1.1. The turnstile is on the Heritage New Zealand List and Heritage New Zealand considers that it should be afforded appropriate protection in the 2GP.

Recommendation

Dr Hazelton notes that there is already a covenant protecting this structure. Following demolition of the main stadium, the turnstile buildings and a small area of land around them were retained in Dunedin City Council ownership and were earmarked for a pocket park. As of 2016, the site remains vacant and the pocket park has not yet been developed. The assessment report (Appendix B20 of Dr Hazelton's evidence) concludes that Carisbrook, as a venue for provincial, national and international sporting fixtures, particularly rugby, was of outstanding significance as an iconic sports ground which has seen countless high level games since 1880. The ground and its associated mythology had an outstanding significance in the public imagination, and have a special place in New Zealand's sporting history. For this reason, the remaining Carisbrook turnstile building is assessed as having overall national heritage significance.

Dr Hazelton recommends that the turnstile building is included on Schedule A1.1 and maps as B832, with protection of the "entire external building envelope of 1929 turnstile building, including doorways, unpainted brick, painted signs."

Pelichet Bay Infectious Diseases Hospital, 3 Butts Road

Submissions

Heritage New Zealand (OS 547.27) seeks to add the former Pelichet Bay Infectious Diseases Hospital to Schedule A1.1, with protection required for the entire external building envelopes of the former fever hospital building and morgue. The hospital is on the Heritage New Zealand List and Heritage New Zealand considers that it should be afforded appropriate protection in the 2GP.

The submission is supported by the owner, Hawkdun Properties Limited (FS2100.1), and Elizabeth Kerr (FS2429.19).

Recommendation

Dr Hazelton agrees that the buildings have heritage values worth protecting. The assessment report (Appendix B21 of Dr Hazelton's evidence)

concludes that the hospital has national significance, being a rare and special example of a purpose built isolation hospital in New Zealand. It represents wider historical and cultural landscapes, both nationally and internationally, ranging from new crusades concerning child welfare to the evolution of new medical techniques. The hospital is also an outstanding, unmodified example of the international architectural trend towards the pavilion plan.

Dr Hazelton recommends that the building is scheduled as B830 Pelichet Bay Infectious Disease Hospital (former), with the protection required listed as: "entire external building envelopes of former Fever Hospital building and morgue".

Gasworks Gas Holder, 20 Braemar Street

Submissions

The Institution of Professional Engineers NZ (OS103.14), supported by Elizabeth Kerr (FS2440.32), seeks to add the Gasworks Gas Holder to Schedule A1.1. The exhauster and boiler house are already included within the schedule, and the entire site is a scheduled heritage site.

Recommendation

Dr Hazelton notes that the gas holder is part of an existing protected building, B022. He recommends that the existing listing B022 is amended to include "the entire gas holder structure, but allowing for restoration of missing elements".

Caversham Immigration Barracks

Submission

Heritage New Zealand (OS547.20), supported by Elizabeth Kerr (FS2429.12), seeks to add the former Caversham Immigration Barracks at 2 Elbe Street to Schedule A1.1. Heritage New Zealand considers that the barracks are worthy of protection and has provided a report detailing the reasons for this.

Recommendation

The assessment report (Appendix B12 of Dr Hazelton's evidence) concludes that the barracks have local historic / social significance, due to its association with the history of immigration in Dunedin/Otago. Dr Hazelton recommends that the entire external building is protected as listing B827, with protection required for the "entire building envelope". I understand that verbal agreement has been given to Heritage New Zealand.

Dandie Dinmont Hotel (The White House, Waverley House), 166 Portobello Road

Submission

Heritage New Zealand (OS547.25), supported by Elizabeth Kerr (FS547.25), seeks to add this building to Schedule A1.1. The building is on the Heritage New Zealand List and Heritage New Zealand considers that it should be afforded appropriate protection in the 2GP.

Recommendation

The assessment report (Appendix B19 of Dr Hazelton's evidence) concludes that the building has local historic / social significance, partly due to its association with William Larnach, and local design significance, being designed by Mason and Wales. Dr Hazelton recommends that the submission is accepted, and the building listed as B822, with protection of the entire building envelope, including fenestration, architectural mouldings and details, timber joinery and doors. He also recommends that the stone wall and gate posts are protected.

St Peter's Anglican Church Complex, 500 Hillside Road, 57 Baker Street and 60 Eastbourne Street, Caversham

Submissions

Heritage New Zealand (OS547.30), supported by Elizabeth Kerr (FS2429.22), seeks to include St Peter's Anglican Church Complex, in Schedule A1.1. The protection required should include the entire building envelope of St Peter's Anglican Church, the vicarage and cottage. The complex is on the Heritage New Zealand List and Heritage New Zealand considers that it should be afforded appropriate protection in the 2GP.

Recommendation

The assessment report (Appendix B23 of Dr Hazelton's evidence) concludes that the church has local historic / social and spiritual / cultural significance, reflecting the importance of the Anglican religion in the local community, and also local design significance. Dr Hazelton recommends that the submission is accepted and the church listed as B828, with protection of the entire building envelope of the vicarage, church and cottage, excluding the modern parish centre.

15 Hope Street (former Bell Tea Company building)

Submissions

Heritage New Zealand (OS547.65), supported by Elizabeth Kerr (FS2429.55), seeks to add 15 Hope Street to Schedule A1.1. The building is on the Heritage New Zealand List and Heritage New Zealand considers that it should be afforded appropriate protection in the 2GP.

Recommendation

The assessment report (Appendix B27 of Dr Hazelton's evidence) concludes that the building has national social/historic significance, as Bell Tea is a household name in New Zealand, and one of the country's oldest and most widely recognised consumer brands. The building was the company's principal place of business for some decades, and its continuous association with the blending, distribution, and sale of tea spanned 90 years. The building has regional design significance, as a very good example of interwar commercial/industrial design, still in original

condition.

Dr Hazelton has discussed the proposed listing with the building owner. The owner agrees to this and is comfortable with the protection of the facades of the 1924 building to Hope and Carroll Streets above ground floor including exposed brickwork, fenestration, bell-shaped decoration, door grilles, but excluding doors and windows, parapet signage, door grilles and ground floor on both facades.

I recommend that the building is included in the Schedule on this basis.

Heritage wharf sheds, 50 Fryatt Street

Submissions

Elizabeth Kerr (OS743.50), supported by Heritage New Zealand (FS2440.42), seeks to add the two wharf sheds at 50 Fryatt Street, closest to the Monarch's berth, to the Schedule A1.1. Ms Kerr notes that the sheds are ideal for adaptive re-use and redevelopment.

Recommendation

The assessment report (Appendix B8 of Dr Hazelton's evidence) concludes that the sheds have local heritage significance. However, Dr Hazelton notes that the sheds are in generally poor condition and that there are other wharf sheds in better condition nearby. Other nearby scheduled buildings reference the importance of industry and shipping in the area. Given the continued use of Steamer Basin as a docking and service area, it is not considered necessary to protect the sheds in order to tell the story about the role played by trade and shipping in Dunedin's economy. He recommends that the buildings are not scheduled as heritage buildings and that Ms Kerr's submission is rejected.

Kaikorai Presbyterian Church, 127 Taieri Road

Submissions

David Murray (OS849.40), supported by Elizabeth Kerr (FS2429.95), seeks to add the Kaikorai Presbyterian Church to Schedule A1.1. Mr Murray considers this church to be a stand-out among Dunedin's suburban churches, in a striking Gothic Revival style. Mr Murray considers that Salmond this is one of the most distinguished churches designed by James Salmond. It is an important site of spiritual and cultural history that has been the principal landmark of its community for over a century.

Recommendation

The assessment report (Appendix B9 of Dr Hazelton's evidence) concludes that the building has local significance as a suburban church of the early twentieth century, and is a prominent landmark at the intersection of suburban and industrial zones in Dunedin. However, Dr Hazelton recommends that this building is not scheduled at this time. Church buildings are well-represented on the DCC heritage schedule, and a similar gothic revival church built in 1903 at 19-21 Highgate, also designed by James Louis Salmond, is already protected on the schedule (B334) and

registered by Heritage New Zealand (3377).

Exchange Buildings, 174 Gordon Road, Mosgiel

Submissions

David Murray (OS849.41), supported by Elizabeth Kerr (FS2429.96), seeks to add the Exchange Buildings to Schedule A1.1. Mr Murray considers this to be a landmark Mosgiel building of high architectural merit and streetscape value, designed by one of Dunedin's leading architects (Mason and Wales). Mosgiel buildings are under-represented on the schedule and this building is arguably the heritage highlight of the main street.

Recommendation

The assessment report (Appendix B10 of Dr Hazelton's evidence) concludes that the building has overall local significance, as an original and intact example of an early 20th century commercial building planned on the co-operative model. Its strong outline fits well into the varied streetscape of the Mosgiel area which is at risk due to loss of occupancy and changes in retail usage.

He recommends that the building is included as B837, with protection of the "façade to Gordon Road including fenestration, timber Queen Anne style windows on first floor, parapet, unpainted brick and plaster".

Maranatha, 32 Gordon Road, Mosgiel

Submission

David Murray (OS849.42), supported by Elizabeth Kerr (FS2429.97), seeks the addition of the former Allen residence (Maranatha) to the Heritage Schedule. The house was designed by James Salmond for Dr Allan. It was one of his largest residential commissions and the building is of very high architectural merit.

Recommendation

This building has been demolished. I therefore recommend that the submission is rejected.

Grandstand at Waikouaiti Racecourse

Submission

David Murray (OS849.43), supported by Elizabeth Kerr (FS2429.98), seeks to add the Grandstand at Waikouaiti Racecourse, 2 Clackmannan Street, to Schedule A1.1. Mr Murray considers that the Waikouaiti grandstand is one of the best of its type in New Zealand. It is of very striking

and original design and is a southern landmark and a significant site of social history. He notes that Waikouaiti and the sporting heritage of Dunedin are under-represented in the schedule.

Recommendation

The assessment report (Appendix B11 of Dr Hazelton's evidence) concludes that the grandstand has national significance in New Zealand due to its early design and construction in re-inforced concrete. It exhibits innovative engineering and is a sophisticated design from one of New Zealand's lesser known but highly skilled designers. The deterioration of the building is a matter for concern.

Dr Hazelton notes that while there is no response from the building's owners (the Waikouaiti Racing Club), they have expressed concern over the ability of such a small organisation to upgrade the structure. He recommends that the building is not scheduled at this time. I agree with the recommendation, and note that there may be opportunity to work with the owners towards scheduling in the future.

Dental School/Walsh Building

Submissions

Heritage New Zealand (OS547.24), supported by Elizabeth Kerr (FS547.24), seeks to add the Dental School/Walsh Building at 35 Frederick Street to Schedule A1.1. The building is on the Heritage New Zealand list and Heritage New Zealand considers that it should be afforded appropriate protection in the 2GP.

The University of Otago (OS 308.454) notes that the University would accept the exterior only being scheduled, provided that this does not impact on the current redevelopment project (e.g. if the schedule specifically permits completion of consented work, or the date of effect is postponed until after work is completed) or unduly restrict future use and development of the building as a modern dental school. It notes that in effect the University supports the existing plan, for the reason that it does not restrict the current Walsh Building redevelopment nor compromise future use and development of both buildings.

Recommendation

The Walsh Building is currently HNZPT listed. The assessment report (Appendix B18 of Dr Hazelton's evidence) concludes that the building is nationally significant for historic /social, design and technological / scientific reasons. Dr Hazelton recommends that the exterior only is protected, including decorative concrete mosaics, glass curtain wall and Staup sculptures.

Overall recommendation

I am not aware of any opposition to these listings by the buildings' owners. Given this, I accept Dr Hazelton's advice in respect of the all the proposed additions to the schedule discussed above, and recommend that the items are added to the schedule as shown below.

Recommended amendment

1. Amend Schedule A1.1 / Scheduled items not in a heritage precinct, as follows:

Add:

B829, Manor Place Public Lavatory (former), intersection of Manor Place, Hope Street, Princes Street, [none], entire external building envelope and internal features, including unpainted brick and concrete, window grilles but excluding bricked up entrances and utility equipment attached to the structure. Interior tiling and other original features where salvageable.

B832, Carisbrook turnstile building, 18 Neville Street, 1, entire external building envelope of 1929 turnstile building, including doorways, unpainted brick, painted signs.

B830, Pelichet Bay Infectious Disease Hospital (former), 3 Butts Road, 1, entire external building envelopes of former Fever Hospital building and morgue Pelichet Bay Infectious Diseases Hospital.

B827, Caversham Immigration Barracks, 2 Elbe Street, [none], entire building envelope.

B822 Dandie Dinmont Hotel (former), 166 Portobello Road, 2, entire building envelope including fenestration, architectural mouldings and details, timber joinery and doors. Also external stone wall and gate posts.

B828, St Peter's Anglican Church Complex 500 Hillside Road, 57 Baker Street and 60 Eastbourne Street, 2, entire building envelope of vicarage, Church and cottage, excluding modern parish centre.

B824, Bell Tea Company building (former), 15 Hope Street, [none], facades of the 1924 building to Hope and Carroll Streets above ground floor including exposed brickwork, fenestration, bell-shaped decoration, door grilles. Excludes doors and windows, parapet signage, door grilles and ground floor on both facades.

B837, Exchange Buildings, 174 Gordon Road Mosgiel, [none], facade to Gordon Road including fenestration, timber Queen Anne style windows on first floor, parapet, unpainted brick and plaster.

B820, Dental School / Walsh Building, 35 Frederick Street Dunedin, 1, entire building envelope including decorative concrete mosaics, glass curtain wall and Staup sculptures

Amend listing for B022 as follows: "entire external building envelope, including the entire gasholder structure but allowing for restoration of missing elements"

2. Amend planning map as follows:

Add B829 icon at intersection of Manor Place, Hope Street, Princes Street

Add B832 icon at 18 Neville Street

Add B830 icon at 3 Butts Road

Add B827 icon at 2 Elbe Street

Add B822 icon at 166 Portobello Road

Add B828 icon at 500 Hillside Road

Add B824 icon at 15 Hope Street

Add B837 icon at 174 Gordon Road Mosgiel

Add B820 icon at 310 Great King Street

5.18.5 Scheduled Items not in a Heritage Precinct - Addition of new listings (opposed)

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS547.22	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Add Resident Technician's Cottage, Portobello Road to Heritage Schedule: Entire external building envelope.	Accept	Add Resident Technician's Cottage to Schedule A1.1
--FS2429.14	Elizabeth Kerr	I support the submission	Support OS547.22. Allow submission.	Accept	Add Resident Technician's Cottage to Schedule A1.1
OS308.455	University of Otago	I support the provision	Retain non-inclusion of Resident Technician's Cottage, Portobello on Heritage Schedule, however if scheduled through a decision on Second Generation	Reject	Add Resident Technician's Cottage to Schedule A1.1

			Plan, ensure that this does not compromise future use and development.		
OS103.37	The Institution of Professional Engineers NZ	I seek to have the above provision amended	Add Hillside Railway Workshops 300 Hillside Road to Heritage Schedule and protect entire building envelope.	Reject	Do not Hillside workshops to Schedule A1.1.
--FS2162.1	KiwiRail Holdings Limited	I oppose the submission	Oppose OS103.37. Disallow submission	Accept	Do not Hillside workshops to Schedule A1.1.
OS417.34	Margaret Davidson	I seek to have the above provision amended	Add 39 Park Street as heritage building to heritage schedule	Reject	Do not add 39 Park St to Schedule A1.1
--FS2172.1	Louise Foord, Charlotte Morris and Hazel Renn	I oppose the submission	Oppose OS417.34. Disallow submission and do not add 39 Park St to the heritage schedule.	Accept	Do not add 39 Park St to Schedule A1.1
--FS2190.2	Public Trust	I oppose the submission	Oppose OS417.34. Disallow submission and do not add 39 Park Street to heritage schedule.	Accept	Do not add 39 Park St to Schedule A1.1
OS547.23	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Add Otago Therapeutic Pool to Heritage Schedule: Entire building envelope, interior reinforced concrete portal frame and pool cavity.	Reject	Do not add Otago Therapeutic Pool to Schedule A1.1
--FS2370.20	Southern District Health Board	I oppose the submission	Oppose OS547.23. Disallow submission and do not list Therapeutic Pool in the Heritage schedule..	Accept	Do not add Otago Therapeutic Pool to Schedule A1.1

--FS2429.15	Elizabeth Kerr	I support the submission	Support OS547.23. Allow submission.	Reject	Do not add Otago Therapeutic Pool to Schedule A1.1
--FS2440.35	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS547.23 (in part). Disallow submission and amend proposed protection of the Therapeutic Pool to 'Entire building envelope and interior reinforced concrete portal frames'.	Reject	Do not add Otago Therapeutic Pool to Schedule A1.1
OS308.447	University of Otago	I support the provision	Retain non-inclusion of Richardson Building, 85 Albany Street on Heritage Schedule, however if scheduled through a decision on Second Generation Plan, ensure that this does not compromise future use and development.	Accept in part	Add Richardson building to Schedule A1.1
OS547.28	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Add former Hocken Building 85 Albany Street to Heritage Schedule: Entire external building envelope and stairwell up to the first floor landing.	Seems to be same as 547.29 Accept in part	Add Richardson building to Schedule A1.1
--FS2142.10	University of Otago	I oppose the submission	Oppose OS547.28. Disallow submission and do not include the stairwell in the listing.	Accept in part	Add Richardson building to Schedule A1.1
--FS2429.20	Elizabeth Kerr	I support the submission	Support OS547.28. Allow submission.	Accept in part	Add Richardson building to Schedule A1.1

OS547.29	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Add former Hocken Building 85 Albany Street to Heritage Schedule: Entire external building envelope and stairwell.	Accept	Add Richardson building to Schedule A1.1
--FS2429.21	Elizabeth Kerr	I support the submission	Support OS547.29. Allow submission.	Accept	Add Richardson building to Schedule A1.1
OS743.51	Elizabeth Kerr	I seek to have the above provision amended	Add buildings between 260 and 294 Great King Street to heritage schedule as heritage buildings	Reject	Do not add 260 – 294 Gt King St to Schedule A1.1
--FS2142.12	University of Otago	I oppose the submission	Oppose OS743.51. Disallow submission and do not buildings to schedule.	Accept	Do not add 260 – 294 Gt King St to Schedule A1.1
OS849.44	David Murray	I seek to have the above provision amended	Add Albyn House, 558 Great King Street to the Heritage Schedule.	Accept	Add 558 Great King Street to Schedule A1.1 and maps
--FS2422.1	Dowling Street Property Trust	I oppose the submission	Oppose OS849.44. Disallow submission and do not include Albyn House in the heritage schedule.	Reject	Add 558 Great King Street to Schedule A1.1 and maps
--FS2429.99	Elizabeth Kerr	I support the submission	Support OS849.44. Allow submission.	Accept	Add 558 Great King Street to Schedule A1.1 and maps
OS849.45	David Murray	I seek to have the above provision amended	Add Kensington Drill Hall, 24 Bridgman Street to the Heritage Schedule.	Reject	Do not add Kensington Drill Hall to schedule.
--FS2287.6	New Zealand Defence Force	Not Stated	Neutral in respect to OS849.45. Submitter comments that there are no plans for NZDF to	Accept	Do not add Kensington Drill Hall to schedule.

			vacate Kensington Hall.		
-- FS2429.100	Elizabeth Kerr	I support the submission	Support OS849.45. Allow submission.	Reject	Do not add Kensington Drill Hall to schedule.

Discussion:

Background

The above submissions all seek items to be added to Schedule A1.1 Heritage buildings and structures. In all cases there are further submissions opposing the listings. Dr Hazelton has considered each request and his comments are contained within his Appendix A1. In some cases an additional assessment report has been completed.

Resident Technician's Cottage, Portobello

Submission

Heritage New Zealand (OS547.22), supported by Elizabeth Kerr (FS2429.14), seeks to add the entire external building envelope of the Resident Technician's Cottage at Portobello aquarium to Schedule A1.1. The cottage is on the Heritage New Zealand list and Heritage New Zealand considers that it should be afforded appropriate protection in the 2GP.

The University of Otago (OS308.455) states that if the building is scheduled, this should not compromise future use and development. The University is currently considering options for future marine research facilities, and needs to retain flexibility over use of the Portobello site.

Recommendation

The Cottage is currently Heritage New Zealand listed. An assessment report undertaken on behalf of Council (Appendix B16 of Dr Hazelton's evidence) concludes that the building has regional social / historic significance, due to its association with the Portobello marine laboratory and the people associated with that institution. It has local design significance, as a good example of standard government staff accommodation from the turn of the century. Overall it has regional heritage significance.

Dr Hazelton recommends that the cottage is included as B831, Resident Technician's Cottage, with protection required of "entire external building envelope, including fenestration and timber window joinery".

I note that the University is not opposed to listing the building, providing this does not compromise the future use of the site. It is not clear whether the proposed listing details are acceptable to the University. Assuming that they are, I recommend that the building is included on the schedule.

Hillside Railway Workshops, 300 Hillside Road

Submissions

The Institution of Professional Engineers (OS103.37) seeks to include the Hillside Railway workshops in Schedule A1.1. The submitter notes that until 1990 the workshops were the largest mechanical engineering enterprise in New Zealand, and incorporated the largest metal foundry. IPENZ note there is no national heritage recognition of this, and considers that the entire building envelope merits protection.

KiwiRail (FS2162.1) opposes the listing, noting that protecting the building envelope as sought would in effect be protecting each building on the site. While KiwiRail acknowledge the values associated with the Hillside Workshop site, KiwiRail dispute that these are significant to the extent that the buildings satisfy the criteria needed to be included as a heritage building within the plan.

Further, such a restriction removes any operational flexibility required for use of the site in accordance with its designated purpose. While there are engineering heritage values that have been attributed to the activities previously undertaken on the site, that is different to protecting the buildings themselves. None of the buildings are listed with Heritage New Zealand. KiwiRail's records show that the buildings range in construction timeframes from the late 1920s, through to the 1980s.

Recommendation

Dr Hazelton notes that the building is designated (D423). Given this, and the opposition of the building owner, he considers that it would be difficult to achieve the scheduling. Should Kiwirail decide to dispose of the building, the disposal process would include an assessment of heritage values by Heritage New Zealand. Dr Hazelton considers that this may be a more appropriate time to assess the heritage values and whether protection is warranted. Consequently he has not assessed the buildings further and does not recommend inclusion in Schedule A1.1.

39 Park Street

Submissions

Margaret Davidson (OS417.34) seeks to include the house at 39 Park Street in Schedule A1.1. The house was built in the 1860s and was associated with C R Swyer, an architect who made a significant contribution to Dunedin's monuments, most notably Cargill's Monument.

The submission is opposed by Louise Foord, Charlotte Morris and Hazel Renn (FS2172.1), and the Public Trust (FS2190.2). They note that the building on this property cannot economically be brought up to a habitable standard, and heritage listing would impose unreasonable financial hardship on the property owner and her family.

Recommendation

Dr Hazelton notes that the owner is highly opposed to scheduling. The report provided by the submitter does not indicate that protection of the building would substantially add to our knowledge of residential heritage in Dunedin. If there are plans to demolish the building in future, an

archaeological authority would be required for demolition, which could require recording of the building. As a result he has not further assessed the building, and does not recommend its inclusion within the schedule.

Otago Therapeutic Pool

Submissions

Heritage New Zealand (OS547.23 and FS2440.35), supported by Elizabeth Kerr (FS2429.15), seek to list the Therapeutic Pool in Schedule A1.1. The protection required (as amended by the further submission) would be: “entire building envelope and interior reinforced concrete portal frames”. The pool is on the Heritage New Zealand list and Heritage New Zealand considers that it should be afforded appropriate protection in the 2GP.

The Southern District Health Board (FS2370.20) has lodged a neutral further submission. It notes that, although it considers it extremely unlikely that the proposed development of the hospital in the next 10 years will require the pool site, it cannot predict what may be required beyond this timeframe. It therefore prefers not to have the site listed in the 2GP.

Recommendation

The assessment report (Appendix B17 of Dr Hazelton’s evidence) concludes that the pool has national significance for historic and social reasons, being the first purpose-built pool for the rehabilitative treatment of patients, and is held in high esteem by the local community. It is regionally significant in terms of design and technological / scientific factors. Overall it has regional significance.

Dr Hazelton notes that rather than schedule the building against the DHB’s wishes, it would be preferable to work with DHB through the hospital rebuild process to secure appropriate protection in the future. I agree, and recommend that it is not added to the schedule.

Richardson Building (former Hocken Building), 85 Albany Street

Submissions

Heritage New Zealand (OS547.28 and 9) seeks to add the Richardson Building at 85 Albany Street to Schedule A1.1, including the entire external building envelope and stairwell up to the first floor landing. This building is currently on the Heritage New Zealand List and Heritage New Zealand considers that it should be afforded appropriate protection within the 2GP.

The submission is opposed by the University of Otago (FS2142.10), which does not want the stairwell listed. It states that the stairwell is a crucial part of the functioning and safety of the building and does not have heritage values that would justify heritage protection.

The University of Otago (OS308.447) also made an original submission, stating that it would accept the exterior being scheduled, provided that

it does not unduly compromise future use and development (eg. potential additions at ground floor level to provide for storage and recycling).

Recommendation

The assessment report (Appendix B22) concludes that the building is assessed as having overall national heritage significance. It was designed by the Dunedin firm of McCoy & Wixon for the University of Otago and is a monumental example of late Modernism on the Dunedin campus. Its height, textures and strong forms make the building visible from many parts of inner Dunedin and it has a major effect on the campus environment. It is recognised nationally and internationally as an outstanding example of modernist architecture.

Dr Hazelton recommends that the building is scheduled as B826, with elements of protection being the "Entire building envelope excluding modern alterations/additions. Interior: main stairwell."

260 to 294 Great King Street

Submissions

Elizabeth Kerr (OS743.51) seeks to ensure that heritage buildings on the west side of Great King Street between Hanover St and Albany St (numbers 260 to 294), including the old zoology building and the modern Sayers Building housing the Medical School Library, are scheduled for protection of their facades and bulk appearance to Great King Street, currently a significant streetscape.

She notes that this strong cluster of heritage buildings strongly contributes to the architecture and development story of health sciences and medical endeavour at Dunedin. The buildings are distinctive and imposing for their styles, ornament, rhythms, scale, bulk and interconnectedness, both for users and pedestrians.

The University of Otago (FS2142.12) opposes the entire submission, stating that there is already adequate protection of heritage values of Medical School buildings, and that further controls are not justified.

Recommendation

Dr Hazelton notes that 260 and 270 Great King Street are already listed in Schedule A1.1. 290 -294 Great King Street is a modernist building and the listing is opposed by the University. He has accepted listing of another modernist building (the Walsh building). Dr Hazelton considers that scheduling of this building could be considered in the future. However, he considers that a better approach at the present time would be to work with the University collaboratively to protect a representative sample of buildings from different architectural periods in future.

Consequently, he has not assessed the building further and does not recommend that it is included on Schedule A1.1.

Albyn House, 558 Great King Street

Submissions

David Murray (OS849.44), supported by Elizabeth Kerr (FS2429.99), seeks to include Albyn House, originally the Albion Hotel, on Schedule A1.1. He notes that this is possibly the oldest surviving hotel building in Dunedin, and the oldest surviving building in North Dunedin. It dates from just before the gold rush, and is Georgian in design.

Dowling Street Property Trust (FS2422.1) opposes the heritage listing. It notes that the building no longer resembles its former predecessor, as it has undergone numerous modifications to the extent that the majority of the heritage features have been significantly eroded. In particular, the brick chimneys and decorative ironwork detail have been removed from the exterior. The interior of the property has incurred the most change with no heritage features remaining. The Trust notes under the RMA, historic heritage means natural and physical resources "that contribute to an understanding and appreciation of New Zealand's history and cultures." Due to the irreversible erosion of the heritage features the building no longer satisfies this criterion.

Accordingly the submitter considers that the building is not significant enough to be included in the Heritage Schedule.

Recommendation

The assessment report (Appendix B12 of Dr Hazelton's evidence) concludes that the building has overall regional significance as a pre-gold rush era hotel built in advance of other significant structures in the area. It has design significance as an early Victorian building of simple neo-Classical form, a type of structure rare in the rest of Dunedin.

Dr Hazelton recommends that Albyn House is included on Schedule A1.1 and maps as B836, with protection of: "Façade and bulk appearance to Great King Street including timber architectural details and fretwork, fenestration, but allowing for reinstatement of timber joinery."

I note that the owner has submitted in opposition to the listing. The building is located within the TH01 precinct within the operative plan, and the North Ground heritage precinct in the 2GP, and so there is already protection of the parts of the building visible from the street. As limiting protection to the façade and bulk appearance is broadly in line with the existing protection I accept Dr Hazelton's advice and recommend that Albyn House is included on Schedule A1.1.

Kensington Drill Hall, 24 Bridgman Street

Submission

David Murray (OS849.45), supported by Elizabeth Kerr (FS2429.98), seeks to add the Kensington Drill Hall to the schedule. Mr Murray considers that the building is of national significance as an example of its type, with important links with Dunedin's role in the two world wars and the military.

New Zealand Defence Force (FS2287.6) is neutral in respect of the request, but notes that there are no plans for NZDF to vacate Kensington

Hall.

Recommendation

Dr Hazelton notes that the building is designated (D159) and the owner, NZDF, is opposed to protection. These factors are likely to make it difficult to achieve the scheduling. Should NZDF decide to dispose of the building, it would go through a disposal process which includes Heritage New Zealand assessing the heritage values of the property. He considers that this may be a more appropriate time to assess values and whether protections are warranted. Consequently, he has not assessed the building further and does not recommend including it in the schedule at this time.

Recommended amendment

1. Amend Schedule A1.1 / 1. Scheduled items not in a heritage precinct / Heritage buildings, by adding:

B831, Resident Technician's Cottage, 185 Hatchery Road, [2], entire external building envelope, including fenestration and timber window joinery

B826, Hocken Building (former), Richardson Building, 85 Albany Street, [1], entire building envelope excluding modern alterations/additions. Interior: main stairwell.

2. Add to Schedule A1.1 / North Ground Residential Heritage Precinct / Heritage buildings:

B836, Albyn House, 558 Great King Street, [none], façade and bulk appearance to Great King Street including timber architectural details and fretwork, fenestration, but allowing for reinstatement of timber joinery.

3. Amend planning map as follows:

Add B831 icon at 185 Hatchery Road

Add B836 icon at 558 Great King Street

Add B826 icon at 85 Albany Street (Hocken building)

5.18.6 Scheduled Items not in a Heritage Precinct – Addition of new listings – non-specific requests

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS743.39	Elizabeth Kerr	I seek to have the above provision amended	Upgrade character contributing buildings to heritage buildings for scheduling once researched and fully assessed	Accept in part	New additions to schedule made in response to other submissions
OS417.35	Margaret Davidson	I seek to have the above provision amended	Identify further buildings for scheduling in the Fernhill-Carroll St-Manor Place area	Accept in part	New additions to schedule made in response to other submissions
OS417.36	Margaret Davidson	I seek to have the above provision amended	Identify further buildings for scheduling in the Arthur Street-Canongate area	Accept in part	New additions to schedule made in response to other submissions
-- FS2050.16	Rosalind Whiting	I support the submission	Support OS417.36 Allow submission.	Accept in part	New additions to schedule made in response to other submissions
OS293.43	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Undertake further research and consideration of some character contributing buildings for upgrade to heritage building status.	Accept in part	New additions to schedule made in response to other submissions
OS743.35	Elizabeth Kerr	I seek to have the above provision amended	Review all major facility zones for heritage items that are not yet assessed or scheduled in 2GP, for example: Moana Pool, Otago Medical School/ Health Sciences (only two buildings listed), Ashburn Hall, Dunedin International Airport terminal building, Port	Accept in part	Buildings assessed for listing within Campus Zone in response to other submissions

			wharfs, wharfsheds and structures.		
OS743.38	Elizabeth Kerr	I seek to have the above provision amended	Schedule further buildings in residential heritage areas below the town belt from Woodhaugh to Maitland St and extending west of George St and Princes St; the wider tertiary campus area; North East Valley (see settled river flat following Lindsay Creek); and the housing area extending west and north of Gardens shopping centre, including parts of Dalmore.	Accept in part	New additions to schedule made in response to other submissions
OS417.37	Margaret Davidson	I seek to have the above provision amended	Identify further buildings for scheduling in the Caversham area	Accept in part	Add Caversham Infant School, Caversham School Gym and Caversham Memorial gates to schedule A1.1.
-- FS2440.34	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS417.37. Allow submission and identify further buildings in the Caversham area for scheduling. In particular, add the former Caversham Infants School, Gymnasium, the Caversham School Memorial Gateway to the schedule.	Accept	Add Caversham Infant School, Caversham School Gym and Caversham Memorial gates to schedule A1.1.
Discussion:					
The above submitters and further submitters all request that various areas are re-assessed for inclusion of additional heritage buildings in					

Schedule A1.1, including upgrading character-contributing buildings to heritage buildings.

Heritage New Zealand (FS2440.34) supports OS417.37 (to schedule more buildings in the Caversham area) and has identified three buildings it considers worthy of inclusion on Schedule A1.1: Caversham Infant School, the former Caversham School Gymnasium at 25 College Street and Caversham Memorial Gates at 217 South Road. These buildings are not included in the Heritage New Zealand List, but have significant heritage values.

Recommendation

The submissions are all general in nature and do not identify specific properties. Where specific buildings have been identified in other submission points, these have been assessed and recommended for inclusion on the schedule where appropriate (see other sections of this report).

With regards to Heritage New Zealand's request to include new items in Caversham, these have been considered by Dr Hazelton (Appendix A1 of his evidence), as below.

Caversham Infant School, 25 College Street

The assessment report (Appendix B28 of Dr Hazelton's evidence) concludes that the former Infant School has overall local heritage significance, exhibiting high architectural and aesthetic values. It is an example of changes to infant education, and is a result of the changes in Government policy lowering the age of enrolment to age five. The School was A.B. Welch's first build following the 1937 Conference of architects and is an example of open-air classrooms, emphasised under the Government's philosophy of quality school buildings to fit modern teaching methods. The building is also a fine example of how design was used in line with the new philosophies surrounding child health and welfare.

Dr Hazelton's recommendation is to add the infant school to Schedule A1.1 as B842, with protection of the "entire building envelope, including fenestration, timber glazing and architectural details".

No further submissions opposing the listing have been received. I understand that Heritage New Zealand has contacted the owners. There is currently a proposal to re-develop the building into a health centre. The developer is aware of the proposed scheduling. Assuming that there is no opposition to the listing, I recommend that the school is added Schedule A1.1.

Caversham School Gymnasium at 25 College Street

Recommendation

The assessment report (Appendix B29 of Dr Hazelton's evidence) concludes that the building has local heritage significance. The building is associated with one of Dunedin's earliest schools and one of New Zealand's oldest suburbs. It was designed by noted Otago Education Board

architect John Somerville. The building holds community and social values as it was built and used by the Caversham community. The Gymnasium speaks to the rise of the importance of physical education in the curriculum to promote child health and welfare and appears to be a rare example in New Zealand of a nineteenth century school gym.

Dr Hazelton's recommendation is to add the gymnasium to Schedule A1.1 as B843, with protection of the "entire building envelope including fenestration and timber joinery".

As with the infant school, no further submissions opposing the listing have been received. Assuming that there is no opposition to the listing, I recommend that the school is added to Schedule A1.1.

Caversham Memorial Gates

Recommendation

The assessment report (Appendix B30 of Dr Hazelton's evidence) concludes that the memorial is archetypal of the numerous memorials erected in New Zealand following World War 1. Each memorial is unique but the purpose is shared – to commemorate individual sacrifice but also the contribution of the community as a whole. The Caversham School memorial gateway has additional architectural distinction and heritage significance because it is the work of Edmund Anscombe, one of New Zealand's most important architects. Overall, the memorial gateway has local heritage significance.

Heritage New Zealand has forwarded on a letter of support of the scheduling from the Carisbrook School Board of Trustees. Dr Hazelton's recommendation is to add the building to Schedule A1.1 as B844, with protection of the entire structure.

I accept Dr Hazelton's advice and recommend that the gates are included in Schedule A1.1.

Recommended amendment:

Amend Schedule A1.1 / Scheduled items not in a heritage precinct / Heritage buildings, as follows:

Add: B842, Caversham Infant School (former), 25 College Street, [none], entire building envelope including fenestration, timber glazing and architectural details.

Add: B843, Caversham School Gymnasium, 25 College Street, [none], entire building envelope including fenestration and timber joinery.
Amend Schedule A1.1 / Scheduled items not in a heritage precinct / Heritage structures, as follows:

Add: B844, Caversham School (former) Memorial Gateway, 217 South Rd Caversham, [none], entire structure.

Amend planning map as follows:

Add B842 icon at 25 College Street
 Add B843 icon at 25 College Street
 Add B844 icon at 217 South Road (memorial gateway)

5.18.7 Scheduled Items not in a Heritage Precinct – Amendments to extent of protection (unopposed)

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS547.51	Heritage New Zealand /Otago and Southland Office	I support the provision	Amend B395(i) 23A Milburn Street listing to 'entire external building envelope and interior'	Accept	Amend B395 listing to 'entire external building envelope <u>and interior</u> '
-- FS2429.42	Elizabeth Kerr	I support the submission	Support OS547.51. Allow submission.	Accept	Amend B395 listing to 'entire external building envelope <u>and interior</u> '
OS103.32	The Institution of Professional Engineers NZ	I support the provision	Retain B732 Hyde-Macraes Road Bridge on Heritage Schedule and amend description to iron (not steel) truss and timber bridge.	Accept	Amend listing of B732
OS103.35	The Institution of Professional Engineers NZ	I seek to have the above provision amended	Retain B735 Union Street Footbridge on Heritage Schedule and amend listing description to stone footbridge and wrought iron railing	Accept	Amend listing of B732
-- FS2440.44	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS103.35. Allow submission and amend listing as proposed by submitter.	Accept	Amend listing of B732

OS547.36	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend listing of B028 66 Melville Street to 'entire building envelope and interior'	Accept	Amend listing of B028 to Entire external building envelope <u>and interior</u> .
-- FS2429.27	Elizabeth Kerr	I support the submission	Support OS547.36. Allow submission.	Accept	Amend listing of B028 to Entire external building envelope <u>and interior</u> .
OS547.46	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B254 63 Hanover Street listing to 'facades and bulk appearance to Great King Street and Hanover Streets and interior'.	Accept	Amend listing of B028 to Facades and bulk appearance to Great King and Hanover Streets <u>and interior</u>
-- FS2429.37	Elizabeth Kerr	I support the submission	Support OS547.46. Allow submission.	Accept	Amend listing of B028
OS547.47	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B333 949 Highcliff Road listing to 'entire building envelope of house and outbuildings'	Accept	Amend listing of B333 Entire external building envelope <u>of house and outbuildings excluding modern extension</u>
-- FS2429.38	Elizabeth Kerr	I support the submission	Support OS547.47. Allow submission.	Accept	Amend listing of B333 Entire external building envelope <u>of house and outbuildings excluding modern extension</u>
OS547.48	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B381 64 Bradshaw Street listing to 'entire external building envelope of the rope walk and rope-making machinery'	Reject	Do not amend listing details.
-- FS2429.39	Elizabeth Kerr	I support the submission	Support OS547.48. Allow submission.	Reject	Do not amend listing details.
OS103.18	The Institution of	I seek to have the above	Retain B388 Crown Roller	Accept	Amend listing details of

	Professional Engineers NZ	provision amended	Mills 2 Manor Place on Heritage Schedule and extend protection to entire building envelope		B388
OS547.50	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B388 2 Manor Place listing to 'facades and bulk appearance to Manor Place, Princes and Hope Streets'	Accept	Amend listing details of B388
-- FS2429.41	Elizabeth Kerr	I support the submission	Support OS547.50. Allow submission.	Accept	Amend listing details of B388
OS547.52	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B504 31 Smith Street to 'entire external building envelope and interior, bluestone wall and iron fence to Rattray and Smith Street, iron gates and front steps'.	Accept	Amend listing details of B504 to "Entire external building envelope and interior, <u>bluestone wall and iron fence to Rattray and Smith Streets, iron gates and front steps</u> "
-- FS2429.43	Elizabeth Kerr	I support the submission	Support OS547.52. Allow submission.	Accept	Amend listing details of B504
OS547.53	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B581 14 Ferntree Drive to 'entire external building envelope'	Accept	Amend listing details of B581 to " <u>Entire external building envelope</u> "
-- FS2429.44	Elizabeth Kerr	I support the submission	Support OS547.53. Allow submission.	Accept	Amend listing details of B581
OS547.57	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B587 41 Tennyson Street listing to 'entire external building envelope. Excludes later addition to rear (facing Tennyson Street)'	Accept	Accept, though further revision may be tabled at the hearing
-- FS2429.48	Elizabeth Kerr	I support the submission	Support OS547.57. Allow submission.	Accept	Accept, though further revision may be tabled at the hearing

OS547.59	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B630a and B630b 105 Moonlight Road listing to 'entire external building envelopes of the homestead, woolshed, stable, smithy, meat store, henhouse, men's house, stone building, first woolshed and stone pens, abattoir.	Accept	Amend listing details of B630a and B630b to "Entire external building envelopes of the Homestead, <u>woolshed, stable, smithy, meat store, henhouse, men's house, stone building, first woolshed and stone pens, abattoir.</u> "
-- FS2429.50	Elizabeth Kerr	I support the submission	Support OS547.59. Allow submission.	Accept	Amend listing details of B630a and B630b
OS547.60	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B641 121 Centre Road listing to 'entire external building envelope of house, former worker's quarters, former dairy and cookhouse, stables and cow byre (all interconnected), stone walls.	Accept	Amend listing details of B630 to 'Entire external building envelope of house, <u>former worker's quarters, former dairy and cookhouse, stables and cow byre (all interconnected),</u> stone walls."
-- FS2429.51	Elizabeth Kerr	I support the submission	Support OS547.60. Allow submission.	Accept	Amend listing details of B630
OS547.54	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B582 15 Takahe Terrace listing to 'entire external building envelope'	Reject in part	Amend listing of B582 as described in FS2440.133
-- FS2440.133	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS547.54 (in part). Disallow submission and amend the extent of proposed protection of 15 Takahe Terrace to: 'Facade and bulk appearance to Takahe Terrace (as seen	Accept	Amend listing of B582 to ' Façade and bulk appearance to Takahe Terrace (as seen from the street) excluding the existing non-original ground floor windows on the southern (side) and

			from the street) excluding the existing non-original ground floor windows on the southern (side) and eastern (front) elevation (the rooms at the south east and south west corners of the building).		eastern elevation (front).
--FS2024.1	Susannah Adair Staley & Mark John Wilesmith	I oppose the submission	Oppose OS547.54. Disallow submission and list B582 as 'Facade and bulk appearance to Takahe Terrace (as seen from the street) excluding the existing non-original ground floor windows on the southern (side) and eastern (front) elevation (the rooms at the south east side and south west corners on the building).'	Accept	Amend listing of B582 as described above
--FS2429.45	Elizabeth Kerr	I support the submission	Support OS547.54. Allow submission.	Reject in part	Amend listing of B582 as described in FS2440.133
OS547.55	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B583 17 Takahe Terrace listing to 'entire external building envelope'	Reject in part	Amend listing of B583 as described in FS2440.41
--FS2005.1	Cyril Blackwell	I oppose the submission	Oppose OS547.55. Disallow submission and amend the listing details for B583 such that only the facade and bulk appearance of 17 Takahe Terrace that is visible	Accept	I. Amend listing of B583 to "Façade and bulk appearance to Takahe Terrace excluding existing, non-original

			from Takahe Terrace is included, excluding non-original additions.		garage addition to the side."
-- FS2429.46	Elizabeth Kerr	I support the submission	Support OS547.55. Allow submission.	Reject in part	Amend listing of B583 as described in FS2440.41
-- FS2440.41	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS547.55 (in part). Disallow submission and amend extent of proposed protection of 17 Takahe Terrace to: 'Façade and bulk appearance to Takahe Terrace excluding existing, non-original, garage addition to the southern side.'	Accept	m. Amend listing of B583 to "Façade and bulk appearance to Takahe Terrace excluding existing, non-original garage addition to the side."

Discussion

Background

The submissions listed above are for amendments to the listing details of a number of scheduled items located outside a heritage precinct. The submissions in this section have no further submissions in opposition, or further submissions proposing alternative wording for the listing. In each case, building owners were contacted by the DCC following close of submissions, and I understand that Heritage New Zealand has contacted the owners of all buildings that they have made a submission on.

All the submissions have been considered by Dr Hazelton in Appendix A3 of his evidence.

Errors

Submissions

The Institution of Professional Engineers NZ (OS103.32) supports the listing of B732 (Hyde-Macraes Road Bridge), but seeks to correct the listing details to "iron steel truss and timber bridge".

The Institution (OS103.35), supported by Heritage New Zealand (FS2440.44), also seeks to amend the listing for B735 (Union Street

Footbridge) to “stone east iron footbridge and wrought iron railing”. This submission is supported by Heritage New Zealand (OS2440.44).

Recommendation

The submissions highlight errors in the current listing details. I recommend that these are corrected.

Expansion of listings

Heritage New Zealand, supported by Elizabeth Kerr, seeks to amend the listing details of several items. The suggested amendments are variously to include significant interior features, clarify listing details, promote consistency between the 2GP and the Heritage New Zealand List, and/or to rectify a deficiency in the listing.

The requested amendments are:

Amend B395(i) (Corstophine House, 23A Milburn Street) listing to “entire external building envelope and interior” (OS547.51, FS2429.42).

Amend B028 (St Andrews Church (former), 66 Melville Street) to “entire building envelope and interior” (OS547.36, FS2429.27).

Amend B254(i) (Hanover Street Baptist Church, 63 Hanover Street) listing to “facades and bulk appearance to Great King Street and Hanover Streets and interior” (OS547.46, FS2429.37).

Amend B333 (John Mathieson Homestead and Cheese Factory, 949 Highcliff Road) to “entire building envelope of house and outbuildings” (OS547.47, FS2429.38).

Amend B381 (Donaghy’s Rope Walk, 64 Bradshaw Street) listing to “entire external building envelope of the rope walk and rope-making machinery” (OS547.48, FS2429.39).

Amend B388 (Crown Milling company, 2 Manor Place) listing to “facades and bulk appearance to Manor Place, Princes and Hope Streets” (OS547.50, FS2429.41).

Amend B504(i) (St Joseph’s Cathedral, 31 Smith Street) to “entire external building envelope and interior, bluestone wall and iron fence to Rattray and Smith Street, iron gates and front steps” (OS547.52, FS2429.43).

Amend B581 Original (Ferntree Lodge (original portion), 14 Ferntree Drive) to add protection required as “entire external building envelope” (OS547.53, FS2429.44). Heritage New Zealand notes that the schedule does not include any protection required, and it is assumed this is an error. The suggested protection matches that in the operative plan.

Amend B587 (Otago Girls High School Main Building, 41 Tennyson Street) listing to “entire external building envelope ~~of north facing portion of building~~. Excludes later addition to rear (facing Tennyson Street)” (OS547.57, FS2429.48).

Amend B630a and B630b (Cottesbrook Station complex, 105 Moonlight Road) listing to “entire external building envelopes of the homestead, woolshed, stable, smithy, meat store, henhouse, men’s house, stone building, first woolshed and stone pens, abattoir” (OS547.59, FS2429.50).

Amend B641 (Mathieson’s complex, 121 Centre Road) listing to “entire external building envelope of house, former worker’s quarters, former dairy and cookhouse, stables and cow byre (all interconnected), stone walls. (OS547.60, FS2429.51).

The Institution of Professional Engineers NZ (OS103.18) seeks to amend the listing of B388, the Crown Milling Company, 2 Manor Place, to the “entire external building envelope”

Recommendation

B395, Corstophine House; B028, St Andrews Church; B254, Hanover Baptist Church, B333, Mathieson Homestead; B504, St Joseph’s Cathedral; B587, Otago Girls High School; B630, Cottesbrook; B641 Mathieson’s complex

Dr Hazelton recommends that these submissions are accepted. He suggests minor wording changes for the listing details of B33 and B254. No response has been received on these submissions. In each case, Heritage New Zealand has contacted the owners. Assuming that there are no concerns, I recommend that the requested amendments are made.

B381, Donaghy’s rope walk

Dr Hazelton (Appendix A3) recommends that the submission is rejected. The rope making machinery is owned separately and could be relocated due to the potential demolition of the building. Scheduling would require it remains in situ. Once removed from the building it becomes movable heritage and is not covered by the schedule.

I accept Dr Hazelton’s advice and recommend that the submission is rejected.

B581, Ferntree Lodge

Dr Hazelton notes that the listing details are missing from the 2GP. The proposed protection reflects the protection in the operative plan. Given this, I recommend that the amendment is made.

B388, Crown Roller Mills

The Institution of Professional Engineers NZ (OS103.18) seeks to amend the ‘protection required’ for B388 (Crown Roller Mills, 2 Manor Place) to cover the entire building envelope. It considers that protection should not be confined to the façade, as its heritage values relate to more than

its streetscape importance. Heritage New Zealand also seeks to amend the listing details to “facades and bulk appearance to Manor Place, Princes and Hope Streets”.

Recommendation

Dr Hazelton (Appendix A3) recommends that the submission is accepted, with protection of the: “facades and bulk appearance to Manor Place, Princes Street and Hope Street”.

Assuming that there are no concerns from the owners, I recommend that the amendment is made.

B582, 15 Takahe Terrace

Heritage New Zealand (OS547.54, FS2440.133), supported by Elizabeth Kerr (FS2429.45), seek to amend the listing for B582 to:

~~“entire external building envelope of north facing portion of building~~ Facade and bulk appearance to Takahe Terrace (as seen from the street) excluding the existing non-original ground floor windows on the southern (side) and eastern (front) elevation (the rooms at the south east and south west corners of the building)”.

Susannah Adair Staley & Mark John Wilesmith (FS2024.1) opposed Heritage New Zealand’s original submission to list the entire external building envelope. They propose the same wording as included within Heritage New Zealand’s further submission above.

Recommendation

The amended listing has been agreed by Heritage New Zealand and the building owner. I recommend that the amendment is made.

B583, 17 Takahe Terrace

Heritage New Zealand (OS547.55, FS2440.41), supported by Elizabeth Kerr (FS2429.46), seek to amend the listing to:

~~“Entire external building envelope of north facing portion of building.~~ Facade and bulk appearance to Takahe Terrace excluding existing, non-original, garage addition to the southern side.”

Heritage New Zealand’s original submission, to list the entire building envelope, was opposed by Cyril Blackwell (FS2005.1). He proposes the same listing details as included in Heritage New Zealand’s further submission, shown above.

Recommendation

The amended listing has been agreed by Heritage New Zealand and the building owner. I recommend that the amendment is made.

Recommended amendment

1. Amend Schedule A1.1, Scheduled items not in a heritage precinct, as follows:

Amend B732 protection required to: iron steel truss and timber bridge.

Amend B735 protection required to: stone east iron footbridge and wrought iron railing.

Amend B395 protection required to: entire external building envelope and interior.

Amend B028 protection required to: entire building envelope and interior.

Amend B254 protection required to: facades and bulk appearance to Great King Street and Hanover Streets and interior of former Church.

Amend B333 protection required to: entire building envelope of house and outbuildings excluding modern extension.

Amend B388 protection required to: facades and bulk appearance to Manor Place, Princes Street and Hope Street.

Amend B504 protection required to: entire external building envelope and interior, bluestone wall and iron fence to Rattray and Smith Street, iron gates and front steps.

Amend B581 to add protection required as "entire external building envelope".

Amend B587 protection required to: entire external building envelope of north facing portion of building. Excludes later addition to rear (facing Tennyson Street)".

Amend B630a and B630b protection required to: entire external building envelopes of the homestead, woolshed, stable, smithy, meat store, henhouse, men's house, stone building, first woolshed and stone pens, abattoir.

Amend B641 protection required to: entire external building envelope of house, former worker's quarters, former dairy and cookhouse, stables and cow byre (all interconnected), stone walls.

Amend B582 protection required to: entire external building envelope of north facing portion of building Facade and bulk appearance to Takahe Terrace (as seen from the street) excluding the existing non-original ground floor windows on the southern (side) and eastern elevation (front).

Amend B583 protection required to: ~~Entire external building envelope of north facing portion of building.~~ Façade and bulk appearance to Takahe Terrace excluding existing, non-original, garage addition to the southern side.

5.18.8 Scheduled Items not in a Heritage Precinct - Amendments to extent of protection (opposed)

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS547.44	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B243 270 Great King Street (Lindo Ferguson building) listing to 'facade to Great King Street, south facade, north facade (first floor only), entrance lobby and foyer to ground floor.	Reject	Do not amend B243 listing
--FS2142.9	University of Otago	I oppose the submission	Oppose OS547.44. Disallow submission and do not amend the listing.	Accept	Do not amend B243 listing
--FS2429.35	Elizabeth Kerr	I support the submission	Support OS547.44. Allow submission.	Reject	Do not amend B243 listing
OS547.45	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B246 419 Great King Street (Otago Museum) to 'Entire external building envelope'	Accept in part	Amend B246 listing as below
--FS2429.36	Elizabeth Kerr	I support the submission	Support OS547.45. Allow submission.	Accept in part	Amend B246 listing as below
--FS2440.38	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS547.45 (in part). Disallow submission and amend	Accept	Amend B246 listing regarding extent of proposed protection of

			extent of proposed protection of the Otago Museum to: 'Facades of the Centennial Wing to Cumberland and Albany Streets (exempting the 1990s glass insertion between the Centennial and Fels Wings on the Albany Street facade), the facades of the Fels Wing to Albany and Great King Streets, the bulk and appearance of the Ross Building to Great King Street and the bulk and appearance of the Hocken Wing to Great King and Union Streets.'		the Otago Museum to: 'Facades of the Centennial Wing to Cumberland and Albany Streets (exempting the 1990s glass insertion between the Centennial and Fels Wings on the Albany Street facade), the facades of the Fels Wing to Albany and Great King Streets, the bulk and appearance of the Ross Building to Great King Street and the bulk and appearance of the Hocken Wing to Great King and Union Streets.'
--FS2480.4	Otago Museum Trust Board	I oppose the submission	Oppose OS547.45. Disallow submission and do not amend listing of B246 in the Heritage Schedule.	Reject	Amend B246 listing as above.
OS547.49	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B383 35 Maclaggan Street listing to 'Entire external building envelope'	Accept in part	Amend B383 listing as below
--FS2429.40	Elizabeth Kerr	I support the submission	Support OS547.49. Allow submission.	Accept in part	Amend B383 listing as below
--FS2440.39	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS547.49 (in part). Disallow submission and amend extent of proposed protection of 35 Maclaggan street to:	Accept	Amend B383 listing regarding extent of proposed protection of 35 Maclaggan street to: 'Entire external building envelope of the three

			'Entire external building envelope of the three stone and brick buildings that make up the former Horse Sales Yard. This also includes steel roof structures to the two front structures and all brick and stone gables associated with these structures. Excluded from protection is the internal and external brick walls and roof associated with the first floor of the very rear structure.'		stone and brick buildings that make up the former Horse Sales Yard. This also includes steel roof structures to the two front structures and all brick and stone gables associated with these structures. Excluded from protection is the internal and external brick walls and roof associated with the first floor of the very rear structure.'
OS547.56	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B586 31 Smith Street listing to entire external building envelope, study hall, main stairwell, panelled entrance lobby and Doctor's stair.	Accept	Amend listing of B586
--FS2429.47	Elizabeth Kerr	I support the submission	Support OS547.56. Allow submission.	Accept	Amend listing of B586
--FS2475.4	The Roman Catholic Bishop of the Diocese of Dunedin	I oppose the submission	Oppose 547.56. Disallow submission and do not increase the protection required for B586 (St Dominic's Priory).	Reject	Amend listing of B586
OS547.58	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend B596 32 Tweed Street listing to 'entire external building envelope, glass dome and all extant stained glass'.	Accept	Amend B596 listing to Entire external building envelope, <u>glass dome and all extant stained glass.</u>

--FS2261.1	Pieter Max van Ammers	I support the submission	Support OS547.58 (in part). Allow submission and include reference to stained glass under 'Protection Required' for Heritage Building B596.	Accept	Amend B596 listing to Entire external building envelope, <u>glass dome and all extant stained glass.</u>
--FS2261.2	Pieter Max van Ammers	I support the submission	Oppose OS547.58 (in part). Disallow submission and remove reference to 'entire external building envelope' for Heritage Building B596.	Reject	Amend B596 listing to Entire external building envelope, <u>glass dome and all extant stained glass.</u>
--FS2263.1	Andrew Michael Waterworth	I support the submission	Support OS547.58. Allow submission and extend the heritage protection of 32 Tweed Street.	Accept	Amend B596 listing to Entire external building envelope, <u>glass dome and all extant stained glass.</u>
--FS2429.49	Elizabeth Kerr	I support the submission	Support OS547.58. Allow submission.	Accept	Amend B596 listing to Entire external building envelope, <u>glass dome and all extant stained glass.</u>
OS1068.9	Douglas Hall	I seek to have the above provision amended	Remove listing B769 from 36 Cresswell Street	Reject	Do not remove B769 listing
--FS2440.43	Heritage New Zealand /Otago and Southland Office	I oppose the submission	Oppose OS1068.9. Retain 36 Cresswell Street in Schedule A1.1. (Note that Further Submitter disagrees with Council's summary of submission).	Accept	Do not remove B769 listing

Discussion

Heritage New Zealand seeks to amend the listing details of several heritage items outside heritage precincts. The suggested amendments are variously to include significant interior features, clarify listing details, promote consistency between the 2GP and the Heritage New Zealand List,

and/or to rectify a deficiency in the listing. The submissions in this section are opposed by further submitters and / or the building owners.

B243 Lindo Ferguson Building 270 Great King Street

Submission

The Lindo Ferguson building currently has protection for the façade to Great King Street (the east façade). Heritage New Zealand (OS547.44), supported by Elizabeth Kerr (FS2429.35), seeks to extend the listing for B243 to:

"Façade to Great King Street, south façade, north façade (first floor only). Entrance lobby and foyer to ground floor."

The University of Otago (FS2142.9) opposes the submission, noting that the most notable feature is its facade, which is already protected. It considers that further control is not justified and would unduly restrict the building's future use.

Recommendation

Dr Hazelton recommends that the submission is rejected (Appendix A3 of his evidence). I accept his advice and do not recommend that the protection is extended as requested.

B246, Otago Museum, 419 Great King Street

Submission

Heritage New Zealand (OS547.45 and FS2440.38), supported by Elizabeth Kerr (FS2429.28), seeks to amend the protection of the Otago Museum to (as amended in its further submission):

"~~Façade to Great King Street~~ Facades of the Centennial Wing to Cumberland and Albany Streets (exempting the 1990s glass insertion between the Centennial and Fels Wings on the Albany Street facade), the facades of the Fels Wing to Albany and Great King Streets, the bulk and appearance of the Ross Building to Great King Street and the bulk and appearance of the Hocken Wing to Great King and Union Streets."

The original submission, which sought to protect the entire external building envelope, was opposed by the Otago Museum Trust Board (FS2480.4) who notes that currently only the façade to Great King Street (original portion) is protected. The Museum considers there are a number of issues that do not support listing the external building envelope of the Otago Museum, as follows:

- The submission relating to the external building envelope is far too broad to justify the protection sought.
- The roof structure is not readily viewed from adjacent public places, and when viewed from elevated positions is too distant to justify the protection sought.
- Significant parts of the exterior building envelope have been modified by relatively recent work that was designed by McCoy and Wixon

architects. While those parts have architectural significance, they are too recent to justify the protection sought.

- The exterior of the building fronting Cumberland Street contains a major information banner that is significant to the promotion of the Otago Museum activities. Its retention would conflict with the protection sought.

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Recommendation

I understand that Heritage New Zealand has discussed possible protection with the Museum Trust Board. Dr Hazelton has recommended that protection is extended and I accept his advice regarding this. I recommend that Heritage New Zealand's submission to extend protection is accepted.

B383, Ex Horse Sales Yards, 35 Maclaggan Street

Submissions

Heritage New Zealand (OS547.49, FS2440.39), supported by Elizabeth Kerr (FS2429.40), seek to amend the extent of proposed protection of B383 to (as amended by its further submission):

"~~Facade to Maclaggan Street. Entire external building envelope of the three stone and brick buildings that make up the former Horse Sales Yard. This also includes steel roof structures to the two front structures and all brick and stone gables associated with these structures. Excluded from protection is the internal and external brick walls and roof associated with the first floor of the very rear structure~~"

Recommendation

Dr Hazelton recommends that the listing is amended, provided the owner agrees. I understand that Heritage New Zealand has discussed the proposed amendment to the listing with the building owner. Assuming no issues were raised, I recommend that the reworded amendment is made.

B586, St Dominic's Priory, 31 Smith Street

Submissions

Heritage New Zealand (OS547.56), supported by Elizabeth Kerr (FS2429.47), seeks to amend the listing for the priory to:

"~~Entire external building envelope of north-facing portion of building. Study hall, main stairwell, panelled entrance lobby and Doctor's stair~~".

The Roman Catholic Bishop of the Diocese of Dunedin (FS2475.4) opposes any increase in the extent of protection afforded the Priory. He

considers that there is no justification for extending the extent of the existing protection and that saving the existing building is hard enough without further restriction such as that proposed by Heritage New Zealand's submission.

Recommendation

The owner of the building and the submitter (HNZPT) are currently working through the issues. Dr Hazelton has recommended in Appendix A3 that the listing is amended, although further revision may be tabled at the hearing. I accept Dr Hazelton's advice and recommend that the listing is amended.

B596, 32 Tweed Street

Submissions

Heritage New Zealand (OS547.58), supported by Elizabeth Kerr (FS2429.49), seeks to amend listing of B596, a house at 32 Tweed Street, to "entire external building envelope, glass dome and all extant stained glass".

The submission is supported by Andrew Michael Waterworth (FS2263.1), the owner of the building at the time the submission was made. He notes that the glass dome is a significant feature that contributes to the heritage value of the building.

Pieter Max van Ammers (FS2261.1 and 2), the prospective owner of 32 Tweed Street at the time of the submission, supports including reference to the stained glass and glass dome in the listing, but seeks to remove the reference to the entire external building envelope, noting that the protection is too broad and the building, in his view, is not particularly remarkable either as an example of the period, or from an aesthetic point of view.

Recommendation

Dr Hazelton recommends that the listing is amended as requested. I accept his advice.

B769, 36 Cresswell Street

Submissions

Douglas Hall (OS1068.9) seeks to amend the listing details of B769. He notes that B769 has never been part of Sargood Son and Ewing. It was formerly N.Z. Brewers Truck Workshop. I note that the submission appears to have been summarised incorrectly as a request to remove B769 from Schedule A1.1.

Heritage New Zealand (FS2440.43) opposes the removal of the building from the schedule.

Recommendation

The heritage values of the building have been re-assessed (Appendix B33 of his evidence). Dr Hazelton notes in Appendix A2 of his evidence that the building has local heritage significance. The effects of any demolition and replacement on these values would be better assessed through a consent process when a specific proposal was at hand to evaluate.

I accept Dr Hazelton's advice and recommend that the building remains on the schedule. I also note that the assessment report confirms the building was constructed as part of the Sargood Son and Ewing's factories.

Recommended amendment

Amend Schedule A1.1 / Scheduled items not in a heritage precinct / Heritage buildings, as follows:

Amend 'protection required' for B383 to ~~Façade to Maclaggan Street.~~ Entire external building envelope of the three stone and brick buildings that make up the former Horse Sales Yard. This also includes steel roof structures to the two front structures and all brick and stone gables associated with these structures. Excluded from protection is the internal and external brick walls and roof associated with the first floor of the very rear structure.

Amend 'protection required' for B246 to ~~'Façade to Great King Street~~ Facades of the Centennial Wing to Cumberland and Albany Streets (exempting the 1990s glass insertion between the Centennial and Fels Wings on the Albany Street facade), the facades of the Fels Wing to Albany and Great King Streets, the bulk and appearance of the Ross Building to Great King Street and the bulk and appearance of the Hocken Wing to Great King and Union Streets.'

Amend 'protection required' for B586 to ~~'Entire external building envelope of north facing portion of building.~~ Study hall, main stairwell, panelled entrance lobby and Doctor's stair'

Amend 'protection required' for B596 to 'Entire external building envelope, glass dome and all extant stained glass'.

5.18.9 Amendments to Scheduled Items not in a Heritage Precinct – Errors

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/ Accept in part	Staff recommendation
OS360.37	Dunedin City Council	I seek to have the above provision amended	Amend Appendix A1.1 (Schedule of protected	Accept	Amend B751 listing

			heritage items and sites) to include Heritage Building B751 - Quarantine Island Married Quarters.		
-- FS2440.101	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.37. Allow submission.	Accept	Amend B751 listing
OS360.4	Dunedin City Council	I seek to have the above provision amended	Amend the spelling of heritage building B344 to 'Winchendon'.	Accept	Correct spelling of Winchendon
-- FS2440.100	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.4. Allow submission.	Accept	Correct spelling of Winchendon
OS312.15	Helen Skinner and Joseph O'Neill	I seek to have the above provision amended	Amend spelling of Scheduled Heritage Items B344 to "Winchendon"	Accept	Correct spelling of Winchendon
OS360.63	Dunedin City Council	I seek to have the above provision amended	Remove Heritage Building B764 (6 Birch St) from Schedule A1.1 (Schedule of Protected Heritage Items and Sites).	Accept	Remove B764
-- FS2440.102	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.63. Allow submission.	Accept	Remove B764
OS360.76	Dunedin City Council	I seek to have the above provision amended	Remove Heritage Building B351 from Schedule A1.1 (Schedule of Protected Heritage Items and Sites).	Accept	Remove B351
-- FS2440.103	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.76. Allow submission.	Accept	Remove B351
OS927.1	Christian Jordan	I seek to have the above provision amended	Change address of Heritage Buildings listing B387 from 50 Manor Place to 44-50 Manor Place	Accept	Correct B387 address

OS312.14	Helen Skinner and Joseph O'Neill	I seek to have the above provision amended	Amend location of Scheduled Heritage Items B344 and B345 to correct site	Accept	Correct B387 address
OS360.100	Dunedin City Council	I seek to have the above provision amended	Remove Heritage Building B752 icon at Goat Island from Scheduled Items - Heritage Building map.	Accept	Remove B752 icon
-- FS2440.129	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.100. Allow submission.	Accept	Remove B752 icon
OS360.5	Dunedin City Council	I seek to have the above provision amended	Relocate scheduled heritage building items B344 and B345 to the correct site.	Accept	Move B344 and B345 icons
-- FS2440.124	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.5. Allow submission.	Accept	Move B344 and B345 icons
OS360.55	Dunedin City Council	I seek to have the above provision amended	Remove Heritage Building B753 icon from Scheduled Items - Heritage Building map.	Accept	Remove B753 icon
-- FS2440.125	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.55. Allow submission.	Accept	Remove B753 icon
OS360.93	Dunedin City Council	I seek to have the above provision amended	Remove Heritage Building B363 at 191 King Edward Street from Scheduled Items - Heritage Building map.	Accept	Remove B363 icon
-- FS2440.126	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.93. Allow submission.	Accept	Remove B363 icon
OS360.98	Dunedin City Council	I seek to have the above provision amended	Remove Heritage Building B023 from Scheduled Items - Heritage Building map.	Accept	Remove B023 icon

-- FS2440.127	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.98. Allow submission.	Accept	Remove B023 icon
OS360.99	Dunedin City Council	I seek to have the above provision amended	Remove Heritage Building B376 at 40 Lovelock Avenue from Scheduled Items - Heritage Building map.	Accept	Remove B376 icon
-- FS2440.128	Heritage New Zealand /Otago and Southland Office	I support the submission	Support OS360.99. Allow submission.	Accept	Remove B376 icon
OS547.12	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Amend scheduled items map to show B816 heritage building at 124 King Edward Street	Accept	Move B816 icon
--FS2429.5	Elizabeth Kerr	I support the submission	Support OS547.12 . Allow submission.	Accept	Move B816 icon

Discussion:

Helen Skinner and Joseph O'Neill (OS312.14) seek to correct the location of B344 and B345 on the planning map. They note that the buildings are shown on the adjoining land rather than on 83 Jeffcoates Road, Westwood. The submitters also seek to correct the spelling of B344 to 'Winchendon' (OS312.15).

Christian Jordan (OS927.1) seeks to correct the address of B387 from 50 Manor Place to 44-50 Manor Place.

Heritage New Zealand (OS547.12), supported by Elizabeth Kerr (FS2429.5), seeks to amend the planning map to show B816 at 124 King Edward Street.

The Dunedin City Council, supported by Heritage New Zealand, seeks to correct the following errors in Schedule A1.1 / Scheduled items not in a heritage precinct, and on the planning map:

- Add B751 - Quarantine Island Married Quarters to schedule (on map, but missing from schedule) (OS360.37, FS2440.101)
- Relocate B344 and B345 to the correct site on the planning map (OS360.5, FS2440.124).
- Amend the spelling of B344 to 'Winchendon' (OS360.4, FS2440.100)
- Remove B764 (6 Birch St) from schedule as the building was destroyed by fire (OS360.63, FS2440.102)
- Remove B351 from Schedule as included in error. Was re-assessed prior to notification and does not meet scheduling criteria. (OS360.76, FS2440.103)

- Remove B752 icon at Goat Island from planning map as the island is now listed as a heritage site (OS360.100, FS2440.129)
- Remove B753 icon from planning map as the cemetery is now listed as a heritage site (OS360.55, FS2440.125)
- Remove B363 icon from planning map as building has been demolished (OS360.93, FS2440.126)
- Remove B023 icon from planning map as the reserve is now a heritage site (OS360.98, FS2440.127)
- Remove B376 icon from planning map as the cemetery is now listed as a heritage site (OS360.99, FS2440.128)

Recommendation

I recommend that all the above errors are corrected.

Recommended amendment

1. Amend Schedule A1.1 / Scheduled items not in a heritage precinct / Heritage buildings as follows:

Amend address of B387 to 44-50 Manor Place

Add: B751, Quarantine Island Married Quarters, Quarantine Island, [none], entire building.

Amend the spelling of B344 to Winchendon

Remove B764

Remove B351

2. Amend planning map as follows:

Add B816 at 124 King Edward Street

Move B344 and B345 to 83 Jeffcoates Road, Westwood (see map in Appendix 2)

Remove B752 icon from Goat Island

Remove B753 icon from the Southern cemetery

Remove B363 icon from 191 King Edward Street

Remove B023 icon from Yellowhead Reserve

Remove B376 icon from the Northern cemetery)

Remove B351 icon from 130 King Street

Remove B764 icon from 6 Birch Street

5.19 Heritage Precinct values

5.19.1 Heritage precinct values - General

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS293.181	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Support Appendix A2 for the York Place - Arthur St, Royal Terrace, Dundas - Castle, North Ground, Goerge Street North, Queen St, High St and Willowbank residential heritage precincts, unless indicated in other submission points.	Accept	No amendment required.
OS299.144	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Support Appendix A2 for the York Place - Arthur St, Royal Terrace, Dundas - Castle, North Ground, George Street North, Queen St and High St residential heritage precincts, unless indicated in other submission points.	Accept	No amendment required.
OS444.116	John and Clare Pascoe	I seek to have the above provision amended	Support precinct values Appendix A2 for the York Place - Arthur St and Queen St residential heritage precincts, unless indicated in other submission points.	Accept	No amendment required.
OS571.15	Royal/Pitt/Heriot Residential Heritage Precinct Protection Inc	I seek to have the above provision amended	Support precinct values Appendix A2 for the Royal Terrace residential heritage precinct, unless indicated in other submission points.	Accept	No amendment required.
-- FS2429.163	Elizabeth Kerr	I support the submission	Support OS571.15. Allow submission.	Accept	No amendment required.

OS582.9	Marilyn Willis	I seek to have the above provision amended	Support precinct values Appendix A2 for the Royal Terrace residential heritage precinct, unless indicated in other submission points.	Accept	No amendment required.
-- FS2429.169	Elizabeth Kerr	I support the submission	Support OS582.9. Allow submission.	Accept	No amendment required.
OS843.1	Arthur St Neighbourhood Support	I seek to have the above provision amended	Ensure there are more clearly defined standards for development in the Residential Heritage Precincts.	Reject	No amendment.
--FS2489.1	Liz Angelo	I support the submission	Support OS843.1. Allow submission.	Reject	No amendment.
OS293.189	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Retain Appendix A2.2.9 unless indicated in other submission points.	Accept	No amendment required.
OS444.125	John and Clare Pascoe	I seek to have the above provision amended	Retain Appendix A2.2.9 unless indicated in other submission points.	Accept	No amendment required.
<p>Discussion:</p> <p><i>Submissions</i></p> <p>Southern Heritage Trust & City Rise Up (OS293.181, 189), Rosemary & Malcolm McQueen (OS299.144), John and Clare Pascoe (OS444.116, 125), Royal/Pitt/Heriot Residential Heritage Precinct Protection Inc (OS571.15) and Marilyn Willis (OS582.9), supported by Elizabeth Kerr (FS2429.163, 169) variously support Appendix A2 precinct values for the York Place - Arthur St, Royal Terrace –Pitt Street – Heriot Row, Dundas - Castle, North Ground, George Street North, Queen Street, High Street, Willowbank and View Street heritage precincts, unless indicated in other submission points.</p> <p>Arthur St Neighbourhood Support (OS843.1), supported by Liz Angelo (FS2489.1), seeks to amend Appendix A2 to ensure there are more clearly defined standards for development in the Residential Heritage Precincts. It notes that the heritage buildings of Dunedin are its most important attraction.</p>					

Recommendation

The submitters' support is noted.

The Arthur St Neighbourhood Support has not proposed specific changes to the standards. Submissions suggesting specific changes are considered later in this report.

I also recommend as Clause 16 change, that the Design Features and Characteristics for each Heritage Precinct are individually numbered for ease of reference.

Recommended amendment:

Number the Design Features and Characteristics in Appendix A2 for each precinct. A proposed numbering system is included in Appendix 5.

5.19.2 Description of precincts

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS959.8	Jackie Gillies + Associates	I seek to have the provision amended	Amend description of Dundas - Castle Street Residential Heritage Precinct to recognise different character of Castle Street	Accept	Amend description of Dundas - Castle Street precinct
OS1071.111	Kati Huirapa Runaka ki Puketeraki and Te Runanga o Otakou	I seek to have the above provision amended	Amend Appendix A2.2.5.1 'Description of area' to include the following: <u>'The Toitu tauraka waka, now located under the Exchange Plaza, was one of several Kai Tahu landing places in the Otago harbour at the time of colonial settlement of the Otago region. Situated beside the Toitu creek as it</u>	Accept	Amend description of area as requested

			<u>emptied into the harbour, the tauraka waka site provided a softly sloped beach for landing waka, a good point of entry to the surrounding bush and mahika kai, as well as access to fresh water.'</u>		
OS1071.114	Kati Huirapa Runaka ki Puketeraki and Te Runanga o Otakou	I seek to have the above provision amended	<u>Amend A2.2.6.1 to add the following paragraph: 'In 1852, after being petitioned by Maori, Walter Mantell, Commissioner of Crown Lands wrote to Governor Grey asking him to grant "a small portion of land" in Dunedin and Port Chalmers for the building of houses. The "small portion of land" in Dunedin became known as the Princes Street Reserve. The loss of the reserve formed part of the Ngai Tahu Waitangi Tribunal claim.'</u>	Accept	Amend description of area as requested
OS1071.116	Kati Huirapa Runaka ki Puketeraki and Te Runanga o Otakou	I seek to have the above provision amended	<u>Amend Appendix A2.2.8.1 to include a new paragraph as follows: 'In 1852, after being petitioned by Maori, Walter Mantell, Commissioner of Crown Lands wrote to Governor Grey asking him to grant "a small portion of land" in Dunedin and Port Chalmers for the building of houses. The "small portion of land" in Port Chalmers became known as the</u>	Accept	Amend description of area as requested

			<u>Koputai Native Reserve now on Beach Street. Refer to A4.27 Koputai (Port Chalmers).'</u>		
OS743.22	Elizabeth Kerr	I seek to have the above provision amended	Amend the 'Description of area' for all heritage precincts, to improve text editing and include more astute critical content.	Reject	Do not make amendment.
<p>Discussion:</p> <p>Dundas – Castle Street</p> <p><i>Submissions</i></p> <p>Jackie Gillies + Associates (OS959.8) seeks to amend the description of the Dundas – Castle Street Residential Heritage Precinct to recognise the different character of Castle Street.</p> <p><i>Recommendation</i></p> <p>Dr Hazelton and Mr Christos (Appendix E1 of Dr Hazelton’s evidence) recommend that the submission is accepted and that the following paragraph from “A2.1.3.1 Description of area” is changed to better reference the character of Castle Street.</p> <p>“While the over-riding theme in the architectural character of the area is its working class housing stock, there are a number of styles represented. The most common forms are the double bay villa, bungalow, and terrace. The terrace style is strongly represented in the area, with a number of large blocks located on the northern side of Dundas Street giving this area a distinctive character within Dunedin and within the campus area itself. Fences and hedges are an integral part of the road frontage and <u>In this part of the precinct buildings are generally two storeys at the road frontage. On Castle Street, the single-storey villa is the most common form. Fences and hedges are an integral part of the road frontage.</u>”</p> <p>I accept Dr Hazelton’s and Mr Christos’ advice and recommend that the above amendment is made.</p> <p>Commercial precincts</p> <p><i>Submissions</i></p> <p>Kāti Huirapa Rūnaka ki Puketeraki and Te Rūnanga o Ōtākou request that additional comments are included in the description of the Princes</p>					

Street – Exchange, South Princes and Port Chalmers precincts to highlight the Kāi Tahu history of the areas (OS1071.111, 114, 116).

Improve text editing

Elizabeth Kerr (OS743.22) seeks to amend the 'Description of area' for all heritage precincts, to improve text editing and include more astute critical content. No specific changes have been suggested.

In response to Ms Kerr's submission, no specific wording changes have been suggested, so I am not clear where changes are required. In the absence of more information, I recommend that the submission is rejected.

Recommended amendment

1. For A2.1.3. the Dundas Street Castle Street Residential Heritage Precinct:

Amend A2.1.3.1 'Description of area' paragraph 2 to read:

"While the over-riding theme in the architectural character of the area is its working class housing stock, there are a number of styles represented. The most common forms are the double bay villa, bungalow, and terrace. The terrace style is strongly represented in the area, with a number of large blocks located on the northern side of Dundas Street giving this area a distinctive character within Dunedin and within the campus area itself. ~~Fences and hedges are an integral part of the road frontage and~~ In this part of the precinct buildings are generally two storeys at the road frontage. On Castle Street, the single-storey villa is the most common form. Fences and hedges are an integral part of the road frontage."

2. For A2.2.5 Princes Street - Exchange Commercial Heritage Precinct:
Amend Appendix A2.2.5.1 'Description of area' by adding as paragraph 2:

The Toitū tauraka waka, now located under the Exchange Plaza, was one of several Kāi Tahu landing places in the Otago harbour at the time of colonial settlement of the Otago region. Situated beside the Toitū creek as it emptied into the harbour, the tauraka waka site provided a softly sloped beach for landing waka, a good point of entry to the surrounding bush and mahika kai, as well as access to fresh water.

3. For A2.2.6 South Princes Commercial Heritage Precinct:
Amend Appendix A2.2.6.1 'Description of area' by adding as paragraph 3:

In 1852, after being petitioned by Māori, Walter Mantell, Commissioner of Crown Lands wrote to Governor Grey asking him to grant "a small portion of land" in Dunedin and Port Chalmers for the building of houses. The "small portion of land" in Dunedin became known as the Princes Street Reserve. The loss of the reserve formed part of the Ngāi Tahu Waitangi Tribunal claim.

4. For A2.2.8 Port Chalmers Commercial Heritage Precinct:
Amend Appendix A2.2.8.1 'Description of area' by adding as paragraph 2:

In 1852, after being petitioned by Māori, Walter Mantell, Commissioner of Crown Lands wrote to Governor Grey asking him to grant "a small portion of land" in Dunedin and Port Chalmers for the building of houses. The "small portion of land" in Port Chalmers became known as the Koputai Native Reserve now on Beach Street. Refer to A4.27 Koputai (Port Chalmers).

5.19.3 Values to be protected

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS293.164	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Add new value to be protected to York Place precinct: "sunlight, harbour views and garden outlooks"	Reject	No amendment required
OS293.171	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Add new value to the Royal Terrace precinct: 'the high number of character contributing buildings where they help explain the significance of the heritage building' and 'visual relationship across the city to harbour and peninsula'.	Accept in part	Amend wording of 2.1.2.2.a
OS293.177	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Add new value to be protected: 'The view across the flat out to the harbour and peninsula across the flat is an important aspect of the character of the precinct' to Queen Street precinct.	Reject	No amendment required
OS299.127	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Add new value to be protected to York Place precinct: "sunlight, harbour views and garden outlooks"	Reject	No amendment required

OS299.133	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Adding new value to the Royal Terrace precinct: 'the high number of character contributing buildings where they help explain the significance of the heritage building' and 'visual relationship across the city to harbour and peninsula'.	Accept in part	Amend wording of 2.1.2.2.a
OS299.139	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Add new value to be protected: 'The view across the flat out to the harbour and peninsula across the flat is an important aspect of the character of the precinct' to Queen Street precinct.	Reject	No amendment required
OS444.105	John and Clare Pascoe	I seek to have the above provision amended	Add new value to be protected to York Place precinct: "sunlight, harbour views and garden outlooks"	Reject	No amendment required
OS444.112	John and Clare Pascoe	I seek to have the above provision amended	Add new value to be protected: 'The view across the flat out to the harbour and peninsula across the flat is an important aspect of the character of the precinct' to Queen Street precinct.	Reject	No amendment required
OS843.5	Arthur St Neighbourhood Support	I seek to have the above provision amended	Include gardens, trees and green spaces as important aspects of the York Place - Stuart Street - Arthur Street Residential Heritage Precinct	Accept	No amendment required
--FS2489.5	Liz Angelo	I support the submission	Support OS843.5. Allow submission.	Reject	No amendment required
OS1071.112	Kati Huirapa Runaka ki Puketeraki and Te Runanga o Otakou	I seek to have the above provision amended	Amend Appendix A.2.2.5.2' Values to be protected or enhanced' to include a new characteristic to be	Accept	Amend A2.2.5.2 as requested.

			enhanced: 'Kai Tahu Values'.		
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Discussion:

York Place – Stuart Street – Arthur Street Residential Heritage Precinct

Background

A2.1.1.2 identifies the following features and characteristics as important to protect:

- a. The large number of scheduled heritage buildings in the area.
- b. Residential dwellings of substantial scale with high levels of site coverage.
- c. Buildings located close to the front of the site.
- d. A general lack of visible off-street car parking, including garages and car ports.
- e. Established gardens and trees.
- f. A strong focus on architectural quality.

Submissions

Southern Heritage Trust & City Rise Up (OS293.164), Rosemary & Malcolm McQueen (OS299.127, supported by Liz Angelo (FS2489.5), and John and Clare Pascoe (OS444.105) seek to add a new 'value to be protected' to A2.1.1.2 (York Place – Stuart Street – Arthur Street precinct): "sunlight, harbour views and garden outlooks are values to be protected".

Arthur St Neighbourhood Support (OS843.5), supported by Liz Angelo (FS2489.5) seeks to identify "gardens, trees and green spaces" as important aspects of the York Place - Stuart Street - Arthur Street Residential Heritage Precinct.

Recommendation

Dr Hazelton and Mr Christos (Appendix E1 of Dr Hazelton's evidence) consider that it is not practicable to protect these values without potentially constraining all development on some sites (Appendix E1 of his evidence). Any development on some sites will reduce sunlight to neighbours and existing buildings already block sunlight. Rules on height are the best control for this matter. It is not practicable to protect harbour views, given they could be affected by development outside the area, and could result in the inability to develop some sites at all. Protecting garden outlooks is problematic, as we cannot require people to maintain a garden through plan rules.

"Established gardens and trees" are already included as values to be protected.

I agree with Dr Hazelton's Mr Christos' advice and recommend that no amendment is made.

Royal Terrace – Pitt Street – Heriot Row Residential Heritage Precinct

Background

A2.1.2.2 lists the following features and characteristics as important to protect:

- a. The large number of scheduled heritage buildings in the area
- b. Residential dwellings of substantial scale with appropriate curtilage
- c. A general lack of visible off-street car parking, including garages and car ports
- d. Established gardens and trees
- e. A strong focus on architectural quality

Submissions

Southern Heritage Trust & City Rise Up (OS293.171) and Rosemary & Malcolm McQueen (OS299.133) wish to add new values to be protected:

- "the high number of character contributing buildings where they help explain the significance of the heritage building" and
- "visual relationship across the city to harbour and peninsula"

Recommendation

Dr Hazelton and Mr Christos (Appendix E1 of Dr Hazelton's evidence) recommend that the wording for 2.1.2.2.a is changed to "The large number of scheduled heritage and character contributing buildings in the area".

With regards to the visual relationship with the harbour, as with York Place it is not practical to protect harbour views, given they could be affected by development outside the zone and could result in the inability to develop some sites at all.

I agree with Dr Hazelton's and Mr Christos' advice and recommend that the submissions are accepted in part.

Queen Street Residential Heritage Precinct

Background

Appendix A2.1.6.2 lists the following features and characteristics as important to protect:

- a. The large number of scheduled heritage buildings in the area

- b. Houses built to cluster and stack on the hillside rather than creating large new building platforms with retaining walls
- c. The strong focus on verticality in design
- d. A general lack of visible off-street car parking visible at the front of the site, including garages and car ports
- e. Established gardens and trees, particularly on Queen Street

Submissions

Southern Heritage Trust and City Rise Up (OS293.177), Rosemary and Malcolm McQueen (OS299.139), and John and Clare Pascoe (OS444.112) wish to add a new value as follows: "The view across the flat out to the harbour and peninsula across the flat is an important aspect of the character of the precinct".

Recommendation

As above, Dr Hazelton and Mr Christos consider that it is not practicable to protect views, given they could be affected by development outside the zone, and could prevent development on some sites.

I accept this advice and recommend that the proposed change is rejected.

Princes Street - Exchange Commercial Heritage Precinct

Submission

Kāti Huirapa Rūnaka ki Puketeraki and Te Rūnanga o Ōtākou seek to add a new value to be protected "Kāi Tahu Values".

Recommendation

I recommend that this submission is accepted.

Recommended amendment:

1. Amend A2.1.2.2.a to: "The large number of scheduled heritage and character-contributing buildings in the area".
2. Amend A2.2.5.2.a to add: v. Kāi Tahu values

5.19.4 Principal threats to values

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS293.172	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Add new threat: 'Loss of views across the harbour' to Royal Terrace precinct.	Reject	Do not add new threat
OS293.178	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Add new threat: 'Development blocking out views across the harbour' to Queen street precinct.	Reject	Do not add new threat
OS299.136	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Add new threat: 'Loss of views across the harbour' to Royal Terrace precinct.	Reject	Do not add new threat
OS299.140	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Add new threat: 'Development blocking out views across the harbour' to Queen street precinct.	Reject	Do not add new threat
OS444.113	John and Clare Pascoe	I seek to have the above provision amended	Add new threat: 'Development blocking out views across the harbour' to Queen street precinct.	Reject	Do not add new threat
OS252.39	Carol Devine	I support the provision	In A2.2.9.3 (Principal threats to values), retain g. 'Large open car park sites' and h. 'The visibility of infrastructure and services related to student/medium-density housing where not well-planned (rubbish and recycling bins, etc.)'.	Accept	No amendment required
-- FS2429.149	Elizabeth Kerr	I support the submission	Support OS252.39. Allow submission.	Accept	No amendment required
OS547.66	Heritage New Zealand /Otago and Southland Office	I seek to have the above provision amended	Change 'Principal threats to values' in every heritage precinct to include 'incremental' as follows: The <u>incremental</u> demolition of existing scheduled buildings and	Accept in part	Add new threat to all precincts

			character-contributing buildings'. Add new threat: <u>'Incremental erosion of the values associated with a precinct as a result of not ensuring that each proposal is assessed against the baseline assessment of precinct and individual heritage buildings and structures and contributing buildings'</u>		
--FS2429.56	Elizabeth Kerr	I support the submission	Support OS547.66 in its entirety. Allow submission.	Accept in part	Add new threat to all precincts
<p>Discussion:</p> <p>Loss of views across the harbour</p> <p><i>Submissions</i></p> <p>Southern Heritage Trust & City Rise Up (OS293.172, 178) and Rosemary & Malcolm McQueen (OS299.136, 140) and John and Clare Pascoe (OS444.113) seek to add "loss of views across the harbour" as a threat in the Royal Terrace – Pitt Street – Heriot Row and Queen Street precincts.</p> <p>Carol Devine (OS252.39), supported by Elizabeth Kerr (FS2429.149) wishes to retain the identification of threats "g. Large open car park sites" and "h. The visibility of infrastructure and services related to student/medium-density housing where not well-planned (rubbish and recycling bins, etc.)" in the View Street commercial precinct</p> <p><i>Recommendation</i></p> <p>Dr Hazelton and Mr Christos (Appendix E1 of Dr Hazelton's evidence) consider that it is not practicable to protect harbour views, given they could be affected by development outside the zone, and could result in the inability to develop some sites at all.</p> <p>I note that other threats relate to matters that cannot be controlled by the 2GP, including insufficient maintenance and the loss of established trees and gardens, however I agree that identifying loss of views as a threat may be interpreted as needing to control development to maintain views, which is not practical. I therefore agree with Dr Hazelton and Mr Christos and recommend that these submissions are rejected. Ms Devine's support of the View Street threats is acknowledged.</p> <p>Incremental changes</p>					

Submission

Heritage New Zealand (OS547.66), supported by Elizabeth Kerr (FS2429.56), seeks to amend the 'Principal threats to values' for each heritage precinct in Appendix A2 as follows:

"The incremental demolition of existing scheduled buildings and character-contributing buildings"; and

Add a new threat: "Incremental erosion of the values associated with a precinct as a result of not ensuring that each proposal is assessed against the baseline assessment of precinct and individual heritage buildings and structures and contributing buildings."

Heritage New Zealand is concerned that incremental change to a precinct can result in loss of the collective heritage streetscape character. In line with changes proposed to the Section 13 introduction (see section 5.2.3), it seeks that this is managed by assessing effects on streetscape character based on the character at the time the precinct is first developed.

Recommendation

I agree with the outcome sought by Heritage New Zealand; however, adding 'incremental' to the 'demolition' threat reads as if it is the gradual demolition of one building that is of concern, rather than the gradual demolition of many buildings within one precinct. I suggest that the current wording more accurately sums up the threat.

I also suggest that the new proposed threat is re-worded to make it clearer, for example: "the cumulative negative effects on heritage streetscape character of the incremental loss of heritage and character-contributing buildings through additions and alterations and demolition."

Recommended amendment:

Amend sections A2.1.1.3 – A2.1.8.3 and A2.2.1.3 - A2.2.9.3 to add a new threat: "The cumulative negative effects on heritage streetscape character of the incremental loss of heritage and character-contributing buildings through additions and alterations and demolition."

5.19.5 Residential Heritage Precinct Values - Height

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS293.165	Southern Heritage	I seek to have the above	Amend design feature 'New	Reject	Retain provision as

	Trust & City Rise Up	provision amended	buildings should be consistent in height to immediate neighbours ...' from 'suggested' to 'preferred' for the York Place, Royal Terrace, North Ground, George St, Queen St, and High St precincts.		'suggested'
OS299.128	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Amend feature 'New buildings should be consistent in height to immediate neighbours ...' from 'suggested' to 'preferred' for the York Place, Royal Terrace, North Ground, George St, Queen St, and High St precincts.	Reject	Retain provision as 'suggested'
OS444.106	John and Clare Pascoe	I seek to have the above provision amended	Amend feature 'New buildings should be consistent in height to immediate neighbours ...' from 'suggested' to 'preferred' for the York Place and Queen St precincts.	Reject	Retain provision as 'suggested'
OS571.10	Royal/Pitt/Heriot Residential Heritage Precinct Protection Inc	I seek to have the above provision amended	Amend feature 'New buildings should be consistent in height to immediate neighbours ...' from 'suggested' to 'preferred' for the Royal Terrace precinct.	Reject	Retain provision as 'suggested'
-- FS2429.158	Elizabeth Kerr	I support the submission	Support OS571.10. Allow submission.	Reject	Retain provision as 'suggested'
OS582.4	Marilyn Willis	I seek to have the above provision amended	Amend feature 'New buildings should be consistent in height to immediate neighbours ...' from 'suggested' to 'preferred' for the Royal Terrace precinct.	Reject	Retain provision as 'suggested'
-- FS2429.164	Elizabeth Kerr	I support the submission	Support OS582.4. Allow submission.	Reject	Retain provision as 'suggested'
Discussion:					

The design guidance for height reads as follows: “New buildings should be consistent in height to immediate neighbours where these are scheduled heritage or character contributing buildings - Suggested”

Submissions

Southern Heritage Trust & City Rise Up (OS293.165), Rosemary and Malcolm McQueen (OS299.128), John and Clare Pascoe (OS444.106), the Royal/Pitt/Heriot Residential Heritage Precinct Protection Inc (OS571.10) and Marilyn Willis (OS582.4), supported by Elizabeth Kerr (FS2429.158, 164) variously seek that the guidance on height is changed from ‘suggested’ to ‘preferred’ for following precincts:

- York Place – Stuart Street – Arthur Street
- Royal Terrace – Pitt Street – Heriot Row
- North Ground
- George Street
- Queen Street
- High Street

Recommendation

Dr Hazelton and Mr Christos (Appendix E1 of Dr Hazelton’s evidence) note that there is already substantial variation in the heights of character contributing and scheduled buildings in all the above precincts. They also note that the topography of the precincts, with the exception of the Royal Terrace – Pitt Street – Heriot Row and the George Street, means that there are few locations where there is consistency in actual height between neighbours. He considers that changing the requirement to ‘preferred’ would potentially force people to build higher than they want or need to, if surrounded by taller buildings, or remove the potential for maximising height on a site where neighbouring buildings are low.

I accept Dr Hazelton’s and Mr Christos’ advice and recommend that guidance on height is retained as ‘suggested’.

Recommended amendment: None

5.19.6 Residential Heritage Precinct Values - Design

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS293.166	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Amend the design feature 'New buildings will generally draw important design cues from ...'	Reject	Do not amend guidance

			from 'suggested' to 'preferred' for the York Place, Royal Terrace, North Ground, George St, and Queen St precincts.		
OS293.167	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Add the following wording to design feature roof pitch 'except in the case of Art Deco buildings whose roofs may be flat or nearly flat or hidden behind a parapet' for the York Place precinct.	Reject	Do not amend guidance
OS293.168	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Amend design feature 'roof pitch' from 'suggested' to 'preferred' for the York Place and Royal Terrace precincts.	Accept	Amend guidance to 'preferred'
OS293.174	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Amend design feature 'Buildings should accentuate a vertical dimension' from 'suggested' to 'preferred' for the Dundas - Castle precinct.	Reject	Do not amend guidance
OS293.175	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Amend the design feature 'Road facing facades should clearly look like the front of a building' from 'suggested' to 'preferred' for the Dundas-Castle precinct.	Accept	Amend guidance to 'preferred'
OS293.176	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Amend design feature 'Buildings should present a balanced, symmetrical facade ..' from 'suggested' to 'preferred' for the North Ground and Willowbank precincts.	Reject	Do not amend guidance
OS293.179	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Amend design feature 'New buildings should be sympathetic to existing...' from 'preferred' to 'mandatory' for the Queen Street precinct.	Reject	Do not amend guidance

OS293.180	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Amend design feature 'Larger buildings should use methods to reduce the perceived scale of buildings' from 'suggested' to 'preferred' for the Queen Street precinct.	Accept	Amend guidance to 'preferred'
OS299.129	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Amend the design feature 'New buildings will generally draw important design cues from ...' from 'suggested' to 'preferred' for the York Place, Royal Terrace, North Ground, George St, and Queen St precincts.	Reject	Do not amend guidance
OS299.130	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Add the following wording to design feature roof pitch ' <u>except in the case of Art Deco buildings whose roofs may be flat or nearly flat or hidden behind a parapet</u> ' for the York Place and Royal Terrace precincts.	Reject	Do not amend guidance
OS299.134	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Amend design feature 'roof pitch' from 'suggested' to 'preferred' for the York Place and Royal Terrace precincts.	Accept	Amend guidance to 'preferred'
OS299.137	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Amend design feature 'Buildings should accentuate a vertical dimension' from 'suggested' to 'preferred' for the Dundas - Castle precinct.	Reject	Do not amend guidance
OS299.138	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Amend the design feature 'Road facing facades should clearly look like the front of a building' from 'suggested' to 'preferred' for the Dundas-Castle precinct.	Accept	No amendment required
OS299.141	Rosemary & Malcolm	I seek to have the above	Amend design feature 'New	Reject	Do not amend

	McQueen	provision amended	buildings should be sympathetic to existing...' from 'preferred' to 'mandatory' for the Queen Street precinct.		guidance
OS299.142	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Amend design feature 'Larger buildings should use methods to reduce the perceived scale of buildings' from 'suggested' to 'preferred' for the Queen Street precinct.	Accept	Amend guidance to 'preferred'
OS299.143	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Amend design value 'Buildings should present a balanced, symmetrical facade.' from 'suggested' to 'preferred' for the North Ground and Willowbank precinct.	Reject	Do not amend guidance
OS444.107	John and Clare Pascoe	I seek to have the above provision amended	Amend the design feature 'New buildings will generally draw important design cues from ...' from 'suggested' to 'preferred' for the York Place and Queen St precincts.	Reject	Do not amend guidance
OS444.108	John and Clare Pascoe	I seek to have the above provision amended	Add the following wording to design feature roof pitch 'except in the case of Art Deco buildings whose roofs may be flat or nearly flat or hidden behind a parapet' for the York Place precinct.	Reject	Do not amend guidance
OS444.109	John and Clare Pascoe	I seek to have the above provision amended	Amend design feature 'roof pitch' from 'suggested' to 'preferred' for the York Place precinct.	Accept	Amend guidance to 'preferred'
OS444.114	John and Clare Pascoe	I seek to have the above provision amended	Amend design feature 'New buildings should be sympathetic to existing...' from 'preferred' to 'mandatory' for the Queen Street	Reject	Do not amend guidance

			precinct.		
OS444.115	John and Clare Pascoe	I seek to have the above provision amended	Amend design feature 'Larger buildings should use methods to reduce the perceived scale of buildings' from 'suggested' to 'preferred' for the Queen Street precinct.	Accept	Amend guidance to 'preferred'
OS571.11	Royal/Pitt/Heriot Residential Heritage Precinct Protection Inc	I seek to have the above provision amended	Amend the design feature 'New buildings will generally draw important design cues from ...' from 'suggested' to 'preferred' for the Royal Terrace precincts.	Reject	Do not amend guidance
-- FS2429.159	Elizabeth Kerr	I support the submission	Support OS571.11. Allow submission.	Reject	Do not amend guidance
OS582.5	Marilyn Willis	I seek to have the above provision amended	Amend the design feature 'New buildings will generally draw important design cues from ...' from 'suggested' to 'preferred' for the Royal Terrace precincts.	Reject	Do not amend guidance
-- FS2429.165	Elizabeth Kerr	I support the submission	Support OS582.5. Allow submission.	Reject	Do not amend guidance

Discussion:

Sympathetic design

The guidance reads: "New buildings should be sympathetic to existing scheduled heritage buildings or character-contributing buildings in the part of the precinct they are located in - Preferred "

Submissions

Southern Heritage Trust & City Rise Up (OS293.179), Rosemary & Malcolm McQueen (OS299.141) and John and Clare Pascoe (OS444.114) consider that this guidance should be changed from 'preferred' to 'mandatory' in the Queen Street precinct.

Recommendation

Dr Hazelton and Mr Christos (Appendix E1 of Dr Hazelton's evidence) consider that "preferred" is strong enough without introducing another category. I accept this advice and recommend that no amendment is made.

Design cues

The guidance reads:

"New buildings will generally draw important design cues from Victorian or Edwardian [Arts and Crafts or Deco / 1930s] heritage and character-contributing buildings in the precinct, including scale, orientation, roof pitch, window alignment, materials and details, although these may be expressed in a simpler fashion than on historic buildings - Suggested"

Submissions

Southern Heritage Trust & City Rise Up (OS293.166), Rosemary & Malcolm McQueen (OS299.129), John and Clare Pascoe (OS444.107), the Royal/Pitt/Heriot Residential Heritage Precinct Protection Inc (OS571.11) and Marilyn Willis (OS582.5), supported by Elizabeth Kerr (FS2429.159, 165) variously seek that this guidance is changed from 'suggested' to 'preferred' for following precincts:

- York Place – Stuart Street – Arthur Street
- Royal Terrace – Pitt Street – Heriot Row
- North Ground
- George Street
- Queen Street

Recommendation

Dr Hazelton and Mr Christos (Appendix E1 of Dr Hazelton's evidence) consider that, in general, changing the focus to 'preferred' would direct design too much in a replica direction, whereas some of the best insertions into precincts may actually be modern in style and not strictly be consistent with a Victorian or Edwardian character. Examples of this are 17 Royal Terrace or 663 George Street. These demonstrate the potential for alternative designs to work in terms of scale and bulk as successfully as a faux heritage style. Leaving the guidance as 'suggested' gives scope for designers to explore innovative but sensitive designs for the precinct.

I accept this advice, and recommend that no amendment is made.

Larger buildings

The guidance reads: "Larger buildings should use methods such as detailing, rhythm, division into bays and the use of a variety of materials etc. in order to reduce the perceived scale of buildings – Suggested"

Submissions

Southern Heritage Trust & City Rise Up (OS293.180), Rosemary & Malcolm McQueen (OS299.142) and John and Clare Pascoe (OS444.115) wish to change this guidance from 'suggested' to 'preferred' for the Queen Street Residential Heritage Precinct.

Recommendation

Dr Hazelton and Mr Christos (Appendix E1 of Dr Hazelton's evidence) agree with this change. I recommend that the amendment is made.

Vertical dimension

The guidance reads: "Buildings should accentuate a vertical dimension - Suggested"

Submissions

Southern Heritage Trust & City Rise Up (OS293.174) and Rosemary and Malcolm McQueen (OS299.137) seek that this guidance is changed from 'suggested' to 'preferred' for the Dundas - Castle Street Heritage Precinct.

Recommendation

Dr Hazelton and Mr Christos (Appendix E1 of Dr Hazelton's evidence) state that while the vertical dimension is an important design feature, the mix of periods in the precinct means having this as "preferred" could overly constrain options to present a contextual, sensitive design. I accept their advice and recommend that no amendment is made.

Symmetrical façade

Background

The guidance reads: "Buildings should present a balanced, symmetrical façade to the street – Suggested"

Submissions

Southern Heritage Trust & City Rise Up (OS293.176) and Rosemary and Malcolm McQueen (OS299.143) seek that this guidance is changed from 'suggested' to 'preferred' for the Willowbank and North Ground precincts.

Recommendation

Dr Hazelton and Mr Christos (Appendix E1 of Dr Hazelton's evidence) note that there are a number of buildings exhibiting features such as bay windows within the Willowbank precinct, which are not strictly symmetrical in design. This type of design feature should be encouraged rather than discouraged on new buildings. In relation to the North Ground precinct, her considers that while symmetry is an important design feature on many buildings, the mix of periods in the precinct means it is not the case for all, and having the guidance as 'preferred' could constrain options to present a contextual, sensitive design.

I accept this advice and recommend that no amendments are made.

Roof pitch

The design guidance reads:

"Roof pitch should be between 30° and 45°. Pitch may be lower where the roof is concealed behind a parapet – Suggested"

Submission

Southern Heritage Trust & City Rise Up (OS293.167), Rosemary & Malcolm McQueen (OS299.130) and John and Clare Pascoe (OS444.108) variously wish to amend this guidance for the York Place – Stuart Street – Arthur Street and Royal Terrace – Pitt Street – Heriot Row precincts, as follows: "Roof pitch should be 30-45 degrees except in the case of Art Deco buildings whose roofs may be flat or nearly flat or hidden behind a parapet. ~~Pitch may be lower where the roof is concealed behind a parapet~~".

The same submitters also seek to change this guidance from suggested to preferred (OS293.168, OS299.134, OS444.109).

Recommendation

Dr Hazelton and Mr Christos (Appendix E1 of Dr Hazelton's evidence) reject the amended wording, noting that new buildings may seek to build a roof behind the parapet, but are not 'art deco' buildings *per se*. The existing wording provides for both existing art deco buildings and new buildings.

Dr Hazelton and Mr Christos recommend that a change from "suggested" to "preferred" is acceptable, as they consider that roof pitch is one of the more important design characteristics in the precinct, as demonstrated by the degree the new low pitch roofs stand out from a distance.

I accept their advice and recommend that the guidance for 'Roof pitch' is amended to 'preferred'.

Road-facing facades

The guidance is: "Road facing facades should clearly look like the front of a building - Suggested."

Submission

Southern Heritage Trust & City Rise Up (OS293.175), Rosemary & Malcolm McQueen (OS299.138) seek to amend this guidance from 'suggested' to 'preferred' for the Dundas – Castle Street precinct.

Recommendation

Dr Hazelton and Mr Christos note that the guidance is already “preferred” for the Dundas-Castle precinct. No amendment is therefore required.

Recommended amendment:

Amend A2.1.6.4 Design: Larger buildings should use methods such as detailing, rhythm, division into bays and the use of a variety of materials etc. in order to reduce the perceived scale of buildings – ~~Suggested~~ Preferred

Amend A2.1.1.4 Design: Roof pitch should be between 30° and 45°. Pitch may be lower where the roof is concealed behind a parapet – ~~Suggested~~ Preferred

Amend A2.1.2.4 Design: Roof pitch should be between 30° and 45°. Pitch may be lower where the roof is concealed behind a parapet – ~~Suggested~~ Preferred

5.19.7 Residential Heritage Precinct Values - Fences

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS293.169	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Amend the design value 'Fences and Walls' to correct the following error 'Fences higher than 1400mm should be visually impermeable impermeable <u>permeable</u> ' for York Place, Royal Terrace and North Ground precincts.	Accept	Amend wording to permeable
OS293.170	Southern Heritage	I seek to have the above	Amend design value 'Fences	Reject	Do not amend

	Trust & City Rise Up	provision amended	should be made from similar materials to...' from 'suggested' to 'preferred' for the York Place, Queen St, North Ground and Royal Terrace precincts.		guidance.
OS293.173	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Amend design value 'retaining wall' from suggested to preferred for the Royal Terrace precinct.	Reject	Do not amend guidance.
OS299.131	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Amend the feature 'Fences and Walls' to correct the following error 'Fences higher than 1400mm should be visually impermeable <u>permeable</u> ' for York Place, Royal Terrace and North Ground precincts.	Accept	Amend wording to permeable
OS299.132	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Amend feature 'Fences should be made from similar materials to...' from 'suggested' to 'preferred' for the York Place, Queen St, North Ground and Royal Terrace precincts.	Reject	Do not amend guidance.
OS299.135	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Amend design value 'retaining wall' from suggested to preferred for the Royal Terrace precinct.	Reject	Do not amend guidance.
OS444.110	John and Clare Pascoe	I seek to have the above provision amended	Amend the design value 'Fences and Walls' to correct the following error 'Fences higher than 1400mm should be visually impermeable <u>permeable</u> ' for York Place precinct.	Accept	Amend wording to permeable
OS444.111	John and Clare Pascoe	I seek to have the above provision amended	Amend design feature 'Fences should be made from similar materials to...' from 'suggested' to 'preferred' for the York Place and Queen St precincts.	Reject	Do not amend guidance.
OS571.12	Royal/Pitt/Heriot	I seek to have the above	Amend design feature 'Fences	Reject	Do not amend

	Residential Heritage Precinct Protection Inc	provision amended	should be made from similar materials to...' from 'suggested' to 'preferred' for Royal Terrace precinct.		guidance.
-- FS2429.160	Elizabeth Kerr	I support the submission	Support OS571.12. Allow submission.	Reject	Do not amend guidance.
OS571.13	Royal/Pitt/Heriot Residential Heritage Precinct Protection Inc	I seek to have the above provision amended	Amend design feature 'retaining wall' from suggested to preferred for the Royal Terrace precinct.	Reject	Do not amend guidance.
-- FS2429.161	Elizabeth Kerr	I support the submission	Support OS571.13. Allow submission.	Reject	Do not amend guidance.
OS582.6	Marilyn Willis	I seek to have the above provision amended	Amend design feature 'Fences should be made from similar materials to...' from 'suggested' to 'preferred' for Royal Terrace precinct.	Reject	Do not amend guidance.
-- FS2429.166	Elizabeth Kerr	I support the submission	Support OS582.6. Allow submission.	Reject	Do not amend guidance.
OS582.7	Marilyn Willis	I seek to have the above provision amended	Amend design feature 'retaining wall' from suggested to preferred for the Royal Terrace precinct.	Reject	Do not amend guidance.
-- FS2429.167	Elizabeth Kerr	I support the submission	Support OS582.1. Allow submission.	Reject	Do not amend guidance.

Discussion:

Similar materials for fences

Background

The design guidance is:

"Fences should be made from similar materials to those traditionally associated with scheduled heritage and character-contributing buildings in

the area e.g. wrought iron, timber, brick or stone. Concrete block and basic pool fencing should be avoided - Suggested”

Submissions

Southern Heritage Trust & City Rise Up (OS293.170), Rosemary & Malcolm McQueen (OS299.132), John and Clare Pascoe (OS444.111), the Royal/Pitt/Heriot Residential Heritage Precinct Protection Inc (OS571.12) and Marilyn Willis (OS582.6), supported by Elizabeth Kerr (FS2429.160, 166) variously seek that this guidance is changed from ‘suggested’ to ‘preferred’ for following precincts:

- York Place – Stuart Street – Arthur Street
- Royal Terrace – Pitt Street – Heriot Row
- Queen Street
- North Ground

Recommendation

Dr Hazelton and Mr Christos (Appendix E1 of Dr Hazelton’s evidence) consider that this change would constrain the options too much, where other materials may be able to be used to good effect.

I accept this advice and recommend that no amendment is made.

Retaining walls

The design guidance reads as follows:

“Retaining walls should be constructed of materials such as rendered concrete block, crib walling or stone, rather than gabion baskets, timber or sheet materials such as iron- Suggested ”

Submissions

Southern Heritage Trust & City Rise Up (OS293.173), Rosemary & Malcolm McQueen (OS299.135), the Royal/Pitt/Heriot Residential Heritage Precinct Protection Inc (OS571.13 and Marilyn Willis (OS582.7), supported by Elizabeth Kerr (FS2429.161, 167) variously seek that this guidance is changed from ‘suggested’ to ‘preferred’ for the Royal Terrace – Pitt Street – Heriot Row precinct.

Recommendation

Dr Hazelton and Mr Christos (Appendix E1 of Dr Hazelton’s evidence) recommend rejection of these submissions as it would constrain the options too much, where other materials may be able to be used to good effect. I accept their advice and recommend that “Retaining walls” is retained as ‘suggested’.

Permeable fencing

Background

The design guidance reads as follows:

"Front fences should preferably be no higher than 1400mm on road frontages to protect views of buildings. Side fences should only go higher once they have passed the building setback. Fences higher than 1400mm should be visually impermeable."

Submissions

Southern Heritage Trust & City Rise Up (OS293.169), Rosemary & Malcolm McQueen (OS299.131) and John and Clare Pascoe (OS444.110) have noted that 'impermeable' should be 'permeable' and request correction of the error as it relates to the York place, Royal Terrace and North Ground precincts.

Recommendation

I note that this is also an error in the Dundas– Castle Street precinct. I recommend that it is corrected in in all.

Recommended amendment:

Amend A2.1.1.4, A2.1.2.4, A2.1.3.4, A2.1.4.4 Fences and walls: Front fences should preferably be no higher than 1400mm on road frontages to protect views of buildings. ... Fences higher than 1400mm should be visually ~~im~~permeable.

5.19.8 Residential Heritage Precinct Values – Colour

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS571.14	Royal/Pitt/Heriot Residential Heritage Precinct Protection Inc	I seek to have the above provision amended	Amend feature 'Base colours for walls and roofs should be chosen from a palette or heritage or neutral colours, for Royal Terrace precinct.	Reject	Do not amend guidance.
--	Elizabeth Kerr	I support the submission	Support OS571.14. Allow	Reject	Do not amend

FS2429.162			submission.		guidance.
OS582.8	Marilyn Willis	I seek to have the above provision amended	Amend feature 'Base colours for walls and roofs should be chosen from a palette or heritage or neutral colours, for Royal Terrace precinct.	Reject	Do not amend guidance.
-- FS2429.168	Elizabeth Kerr	I support the submission	Support OS582.8. Allow submission.	Reject	Do not amend guidance.
<p>Discussion:</p> <p>The design guidance reads:</p> <p>"Base colours for walls and roofs should be chosen from a palette of heritage or neutral colours. Bright colours should be avoided, although colour can be used effectively for highlighting details."</p> <p><i>Submissions</i></p> <p>The Royal/Pitt/Heriot Residential Heritage Precinct Protection Inc (OS571.14) and Marilyn Willis (OS582.8), supported by Elizabeth Kerr (FS2429.162, 168), seek to amend the guidance from suggested to preferred for the Royal Terrace – Pitt Street – Heriot Row Residential Heritage Precinct.</p> <p><i>Recommendation</i></p> <p>Dr Hazelton and Mr Christos (Appendix E1 of Dr Hazelton's evidence) consider that it is preferable to give guidance on colour rather than strictly restrict owners to a limited colour palate. Trends in paint colours change and the plan should allow for this. Painting of an already painted building is also reversible. For this reason they prefer that the guidance remains as 'suggested'.</p> <p>I accept this advice and recommend that no amendment is made.</p>					
<p>Recommended amendment: None.</p>					

5.19.9 Residential Heritage Precinct Values - Materials

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS293.182	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Amend 'Buildings should avoid the use of single cladding materials...' from 'suggested' to 'preferred' for the York Place precinct.	Reject	Do not amend guidance.
OS299.145	Rosemary & Malcolm McQueen	I seek to have the above provision amended	Amend 'Buildings should avoid the use of single cladding materials...' from 'suggested' to 'preferred' for the York Place.	Reject	Do not amend guidance.
OS444.117	John and Clare Pascoe	I seek to have the above provision amended	Amend 'Buildings should avoid the use of single cladding materials...' from 'suggested' to 'preferred' for the York Place precinct.	Reject	Do not amend guidance.
<p>Discussion:</p> <p>The design guidance reads: “Buildings should avoid the use of single cladding materials and use a mix of materials to create shadow/depth and visual interest in the façade - Suggested”</p> <p><i>Submissions</i></p> <p>Southern Heritage Trust & City Rise Up (OS293.182), Rosemary & Malcolm McQueen (OS299.145) and John and Clare Pascoe (OS444.117) seek that this guidance is changed from 'suggested' to 'preferred' for the York Place – Stuart Street – Arthur Street precinct.</p> <p><i>Recommendation</i></p> <p>Dr Hazelton and Mr Christos (Appendix E1 of Dr Hazelton’s evidence) consider that a blanket requirement would potentially lead to negative design outcomes where alternative ways of achieving the same outcome may be possible and more appropriate. I accept Dr Hazelton’s advice and recommend that no amendment is made.</p>					
<p>Recommended amendment: None.</p>					

5.19.10 Commercial Heritage Precincts – Height

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS252.45	Carol Devine	I seek to have the above provision amended	Amend A2.2.9.4 (Features and characteristics) to replace 'suggested' with a stronger term.	Reject	Do not amend guidance.
-- FS2429.154	Elizabeth Kerr	I support the submission	Support OS252.45. Allow submission.	Reject	Do not amend guidance.
<p>Discussion:</p> <p>The design guidance for height reads: “New buildings should be consistent in height to immediate neighbours where these are scheduled heritage or character-contributing buildings, unless these buildings are inconsistent with the typical heights in the precinct”.</p> <p><i>Submissions</i></p> <p>Carol Devine (OS252.45), supported by Elizabeth Kerr (FS2429.154) seeks to change ‘suggested’ to a stronger term from the View Street precinct.</p> <p><i>Recommendation</i></p> <p>Dr Hazelton and Mr Christos (Appendix E1 of Dr Hazelton’s evidence) note that the topography of the precinct means that there are few locations where there is consistency in actual height between neighbours and there is already substantial variation in the heights of character-contributing and scheduled buildings in the precinct. They consider that changing the guidance to ‘Preferred’ would potentially force people to build higher than they want or need to if surrounded by taller buildings, or remove the potential for maximising height on a site where neighbours are low.</p> <p>I accept their advice and recommend that no amendment is made.</p>					
<p>Recommended amendment: None.</p>					

5.19.11 Commercial Heritage Precincts - Design

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS293.183	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Amend design feature 'Division of the facade should be consistent with floor levels of neighbouring heritage or character-contributing buildings wherever possible' from suggested to preferred for the View Street precinct.	Reject	Do not amend guidance.
OS293.184	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Amend design feature 'Ornament or detail should be included as an integral part of the design of the facade' from suggested to preferred for the View Street precinct.	Reject	Do not amend guidance.
OS293.185	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Amend design feature 'Window layout should be symmetrical and/or rhythmical' from suggested to preferred for the View Street precinct.	Reject	Do not amend guidance.
OS293.186	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Amend design feature 'Windows on long facades should be arranged in groups' from suggested to preferred for the View Street precinct.	Reject	Do not amend guidance.
OS293.187	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Amend design feature 'Mirrored glass and heavy tinting should be avoided' from amended to preferred for the View Street precinct.	Accept	Amend guidance as requested
OS293.188	Southern Heritage Trust & City Rise Up	I seek to have the above provision amended	Amend design feature 'Car parking buildings should be designed...'	Accept	Amend guidance as requested

			from 'suggested' to 'preferred' for the View Street precinct.		
OS444.118	John and Clare Pascoe	I seek to have the above provision amended	Amend design feature 'Division of the facade should be consistent with floor levels of neighbouring heritage or character-contributing buildings wherever possible' from suggested to preferred for the View Street precinct.	Reject	Do not amend guidance.
OS444.119	John and Clare Pascoe	I seek to have the above provision amended	Amend design feature 'Ornament or detail should be included as an integral part of the design of the facade' from suggested to preferred for the View Street precinct.	Reject	Do not amend guidance.
OS444.120	John and Clare Pascoe	I seek to have the above provision amended	Amend design feature 'Window layout should be symmetrical and/or rhythmical' from suggested to preferred for the View Street precinct.	Reject	Do not amend guidance.
OS444.121	John and Clare Pascoe	I seek to have the above provision amended	Amend design feature 'Windows on long facades should be arranged in groups' from suggested to preferred for the View Street precinct.	Reject	Do not amend guidance.
OS444.122	John and Clare Pascoe	I seek to have the above provision amended	Amend design feature 'Mirrored glass and heavy tinting should be avoided' from amended to preferred for the View Street precinct.	Accept	Amend guidance as requested.
OS444.123	John and Clare Pascoe	I seek to have the above provision amended	Amend design feature 'Car parking buildings should be designed...' from 'suggested' to 'preferred' for the View Street precinct.	Accept	Amend guidance as requested.

Discussion:

Design guidance

Background

A2.2.9.4 lists the following design guidance for the View Street precinct:

“Division of the façade should be consistent with floor levels of neighbouring heritage or character-contributing buildings wherever possible – Suggested;

Ornament or detail should be included as an integral part of the design of the façade – Suggested ;

Window layout should be symmetrical and/or rhythmical – Suggested;

Windows on long façades should be arranged in groups – Suggested;

Mirrored glass and heavy tinting should be avoided – Suggested; and

Car parking buildings should be designed with the same design criteria as other buildings above in mind, although they may replace glazing with other façade treatments. Cars should be only minimally visible from public places through the façade -

Submissions

Southern Heritage Trust & City Rise Up (OS293.183, 184, 185, 186, 187, 188) and John and Clare Pascoe (OS444.118, 119, 120, 121, 122, 123) seek that these values are changed from ‘suggested’ to ‘preferred’ for the View Street precinct.

Recommendation

Dr Hazelton and Mr Christos (Appendix E1) consider that the proposed changes would constrain design options too strongly, except that relating to mirrored glass and car parking buildings. In these cases, they agree that preferred is preferable.

I accept their advice and recommend that the guidance for ‘mirrored glass’ and ‘car parking buildings’ is amended to ‘preferred’.

Recommended amendment:

Amend A2.2.9.4 Design as follows:

Mirrored glass and heavy tinting should be avoided – ~~Suggested~~ Preferred

Car parking buildings should be designed with the same design criteria as other buildings above in mind, although they may replace glazing with other façade treatments. Cars should be only minimally visible from public places through the façade – Preferred

5.19.12 Commercial Heritage Precincts - Car parking

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS252.43	Carol Devine	I seek to have the above provision amended	Retain Appendix A2.2.9.4 (features and characteristics), with the following amendment: require large open car parks sites visible from the street to be screened by fencing, walls or suitable landscaping.	Accept	No amendment required
-- FS2429.152	Elizabeth Kerr	I support the submission	Support OS252.43. Allow submission.	Accept	No amendment required
OS444.124	John and Clare Pascoe	I seek to have the above provision amended	Add new feature to Car parking: 'Large open car parks visible from the street should be screened by fencing, walls or suitable landscaping'.	Accept	No amendment required

Discussion:

The design guidance for "car parking" reads as follows for the View Street Commercial Heritage Precinct.

"Where possible, parking areas should be located discreetly to the rear of building. Where they are located at the front of the site, they should be set back from the road frontage and where possible, incorporate fencing, walls, hedges or landscaping to reduce the negative amenity effects

and visibility of vehicles. - Suggested”

Submissions

Carol Devine (OS252.43), supported by Elizabeth Kerr (FS2429.152), and John and Clare Pascoe (OS444.124) seek to add additional guidance requiring parking areas to incorporate fencing or suitable landscaping to reduce the associated negative amenity effects of ‘pop-up partying’.

Recommendation

Dr Hazelton and Mr Christos (Appendix E1 of Dr Hazelton’s evidence) note the View Street design guidance already includes the following, under ‘car parking’: “Where possible, [parking areas](#) should be located discreetly to the rear of [building](#). Where they are located at the front of the [site](#), they should be set back from the [road](#) frontage and where possible, incorporate fencing, walls, hedges or [landscaping](#) to reduce the negative amenity effects and visibility of vehicles. - Preferred”

The outcome sought is therefore already provided. No amendment is required.

Recommended amendment:

None.

5.19.13 Commercial Heritage Precincts – Other guidance

Sub pt #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part	Staff Recommendation
OS1071.113	Kati Huirapa Runaka ki Puketeraki and Te Runanga o Otakou	I seek to have the above provision amended	Amend Appendix A2.2.5.4 'Features and characteristics to be incorporated into design' to add another line under 'Other matters' as follows: ' <u>Collaborate with Kai Tahu in the design of public spaces, including planting, use of Kai Tahu place names, public art works, and interpretive material.</u> Preferred' .	Accept	Amend A2.2.5.4 as requested

OS1071.115	Kati Huirapa Runaka ki Puketeraki and Te Runanga o Otakou	I seek to have the above provision amended	Amend Appendix A2.2.6.4 to include a new line under 'Other matters' as follows: <u>'Collaborate with Kai Tahu in the design of public spaces, including planting, use of Kai Tahu place names, public art works, and interpretive material. Preferred'</u>	Accept	Amend A2.2.6.4 as requested
OS1071.117	Kati Huirapa Runaka ki Puketeraki and Te Runanga o Otakou	I seek to have the above provision amended	Amend Appendix A2.2.8.4 to add a new line under 'Other matters' as follows: <u>'Collaborate with Kai Tahu in the design of public spaces, including planting, use of Kai Tahu place names, public art works, and interpretive material. Preferred.'</u>	Accept	Amend A2.2.8.4 as requested
<p>Discussion:</p> <p><i>Submissions</i></p> <p>Kāti Huirapa Rūnaka ki Puketeraki and Te Rūnanga o Ōtākou (OS1071.113, 115, 117) seek to add new design guidance under 'Other' in tables A2.2.5.4 (Princes Street – Exchange precinct), A2.2.6.4 (South Princes precinct) and A2.2.8.4 (Port Chalmers precinct), as follows:</p> <p><u>"Collaborate with Kāi Tahu in the design of public spaces, including planting, use of Kāi Tahu place names, public art works, and interpretive material – Preferred"</u>.</p> <p><i>Recommendation</i></p> <p>I consider that this additional guidance is appropriate, in order to acknowledge Kāi Tahu history within the area.</p>					
<p>Recommended amendment:</p> <p>Amend A2.2.5.4 Other, A2.2.6.4 – Other and A2.2.8.4 – Other, by adding:</p>					

Collaborate with Kāi Tahu in the design of public spaces, including planting, use of Kāi Tahu place names, public art works, and interpretive material – Preferred.

6.0 Minor and inconsequential amendments

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.

The following minor and inconsequential amendments relevant to this report are identified below and will be corrected.

Plan section	Reason for amendment	Proposed amendment
Maps	Incorrect mapping notation	Remove Heritage site notation from: B812 (Andersons Bay School Memorial Arch) B813 – Lone Soldier Monument B815 – Caledonian gymnasium B811 - Green Island School war memorial

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8.0 Summary of Recommended Amendments

Report Section	2GP Section/Topic	Number of original submission points (OS) and Further submission points (FS)	Amendment recommended ?	Marked up in Recommendation Version of Eplan	In section(s) attached to Report
5.1	Definitions				
5.1.1	Additions and Alteration	4 OS Amend 1 OS Support 4 FS	Yes	Yes	No
5.1.2	Repairs and Maintenance	1 OS Support	No	N/A	N/A
5.1.3	Restoration	1 OS Amend 1 FS	Yes	Yes	No
5.1.4	Public Place	2 OS Amend	Yes	Yes	No
5.1.5	Proposed new definition - Conservation	1 OS Amend	Yes	Yes	No
5.2	Heritage general approach				
5.2.1	Heritage section	6 OS Support	No	N/A	N/A
5.2.2	Heritage general comments	3 OS Amend	No	N/A	N/A
5.2.3	Introduction to heritage section	3 OS Amend 5 OS Support 1 FS	Yes	Yes	Yes
5.2.4	Objective 2.4.1	1 OS Amend 1 FS	Yes	Yes	Yes
5.2.5	Objective 2.4.2	2 OS Amend 7 OS Support 9 FS	Yes	Yes	Yes
5.2.6	Heritage section Objectives and Policies - general	3 OS Support 2 FS	No	N/A	N/A
5.3	Scheduled heritage buildings				
5.3.1	Policy 2.4.2.1	2 OS Amend 3 OS Support 3 FS	Yes	Yes	
5.3.2	Objective 13.2.1	1 OS Support	No	N/A	N/A
5.3.3	Policy 13.2.1.2	2 OS Amend 1 FS	No	N/A	N/A
5.4	Earthquake strengthening				
5.4.1	Policy 2.2.1.9	1 OS Support	Yes	Yes	Yes
5.4.2	Policy 13.2.1.3	2 OS Amend	No	N/A	N/A
5.5	Adaptive re-use				
5.5.1	Policy 2.4.2.3	2 OS Amend 4 OS Support 5 FS	No	N/A	N/A
5.5.2	Policy 13.2.1.1	2 OS Support	No	N/A	N/A
5.5.3	Policy 13.2.1.4	1 OS Amend 2 OS Support 1 FS	No	N/A	N/A
5.5.4	Policy 13.2.1.9	1 OS Amend 1 FS	No	N/A	N/A
5.6	Additions and alterations				
5.6.1	Policy 13.2.1.5	1 OS Amend 2 FS	No	N/A	N/A
5.7	Subdivision				

5.7.1	Policy 13.2.1.6	1 OS Amend	No	N/A	N/A
5.8	Demolition				
5.8.1	Policy 13.2.1.7	2 OS Amend 1 OS Support	No	N/A	N/A
5.9	Relocation				
5.9.1	Policy 13.2.1.8	1 OS Amend 4 OS Support 3 FS	No	N/A	N/A
5.10	Scheduled Heritage Sites				
5.10.1	Policy 2.4.2.2	4 OS Support 4 FS	No	N/A	N/A
5.10.2	Objective 13.2.2	2 OS Support	No	N/A	N/A
5.10.3	Policy 13.2.2.1	5 OS Amend 3 OS Support 1 FS	Yes	Yes	Yes
5.10.4	Policy 13.2.2.2	2 OS Amend	Investigate option	N/A	N/A
5.11	Heritage Precincts				
5.11.1	Objective 13.2.3	1 OS Amend	No	N/A	N/A
5.11.2	Policy 2.4.1.3	3 OS Amend 7 OS Support 10 FS	No	N/A	N/A
5.11.3	Policy 13.2.3.1	1 OS Amend	No	N/A	N/A
5.11.4	Policy 13.2.3.8	3 OS Amend	No	N/A	N/A
5.11.5	Policy 13.2.3.7	1 OS Amend	No	N/A	N/A
5.11.6	Policy 13.2.3.2	3 OS Amend 3 OS Support 1 FS	Yes	Yes	Yes
5.11.7	Policy 13.2.3.3	2 OS Amend 3 OS Support	Yes	Yes	Yes
5.11.8	Policy 13.2.3.10	3 OS Amend 1 OS Support	No	N/A	N/A
5.11.9	Policy 13.2.3.4	1 OS Amend	No	N/A	N/A
5.12	Rules				
5.12.1	Heritage Rules - general	1 OS Support 1 FS	No	N/A	N/A
5.12.2	Heritage Rules - Activity status	14 OS Amend 3 OS Support 4 FS	Yes	Yes	No
5.12.3	Notification rule	3 OS Amend	Yes	Yes	No
5.12.4	Rule 13.3 Development Performance Standards	3 OS Amend 5 OS Support 1 FS	Yes	Yes	Yes
5.12.5	Rule 13.4 Assessment of Controlled Activities	1 OS Amend	No	N/A	N/A
5.12.6	Rule 13.5 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)	6 OS Amend 5 OS Support 3 FS	Yes	Yes	Yes
5.12.7	Rule 13.6 and 13.7 Assessment of Restricted Discretionary and Discretionary Activities	9 OS Amend 1 OS Support 2 FS	Yes	Yes	Yes

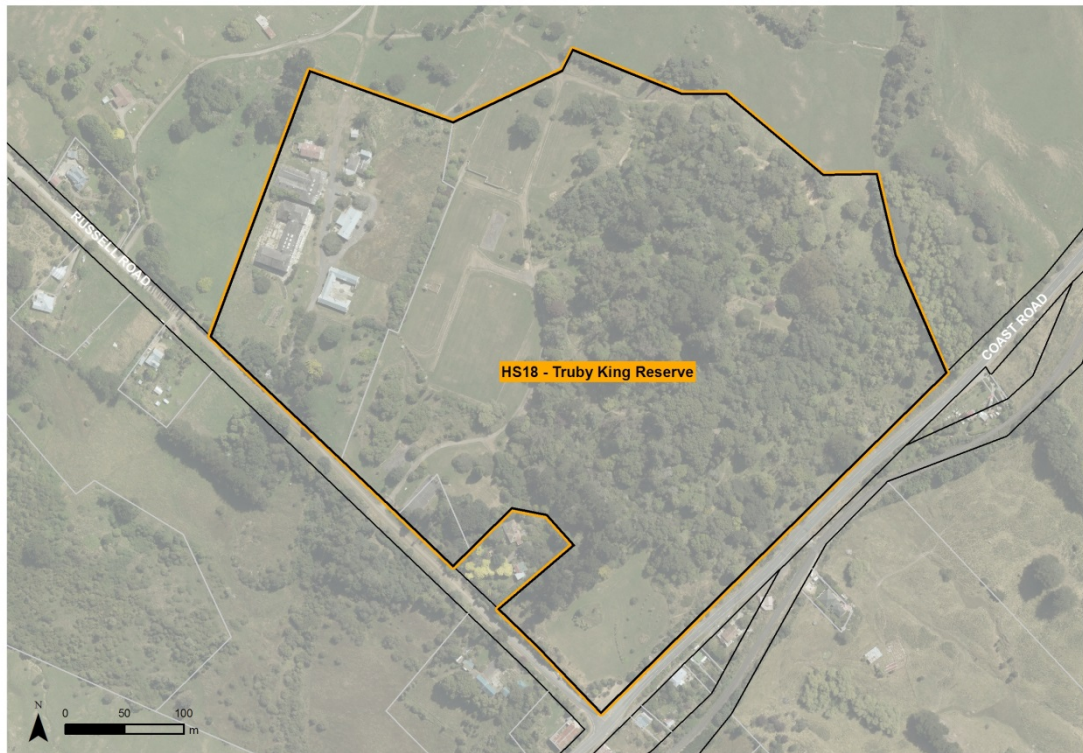
5.12.8	Rule 13.9 Special Information Requirements	3 OS Support 1 FS	No	N/A	N/A
5.12.9	Heritage panel and design guidelines	17 OS Amend 1 OS Support 8 FS	Yes	N/A	N/A
5.13	Archaeological Provisions				
5.13.1	Objective 13.2.4	1 OS Amend 3 OS Support 2 FS	No	N/A	N/A
5.13.2	Rule 13.3.3 Archaeological sites and Note 13.3A	5 OS Amend 1 OS Support 4 FS	Yes	Yes	Yes
5.13.3	Schedule of Protected Heritage Items and Sites - Archaeological Sites	3 OS Amend 1 OS Support 4 FS	Yes - Amendments to Appendix A1.1	N/A	N/A
5.13.4	Heritage New Zealand Pouhere Taonga Accidental Discovery Protocol	1 OS Amend 2 OS Support 1 FS	Yes	Yes	No
5.13.5	Archaeological Alert Layer Mapped Area	9 OS Amend 2 OS Support 9 FS	Yes - Amendment to planning maps	N/A	N/A
5.14	Schedule of Protected Heritage Items				
5.14.1	Format of heritage schedule	5 Amend 3 Support 4 FS	Yes	No	N/A
5.14.2	Heritage Precincts Mapping - General	3 Support 1 FS	No	N/A	N/A
5.14.3	A1.1 Schedule of Protected Heritage Items and Sites	4 Amend 4 Support 4 FS	No	N/A	N/A
5.15	Amendments to precinct boundaries and submissions on scheduled items within Commercial Heritage Precincts				
5.15.1	Amendments to Port Chalmers Commercial Heritage Precinct	2 Amend 3 FS	Yes - Amendment to Appendix A1.1	N/A	N/A
5.15.2	Amendments to George Street Commercial Heritage Precinct	7 Amend 8 FS	Yes - Amendments to Appendix A1.1 and planning maps	N/A	N/A
5.15.3	Amendments to the Octagon Commercial Heritage Precinct	3 Amend 3 FS	Yes - Amendments to Appendix A1.1 and planning maps	N/A	N/A
5.15.4	Amendments to Stuart Street Commercial Heritage Precinct	6 Amend 7 FS	Yes - Amendments to Appendix A1.1 and planning maps	N/A	N/A
5.15.5	Amendments to Moray Place - Dowling Street Commercial Heritage Precinct	8 Amend 8 FS	Yes - Amendments to Appendix A1.1 and planning maps	N/A	N/A
5.15.6	Amendments to Princes Street - Exchange	11 Amend 4 Support 10 FS	Yes - Amendments to Appendix A1.1	N/A	N/A

	Commercial Heritage Precinct		and planning maps		
5.15.7	Amendments to South Princes Commercial Heritage Precinct	3 Amend 1 Support 4 FS	Yes - Amendments to Appendix A1.1 and planning maps	N/A	N/A
5.15.8	Amendments to View Street Commercial Heritage Precinct	3 Amend 3 Support 3 FS	Yes – Amendments to Appendix A1.1, Appendix A2 and planning maps	Yes	No
5.15.9	Amendments to Warehouse Industrial Commercial Heritage Precinct	3 Amend 2 Support	Yes- Amendments to Appendix A1.1 and planning maps	N/A	N/A
5.16	Amendments to precinct boundaries and submissions on scheduled items within Residential Heritage Precincts				
5.16.1	Amendments to Queen Street Residential Heritage Precinct	5 Amend 1 Support 6 FS	Yes - Amendments to Appendix A1.1 and planning maps	N/A	N/A
5.16.2	Amendments to Dundas Street - Castle Street Residential Heritage Precinct	6 Amend 5 FS	Yes - Amendments to Appendix A1.1 and planning maps	N/A	N/A
5.16.3	Amendments to George Street North Residential Heritage Precinct	3 Amend 2 Support 5 FS	Yes - Amendments to Appendix A1.1 and planning maps	N/A	N/A
5.16.4	Amendments to North Ground Residential Heritage Precinct	8 Amend 8 FS	Yes - Amendments to Appendix A1.1 and planning maps	N/A	N/A
5.16.5	Amendments to Royal Terrace - Pitt Street - Heriot Row Residential Heritage Precinct	10 Amend 1 Support 8 FS	Yes - Amendments to Appendix A1.1 and planning maps	N/A	N/A
5.16.6	Amendments to York Place - Stuart Street - Arthur Street Residential Heritage Precinct	5 Amend 2 Support 3 FS	No	N/A	N/A
5.16.7	Amendments to High Street Residential Heritage Precinct	8 Amend 7 FS	Yes - Amendments to Appendix A1.1 and planning maps	N/A	N/A
5.17	Suggested new heritage precincts				
5.17.1	Broad areas	8 Amend 28 FS	No	N/A	N/A
5.17.2	Windle Settlement Workers Dwellings	1 Amend 1 FS	Yes - Amendments to Appendix A1.1 and planning maps	Yes	No
5.17.3	Hyde Street	1 Amend	No	N/A	N/A

		3 FS			
5.17.4	Harbourside Historic Area	2 Amend 2 FS	No	N/A	N/A
5.17.5	Russell Street / Adam Street	4 Amend 5 FS	No	N/A	N/A
5.17.6	Canongate / Catholic Heritage Precinct	6 Amend 3 FS	Yes - Amendments to Appendix A1.1 and planning maps	N/A	N/A
5.17.7	Park Street – Queen Street	1 Amend 4 FS	No	N/A	N/A
5.17.8	Lower Stafford Street	1 Amend 2 FS	Yes - Amendments to eplan, Appendix A1.1 and planning maps	Yes	No
5.17.9	South Dunedin Commercial	1 Amend 4 FS	No	N/A	N/A
5.18	Submissions on scheduled items not in a heritage precinct				
5.18.1	Heritage Sites	2 Amend 6 Support 3 FS	Yes - Amendments to Appendix A1.1 and planning maps	N/A	N/A
5.18.2	Retention of Scheduled Heritage Buildings (unopposed)	25 Support 2 FS	No	N/A	N/A
5.18.3	Removal of Scheduled Heritage Buildings	5 Amend 1 support 6 FS	No	N/A	N/A
5.18.4	Addition of new listings (unopposed)	16 Amend 1 Support 16 FS	Yes - Amendments to Appendix A1.1 and planning maps	N/A	N/A
5.18.5	Addition of new listings (opposed)	9 Amend 2 Support 13 FS	Yes - Amendments to Appendix A1.1 and planning maps	N/A	N/A
5.18.6	Addition of new listings – non-specific requests	7 Amend 1 FS	Yes - Amendments to Appendix A1.1 and planning maps	N/A	N/A
5.18.7	Amendments to extent of protection (unopposed)	14 Amend 2 Support 18 FS	Yes - Amendments to Appendix A1.1 and planning maps	N/A	N/A
5.18.8	Amendments to extent of protection (opposed)	6 Amend 1 Support 13 FS	Yes - Amendments to Appendix A1.1	N/A	N/A
5.18.9	Errors	14 Amend 11 FS	Yes - Amendments to Appendix A1.1 and planning maps	N/A	N/A
5.19	Heritage Precinct Values				
5.19.1	5.19.1 Heritage	8 Amend	Yes	No	See

	precinct values - General	3 FS			Appendix 5
5.19.2	5.19.2 Description of precincts	5 Support	Yes	Yes	No
5.19.3	Values to be protected	10 Amend 1 FS	Yes	Yes	No
5.19.4	Principal threats to values	6 Amend 2 Support 1 FS	Yes	Yes	No
5.19.5	Residential Heritage Precinct Values - Height	5 Amend 2 FS	No	N/A	N/A
5.19.6	Residential Heritage Precinct Values – Design	23 Amend 2 FS	Yes	Yes	No
5.19.7	Residential Heritage Precinct Values – Fences	12 Amend 4 FS	Yes	Yes	No
5.19.8	Residential Heritage Precinct Values – Colour	2 Amend 2 FS	No	N/A	N/A
5.19.9	Residential Heritage Precinct Values - Materials	3 Amend	No	N/A	N/A
5.19.10	Commercial Heritage Precinct Values - Height	1 Amend 1 FS	No	N/A	N/A
5.19.11	Commercial Heritage Precinct Values – Design	12 Amend	Yes	Yes	No
5.19.12	Commercial Heritage Precinct Values – Car parking	2 Amend 1 FS	No	N/A	N/A
5.19.13	Commercial Heritage Precinct Values – Other guidance	3 FS	Yes	Yes	No

Appendix 1 - Mapping Adjustments



Map of HS18 Truby King Reserve



Map of B344 "Winchendon"



Amendment to boundary of High Street Residential Heritage Precinct



Adjustment to boundary of Dundas Street – Castle Street Residential Heritage Precinct

Appendix 2 – Precinct values for Windle Settlement Residential Heritage Precinct

A2.1.8.1 Description of Area

The following description is taken from the Heritage NZ Windle Settlement Historic Area Registration Report.

The Windle Settlement Workers' Dwellings Historic Area consists of the first twenty houses built in Dunedin under the Workers' Dwellings Act 1905 as part of the first government state housing schemes. These were the only houses built under the 1905 Act in Dunedin and form an intact area reflecting the principles and practices of the Liberal Government housing policy.

The Windle Settlement was established in 1906-07 along with settlements in Auckland, Christchurch and Wellington. The settlements constructed under the Act comprised the first State Housing scheme in New Zealand. This was an integral part of the Liberal Government's administration of radical social policies, such as votes for women, old age pensions and housing for all. An impetus to the establishment of the Workers' Dwellings Act was a general assumption about the positive relation between home ownership and social order, as revolutionaries did not come from 'men with happy homes in pleasant surroundings'. The Windle Settlement is an embodiment of these ideals, which foreshadow the 1930s Welfare State promoted by the first Labour Government.

The Windle Settlement is located in one of Dunedin's finer established hill suburbs, Belleknowes, formerly in the Borough of Mornington. Windle Settlement was the only such settlement to be established in Dunedin. It is highly significant that the outward aspect of the Windle houses subscribes to British and American Arts and Crafts influences that were adopted by a select group of architects working in New Zealand at the time, most of whom had received their training in Britain. The Garden City Movement was also a factor in setting an aesthetic and practical ideal for the 'healthy' settlement of New Zealand workers and their families.

The Windle Settlement, with its elegant array of one and two-storeyed houses, interspersed with semi-detached houses (separated by a firewall), forms a modest, yet picturesque ideal of early twentieth century suburban living in New Zealand. The design and three-dimensional treatments uphold the progressive ideas that recommended white upper-working class families should be settled in suburban houses to give an appearance, or 'culture', of respectability.

A2.1.8.2 Values to be protected

- a. The continued presence of houses built as part of the Windle Settlement in the area
- b. The consistency of the Arts and Craft style in design
- c. The consistency of materials and key design elements
- d. The visibility of small front gardens with low fences, walls or hedges
- e. Established gardens and trees
- f. The focus on buildings presenting attractive and welcoming façades to the street

A2.1.8.3 Principal threats to values

- a. Development of new buildings and alterations to existing buildings that are unsympathetic to existing buildings and key elements of the Arts and Craft style
- b. The use of materials in new buildings or alterations to existing buildings that are inconsistent with those used in the area

- c. The removal of original materials and features from the Windle Settlement houses
- d. The loss of established trees and gardens
- e. High fences and walls reducing the interplay between the public realm and front yards

A2.1.8.4 Features and characteristics to be incorporated into design

Features or characteristics	Suggested/Preferred
Height	
New buildings should be consistent in height to with other buildings in the precinct	Suggested
Bulk and location	
Houses should be orientated so that the front wall is parallel with the street.	Preferred
Buildings at the front of the site should be built close to the road boundary, consistent with the adjacent character-contributing buildings.	Preferred
Car parking	
Where possible, parking areas should be located discreetly to the side or rear of dwelling units. Where they are located at the front of the site, they should be set back from the road frontage and where possible, incorporate fencing, walls, hedges or landscaping to reduce the negative amenity effects and visibility of vehicles.	Preferred
Where garages or car ports are visible from the road front they should be integrated into the building, or if stand-alone they must be single and similar in style and materials to the heritage or character-contributing dwelling they are associated with. Garages are preferred over car ports.	Preferred
Design	
New buildings should be sympathetic to existing character-contributing buildings.	Preferred
New buildings will generally draw important design cues from the Arts and Craft style of the Windle Settlement houses in the precinct, including scale, orientation, roof pitch, window	Suggested

Features or characteristics	Suggested/Preferred
alignment, materials and details, although these may be expressed in a simpler fashion than on those buildings.	
Road facing façades should clearly look like the front of a building.	Preferred
Buildings should have a clear entrance way, visible from the street. This entrance should include some architectural detail and should not be a ranch slider.	Preferred
Window placement and alignment should be a key component of the design of the building, accentuating a balanced form and adding architectural detail to the building.	Preferred
Existing window patterns and the use of multi-light windows on front façades should be protected on Windle settlement buildings.	Preferred
Roof pitch should be between 30° - 45°.	Suggested
Roofs should be gabled. At least one gable should face the road frontage.	Preferred
Materials	
Building façades should be clad in weatherboards but may make use of plaster or other similar materials for detailing, which are visually consistent with the traditional materials of the precinct.	Preferred
Buildings should avoid use a mix of materials or diverse application of the main materials to create shadow/depth and visual interest in the façade.	Suggested
Fences and walls	
Front fences should preferably be no higher than 1400mm on road frontages to protect views of buildings. Side fences should only go higher once they have passed the building setback. Fences higher than 1400mm should be visually permeable.	Preferred
Fences should be made from similar materials to those traditionally associated with scheduled heritage	Suggested

Features or characteristics	Suggested/Preferred
and character-contributing buildings in the area e.g. wrought iron, timber. Concrete block and basic pool fencing should be avoided.	
Colour	
Colours should be chosen from a heritage palette and avoid bright colours as base colours for buildings, though colour can be used effectively for highlighting architectural details.	Suggested
Signs	
Signs are discreet and kept to a minimum.	Preferred
Signs on buildings should not dominate façades or conceal windows or architectural features.	Preferred
Other	
Building utilities should be located in a way that reduces visual clutter. Where located in areas visible to the public, they should be installed discreetly or screened from view.	Preferred

Appendix 3 – Precinct values for Stafford Street Industrial Commercial Heritage Precinct

A2.2.10.1 Description of Area

The Stafford Street Industrial Commercial Heritage Precinct comprises the area of Stafford Street between Princes Street and Hope Street.

The area was surveyed and settled early in the city's history and was intensely developed from the first gold rush in 1861. From this time it became a popular location for industrial, service, and merchant activities. Many well-known Dunedin companies had associations with sites and buildings in the area, including Farras, Sew Hoy, NZ Express Co., and perhaps most famously Kempthorne and Prosser, who over time built or occupied many of the buildings that still stand in the precinct.

The area between Stafford Street and Carroll Streets also has close associations with Dunedin's Chinese community, who owned land, buildings, and businesses in the area. The association with the Sew Hoy family is particularly strong.

The long-standing industrial and commercial uses are clearly demonstrated in the built architecture the precinct. The buildings are predominantly former factories and warehouses and while they are more functional in their style than the more exuberant buildings in the Exchange, it is this modesty and utilitarian nature that is an important component of the precinct's character. Unusually, many of the buildings retain important early architectural features that illustrate these uses, including original ground floor fenestration, relative absence of large glazed shop fronts and verandahs, evidence of cellars, and continued existence of loading docks and doors.

The changing nature of this commercial and industrial activity is also evident in the precinct's architecture, with the former Kempthorne and Prosser Warehouse at 34 Stafford Street (1870), Ross and Glendinning factory at 8 Stafford Street (1866/1874/1919) and International Harvester Co. of NZ building at 25 Stafford Street (1950), demonstrating the changing building technologies and business needs of industry in the area over time.

There are relatively few vacant sites or non-character contributing buildings to detract from the character of the precinct. The former Kempthorne and Prosser office building at 31 Stafford Street is the building that has the least architectural consistency with the rest of the buildings in the precinct, although it does have obvious historic links to the company whose presence defined the area for many decades.

New buildings and alterations in the precinct should be more consistent with the area's heritage buildings in terms of scale, bulk, location and character. This does not mean that they need to replicate heritage buildings or features, per se, but should be of high architectural value, creative, and insert more seamlessly into the streetscape by reflecting features of the surrounding heritage buildings that give the area its quality and character. Importantly, in this heritage precinct, new buildings should reference to the area's industrial past and robust architectural style. New buildings should use creative design to enhance the urban feel of the area and reflect the core values listed below without attempting to dominate the existing heritage architecture, which should remain the key defining characteristic of the area.

A2.2.10.2 Values to be protected or enhanced

The following features and characteristics have been identified as important to protect or enhance:

Protect:

- The large number of scheduled heritage buildings and character-contributing buildings in the area

- A dense concentration of buildings creating a strong urban feel
- The use of rhythm, modulation, and permanent materials in design
- The industrial-commercial character

Enhance:

- Improved building maintenance and condition
- Restoration and re-use of existing buildings
- Consistent building lines with buildings built to the front boundary

A2.2.10.3 Principal threats to values

- Further demolition of existing scheduled heritage and character-contributing buildings
- Low levels of maintenance and investment
- Development of new buildings and alterations to existing buildings that are unsympathetic to existing buildings
- The use of materials in new buildings or alterations to existing buildings that are inconsistent with those used in the area
- The removal of original materials and features from heritage and character-contributing buildings
- Ground level off-street car parking visible within the streetscape
- Gaps in the streetscape

A2.2.10.4 Features and characteristics to be incorporated into design

Features or characteristics	Suggested/ Preferred
Height	
New buildings should be consistent in height to immediate neighbours where these are scheduled heritage or character-contributing buildings, unless these buildings are inconsistent with the typical heights in the precinct.	Preferred
Bulk and location	
Building frontages should be constructed within 400 mm of the road boundary. Buildings should occupy the full width of the site.	Preferred
Car parking	
Off-street car parking is not visible from the road, either located behind or within the building.	Preferred
Vehicle crossings should be kept to a minimum. Entrances to garages and loading bays are acceptable, but should be finished so they contribute to the historic industrial character of the area.	Preferred
Design	
Buildings should reference the area's commercial heritage and be sensitive to surrounding heritage and character-contributing buildings which are characterised by their solid and substantial design.	Preferred
New buildings will generally draw important design cues from Victorian and Edwardian heritage and character-contributing buildings in the precinct, including scale, orientation, roof pitches, window alignment, materials and details, although these may be expressed in a simpler fashion than on historic buildings.	Preferred

Features or characteristics	Suggested/ Preferred
Façades should have a solid appearance.	Suggested
Corner buildings should have architectural detail to all road frontages.	Preferred
Façades should be visually subdivided (base, middle and top), and the composition (including windows) should emphasise a vertical dimension consistent with heritage and character-contributing buildings in the precinct.	Suggested
Division of the façade should be consistent with floor levels of neighbouring heritage or character-contributing buildings wherever possible.	Suggested
Buildings are typically narrow. Long façades should be broken into vertical bays.	Suggested
Rooflines should be concealed behind parapets or other architectural features.	Suggested
Restrained ornament or detail may be included as part of the façade design.	Suggested
Window layout should be symmetrical and/or rhythmical.	Suggested
Windows on long façades should be arranged in groups.	Suggested
Windows should be largely transparent.	Preferred
Verandahs are generally discouraged on buildings, but smaller shelters over doors may be considered where these are simple and do not detract from the design of the building or the character of the streetscape.	Suggested
In existing scheduled heritage buildings and character contributing buildings, original ground floor apertures should be retained, limiting the amount of ground floor glazing.	Preferred
Mirrored glass and heavy tinting should be avoided.	Suggested
Car parking buildings should be designed with the same design criteria as other buildings above in mind, although they may replace glazing with other façade treatments. Cars should be only minimally visible from public places through the façade.	Preferred
Materials	
Building facades should be clad in permanent, robust materials such as plaster, brick, stone or concrete, which are visually consistent with the traditional materials of the precinct.	Suggested
Buildings should avoid the use of single cladding materials and a use a mix of materials or variations in their use to create shadow/depth and visual interest in the façade.	Suggested
Un-rendered brick, stone and concrete should remain un-rendered on	Preferred

Features or characteristics	Suggested/ Preferred
existing buildings except where this does not contribute to the character of the building.	
Colour	
Base colours for walls and roofs should be chosen from a palette of heritage or neutral colours. Bright colours should be avoided, although colour can be used effectively for highlighting details.	Suggested
Unpainted brick, stone, and concrete should remain unpainted on existing buildings except where this does not contribute to the character of the building.	Preferred
Painted heritage signs on the side and rear of buildings should be retained and not removed or painted over.	Preferred
Signs	
Signs should not dominate facades or conceal windows or architectural features.	Preferred
Other	
Service areas and building utilities should not be located on facades in order to reduce visual clutter. Where located at the side of buildings in areas visible to the public, they should be installed discreetly or screened from view.	Preferred
Public spaces, including footpaths, should be kept free of unnecessary clutter and infrastructure to ensure maximum enjoyment of the public space, other than where the development contributes to improved vibrancy and public use of the area.	Preferred
Street furniture is of high quality and sympathetic to the heritage values and character of the area. However, this does not mean it has to be Victorian replica in style.	Preferred
Above ground network utilities should be avoided wherever possible. Where they cannot be avoided, they should be located sensitively and efforts undertaken to reduce the visual impact of the infrastructure, including paying particular attention to design and materials, or disguising the form through the incorporation of art, furniture or design elements.	Preferred

Appendix 4 – Amendments to Schedule A1.1 Archaeological sites

(see Section 5.13.3, Submission point OS360.16)

Site number	Includes NZAA site record numbers (HNZ category)
A001	I43/1 (II)
A002	I44/1 (II)
A003	I44/5 (II)
A004	I44/17 (II)
A005	I44/20 (II)
A006	I44/21 (II), I44/216
A007	I44/23 (II)
A008	I44/76 (II), I44/47, I44/12, I44/343, I44/391
A009	I44/137 (II), I44/138 (II), I44/139 (II), I44/140 (II), I44/141 (II)
A014	J43/4 (II)
A016	J44/2 (II)
A017	J44/19 (II)
A018	J44/46 (II)
A019	J44/47 (II), J44/ 89 (II), J44/ 90 (II), J44/91 (II), J44/92 (II), J44/93 (II)
A020	J44/68 (II)
A021	J44/88 (II)
A027	J44/100 (II), J44/101 (II)
A030	J44/6, J44/104, J44/106, J44/107 (II), J44/108, J44/109, J44/110 (II), J44/111, J44/112
A032	J44/120 (II), J44/121 (II), J44/1 (II)
A034	J44/122 (II)
A035	I44/221 (II)
A036	J44/4 (II), J44/103 (II)
A037	I44/121
A038	144/68
A039	I42/302 (I)
A040	I44/177
A041	I44/604
A042	J44/5
A043	I44/366
A044	H44/1061, H44/1060
A045	H42/136
A046	I44/543; I44/88

A047	H43/138
A048	I42/117
A049	I44/310, 311, 313-317
A050	I44/468
A051	I44/81, 83, 84, 447
A052	I44/340
A053	I44/394
A054	I43/153
A055	J44/162

Appendix 5 – Suggested numbering system for Schedule A2



A2.1.1.4 Features and characteristics to be incorporated into design

Features or characteristics	Suggested/Preferred
1. Height	
a. New buildings should be consistent in height to immediate neighbours where these are scheduled heritage buildings or character-contributing buildings.	Suggested
2. Bulk and location	
a. Houses should be orientated so that the front wall is parallel with the street.	Preferred
b. Buildings at the front of the <u>site</u> should be built close to the road boundary, consistent with the adjacent scheduled heritage building or character-contributing building.	Preferred
3. Car parking	
a. Where possible, parking areas should be located discreetly to the rear of dwelling units. Where they are located at the front of the site, they should be set back from the road frontage and where possible, incorporate fencing, walls, hedges or landscaping to reduce the negative amenity effects and visibility of vehicles.	Preferred
b. Where garages or car ports are visible from the road front they should be integrated into the building, or if stand-alone they must be single and similar in style and materials to the heritage or character-contributing dwelling they are associated with. Garages are preferred over car ports.	Preferred
4. Design	
a. New buildings should be sympathetic to existing scheduled heritage buildings or character-contributing buildings in the part of the precinct they are located in.	Preferred
b. New buildings will generally draw important design cues from Victorian, Edwardian, Arts and Crafts or Deco heritage and character-contributing buildings in the precinct, including scale, orientation, roof pitch, window alignment, materials and details, although these may be expressed in a simpler fashion than on historic buildings.	Suggested
c. Road facing façades should clearly look like the front of a building.	Preferred
d. Buildings should have a clear entrance way, visible from the street. This entrance should include some architectural detail and should not be not be a ranch slider.	Preferred
e. Window placement and alignment must be a key component of the design of the building.	Preferred
f. Roof pitch should be between 30° and 45°. Pitch may be lower where the roof is concealed behind a parapet.	Suggested Preferred {Her 299.134}
5. Materials	
a. Building façades should be clad in materials such as plaster, brick, stone, concrete or weatherboards, which are visually consistent with the traditional materials of the precinct.	Preferred
b. Buildings should avoid the use of single cladding materials and use a mix of materials to create shadow/depth and visual interest in the façade.	Suggested

Appendix 6 -2GP Section 13: Heritage

13.1 Introduction

The Resource Management Act (RMA) identifies 'the protection of historic heritage from inappropriate subdivision, use, and development' as a matter of national importance (section 6(f) RMA). Dunedin has a wealth of heritage items, particularly its remarkable collection of heritage buildings, but also significant heritage sites and archaeological sites, which reflect both its Māori history and early European settlement. Dunedin's strength is that its heritage is strongly visible in all parts of the city, including suburban centres, residential areas, industrial areas and outlying settlements. These diverse buildings tell the stories of the various social classes and activities that have contributed to the city's growth.

Heritage items are listed within schedules within the Plan appendices, and are managed through rules within each zone. The objectives, policies and assessment rules, are contained within this section of the Plan.

Heritage buildings and structures

One of Dunedin's strengths is its collection of heritage buildings and structures. The city's appearance is still strongly that of a Victorian/Edwardian city. The design and appearance of many large buildings of that era, individually and collectively, give the central city an appearance of grandeur and permanence. Development that has taken place since Edwardian times has generally retained and enhanced the values of that period, cumulatively giving Dunedin a unique and coherent heritage character. Heritage buildings and structures are listed in Schedule A1.1.

One of the key resource management issues relating to such buildings is the degradation of the heritage fabric, leading to demolition because the building has become dangerous under the Building Act, or because it has become too costly to repair. In some cases, a lack of long-term maintenance has led to this 'demolition by neglect'.

In order to avoid the loss of heritage character and values, it is necessary to manage changes to these buildings and structures. These changes should be considered in relation to the heritage values of the building or structure as originally assessed when first scheduled, to allow consideration of the cumulative effects of any previously approved works to be considered. {Her 547.71} However, it is also recognised that the best way of retaining heritage buildings and avoiding demolition by neglect is encourage their on-going use and re-use. Remarkable progress has been made in recent years, particularly in the older commercial and industrial parts of the central city, in terms of adaptive re-use of heritage buildings that might otherwise have been under-utilised and fallen into decay. This has been instrumental in re-vitalising those parts of the city.

In response to these issues, the 2GP proposes to both protect the heritage values and to also encourage and allow changes necessary to facilitate appropriate re-use. To achieve this, the 2GP contains more enabling rules and policies related to repairs and maintenance, restoration, earthquake strengthening, and other alterations required by the Building Act 2004, while activities resulting in irreversible changes to protected parts of the building, removal or demolition are subject to greater levels of control. In order to encourage re-use, the range of activities provided for within heritage buildings in specific zones is broadened to offer additional development opportunities. For example, in the Warehouse Precinct Zone, general retail activities are provided for only in heritage buildings, and in the Smith Street/York Place Zone, office activity is only provided for in heritage buildings.

Heritage sites

Heritage sites recognise the heritage values of a larger number of elements within a defined geographic area. This may include buildings and structures and their curtilage, gardens, open spaces and other landscape features. Such sites are also under threat from inappropriate development if not adequately protected.

The Heritage Schedule identifies these sites within Schedule A1.1. The 2GP provisions manage changes to these sites to ensure that the heritage values for which the site is protected are not eroded. There is a focus on managing the effects of new buildings, larger structures and site development, given the effects these can have on the relationships between existing structures and open space on sites. Where a site contains scheduled heritage

buildings, the rules relating to heritage buildings govern changes to those buildings.

Heritage Precincts

The Plan identifies a number of areas that have high heritage streetscape values within both the residential and commercial and mixed use {c/16} zones. These are areas with concentrated collections of high quality period buildings, whose appearance and character contributes significantly to the streetscape. In many cases, these areas were protected as heritage or townscape precincts in the operative District Plan.

Many of these areas contain large numbers of individually scheduled heritage buildings. The remainder of the buildings are classified as either 'character-contributing' or 'non character-contributing' buildings, depending on whether the building or site is consistent with the predominant character of the area. Character-contributing buildings are included within Schedule A1.1. Rules differ between these types of building, recognising that changes to, or removal of, non-character buildings may have little negative effect on the heritage character of the area.

The focus in the precincts is on managing the collective historic streetscape character created by individually scheduled buildings and character contributing buildings of that precinct, as assessed at the time of scheduling. For this reason, ~~the proposed rules, therefore, {Her 547.71}~~ only apply to the parts of buildings visible from the street or other adjoining public place, with alterations that are not visible from an adjoining public place not requiring consent. As with individual heritage buildings, the provisions recognise that the on-going use or re-use of buildings is the most effective way of maintaining the character of the precinct. As such, activities such as repairs and maintenance, restoration, and earthquake strengthening are permitted activities, while additions and alterations, removal or demolition, require consent.

New buildings that are visible from an adjoining public place require consent, with design criteria detailed for each precinct (Appendix A2) to ensure that these buildings are sympathetic to the character of the precinct. However, this does not mean they are required to be replica buildings. There are also specific rules relating to fences, retaining walls and car parking areas in residential heritage precincts that aim to protect streetscape character. Car parking areas must be located away from the front boundary. This is to discourage existing front gardens, which contribute to the streetscape character, from being converted to parking areas, and ensure that parking areas associated with new development is appropriately located. The rules around fences will ensure that heritage buildings and their curtilage remain visible from the street.

Within the commercial areas, colours are restricted to a neutral, heritage or muted palette. The range of possible colours is broad, but does not include excessively bright colours which may detract from the streetscape character. There are also additional controls around demolition within the commercial heritage precincts. Policies require that consent is only granted where there is reasonable certainty that the land will be put to an alternative acceptable land use (for example, another building or green space). This is to avoid the creation of unsightly gaps within the central city streetscape, which can significantly reduce the streetscape character. For this reason, consent is required for demolition of all buildings within a heritage precinct that are visible from an adjoining public place.

Archaeological sites

Statutory responsibility for archaeological sites rests with Heritage New Zealand. Archaeological sites are defined in the Heritage New Zealand Pouhere Taonga Act 2014 as:

"any place in New Zealand, including any building or structure (or part of a building or structure), that—

- (i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and
- (ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand".

Sites dating from after 1900 may also be declared to be archaeological sites if they may provide significant evidence relating to the historical and cultural heritage of New Zealand.

The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to destroy, damage or modify the whole or any part of an archaeological site without the prior authority of Heritage New Zealand. This is the case regardless of whether the land on which the site is located is designated, the activity is permitted under the District or Regional Plan, or a resource or building consent has been granted. The Act also provides for substantial penalties for unauthorised destruction, damage or modification. There is a specific statutory process for applying for an authority, which is managed by Heritage New Zealand.

The key issue with regard to archaeological sites is that most are not identified in the operative plan, and are therefore at risk of damage if landowners are unaware of them when undertaking activities on their land. In response to this issue, the 2GP proposes to alert land and building owners to their responsibilities under the Heritage New Zealand Pouhere Taonga Act 2014 rather than duplicating the authority process by requiring additional resource consents for work that may disturb archaeological sites. This is achieved in the following three ways.

Firstly, a number of highly significant archaeological sites are identified in Schedule A1.1 and their extent mapped. These are sites with high archaeological values and are a small subset of the known archaeological sites within Dunedin. Earthworks within these areas are subject to a performance standard requiring an archaeological authority to be obtained if one is required. A breach of this standard is a non-complying activity. Inclusion of this rule allows enforcement action to be taken if a site is disturbed without appropriate authority from Heritage New Zealand.

Secondly, the Plan establishes an archaeological alert layer. This includes many other known archaeological sites and areas of historical Māori settlement, and identifies areas that have a strong likelihood of containing archaeological remains. There are no specific rules attached to these areas in relation to archaeological remains. Instead, people undertaking development are specifically alerted that archaeological remains may be present, and are encouraged to check with Heritage New Zealand as to whether there are any recorded archaeological sites close by. There is increased potential for archaeological sites to be disturbed within the mapped wahi tupuna areas. These are generally included either as scheduled archaeological sites or within the archaeological alert layer. {Her 1071.47}

Thirdly, the Plan includes advice notes in all zones reminding site owners of their responsibilities under the Heritage New Zealand Pouhere Taonga Act 2014, given that archaeological remains may be present anywhere within the District. This includes advice on the correct process to be followed should an archaeological site be uncovered, and advice that demolition of pre-1900 buildings requires an archaeological authority.

13.2 Objectives and Policies

Objective 13.2.1	
Scheduled heritage buildings and structures are protected.	
Policy 13.2.1.1	Encourage the maintenance, on-going use and adaptive re-use of scheduled heritage buildings, including by enabling repairs and maintenance, earthquake strengthening, and work required to comply with section 112 (Alterations) and section 115 (Change of Use) of the Building Act 2004 where it is done in line with policies 13.2.1.2-13.2.1.4.
Policy 13.2.1.2	Require repairs and maintenance and <u>restoration</u> that affect a protected part of a scheduled heritage building or scheduled heritage structure to preserve and protect the heritage values of the building or structure by using appropriate materials and design.
Policy 13.2.1.3	Require earthquake strengthening that affects a protected part of a scheduled heritage building or scheduled heritage structure to use appropriate materials and design to minimise any adverse effects on the heritage values of the building, including by: <ol style="list-style-type: none"> protecting, as far as possible, architectural features and details that contribute to the heritage values of the building; retaining the original façade material; minimising the visual impact of additions on protected parts of the building; and in the case of the replacement of an elevated feature on a façade or roof, the new feature is visually indistinguishable from the feature being replaced.
Policy 13.2.1.4	Enable work required to comply with section 112 (Alterations) and section 115 (Change of Use) of the Building Act 2004 that affects a protected part of a scheduled heritage building or structure, provided both of the following criteria are met: <ol style="list-style-type: none"> it is carried out in a manner that minimises adverse effects on the heritage values of the building; and the benefit in terms of long-term protection and future use of the building outweighs any loss of heritage values.
Policy 13.2.1.5	Only allow other additions and alterations that affect a protected part of a scheduled heritage building or structure where: <ol style="list-style-type: none"> adverse effects on heritage values are avoided, or if avoidance is not possible, are no more than minor; and the visual impact of additions on protected parts of the building, including building utilities, is minimised.
Policy 13.2.1.6	Only allow subdivision of sites containing scheduled heritage buildings and scheduled heritage structures where the subdivision is designed to: <ol style="list-style-type: none"> provide sufficient curtilage around the scheduled heritage building or scheduled heritage structure to protect heritage values; and ensure any future land use or development will maintain existing views of scheduled heritage buildings or scheduled heritage structures from adjoining public places, as far as is practicable.

Objective 13.2.1

Scheduled heritage buildings and structures are protected.

Policy 13.2.1.7	<p>Avoid the demolition of a protected part of a scheduled heritage building or structure unless all of the following criteria are met:</p> <ul style="list-style-type: none"> a. the building or part of the building poses a significant risk to safety or property; and b. there is no reasonable alternative to demolition, including repair, adaptive re-use, relocation or stabilising the building for future repair; and c. for buildings and structures located within a heritage precinct: <ul style="list-style-type: none"> i. development post demolition will maintain or enhance the heritage streetscape character and amenity in accordance with Policy 13.2.3.6; and ii. conditions can be imposed which would give reasonable certainty that this will be completed within an acceptable timeframe.
Policy 13.2.1.8	<p>Only allow removal for relocation of a scheduled heritage building or structure where all of the following criteria are met:</p> <ul style="list-style-type: none"> a. the removal is necessary to facilitate the ongoing use or protection of the building or ensure public safety; b. measures are in place to minimise the risk of damage to the building; c. the heritage values of the building or structure in its new location are not significantly diminished; and d. for buildings and structures located within a heritage precinct: <ul style="list-style-type: none"> i. development post relocation will maintain or enhance the heritage streetscape character and amenity in accordance with Policy 13.2.3.6; and ii. conditions can be imposed which would give reasonable certainty that this will be completed within an acceptable timeframe.
Policy 13.2.1.9	<p>Provide for general retail in scheduled heritage buildings in the Warehouse Precinct Zone and offices in scheduled heritage buildings in the Smith Street and York Place and Warehouse Precinct zones, in order to maximise the potential opportunities for adaptive re-use of heritage buildings in these areas.</p>

Objective 13.2.2

The heritage values of scheduled heritage sites are protected.

Policy 13.2.2.1	<p>Only allow new buildings and structures, additions and alterations, network utilities activities, public amenities, natural hazard mitigation activities, transportation activities, and parking, loading and access on a scheduled heritage site where the heritage values of the <u>site</u> are protected, including by ensuring:</p> <ol style="list-style-type: none"> the form, scale and proportion of the development, and the materials used, are architecturally compatible with the existing scheduled heritage buildings and scheduled heritage structures within the scheduled heritage site; the location of the development is compatible with that of scheduled heritage buildings and scheduled heritage structures on the site, and respects the relationship between scheduled heritage buildings, scheduled heritage structures and open space; existing views of scheduled heritage buildings or scheduled heritage structures from adjoining public places and publicly accessible areas within the scheduled heritage site are maintained as far as is practicable; scheduled heritage sites that are primarily open space are protected from inappropriate development; and network utilities activities, natural hazard mitigation activities and building utilities are designed, located and/or screened to be as unobtrusive as <u>practicable possible</u>. <i>{Her 576.33}</i>
Policy 13.2.2.2	<p>Only allow subdivision of scheduled heritage sites where:</p> <ol style="list-style-type: none"> the subdivision is designed to ensure any future land use or development respects the relationship between scheduled heritage buildings, scheduled heritage structures and open space; scheduled heritage sites that are primarily open space are protected from unnecessary development; and the heritage values for the <u>site</u> are maintained.

Objective 13.2.3

The heritage streetscape character of heritage precincts is maintained or enhanced.

Policy 13.2.3.1	<p>Require repairs and maintenance, <u>restoration</u> and earthquake strengthening of a character-contributing building, where the work is visible from an adjoining public place, to be undertaken in a way that maintains or enhances the heritage streetscape character of the precinct by using appropriate materials and design.</p>
Policy 13.2.3.2	<p>Require development within residential heritage precincts to maintain or enhance heritage streetscape character, including by ensuring:</p> <ol style="list-style-type: none"> garages and carports do not dominate the street; off-street car parking <u>areas are</u> is located at the rear of buildings <u>or screened from view</u>, or where this is not feasible due to the location of the buildings, is <u>are</u> set back from the street frontage; <i>{Her 317.15}</i> building heights, boundary setbacks, and scale reflect heritage streetscape character; <u>and</u> <i>{Her 457.38}</i> network utility structures are appropriately located; <i>{Her 457.38}</i> fences do not screen buildings from view.

Objective 13.2.3

The heritage streetscape character of heritage precincts is maintained or enhanced.

Policy 13.2.3.3	Require development within commercial heritage precincts to maintain or enhance heritage streetscape character by ensuring: <ul style="list-style-type: none"> a. off-street car parking is located within or behind buildings; b. building heights, boundary setbacks, and scale reflect heritage streetscape character; <u>and</u> c. vehicle crossings are kept to a minimum, including avoiding commercial drive-through facilities; <u>and</u> {Her 457.39} d. network utility structures are appropriately located. {Her 457.39}
Policy 13.2.3.4	Require signs within commercial heritage precincts to be located and designed to avoid, and if avoidance is not possible minimise, adverse effects on heritage streetscape character.
Policy 13.2.3.5	Only allow other additions and alterations to character-contributing buildings and larger additions to non character-contributing buildings, where visible from a public place, where their design, materials and location achieve the following: <ul style="list-style-type: none"> a. for work that is required in order to comply with the Building Act 2004 section 112 and section 115, the benefits in terms of long term protection and future use of the building outweighs any adverse effects on heritage street character; and b. for all other additions and alterations, heritage streetscape character is maintained or enhanced.
Policy 13.2.3.6	Only allow demolition or removal for relocation of a building where: <ul style="list-style-type: none"> a. the heritage streetscape character of the precinct will be maintained or enhanced; and b. conditions can be imposed that would give reasonable certainty that within an acceptable timeframe: <ul style="list-style-type: none"> i. a replacement building will be constructed; or ii. the land will be put to an acceptable alternative land use that will make a positive contribution to the amenity of the streetscape.
Policy 13.2.3.7	Only allow new buildings and structures that are visible from an adjoining public place, where their design, materials and location ensure the heritage streetscape character of the precinct is maintained or enhanced, including by: <ul style="list-style-type: none"> a. incorporating into the design the relevant preferred design features and characteristics listed in Appendix A2 and, where possible <u>practicable</u> {Her 576.74 and appropriate, the relevant suggested features and characteristics; b. maintaining existing views of scheduled heritage buildings and character-contributing buildings from adjoining public places as far as practicable; and c. ensuring structures whose design unavoidably conflicts with precinct characteristics are as unobtrusive as possible <u>practicable</u> {Her 576.74.
Policy 13.2.3.8	Encourage the maintenance, ongoing use and adaptive re-use of character-contributing buildings, including by enabling repairs and maintenance, earthquake strengthening, and work required in order to comply with the Building Act 2004 section 112 and section 115 where it is done in line with policies 13.2.3.1 and 13.2.3.5.
Policy 13.2.3.9	Require buildings within commercial heritage precincts, where painted, to be a muted or heritage palette colour.

Objective 13.2.3

The heritage streetscape character of heritage precincts is maintained or enhanced.

Policy 13.2.3.10	Only allow public amenities, <u>natural hazard mitigation activities</u> and network utilities activities where these are located and designed to minimise, as far as practicable, any adverse effects on heritage streetscape character.
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Objective 13.2.4

Dunedin's archaeological sites are protected from inappropriate development and use.

Policy 13.2.4.1	Require an archaeological authority to be obtained, if one is required, prior to undertaking earthworks on a scheduled archaeological site.
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13.3.1 Building Colour

1. The following activities in commercial heritage precincts must meet the performance standard in Rule 13.3.1.2 below.
 - a. repairs and maintenance of buildings and structures;
 - b. additions and alterations to buildings and structures; and
 - c. new buildings and structures.
2. Paint on a roof or wall that is visible from an adjoining public place must be a colour from, or indistinguishable from a colour from, the following colour palettes:
 - a. Resene Heritage Colour Palette (2006);
 - b. Resene Whites and Neutrals (2001); or
 - c. British Standard BS 5252:1976 A01 to C40.
3. Public artworks and the painting of decorative trims, windows, and doors are exempt from this performance standard.

13.3.2 Materials and Design

1. For repairs and maintenance and restoration of any part of a character-contributing building, any protected part of a scheduled heritage building or scheduled heritage structure, or any non-protected part of a scheduled heritage building within a heritage precinct, that are visible from an adjoining public place:
 - a. the materials used and the design of any replacement building components are the same or closely similar to those being repaired or replaced, or those that were in place originally. Except that:
 - i. concrete roofing tiles or metal and stone chip roofing tiles on character-contributing buildings may be replaced with any roofing material; and *{Her 547.74}*
 - ii. wooden windows (except stained glass and multi-light windows) *{Her 547.74}* may be retrofitted with double glazed units into the existing timber joinery.
 - b. Unpainted walls must not be painted, and un-rendered walls must not be rendered.
2. Where an elevated feature is replaced, the replacement feature must appear exactly the same as the feature being replaced, when viewed from a public place.
3. For earthquake strengthening of a protected part of a scheduled heritage building or scheduled heritage structure, shotcrete must not be applied to the exterior.

13.3.3 Archaeological sites

1. Earthworks on a Scheduled Archaeological Site must have an archaeological authority if required.
2. Activities that contravene this performance standard are non-complying activities.

Note 13.3A - Other requirements outside the District Plan

1. ~~The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or any part of an archaeological site without the prior authority of Heritage New Zealand.~~ *{Her 547.80}* Scheduled Archaeological Sites are identified on the planning maps. Archaeological sites may also be found outside these areas, but are more likely to be found within the archaeological alert layer. *{Her 1071.47}* If you wish to do any earthworks that may affect an archaeological site, you must first *{Her 547.80}* obtain an authority from Heritage New Zealand before you begin. This is the case regardless of whether the ~~land on which the~~ *{Her 547.80}* site is located is *{Her 547.80}* designated, or the activity is permitted under the District Plan or Regional Plan or a resource or building consent has been granted. Provided such authority is obtained, a resource consent for modifying or destroying the site will not be required. *{Her 547.80}*
2. The Heritage New Zealand Pouhere Taonga Accidental Discovery Protocol (Appendix A8) manages archaeological

sites which may be discovered as a result of earthworks. The protocol applies to any area, not just scheduled archaeological sites.

Rule 13.4 Assessment of Controlled Activities

Rule 13.4.1 Introduction

1. Controlled activities will be assessed in accordance with section 104 and 104A of the RMA. Council must grant the application and may impose conditions with respect to matters over which it has reserved its control.
2. Rules 13.4.2:
 - a. lists the matters over which Council has reserved its control; and
 - b. provides guidance on how consent applications will be assessed, including:
 - i. relevant objectives and policies, with respect to s104(1)(b)(vi); and
 - ii. conditions that may be imposed.

13.4.2 Assessment of controlled activities

Activity	Matters of control	Guidance on the assessment of resource consents
1. Earthquake strengthening that affects a protected part of a scheduled heritage building or scheduled heritage structure, where external features only are protected.	a. Effect on heritage values	<p><i>Relevant objectives and policies:</i></p> <ol style="list-style-type: none"> i. Objective 13.2.1 ii. Earthquake strengthening that affects a protected part of a scheduled heritage building or scheduled heritage structure uses appropriate materials and design to minimise any adverse effects on the heritage values of the building, including by: <ol style="list-style-type: none"> a. protecting, as far as possible, architectural features and details that contribute to the heritage values of the building; b. retaining the original façade material; c. minimising the visual effect of additions on protected parts of the building; and d. in the case of the replacement of an elevated feature on a façade or roof, the new feature is visually indistinguishable from the feature being replaced (Policy 13.2.1.3). <p><i>Conditions that may be imposed include:</i></p> <ol style="list-style-type: none"> iii. The design and implementation of the works, including materials and methods used.

Rule 13.5 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)

Rule 13.5.1 Introduction

1. Restricted discretionary activities will be assessed in accordance with section 104 and 104C of the RMA, meaning only those matters to which Council has restricted its discretion will be considered, and Council may grant or refuse the application, and, if granted, may impose conditions with respect to matters over which it has restricted its discretion.
2. Rules 13.5.2 - 13.5.4:
 - a. list the matters Council will restrict its discretion to; and
 - b. provide guidance on how consent applications will be assessed, including:
 - i. relevant objectives and policies, with respect to s104(1)(b)(vi);
 - ii. potential circumstances that may support a consent application;
 - iii. general assessment guidance; and
 - iv. conditions that may be imposed.

13.5.2 Assessment of all performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
<p>1. All performance standard contraventions</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> a. Objectives 2.4.2, 2.4.3 b. Policies 3.4.2.1, 2.4.3.2 <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> c. The degree of non-compliance with the performance standard is minor. d. There are positive effects on heritage values through not meeting the performance standards. e. Where there is a conflict between compliance with performance standards and protection of heritage values, protection of heritage values should take precedence. f. The need to meet other performance standards, <u>site</u> specific factors, including topography, make meeting the standard impracticable. g. Non-compliance with a development performance standard would improve the design of the development in a way that would result in positive effects and better achieve the identified objectives and policies of the Plan. <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> h. For work affecting a scheduled heritage building or structure, Council will consider the extent to which the work enables the on-going use of the building or structure in line with Policy 13.2.1.1 i. For work affecting a character-contributing building or structure, Council will consider the extent to which the work enables on-going use of the building in line with Policy 13.2.3.8 j. Where more than one standard is contravened, the combined effects of the contraventions should be considered. k. In balancing consideration of the objectives and policies related to the maintenance of heritage values or heritage precinct streetscape character and those related to general amenity, greater weight will usually be placed on heritage policies. l. In assessing the effects on heritage streetscape character, Council will consider the heritage precinct values in Appendix A2.

13.5.3 Assessment of performance standard contraventions that affect a protected part of a Scheduled Heritage Building, Scheduled Heritage Structure, or Scheduled Heritage Site

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
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<p>1. Materials and design</p>	<p>a. Effect on heritage values</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 13.2.1 ii. Repairs and maintenance and <u>restoration</u> that affect a protected part of a scheduled heritage building or scheduled heritage structure preserve and protect the heritage values of the building or structure by using appropriate materials and design (Policy 13.2.1.2). iii. Earthquake strengthening that affects a protected part of a scheduled heritage building or scheduled heritage structure uses appropriate materials and design to minimise any adverse effects on the heritage values of the building, including by: <ul style="list-style-type: none"> 1. protecting, as far as possible, architectural features and details that contribute to the heritage values of the building; 2. retaining the original façade material; and 3. minimising the visual effect of additions on protected parts of the building; and 4. in the case of the replacement of an elevated feature on a façade or roof, the new feature is visually indistinguishable from the feature being replaced (Policy 13.2.1.3). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iv. Alternative materials are used only where: <ul style="list-style-type: none"> 1. it is not feasible to use the same or equivalent materials due to unavailability, excessive cost or unacceptable performance in terms of Building Act 2004 requirements; and 2. their effect on the heritage values of the building or structure is minor; and 3. they are as close to the original material in appearance as possible. v. Where an alternative design is proposed there is clear justification for its use, and the design is architecturally compatible with the design of the building or structure. vi. Rendering of un-rendered surfaces is undertaken only where the surface has deteriorated and cannot feasibly be repaired. vii. Where unpainted surfaces are painted, either the unpainted surface is not a key architectural, <u>aesthetic, or historical</u> {Her 547.89} feature of the building or structure, or the <u>aesthetic</u> {Her 547.89} quality of the unpainted surface is low and its appearance will be improved by painting, including through the installation of approved murals or street art, <u>and it is determined that painting will not prove damaging to the underlying fabric and threaten the overall condition of the building or structure.</u> {Her 547.89}
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13.5.4 Assessment of performance standard contraventions in a Heritage Precinct

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
1. Boundary setbacks	a. Effects on heritage streetscape character	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 13.2.3 ii. Development within heritage precincts maintains or enhances heritage streetscape character by ensuring: building heights, boundary setbacks, and scale reflect heritage streetscape character (Policy 13.2.3.2.c, 13.2.3.3.b). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The boundary setback is consistent with the setbacks of surrounding properties. iv. The visual cohesion of the street is not reduced by the increase in setback. v. There is significant variability in the setback of buildings from the street frontage in the vicinity of the site.
2. Building colour	a. Effects on heritage streetscape character	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 13.2.3 ii. Buildings are painted a muted or heritage palette colour (Policy 13.2.3.9).
3. Fence height and design	a. Effects on heritage streetscape character	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 13.2.3 ii. Development within residential heritage precincts maintains or enhances heritage streetscape character by ensuring: fences do not screen buildings from view (Policy 13.2.3.2.e). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The fence is highly permeable. iv. The fence only screens an existing non-character-contributing building. v. The fence maintains an attractive interface with the street. <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> vi. Landscaping requirements between the fence and any public place.

13.5.4 Assessment of performance standard contraventions in a Heritage Precinct

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
4. <ul style="list-style-type: none"> Height in relation to boundary Maximum height Height (CMU) 	a. Effects on heritage streetscape character	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 13.2.3 ii. Development within heritage precincts maintains or enhances heritage streetscape character by ensuring: building heights, boundary setbacks, and scale reflect heritage streetscape character (Policy 13.2.3.2.c, 13.2.3.3.b). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The height and height profile is consistent with that of the buildings on either side. iv. There is significant variability in the height and height profile of buildings from the street frontage in the vicinity of the site. v. The height of the building does not reduce the visual cohesion of the street. vi. The building is to the rear of the site, located behind a building on the street frontage.
5. Location and screening of car parking	a. Effects on heritage streetscape character	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 13.2.3 ii. Development within commercial heritage precincts maintains or enhances heritage streetscape character by ensuring: off-street car parking is located at the rear of buildings, or where this is not feasible due to the location of the buildings, is set back from the street frontage (Policy 13.2.3.2.b). iii. Development within residential heritage precincts maintains or enhances heritage streetscape character by ensuring: off-street car parking is located <u>at the rear of buildings, or where this is not feasible due to the location of the buildings, is set back from the street frontage</u> within or behind buildings (Policy 13.2.3.3.a 13.2.3.2.b) <i>{Her c/16}</i>

13.5.4 Assessment of performance standard contraventions in a Heritage Precinct

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
6. Materials and design	a. Effects on heritage streetscape character	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 13.2.3 ii. Require repairs and maintenance, <u>restoration</u> and earthquake strengthening of a character-contributing building, where the work is visible from an adjoining public place, is undertaken in a way that maintains or enhances the heritage streetscape character of the precinct by using appropriate materials and design. (Policy 13.2.3.1). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The development avoids, or where avoidance is not possible, minimises, loss of fabric and features that contribute to the heritage streetscape character. iv. Where alternative materials are used, their effect on the heritage streetscape character is minor. This may include the use of muted colours. v. Where an alternative design is proposed, it is architecturally compatible with the design of the building. vi. Rendering of un-rendered surfaces is undertaken only where the surface has deteriorated and cannot feasibly be repaired. vii. Where unpainted surfaces are painted, either the unpainted surface is not a key architectural feature of the building, or the quality of the unpainted surface is low and its appearance will be improved by painting, including through the installation of approved murals or street art.
7. Number, location and design of ancillary signs	a. Effects on heritage streetscape character	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 13.2.3 ii. Signs within commercial heritage precincts are located and designed to avoid, and if avoidance is not possible minimise, adverse effects on heritage streetscape character (Policy 13.2.3.4).
8. Location (network utility activities)	a. Effects on heritage streetscape character	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 13.2.3 ii. Development within heritage precincts maintains or enhances heritage streetscape character by ensuring: network utilities structures are appropriately located (Policy 13.2.3.2.d and 13.2.3.3.d).

Rule 13.6 Assessment of Restricted Discretionary Activities

Rule 13.6.1 Introduction

1. Restricted discretionary activities will be assessed in accordance with section 104 and 104C of the RMA, meaning only those matters to which Council has restricted its discretion will be considered, and Council may grant or refuse the application, and, if granted, may impose conditions with respect to matters over which it has restricted its discretion.
2. Rules 13.6.2 - 13.6.4:
 - a. list the matters Council will restrict its discretion to; and
 - b. provide guidance on how a consent application will be assessed, including:
 - i. relevant objectives and policies, with respect to s104(1)(b)(vi);
 - ii. potential circumstances that may support a consent application;
 - iii. general assessment guidance; and
 - iv. conditions that may be imposed.

13.6.2 Assessment of all restricted discretionary activities

Activity	Guidance on the assessment of resource consents
1. All restricted discretionary activities	<p><i>Relevant objectives and policies:</i></p> <ol style="list-style-type: none"> a. Objectives 2.4.1, 2.4.2, 2.4.3 b. Policies 2.4.1.3, 2.4.2.1, 2.4.2.2, 2.4.3.2 c. For work affecting a scheduled heritage building or structure, Council will consider: <ol style="list-style-type: none"> i. the extent to which the work enables the on-going use of the building or structure in line with Policy 13.2.1.1; <u>and</u> ii. <u>the cumulative effects of the proposed work together with any previous changes on the heritage values of the property.</u> {Her 547.71} d. For work affecting a character-contributing building or structure, Council will consider: <ol style="list-style-type: none"> i. the extent to which the work enables the on-going use of the building in line with Policy 13.2.3.8; <u>and</u> ii. <u>the cumulative effects of the proposed work together with any previous changes on the heritage values of the property and on the overall heritage character of the precinct.</u> {Her 547.71} e. For all restricted discretionary activities, Council will consider whether there are positive effects on heritage values. f. In assessing the effects on heritage streetscape character, Council will consider the heritage precinct values in Appendix A2.

13.6.3 Assessment of restricted discretionary development activities that affect a protected part of a Scheduled Heritage Building or Scheduled Heritage Structure, or a Scheduled Heritage Site

Activity	Matters of discretion	Guidance on the assessment of resource consents
<p>1. On a Scheduled Heritage Site:</p> <ul style="list-style-type: none"> • New buildings and structures where visible from an adjoining public place or a public place within a heritage site • Parking, loading and access where visible from an adjoining public place or a public place within a heritage site • Earthworks - large scale (that exceed scale thresholds for a scheduled heritage site) • Network utilities poles and masts - small scale • Wind generators - on-site energy generation • Hydro generators - on-site energy generation • Solar panels - on-site energy generation • Energy resource investigation devices • <u>Biomass generators - on-site energy generation</u> {Her 360.23} • All restricted discretionary public amenities activities 	<p>a. Effect on heritage values</p>	<p><i>Relevant objectives and policies:</i></p> <ol style="list-style-type: none"> i. Objective 13.2.2 ii. Activities on a scheduled heritage site protect the heritage values of the site, including by ensuring: <ol style="list-style-type: none"> 1. the form, scale and proportion of the development, and the materials used, are architecturally compatible with the existing scheduled heritage buildings and scheduled heritage structures within the scheduled heritage site; 2. the location of the development is compatible with that of scheduled heritage buildings and scheduled heritage structures on the scheduled heritage site, and respects the relationship between scheduled heritage buildings, scheduled heritage structures and open space; 3. existing views of scheduled heritage buildings or scheduled heritage structures from adjoining public places and publicly accessible areas within the scheduled heritage site are maintained as far as is practicable; 4. scheduled heritage sites that are primarily open space are protected from inappropriate development; and 5. network utilities, natural hazard mitigation activities and building utilities are designed, located and/or screened to be as unobtrusive as possible <u>practicable</u> {Her 576.33} (Policy 13.2.2.1).

13.6.3 Assessment of restricted discretionary development activities that affect a protected part of a Scheduled Heritage Building or Scheduled Heritage Structure, or a Scheduled Heritage Site

Activity	Matters of discretion	Guidance on the assessment of resource consents
<p>2. On a Scheduled Heritage Site:</p> <ul style="list-style-type: none"> All subdivision activities 	<p>a. Effects on heritage values</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 13.2.2 ii. Future land use or development respects the relationship between scheduled heritage buildings, scheduled heritage structures and open space (Policy 13.2.2.2.a). iii. Scheduled heritage sites that are primarily open space are protected from unnecessary development (Policy 13.2.2.2.b). iv. Heritage values for the <u>site</u> are maintained (Policy 13.2.2.2.c). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> v. The subdivision will result in better outcomes for heritage values than would otherwise exist. <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> vi. A building platform registered against the Certificate of Title by way of consent notice.

13.6.3 Assessment of restricted discretionary development activities that affect a protected part of a Scheduled Heritage Building or Scheduled Heritage Structure, or a Scheduled Heritage Site

Activity	Matters of discretion	Guidance on the assessment of resource consents
<p>3. Additions and alterations (other than restoration or earthquake strengthening) where external features only are protected that affect a protected part of a scheduled heritage building or scheduled heritage structure:</p>	<p>a. Effect on heritage values</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 13.2.1 ii. Where work is required to comply with section 112 (Alterations) and section 115 (Change of Use) of the Building Act 2004: Enable work provided both of the following criteria are met: <ul style="list-style-type: none"> 1. it is carried out in a manner that minimises adverse effects on the heritage values of the building; and 2. the benefit in terms of long-term protection and future use of the building outweighs any loss of heritage values (Policy 13.2.1.4). iii. Only allow other additions and alterations that affect a protected part of a scheduled heritage building or structure where: <ul style="list-style-type: none"> a. adverse effects on heritage values are avoided, or if avoidance is not possible, are no more than minor; and b. the visual effect of additions on protected parts of the building, including building utilities, is minimised (Policy 13.2.1.5). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iv. Removal of more recent additions to a building or structure will result in an overall enhancement of the heritage values of the building or structure. v. The form, scale, proportion and materials used are architecturally compatible with the existing building or structure and do not dominate the protected parts vi. Architectural features and details are not removed.

13.6.3 Assessment of restricted discretionary development activities that affect a protected part of a Scheduled Heritage Building or Scheduled Heritage Structure, or a Scheduled Heritage Site

Activity	Matters of discretion	Guidance on the assessment of resource consents
<p>4. Removal of a scheduled heritage building for relocation</p>	<p>a. Effect on heritage values</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 13.2.1 ii. Only allow removal where all of the following criteria are met: <ul style="list-style-type: none"> 1. the removal is necessary to facilitate the ongoing use or protection of the building or ensure public safety; 2. measures are in place to minimise the risk of damage to the building; 3. the heritage values of the building or structure in its new location are not significantly diminished; and 4. for buildings and structures located within a heritage precinct: <ul style="list-style-type: none"> 1. development post relocation will maintain or enhance the heritage streetscape character and amenity in accordance with Policy 13.2.3.6; and 2. conditions can be imposed which would give reasonable certainty that within an acceptable time frame (Policy 13.2.1.8).
<p>5. All subdivision activities on sites containing scheduled heritage buildings and scheduled heritage structures</p>	<p>a. Effects on heritage values</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objectives 13.2.1 ii. Sufficient curtilage is provided around the scheduled heritage building or scheduled heritage structure to protect heritage values (Policy 13.2.1.6.a). iii. Future land use or development will maintain existing views of scheduled heritage buildings or scheduled heritage structures from adjoining public places, as far as is practicable (Policy 13.2.1.6.b). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iv. The subdivision will result in better outcomes for heritage values than would otherwise exist. <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> v. A building platform registered against the Certificate of Title by way of consent notice.

13.6.4 Assessment of restricted discretionary development activities in Heritage Precinct

Activity	Matters of discretion	Guidance on the assessment of resource consents
<p>1.</p> <ul style="list-style-type: none"> • New buildings • Structures greater than 2.5m high and 2m² footprint in a residential heritage precinct that are visible from an adjoining public place: 	<p>a. Effects on heritage streetscape character</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 13.2.3 ii. Only allow new buildings and structures that are visible from an adjoining public place, where their design, materials and location ensure the heritage streetscape character of the precinct is maintained or enhanced, including by: <ol style="list-style-type: none"> 1. incorporating into the design the relevant preferred design features and characteristics listed in Appendix A2 and, where possible <u>practicable</u> {Her 576.74} and appropriate, the relevant suggested features and characteristics; 2. maintaining existing views of scheduled heritage buildings and character-contributing buildings from adjoining public places as far as practicable; and 3. ensuring structures whose design unavoidably conflicts with precinct characteristics are as unobtrusive as possible <u>practicable</u> {Her 576.74 (Policy 13.2.3.7)}. <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> iii. Maintaining or enhancing the heritage streetscape character may be achieved by: <ol style="list-style-type: none"> 1. Including the relevant preferred design features and characteristics and, where possible <u>practicable</u> {Her 576.74 and appropriate, the relevant suggested features and characteristics, listed in Appendix A2. 2. Where the new building is located within an integrated group of character-contributing or scheduled heritage buildings, the design maintains the coherence of the group and the contribution it makes to the heritage streetscape character.

13.6.4 Assessment of restricted discretionary development activities in Heritage Precinct

Activity	Matters of discretion	Guidance on the assessment of resource consents
<p>2. Additions or alterations to a character-contributing building or a non-protected part of a scheduled heritage building in a heritage precinct that are visible from an adjoining public place (other than earthquake strengthening or restoration)</p> <p>Additions and alterations to a non character-contributing building that involve:</p> <ul style="list-style-type: none"> • an increase in the footprint of more than 10m²; or • an increase in the height of the building by more than 2m; or • the replacement of a pitched roof with a flat roof. 	<p>a. Effects on heritage streetscape character</p>	<p><i>Relevant objectives and policies:</i></p> <ol style="list-style-type: none"> i. Objective 13.2.3 ii. Only allow other additions and alterations to character-contributing buildings and larger additions to non character-contributing buildings, where visible from a public place, where their design, materials and location achieve the following: <ol style="list-style-type: none"> a. for work that is required in order to comply with the Building Act 2004 section 112 and section 115, the benefits in terms of long term protection and future use of the building outweighs any adverse effects on heritage street character; and b. for all other additions and alterations, heritage streetscape character is maintained or enhanced (Policy 13.2.3.5.b). <p><i>Potential circumstances that may support a consent application include:</i></p> <ol style="list-style-type: none"> iii. The design includes the relevant preferred design features and characteristics and, where possible practicable {Her 576.74 and appropriate, the suggested features and characteristics listed in Appendix A2. iv. Decorative architectural features and fabric on character-contributing buildings that contribute to the heritage streetscape character are protected as far as possible practicable {Her 576.74. v. Existing views of any existing character-contributing building or scheduled heritage building are maintained as far as is practicable. vi. Where the building is character-contributing and is part of an integrated group of buildings, the additions and alterations maintain the coherence of the group and the contribution the group makes to the streetscape character.

13.6.4 Assessment of restricted discretionary development activities in Heritage Precinct

Activity	Matters of discretion	Guidance on the assessment of resource consents
<p>3. Demolition or removal for relocation of:</p> <ul style="list-style-type: none"> • a character-contributing building; • a non-protected part of a scheduled heritage building; or • a non character-contributing building that adjoins the road frontage (in a commercial heritage precinct). 	<p>a. Effects on heritage streetscape character</p>	<p><i>Relevant objectives and policies:</i></p> <ol style="list-style-type: none"> i. Objective 13.2.3 ii. The heritage streetscape character of the zone will be maintained or enhanced (Policy 13.2.3.6.a). iii. Conditions can be imposed that would give reasonable certainty that that within an acceptable timeframe: <ol style="list-style-type: none"> 1. a replacement building will be constructed; or 2. the land will be put to an acceptable alternative land use that will make a positive contribution to the amenity of the streetscape (Policy 13.2.3.6.b). <p><i>Potential circumstances that may support a consent application include:</i></p> <ol style="list-style-type: none"> iv. For buildings that are part of an integrated group of character-contributing buildings, retention of the character-contributing façade will be preferred over full demolition. v. The building being demolished or removed will be replaced by one of appropriate design that provides an equivalent or better contribution to the streetscape heritage character. vi. Where the <u>site</u> will not be built on in the short to medium term, landscaping will provide an attractive interface with the street in the interim. <p><i>Conditions that may be imposed include:</i></p> <ol style="list-style-type: none"> vii. Landscaping requirements to soften or screen open sites following demolition.

13.6.4 Assessment of restricted discretionary development activities in Heritage Precinct

Activity	Matters of discretion	Guidance on the assessment of resource consents
<p>4.</p> <ul style="list-style-type: none"> • All restricted discretionary public amenities activities • Network utilities poles and masts - small scale • Wind generators - on-site energy generation • Hydro - generators - on-site energy generation • Solar panels - on-site energy generation • Energy resource investigation devices • <u>Biomass generators - on-site energy generation</u> {Her 360.23} 	<p>a. Effects on heritage streetscape character</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 13.2.3 ii. Public amenities and network utilities activities are located and designed to minimise, as far as practicable, any adverse effects on heritage streetscape character (Policy 13.2.3.10).

Rule 13.7 Assessment of Discretionary Activities

Rule 13.7.1 Introduction

1. Discretionary activities will be assessed in accordance with section 104 and 104B of the RMA meaning Council may grant or refuse the application, and, if granted, may impose conditions.
2. Rule 13.7.2 provides guidance on how a consent application for the listed discretionary activities will be assessed, including:
 - a. relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi);
 - b. potential circumstances that may support a consent applications;
 - c. general assessment guidance, including any effects that will be considered as a priority; and
 - d. conditions that may be imposed.

13.7.2 Assessment of discretionary activities

Activity	Guidance on the assessment of resource consents
1. All discretionary activities	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> a. Objectives 2.4.2, 2.4.3 b. Policies 2.4.2.2, 2.4.3.2 <p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> c. In assessing the effects on heritage streetscape character, Council will consider the heritage precinct values in Appendix A2.
<p>2. On a Scheduled Heritage Site:</p> <ul style="list-style-type: none"> • Discretionary transportation activities • Discretionary public amenities • Hazard mitigation earthworks and structures • <u>Hazard mitigation structures</u> • Network utilities structures - large scale • Solar panels - community scale • Hydro generators - community scale 	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> a. Objective 13.2.2 b. The heritage values of the scheduled heritage site are maintained or enhanced, including by ensuring: <ol style="list-style-type: none"> i. the form, scale and proportion of the development, and the materials used, are architecturally compatible with the existing scheduled heritage buildings and scheduled heritage structures within the site; ii. the location of the development is compatible with that of the scheduled heritage buildings and scheduled heritage structures on the site, and respects the relationship between scheduled heritage buildings, scheduled heritage structures and open space; iii. existing views of scheduled heritage buildings or scheduled heritage structures from adjoining public places and publicly accessible areas within the <u>site</u> are maintained as far as is practicable; iv. sites that are primarily open space are protected from inappropriate development; and v. network utilities and hazard mitigation activities are designed, located and/or screened to be as unobtrusive as possible <u>practicable</u> {Her 576.33} (Policy 13.2.2.1).

13.7.2 Assessment of discretionary activities

Activity	Guidance on the assessment of resource consents
<p>3. In a heritage precinct:</p> <ul style="list-style-type: none"> • <u>Hazard mitigation earthworks</u> • <u>Hazard mitigation structures</u> • Network utilities structures - large scale • Solar panels - community scale • Hydro generators - community scale 	<p><i>Relevant objectives and policies:</i></p> <ol style="list-style-type: none"> a. Objective 13.2.3 b. Network utilities activities <u>and natural hazard mitigation activities</u> are located and designed to minimise, as far as practicable, any adverse effects on heritage streetscape character (Policy 13.2.3.10).

Rule 13.8 Assessment of Non-complying Activities

Rule 13.8.1 Introduction

1. Non-complying activities will be assessed in accordance with section 104, 104B and 104D of the RMA meaning Council may grant or refuse the application, and, if granted, may impose conditions.
2. Rules 13.8.2 - 13.8.4 provide guidance on how a consent application for the listed non-complying activities will be assessed, including:
 - a. relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi); and
 - b. general assessment guidance, including any effects that will be considered as a priority.

13.8.2 Assessment of all non-complying activities

Activity	Guidance on the assessment of resource consents
1. All non-complying activities	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> a. The activity does not detract from, or preferably contributes to, the strategic directions objectives, including, but not limited to Objective 2.4.2 b. Policy 2.4.2.1. <p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> c. In assessing the significance of effects, consideration will be given to: <ol style="list-style-type: none"> i. both short and long term effects, including effects in combination with other activities; and ii. the potential for cumulative adverse effects arising from similar activities occurring as a result of a precedent being set by the granting of a resource consent.; d. In assessing the effects on heritage streetscape character, Council will consider the values in Schedule A2.

13.8.3 Assessment of non-complying activities

Activity	Guidance on the assessment of resource consents
1. Demolition of a protected part of a scheduled heritage building or scheduled heritage structure	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> a. Objective 13.2.1 b. Policy 13.2.1.7. <p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> c. The assessment for resource consent for demolition of a scheduled heritage building will consider the information provided with the consent application (see Special Information Requirements - Rule 13.9.1).

13.8.4 Assessment of non-complying performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
1. Archaeological sites (earthworks)	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> a. Objective 13.2.4 b. Policy 13.2.4.1.

Rule 13.9 Special Information Requirements

13.9.1 Demolition of a scheduled heritage building requirements

1. For resource consent applications proposing demolition of a scheduled heritage building, the following is required:
 - a. A full discussion of the alternatives considered, including quantified reasons why the alternatives are not reasonable.
 - b. Where demolition is proposed due to seismic risk, a detailed seismic assessment, fully quantified costs and an economic analysis of seismic upgrade (including a staged upgrade) to the minimum requirements by a Chartered Professional Engineer qualified engineer with demonstrated experience of assessment and seismic upgrade of buildings with the same or similar construction form and materials. The information should include the methods of strengthening considered.
 - c. Where partial demolition is proposed:
 - i. Evidence of the structural feasibility of retaining the part of the building proposed for retention.
 - ii. A Heritage Impact Assessment addressing the effect the partial demolition will have on the heritage values of the building.
2. All information provided in support of any resource consent application, including engineering assessments, consideration of alternatives and design statements may be peer reviewed by Dunedin City Council prior to making a decision.

