

**BEFORE THE CHRISTCHURCH REPLACEMENT
DISTRICT PLAN INDEPENDENT HEARINGS PANEL**

IN THE MATTER of the Resource
Management Act 1991 and
the Canterbury Earthquake
(Christchurch Replacement
District Plan) Order 2014

AND

IN THE MATTER of the Natural and Cultural
Heritage Proposal
(Stage 3)

**JOINT STATEMENT OF HELEN MARY BEAUMONT AND ALAN ROSS MATHESON
ON BEHALF OF CHRISTCHURCH CITY COUNCIL**

Historic Heritage

2 February 2016

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1. INTRODUCTION

- 1.1 Helen Mary Beaumont holds the position of Head of Strategic Policy at the Christchurch City Council (**Council**). My qualifications and experience are set out in my evidence in chief for Natural and Cultural Heritage dated 2 December 2015.
- 1.2 Alan Ross Matheson holds the position of Team Leader District Plan (Strategy and Planning) at the Council. My qualifications and experience are set out in my evidence in chief for Priority Matter 2 (Temporary Activities) dated 18 December 2014.
- 1.3 We confirm that we have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and that we agree to comply with it. We confirm that we have considered all the material facts that we are aware of that might alter or detract from the opinions that we express, and that this evidence is within our area of expertise, except where we state that we are relying on the evidence of another person. The Council, as our employer, has agreed to us giving expert evidence on its behalf in accordance with our duties under the Code of Conduct.
- 1.4 The key documents used, or referred to, while preparing this brief of evidence are:
- (a) Christchurch City Council Heritage Values + Vision + Mission Statements Policy, 26 April 2004;
 - (b) Christchurch City Council Heritage Conservation Policy, February 2007;
 - (c) Recovery Strategy for Greater Christchurch - Mahere Haumanutanga o Waitaha (2012);
 - (d) Canterbury Regional Policy Statement 2013;
 - (e) Christchurch City Long Term Plan 2015-2025; and
 - (f) Section 32 report Natural and Cultural Heritage Chapter.

2. SCOPE

- 2.1** On 25 January 2015, the Panel directed the Council¹ to file a joint statement on behalf of Mr Matheson and Ms Beaumont, outlining how the heritage team operated within the Council, how decisions were made and how matters were referred to the Elected Members for confirmation. The scope of this brief is based on that request.

3. EXECUTIVE SUMMARY

- 3.1** The Council has adopted a vision and policy for heritage conservation, supported by a dedicated work programme, that has enabled a strong response to the recovery of historic heritage following the losses of heritage items due to the Canterbury earthquakes.
- 3.2** The methodology for the identification and assessment of heritage places has been guided by the Council's adopted policy, the statutory planning framework, best practice heritage conservation and the particular situation in Christchurch following the earthquakes.
- 3.3** Engagement with statutory partners and key stakeholders in historic heritage has informed the development of the proposed objective and policy framework, and the methodology for identification of potential listings and assessment of significance. Senior staff have facilitated the engagement process and directed changes in response to the feedback received.
- 3.4** The heritage team have implemented the historic heritage assessment methodology using a robust process of research, evaluation and peer review to ensure consistency in the approach. Their recommendations for listing of heritage places have been considered by the planning team, submitted to Council and approved for notification.

¹ Transcript of 25 January 2016 at page 842.

4. THE ESTABLISHMENT OF THE FRAMEWORK FOR ASSESSING SIGNIFICANCE OF HERITAGE BUILDINGS

Council Policy Recognition of and Commitment to Heritage

4.1 Historic heritage is a matter of national importance under section 6(f) of the Resource Management Act 1991 (**the Act**). The role of historic heritage in the cultural recovery of the district is recognised in the Recovery Strategy for Greater Christchurch - Mahere Haumanutanga o Waitaha (2012) through Goal 4 for Cultural recovery (being one of the six components of recovery to support the overall vision):

"Renew greater Christchurch's unique identity and its vitality expressed through sport, recreation, art, history, heritage and traditions - by:

- 4.1 acknowledging and celebrating the rich and diverse Ngāi Tahu, colonial and other heritages and connections;
- 4.2 resuming cultural, community and sports events and activities;
- 4.3 encouraging participation in a range of entertainment, cultural, recreational and sporting activities;
- 4.4 restoring historic buildings, where feasible, for the benefit of the community; and
- 4.5 acknowledging losses and creating spaces to remember, while embracing necessary changes to the city's character and urban form."

4.2 In 2004, Council adopted a 'Heritage Values + Vision + Mission Statements' policy,² with the Vision for heritage being:

"...a Christchurch in which an informed and concerned community values its diverse cultural heritage for its unique contribution to the identity, amenity and quality of the city. The community works together to protect its irreplaceable urban environment and is supported by its elected representatives with adequate human and financial resources. We continue to celebrate the city's cultural heritage through innovative and dynamic heritage management, with an emphasis on coordination, integration and managed change for the experience, enjoyment and education of present and future generations."

² Available at <http://www.ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/policies/heritage-policies/heritage-values-vision-and-mission-statements-policy/>

4.3 In February 2007, Council adopted a Heritage Conservation Policy,³ which is a comprehensive omnibus of previous policies (1990, 1994, 1995, 1998 and 2002) and the incorporation of new policies. The Policy covers the following matters:

1. Conservation principles (ICOMOS);
2. Heritage Research;
3. Heritage Identification and Listing;
4. Conservation Plans;
5. Heritage Protection;
6. The Building Act 1991;
7. Re-use of Heritage Buildings;
8. Conservation Incentives;
9. Heritage Education and Promotion;
10. Heritage Development Grants; and
11. Conservation Covenants.

4.4 With regard to the parameters the heritage team were working under in the development of the pRDP provisions, the following policies are of particular relevance:

'Policy 3.1

To identify heritage buildings, places and objects and list them in the Christchurch City Plan in groups according to their relative importance and the relevant provisions of the Resource Management Act 1991 calls for the identification and protection of important heritage buildings, places and objects through the District Plan.'

'Policy 5.1

To provide protection for Listed heritage buildings, places and objects in accordance with the City Plan rules.'

4.5 During 2009 - 2010, a review of heritage policies and methods was in progress, with a Council workshop held just prior to the September 2010 earthquake. Due to the subsequent February 2011 earthquakes this review had not progressed.

³ Available at <http://www.ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/policies/heritage-policies/heritage-conservation-policy/>

- 4.6** The Council's commitment to historic heritage is evidenced by the:
- (a) dedicated work programme focused on historic heritage;
 - (b) significant resources allocated to the review of buildings, places and objects for the pRDP;
 - (c) increased funding following the earthquakes (as noted in Ms Beaumont's evidence of 2 December 2015⁴); and
 - (d) allocation of \$83 million to Heritage Protection, over the next ten years, in the Council's Long Term Plan.
- 4.7** The section 32 Report⁵ for Chapter 9 Natural and Cultural Heritage identifies three issues for historic heritage in the Christchurch district:
- (a) the loss of heritage items as a result of the earthquakes;
 - (b) the potential loss of heritage fabric and values through subdivision, use and development; and
 - (c) the under-representation of some types of historic heritage in the schedules.
- 4.8** The significant loss of historic heritage following the earthquakes and need to provide protection and enable adaptive re-use of heritage is recognised in the Canterbury Regional Policy Statement 2013 (**RPS**).⁶ The RPS also notes that some significant historic heritage places are not identified within district plans and their historic and cultural values are not adequately protected.⁷ The RPS sets out criteria for identifying and assessing the significance of historic and cultural heritage identifying the need to work with Ngai Tahu and have regard to the Historic Places Register.⁸ The evidence of Ms Rachlin⁹ addresses how these issues are addressed in line with the higher order policy provisions, the Statement of Expectations and Decision 1 for the Strategic Directions and Strategic Outcomes.
- 4.9** The development of the methodology for assessment of heritage places is set out in detail in Appendix 4 Heritage Technical Report of the section 32 report.¹⁰ This methodology was developed jointly by the heritage and planning

⁴ Evidence in Chief of Helen Beaumont, 2 December 2015 at [5.1]-[5.2].

⁵ Stage 3 – Section 32, Chapter 9, Natural and Cultural Heritage, 25 July 2015, at [2.9] pages 28 – 32.

⁶ Canterbury Regional Policy Statement 2013 at page 148.

⁷ Canterbury Regional Policy Statement 2013 at page 148.

⁸ Canterbury Regional Policy Statement 2013 at page 151.

⁹ Evidence in Chief of Caroline Rachlin, 18 December 2015 at [6].

¹⁰ Stage 3 – Section 32, Chapter 9 Natural and Cultural Heritage, Appendix 4 – Heritage Technical Report, pages 14 – 21.

teams, under the direction of us both, to ensure that a robust framework was in place. The methodology draws on national and international best practice for heritage conservation and responds to the particular situation in Christchurch following the Canterbury Earthquakes. The outline of the methodology is as follows:

- (a) Identify potential heritage places;
- (b) Describe the characteristics and qualities relating to the six heritage assessment criteria:
 - (i) Historical and social;
 - (ii) Cultural and spiritual;
 - (iii) Architectural and aesthetic;
 - (iv) Technological and craftsmanship;
 - (v) Contextual;
 - (vi) Archaeological and scientific;
- (c) Evaluate the significance against the thresholds for each criterion; and
- (d) Assess overall significance.

Collaborative Advisory Group

4.10 The Collaborative Advisory Group (**CAG**) was set up to engage with key strategic partners in the development of the pRDP. **CAG** comprises Ms Beaumont as the chair and Mr Matheson as co-chair, and in addition composed representatives of Environment Canterbury, Canterbury Earthquake Recovery Authority, Ngāi Tahu (through Mahaanui Kurataiao Limited), Selwyn District Council, Waimakariri District Council and the Ministry for the Environment (advisor role only).¹¹ Further details are set out in the evidence in chief of Mr Theelen (dated 18 November 2014, paragraphs 9.1 and 9.2).

4.11 The CAG first considered the heritage provisions in a scoping session for the Natural and Cultural Heritage chapter on 27 February 2014. Further briefings and discussions with CAG were held during May and June and a decision was made to convene a workshop, including other stakeholders, on the draft methodology and the six heritage assessment criteria. The workshop was held on 3 July 2014 and included the strategic partners as set out above, as well representatives from Heritage New Zealand, the Akaroa Civic Trust and

¹¹ Evidence in Chief of Alan Matheson, Temporary Activities, 18 December 2014 at [1.4].

Historic Places Canterbury. The agenda included presentations, feedback and discussion of:

- (a) Draft objectives and policies;
- (b) The proposal for a more permissive rule framework to reduce the requirement for consenting;
- (c) Using a thematic approach to identify new listings;
- (d) The methodology for the statements of significance - including the move from a quantitative to a qualitative assessment against the criteria;
- (e) Clearer identification of scheduled heritage places through mapping; and
- (f) The merits of a single group versus multiple groups within the schedule.

4.12 The workshop participants were generally supportive of the overall approach although expressed some concern around the need for greater clarity as to the threshold for overall significance. There was some discussion of the merits of a single versus multiple group approach to the schedule but no consensus on the best approach. The participants also emphasised the need for non-regulatory measures to complement the rules for heritage places including the provision of advice and financial incentives for the conservation and maintenance of heritage fabric.

4.13 We convened a staff workshop with Ms Ohs and Ms Wykes on 29 July 2014 to address the CAG feedback and get better clarity and consistency in terms of the process for assessing overall significance. The workshop developed the following four thresholds for overall significance:

- (a) Meets the threshold for one or more of the six criteria;
- (b) Conveys aspects of the historical themes (for Christchurch and Banks Peninsula) and thereby contributes to the sense of place and identity;
- (c) Has sufficiently credible and truthful evidence - authenticity; and
- (d) Is sufficiently whole and intact - integrity.

4.14 These thresholds are described in more detail in the section 32 report. It was also agreed that the evaluation against the six criteria and the overall assessment of significance would be structured such that the schedule could be expressed as either a single group or separated into two groups.

- 4.15** The heritage objectives and policies were considered in a second CAG workshop on 14 August 2014. The overall policy direction was agreed to be consistent with section 6(f) of the Act and the provisions in the Regional Policy Statement. Several suggestions were made in terms of editorial improvements. On 4 December 2014 CAG was briefed in more detail on the mapping of the settings and there was general agreement with the approach. There were questions about heritage areas and Council staff explained that these would be considered in the future, through a plan change, once the research had been completed.
- 4.16** On 5 March 2015 the CAG again considered the heritage provisions in a combined workshop with representatives from central government. The most significant feedback was from the Ministry of Culture and Heritage, represented by Mr Peter Richardson. He indicated his view that the proposed policy of a single list was not in line with the national thinking and strongly recommended that the schedule be split into two groups.
- 4.17** Following the feedback from CAG and whole of government workshop we convened a meeting of the heritage and planning staff involved. We decided to split the schedule into two groups and amend the rule framework to reflect the distinctions in the level of significance between them.
- 4.18** The impact of earthquakes on heritage places has been devastating and many buildings, particularly in central Christchurch, have been demolished. The extent of earthquake damage was taken into account when assessing overall significance through consideration of whether or not the building is sufficiently whole or intact, that is, the integrity of the building. It was obvious that some heritage buildings had been damaged to such an extent that they no longer displayed the heritage values that originally warranted their listing - for example the Excelsior Hotel on Manchester Street.
- 4.19** The consideration of integrity is in terms of conveying heritage values and not an assessment of the integrity of the building in structural engineering sense - for example the former Trinity Church on the corner of Worcester and Manchester Streets is seriously compromised structurally and yet is considered to be of high significance. The owners of this building are

committed to repairing and strengthening the building and Council has assisted through a Landmark Heritage Grant.

Technical Advisory Group

- 4.20** As set out in paragraph 1.4 of the evidence in chief by Alan Matheson (Priority Hearing on temporary activities, 18 December 2014), the Technical Advisory Group (**TAG**) is comprised of senior officers from across Council whose role is to ensure chapter material is lawful, coherent, meets Council's statutory responsibilities and reflects sound Resource Management practice.
- 4.21** From January 2014 through to November 2014, Council technical and planning officers involved in the four topics within the Natural and Cultural Heritage proposal, attended twenty-four (24) sessions with TAG, with:
- (a) nine (9) sessions dealing specifically with historic heritage;
 - (b) eight (8) sessions dealing with historic heritage and one or more of the other topics; and
 - (c) seven (7) sessions dealing with one of the other topics.
- 4.22** At each TAG session, options and assessment of different approaches were provided by the heritage team. Following discussions, it was the role of TAG to direct the approach to be adopted. With regard to the historic heritage topic, in summary, TAG directed the content of the following matters:
- (a) Structure and nature of the content to be included in the Statements of Significance;
 - (b) Objectives and policies;
 - (c) Activity status;
 - (d) Schedule of items to be split into two groups;
 - (e) Use of aerial photographs and dimensions to confirm the exact extent of heritage items and heritage settings; and
 - (f) Not to create a 'heritage area' for Akaroa on the basis that the development by the community of a 'Master Plan' outside the District Plan would be a better method to achieve the outcomes sought.
- 4.23** TAG also approved draft and final chapters to be provided to CAG, external reviewers and Council adoption to be sent to the Ministers.

External Review

4.24 Once the CAG and TAG processes had been completed, the draft Natural and Cultural Heritage proposal and section 32 report were reviewed by Mr Andrew Macleod (National Planning Manager, The Property Group). His report and amendments to the proposal and section 32 report were provided to Council officers on 15 December 2014. At section 4 of his report, Mr Macleod, in summary, identified the following main matters to be addressed:

- (a) Given the draft heritage list of up to 700 heritage items/buildings, the chapter as drafted is restrictive with a strong focus on preservation and retention. This needs to be reviewed in light of the Strategic Directions;
- (b) Policies needed to reconcile Building Act and RMA tensions (ie public safety, hazard responsiveness, economics of remediating damaged buildings);
- (c) Supports protection of all listed heritage items, but categorisation into groups assists with dealing with exceptional circumstances and higher degree of protection to the highest value heritage items; and
- (d) Clarification required between provisions relating to heritage items and settings.

4.25 In conclusion, Mr Macleod recommended that 'rebalancing' was required to give greater weighting to public safety, hazard responsiveness and building economic issues through changes to policy, grouping the heritage items into two or three categories and rules to address exceptional circumstances. These recommendations were incorporated into the draft proposal for Councillor consideration prior to forwarding to the Ministers for comment.

5. IMPLEMENTING THE FRAMEWORK

5.1 A team of internal heritage staff and external heritage consultants undertook the research and writing of the statements of significance. Each of the statements was prepared by one team member and independently reviewed by a second team member - care was taken to ensure that the statements prepared by Council staff were reviewed by an external consultant; and those prepared by an external consultant were reviewed by a second, independent consultant or a senior staff member from the heritage team.

- 5.2** A structured and collaborative process was followed within the team when deciding whether heritage places met the thresholds for overall significance. The process involved the individual researcher presenting to the team to ensure consistency in evaluating places against the criteria and assessing the overall significance. Some buildings that were initially assessed as meeting the thresholds for overall significance did not get agreement from the team - for example the commercial building at 101 Riccarton Road and the house at 1 Coleridge Terrace.
- 5.3** It was agreed that the team would research and assess all existing listed heritage places before considering potential new listings. Listings were not to be simply 'rolled over' and needed to be supported by a statement of significance documenting the characteristics and providing sufficient information to support the evaluation of significance of the heritage place in line with the new methodology.
- 5.4** There were 922 heritage places scheduled in the Christchurch and Banks Peninsula plans prior to the Canterbury earthquakes. Of these 235 had been demolished at the time of notification of the replacement Christchurch District Plan. A further 68 were not considered to meet the thresholds for overall significance.
- 5.5** Given the limited amount of time for research, assessment and consultation with owners, only 28 proposed new listings were added as part of this process. The Long Term Plan provides for an ongoing programme of research to update the schedule, with a Level of Service to review and research 30 to 40 heritage places per year.
- 5.6** Potential new listings are identified through the application of a framework of historical themes for the district as further outlined below. Council commissioned the Christchurch Contextual Historical Overview Study (2005, updated June 2013) and the Banks Peninsula Thematic Framework (June 2014). It is noted that within the thematic approach in Christchurch there is low representation in the schedule around the themes of Land and People, Governing and Administration, Infrastructure, and the Modern City. Correspondingly there is high representation in the themes of Education, Religion, and Residences. For Banks Peninsula there is low representation

around the themes of Military and Defence, Communications, Utilities and Services, Local Government, Whaling, Fishing, Farming, and Sport and Recreation. Correspondingly there is high representation of 19th and early 20th century residences.

- 5.7** When notified, the proposed Heritage Places schedule had 673 listings. The apparent discrepancy in the numbers (an additional 26 heritage places) is due to some items being split into separate listings rather than having multiple items within the one listing.

Elected Members' involvement

- 5.8** Council officers prepared the heritage provisions in accordance with the heritage vision and heritage policy of Council, which is referred to in paragraph 4.2 above. Councillors were kept up to date with the progress of the Natural and Cultural Heritage chapter (as with the other chapters of the plan) through verbal briefings at the regular meetings of the District Plan Review Subcommittee. The purpose of the briefings was to provide information and identify issues that were arising through the development of the proposal. There was no formal decision making function as part of these briefings. The formal briefings on the provisions, debate and approval was through meetings of the full Council as described below.
- 5.9** The Council received a briefing on the draft Natural and Cultural Heritage chapter on 20 March 2015. The proposed provisions were debated and amended by Council over meetings on 17, 22, and 29 April 2015. The chapter was further considered and approved to go to the Minister for comment at meetings on 29 April 2015, 1 May and 6 May 2015.
- 5.10** The full heritage list was provided to Council as part of the briefing and meetings set out above and the opportunity provided to discuss specific items. At the meeting of 6 May 2015 the Council considered the heritage schedule. The Council resolved to amend the listing for the Former Beath's Department Store at 690 Colombo Street to include only those elements of the external façade that were listed in the operative Christchurch District Plan and to amend the listing from Group 1 to Group 2. No other changes were made to the schedule.

Ministers' comments

5.11 The draft approved Natural and Cultural Heritage proposal was forwarded to the Ministers for the Environment and Canterbury Earthquake Recovery ('the Ministers') on 11 May 2015. The Ministers' comments were provided to Council on 2 June 2015 and focused on:

- (a) providing for the recovery context relating to heritage items/settings (particularly with respect to reconstruction);
- (b) rationalising and making the provisions consistent;
- (c) more tailored management concerning the two group classification for heritage items and settings;
- (d) heritage definitions to be clarified;
- (e) make the heritage aerial maps more accurate and robust.

Submission to the Elected Members

5.12 The Ministers' comments along with officer recommendations in response to those comments were forwarded to Council for its meeting on 3 July 2015.

5.13 In response to the Ministers' comments, officers recommended the following:

- (a) policies updated to directly refer to damage incurred from the earthquakes;
- (b) policy now includes 'reconstruction' and this activity has been differentiated from 'alterations' and given a controlled activity status;
- (c) differentiation between how the two heritage groups are to be managed (at the policy level and within the matters of control/discretion);
- (d) definitions of 'alteration', 'demolition' and 'heritage upgrade works' have been made clearer; and
- (e) property boundaries to be shown on the heritage aerial maps, along with descriptions/measurements of setting boundaries to be undertaken.

5.14 The proposal, Ministers' comments and officer recommendations were considered by Council at its meetings on 3 and 6 July 2015. The Council

confirmed the officer recommendations in respect of historic heritage and approved this part of the proposal for notification on 27 July 2015.

A handwritten signature in blue ink that reads "Helen BT".

Helen Mary Beaumont

2 February 2016

A handwritten signature in blue ink that reads "Alan Matheson".

Alan Ross Matheson

2 February 2016