Tabled @ Hearing
25-11-2015

**BEFORE A HEARINGS PANEL FOR THE CANTERBURY REGIONAL COUNCIL**

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| **UNDER THE** | Resource Management Act 1991 |
| **AND** | |
| **IN THE MATTER** | Public Hearings on the Proposed Canterbury Air Regional Plan |

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**STATEMENT OF EVIDENCE OF GARETH ROBERT WRIGHT ON BEHALF OF THE CHRISTCHURCH CITY COUNCIL**

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**Annotated 18/11/2015**

## INTRODUCTION

### Qualifications and Role

1. My full name is Gareth Robert Wright. I have been requested by the Christchurch City Council (the Council) to give evidence in relation to the heritage provisions of Environment Canterbury's Proposed Canterbury Air Regional Plan (the Plan).

2. I hold an MA in history from the University of Canterbury and a Graduate Diploma in Resource Studies from Lincoln University. I have twenty years' experience in the fields of history and heritage conservation. I am employed as a Heritage Advisor with the Christchurch City Council. A significant part of this role is the provision of heritage comment for resource consents.

3. Prior to this I worked as a Heritage Advisor (Registration) for the New Zealand Historic Places Trust (now Heritage New Zealand Pouhere Taonga), and provided free-lance heritage research for various clients including NZHPT, CCC, DOC and conservation architects across Canterbury, Westland and Marlborough.

4. I am a member of ICOMOS (the International Committee on Monuments and Sites) New Zealand.

5. I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practise Note 2014 and that I agree to comply with it. I confirm I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

### Summary

6. As part of my current role I have been asked to provide evidence on the provisions of the proposed Canterbury Air Regional Plan that relate to heritage. The specific parts of the Plan that my evidence relates to are Policy 6.34, Rules 7.81 and 7.87, and Schedule 9. I also comment on the s42A report.

7. I consider that the s42A report does not adequately address the Council's concerns regarding the potential impact of the Plan's provisions on heritage. In

light of this I explain my support for the Council's submission and the relief requested by the Council.

8. In summary, it is my opinion that the dispensations offered in the Plan for the owners or occupiers of heritage buildings to use space heating appliances that are integral to the heritage significance of those buildings are both insufficient and inconsistent.

9. The key documents I have used, or referred to, in forming my view while preparing this brief of evidence are the HNZPT List and the operative Christchurch City Plan Heritage Schedule.

**MAIN PART OF EVIDENCE**

10. With regard to Policy 6.34, the Council supported the policy generally but in its submission sought to remove the word *particular.* The s42A report (15-11) interpreted this as a request for specification of the buildings provided for in this policy, and therefore rejected the submission on the basis that this detail is presented in the rules. I consider that the s42A report has misunderstood the submission. My understanding is that the removal of *particular* is sought on the basis that all heritage-listed buildings should be covered by this policy, not just the partial and inconsistent few encompassed by Rule 7.81 and Schedule 9. Consequently I would support the relief sought by the Council that *particular* be replaced with *heritage buildings listed in a District Plan and/or by Heritage New Zealand Pouhere Taonga.* I note that the s42A report (15-12) supported the HNZPT submission that devices be *integral* to rather than *significant* to heritage fabric. I would also support this.

11. With regard to Rule 7.81 (exemptions for particular heritage-listed buildings), Council sought in its submission and further submission to expand the ambit of the rule, tighten up definitions, and resolve anomalies and inconsistencies - particularly in association with Schedule 9.

12. I consider that the part of the s42A report that ostensibly addresses submissions on Rule 7.81 (15-13) does not in fact do so, and makes unsubstantiated claims about the nature of heritage. It interprets the request for an expansion of the application of the Rule simply as a request for the inclusion of all HNZPT Category

2 listed buildings. On this slight basis it rejects the submission and recommends that the Rule be retained as proposed.

12.1 The s42A report states that Category 2 buildings are more likely not to have retained original features. I consider this is a fallacy. Without wanting to speak on behalf of HNZPT, the difference between Category 1 and 2 buildings on the HNZPT List is the difference between buildings of high significance or value, and those of significance and value. There is no necessary connection between the retention of original features and the Category in which a building is placed.

12.2 The s42A report also states that it might not be appropriate to provide discharges into the air from all Category 2 buildings. I consider that this is unsubstantiated. If not, why not? From which ones is it appropriate to provide discharge and on what basis? The report does not specify.

12.3 The s42A report also states that Category 2 buildings or 'pre-1900s' buildings could be included in Schedule 9 through the mechanism of plan changes. I note that whilst this might theoretically be the case, no Category 2 or unlisted heritage buildings have been added to Schedule 9 since it was originally notified. It is also unclear what the report means by the term 'Pre-1900s'. It does not relate to any commonly recognized heritage terminology. If it is understood to mean unlisted heritage buildings, then it excludes those that post-date the 1900s. I note that the only unlisted heritage buildings at present on Schedule 9 are collectively those at Ferrymead Heritage Park, which are intended to represent a 1920s township.

13. It is my opinion that as the s42A report does not adequately address the concerns of the Council regarding Rule 7.81, I support the intent of the Council's submission.

13.1 The Council considers that the Rule is too narrowly prescriptive and inconsistent in the dispensation it provides. I support this understanding. Many heritage buildings listed by HNZPT are not encompassed by the Rule [ie Category 2 buildings]. Many buildings of heritage significance listed in District Plan heritage schedules are neither listed by HNZPT nor on Schedule 9 and therefore do not qualify for any dispensation. The inability for the owners or occupiers of those buildings to similarly operate their heritage space heating appliances is a disincentive to the preservation of those features and the heritage values that they represent.

13.2 In particular, I consider that Schedule 9 - which has been transferred directly from the previous Plan without modification - is problematic. As a consequence of the ad hoc manner in which it was formed, it contains a quite random selection of Category 1, 2 and unlisted buildings. It does not express the geographical distribution or heritage significance of HNZPT listed buildings generally. For example, all HNZPT listed buildings (both Category 1 and 2) in the Clean Air Zones in Waimakariri and Ashburton Districts are on the schedule. By contrast Christchurch City, with a much larger number of listed buildings, has only a very small proportion of its Clean Air Zone Category 1 and 2 buildings represented. I note that in the Rule there is a general dispensation for Category 1 buildings in Clean Air Zones, and therefore listing any of them in Schedule 9 is duplication. Finally I note also that the Schedule contains buildings demolished as a consequence of the Canterbury Earthquakes.

13.3 I consider that the use of the term *original features* in the Rule is problematic. Many buildings have undergone periodic modification through their history, and it is therefore possible that important heritage features in a building may not be *original features*.

~~13.4 The Rule does not make allowance for exemptions for heritage buildings outside Clean Air Zones. Consequently it appears it would be possible for a Category 1 building in Christchurch to use an open fire as of right, but not a Category 1 building in Akaroa or Lyttelton.~~

[With regard to this point, I have checked my understanding with CRC planners and acknowledge that I was mistaken on this count. There is indeed no specific exemption for heritage buildings outside CAZ. However rules 7.75 and 7.76 allow for the use of existing open fires and the installation and use of new open fires outside CAZ (subject to conditions). Consequently there is no need for a specific exemption; it would be possible for a Category 1 building in Lyttelton and Akaroa to use an open fire]

14. From these points above, I would support generally the relief sought by the Council in relation to Rule 7.81. This is to:

14.1 Alter condition (i) to read *the space heating appliance is located within a heritage building listed in a district plan or by Heritage New Zealand Pouhere Taonga.*

14.2 Alter condition (ii) to read *the space heating appliance and chimney are heritage features or replicated heritage features.*

14.3 Update Schedule 9 to ensure accuracy and consistency. Remove Category 1 buildings that are found in Clean Air Zones. Remove demolished buildings. Check names and addresses to ensure that they are consistent with the current HNZPT List. Consider reopening the schedule for additional buildings. I note that the s42A report supports the submission that seeks to add Riccarton House to the Schedule. I support this.

[I note here that Riccarton House is an HNZ Category 1 listed place, so will already qualify under the general dispensation in pCARP for such places. Its addition to the schedule is therefore redundant]

~~14.4 Consider widening the exemptions from Category 1 buildings in Clean Air Zones and the smattering of other buildings in Schedule 9, to also apply to all of HNZPT's listed buildings across Canterbury. Alternatively consider linking the exemptions with the District Plan Heritage listings of Territorial Authorities – which usually include all of HNZPT's listings.~~ I observe that if this submission were to be adopted, Schedule 9 would therefore consist only of unlisted buildings. I note that in its further submission, the Council supported submissions that called for the inclusion of all possible heritage items. I would support this. ~~This would also potentially clarify the situation with the use of space heating appliances in heritage buildings outside Clean Air Zones.~~

[I note here that in light of my clarification regarding point 13.4, point 14.4 is repetitive of point 14.1 and therefore largely redundant. I would however reiterate the observation that Schedule 9 would largely cease to exist if Condition 1 were expanded to include all HNZPT listed buildings. I also continue to support the Council's further submission calling for the inclusion of all possible heritage items]

15. I note also that in its further submission on Rule 7.81, the Council also supported a submission which suggested the establishment of a collaborative approach between HNZPT and CRC to support the owners and managers of heritage or culturally important structures to find best practice solutions. I would support this as a useful means of finding solutions for the retention of heritage fabric that is functionally redundant in terms of heating, but which is integral to the heritage

values of a place. It may also be a means of developing an appropriate means of managing mobile heritage such as steam-powered vehicles.

16. With regard to Rule 7.87 (Space Heating within the Christchurch Clean Air Zone), Council submitted that this rule made advocacy for the retention of heritage fireplace and chimney form and fabric in heritage buildings that did not otherwise qualify for a dispensation difficult. I would support this submission point, as it is my experience from commenting on heritage resource consents that the ultra-low emitting burner options currently available are not easily compatible with existing or reinstated heritage fireplaces. I can think in particular of a District Plan-listed house with fireplaces that were the subject of a heritage covenant with the Council. The fireplaces required reinstatement post the Canterbury Earthquakes, and low emitting burner conversions were identified that were compatible with the retention of the majority of the fireplace heritage fabric. The twelve month rule prevented the installation of these burners however, and no suitable ultra-low emitting equivalents were identified. With this in mind, I support the relief sought by the Council in relation to this rule: the relaxation of the twelve month rule to allow for the installation of low emission burners in heritage-listed buildings that have not had recently lawfully operable space heating appliances. Alternatively the CRC could proactively investigate ultra-low emitting burners that are easily compatible with the maximum retention of heritage fabric. I note that the s42A report recommended that the proposed timeframes be retained.

**G. R. Wright**

18 September 2015