

BEFORE THE HEARING PANEL

**IN THE
MATTER OF**

**The Resource Management Act
1991 (the Act)**

AND

**IN THE
MATTER OF**

**Waikato District Council Proposed
District Plan:
Hearing 14-Historic Heritage and
Notable Trees.**

**STATEMENT OF EVIDENCE OF CAROLYN ANNE MCALLEY FOR AND ON BEHALF OF
HERITAGE NEW ZEALAND POUHERE TAONGA**

28th July 2020

1. Introduction

- 1.1 My name is Carolyn Anne McAlley. I have been employed by Heritage New Zealand Pouhere Taonga (HNZPT) since August 2012.
- 1.2 I wrote evidence in response to the s42A Historic Heritage topic for HNZPT.
- 1.3 I am attending today with the HNZPT Conservation Architect Robin Byron. Ms Byron will briefly talk today regarding the Otatau War Memorial Bowling Club and is also available to answer questions on any of the heritage items recommended to be scheduled that HNZPT are supporting.

2. Response to Council Rebuttal Evidence and Ministry of Education statement

- 2.1 I am supportive of the additional affirmative recommendations made by the reporting planner with regard the following HNZPT submission points:
 - Submission point 55.285 related to amendments to an advice note relating to archaeological sites as discussed at pg. 5/6,
 - Submission point 559.66 related to an amendment to Objective 7.1.1 (a), as discussed at pg. 6/7,
 - Submission point 559.4 related to an amendment to include a policy related to incentives as discussed at pg. 7/8.
- 2.2 I concur with the planner's discussion in relation to submission point (559.144) regarding the definition of maintenance and repairs.
- 2.3 With regard the remaining matter in the rebuttal evidence: Earthquake and fire safety and the Otatau War Memorial Bowling Club, these are discussed in section 3 as well as the Ministry of Education statement (to be considered in the event that the statement is accepted.)

3. Consideration of outstanding matters

Earthquake and Fire Safety-Policy and Rules-Submissions 559.78, 559.79, 559.113.

- 3.1 The reporting planner has rejected Policy and rules related to earthquake strengthening and fire safety works for inclusion in the Plan, considering that such works can be considered under the "*umbrella of the policy and rule frameworks for additions and alterations*"-Para 49, page 9).
- 3.2 In response to the rebuttal evidence I still consider that it is important for these matters to be recognised in a separate policy. Many building owners will have to undertake earthquake strengthening and fire safety works because they are legislatively required under the building code (at least seismic strengthening where the owner is served with EQP building notice). These works are beneficial for the long term conservation of the building. Improving the seismic and fire rating has obvious benefits to neighbouring properties as well. Therefore I still consider that a policy should recognise that encouragement and support should be given to these owners.

- 3.3 The encouragement and support that I envisage arising from such a policy would be Council providing owners with information during the consenting process such as:
- advising of the possibility, subject to conservation and engineering advice and compliance requirements, that earthquake strengthening works could be undertaken in a staged manner,
 - advising of possible funding streams to obtain conservation and engineering reports as well as any government guidelines or advice,
 - develop guidance for those having to undertake such works, potentially using examples from other Councils as a guide, and
 - provide, subject to owner agreement, contact details of those who have undertaken similar works.

- 3.4 The wording of the proposed policy makes it clear it is not the intention that such works are undertaken with no regard for heritage, with the inclusion of the wording: *'significant loss of associated heritage values is minimised'* which would allow some discretion on the scope of works relative to the heritage fabric actually present in the building. On this basis I continue to seek the inclusion of the policies into the Plan:

"Earthquake strengthening and safety works. Encourage and facilitate the strengthening of buildings included in the heritage schedule to increase their ability to withstand future earthquakes while minimising the significant loss of associated heritage values." and

"Fire safety works: Encourage and facilitate the planning and implementation of fire safety works to buildings in the heritage schedule to increase their ability to withstand fire while minimizing the significant loss of associated heritage values".

- 3.5 With regard the inclusion of a separate rule I note that the reporting planner does consider that these matters should be considered under the umbrella of additions and alterations. If a separate rule cannot be accommodated, a matter of discretion should be included into the additions and alterations rule, such as:

"The chosen methodology of any earthquake strengthening, safety or fire safety works minimises effects on heritage values as far as practicable."

Otaua War Memorial Bowling Club

- 3.6 I continue to advocate, based on the opinion of the HNZPT conservation architect, for the inclusion of the bowling green as part of this recommended scheduling as it is an integral part of the proposed war memorial. The HNZPT conservation architect Ms. Byron will talk briefly regarding the reasons for its inclusion.

Ministry of Education submission

- 3.7 With regard to the submission from the Ministry of Education, I am concerned at the views expressed in their response dated 22 July relating to the status of HNZPT Listings. The opinions expressed in the letter are contrary to both the Ministry of Cultural and Heritage

Policy for Government Department's Management of Historic Heritage 2004¹ and the Ministry of Education's own Heritage Management Guidelines². Both of these documents actively encourage the recognition of historic heritage and scheduling in District Plans, for example Policy 3: Recognition from the Ministry of Education's Heritage Management Guidelines:

"Government departments should support initiatives to recognise publicly the heritage values of historic heritage they manage, for example, NZ Heritage listing and accurate recording on district plans".

And an associated action:

"Support the inclusion of the heritage place concerned in the appropriate district plan and/or on the NZ Heritage List and on other schedules, such as those managed by organisations like the NZ Archaeological Association, where historic heritage value is found to be justified".

3.8 With regard the Tamahere School building, the writer has stated:

"The Ministry considers that the Pouhere Taonga listing provides the necessary protection and recognition for the site and that the additional scheduling in the District Plan will create confusion and inconsistency"

3.9 This statement is only partially correct. A HNZPT listing, while providing recognition, does not provide protection in of itself. HNZPT relies on the heritage provisions of a District Plan for protection of items included onto a Plan schedule. Additionally there is concern at the inference that the other two items: Harrisville School Teachers house and Te Mata School houses are not scheduled in the Operative Plan nor listed with HNZPT therefore they should not be scheduled. I cannot support this view, concurring with the recommendations of the reporting planner in relation to these and a number of other items recommended to be included onto the schedule.

4. Conclusions

- 4.1 The RMA requires that the protection of historic heritage should be *recognised and provided for* as a Matter of National Importance (Section 6(f)). As subdivision, use and development have the potential to significantly detract from built and other historic heritage, it is important that the Plan limit the potential for adverse effects to occur.
- 4.2 I seek that the amendments sought through this evidence are retained at the time of the decision making.

¹ **Policy for Government departments' management of historic heritage 2004 (August 2004)**
<https://mch.govt.nz/research-publications/our-research-reports/policy-government-departments-management-historic-heritage>

² <https://www.education.govt.nz/school/property-and-transport/school-facilities/historic-heritage-features/>

4.3 I am able to answer any questions that you have relating to this statement.

A handwritten signature in black ink, appearing to read 'C. McAlley', written in a cursive style.

Carolyn McAlley

For Heritage New Zealand Pouhere Taonga