

Kia ora Craig,

Thank you for your reply.

I take on board your comments regarding communications and have passed that message on.

Outlined below are the next steps to assist you in understanding the timeframe for the process.

**5 September 2024 - Heritage Assessment to be finalised:**

DCC staff will finalise the heritage assessment that was provided to you in draft form. The revised assessment for 24 Melrose Street will include additional information about the building's original owner, setting, and visibility.

**20 November 2024 (Date TBC by Council) - Plan Change Notified:**

Plan Change 1 will be publicly notified and the submission period opens. You will again be notified in writing and be invited to make a written submission about the proposal to include your building on the 2GP heritage schedule. It is likely, unless Council resolves otherwise, that the heritage rules will have immediate legal effect upon notification of this proposed plan change.

**Submission Period - November 2024 – March 2025:**

The submission period will run for 20 working days. If you make a submission, please indicate if you want to speak in person to the hearings panel. After the closing of the submission period, submissions are summarised and the summary will be published. There is then a further period of 10 working days for other people to indicate their support or opposition to any submissions DCC received. You will be able to look at other submissions.

**Plan Change Hearing - Mid 2025:**

If you choose to speak to your submission, you will be able to present your views to the Hearings Panel who will consider these alongside staff recommendations and any other submissions that have been received. The Hearings Panel will make a decision on proposed changes to the plan, in this case whether to include or exclude the building from the heritage schedule. All decisions of the Hearings Panel may be appealed to the Environment Court, who can consider the matter afresh.

Kā mihi,

David Ward



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**From:** Craig Smith <[hatchfishing@me.com](mailto:hatchfishing@me.com)>

**Sent:** Wednesday, 21 August 2024 11:45 p.m.

**To:** David Ward <[David.Ward@dcc.govt.nz](mailto:David.Ward@dcc.govt.nz)>

**Subject:** Re: Inclusion in n schedule

Hi David,

Thank you for your reply, which gives us some understanding of constraints the council interprets and operates under.

However, while we understand there is an opportunity for feedback, we are still unclear on when and what format this is to be given in (or is what has happened so far it?). Please understand we are full time working people with busy schedules and family life, and this process has been put upon us without our consent.

Given the severe financial stress in the current and foreseeable economic climate, we ask that the DCC improves their communications process to the wider ratepayer base and property owners, including costs and timelines.

Kind regards,

Craig

On 20 Aug 2024, at 10:35 AM, David Ward <[David.Ward@dcc.govt.nz](mailto:David.Ward@dcc.govt.nz)> wrote:

Kia ora Craig

Thank you for your emails in response to the letter sent on 19 August 2024. Please find below an explanation of the process for scheduling heritage buildings, and what is being done by staff with feedback that is received.

Owners that have been notified that their building has been proposed for scheduling have the opportunity to provide feedback on the detail and appropriateness of the assessment against the criteria in Policy [2.4.2.1](#), which are the criteria in the 2GP under which buildings must be evaluated for scheduling.

These criteria are:

- historic and social significance
- spiritual/cultural significance, including significance to Māori
- design significance
- technological/scientific significance.

The information will be considered by the heritage advisors who have undertaken and/or peer reviewed the heritage assessment. Relevant information that can be considered is additional information about the building's history, later modifications, physical condition, its notability/specialness, and suitability for protection.

If the additional information changes the assessment, the heritage advisor will advise the Planner preparing the proposed plan change that the building should be included as a "rejected change". This means the building will not be notified as included in the schedule but submitters are able to submit to have it included in the schedule and the final decision on scheduling will be made by the Hearings Panel.

If the additional information does not change the assessment, Council's heritage advisors will advise the Planner preparing the proposed plan change that the building should be included as a "proposed" scheduled building.

The default setting in the Resource Management Act is the rules that apply to the protection of historic heritage have immediate legal effect upon notification of a proposed plan change. This means the relevant

rules applying to a scheduled building would apply until a decision is made by the Hearings Panel on whether or not to confirm the inclusion of the building in Schedule A1.1 “Schedule of Protected Heritage Items and Sites” of the District Plan (2GP).

In both situations, if there are submissions seeking a change from what has been included in the proposed plan, the final decision on inclusion will be made by the Hearings Panel. The Hearings Panel will consider staff recommendations but they must also consider all submissions that have been received. All decisions of the Hearings Panel may be appealed to the Environment Court, who can consider the matter afresh.

In the report to Council to approve notification (eg the start of the submissions process) of the proposed plan change, it will be noted that the Council may choose to delay the start of the legal effect period applying to any new buildings being added to the schedule.

Some people have asked why the inclusion of buildings in the schedule in the proposed plan change is not voluntary. The answer to that is because the Resource Management Act 1991 (the Act) imposes an obligation on local authorities to recognise and protect historic heritage as a matter of national importance (s 6(f)). Local authorities most commonly discharge this obligation to protect historic heritage by scheduling sites, buildings, places and areas with heritage value in district plans (Heritage Scheduling). Scheduled historic heritage can then be protected from inappropriate subdivision, use and development by including specific objectives, policies and rules in district plans. A ‘voluntary’ approach is not considered in all cases to properly meet this requirement for appropriate protection and leaves some important heritage buildings at risk of demolition.

Kā mihi

David Ward  
**General Manager 3 Waters and Transition**