

## Section 32 – Variation to Plan Modification 145 - St Heliers Centre Plan

### 1. Summary

The plan change was publicly notified in City Scene on 19 September 2004. Since the plan change was publicly notified, some mapping and text errors have been identified.

The plan change as notified did not include all of the character-supporting or character-defining buildings identified in the St Heliers Character/Heritage study. One building was incorrectly noted as being character-supporting when it should have been noted as a character-defining building. In addition to a text error there is opportunity to clarify the provisions relating to non character-defining/supporting buildings.

A variation to the plan change is a process that is available to correct these errors. The errors are identified below with an assessment as to the benefits and costs of the variation. This report recommends that this variation be endorsed for notification.

### 2. Issues – Benefit/Cost

#### Add the following Character-Defining building and Remove Character-Supporting Notation

The property at 409-411 Tamaki Drive was incorrectly identified in the plan change as a character-supporting building. The St Heliers Character/Heritage Study identifies this property as character-defining, and therefore this needs to be corrected. The character-supporting notation needs to be removed and the character-defining notation needs to be added.

The St Heliers Character/Heritage Study advises that;

“Character-defining buildings and elements are those that make a major contribution to the character and heritage significance of the centre, and if removed would create a serious loss in identified character. Their retention is strongly advocated. These elements are seen as key participants in the historic character and *sense of place* of St Heliers. Very few of these are currently scheduled for protection in the District Plan.”

In this regard, it is important that the centre plan correctly identifies character-defining buildings to ensure the protection of the character of St Heliers.

Proposed Benefits	Costs
<ul style="list-style-type: none"><li>• Provides consistency between the St Heliers Character/Heritage Study and the plan change.</li><li>• The correct classification will see a higher level of control placed on any development (including demolition).</li><li>• The correct classification is reflected in the rules of the plan.</li></ul>	<ul style="list-style-type: none"><li>• The notifying of a variation will increase the time and financial cost associated with the plan change.</li></ul>

#### Add the following Character-Supporting buildings

The properties at 393 Tamaki Drive and 56 St Heliers Bay Road were omitted from the plan change as notified as being character-supporting buildings. The St Heliers

Character/Heritage Study identifies these properties as character-supporting, and therefore this needs to be corrected.

The St Heliers Character/Heritage Study advises that;

“...elements identified as “Character Supporting” currently make a positive contribution to the character and heritage values of the centre.. They have been identified as “*character supporting*” if they contribute to the historic character and *sense of place* or are consistent with the character and values of the “*character defining*” buildings. For example, they may contribute to the streetscape character, or form part of an intact group of traditional “Mainstreet” buildings, but not be of particular historic, social or architectural value. In order to protect these values as part of the Character Heritage overlay, removal, redevelopment and/or extensive alteration within the overlay should trigger a resource consent process.”

In this regard, it is important that the centre plan correctly identifies character-supporting buildings to ensure the protection of the character of St Heliers.

Proposed Benefits	Costs
<ul style="list-style-type: none"> <li>• Provides consistency between the St Heliers Character/Heritage Study and the plan change.</li> <li>• The imposition of the character-supporting classification will see a higher level of control placed on any development (including demolition).</li> <li>• The appropriate classification is reflected in the plan.</li> </ul>	<ul style="list-style-type: none"> <li>• The notifying of a variation will increase the time and financial cost associated with the plan change.</li> </ul>

Amend the text in Section 3.0 relating to Site not identified as being character defining or character supporting.

The plan change contains specific requirements for those sites that are not identified as being either character defining or character supporting. It is considered that reformatting and rewording the first paragraph of this section in a similar way to section 1.0 and 2.0 will clarify the situations where resource consent is required. The amendments proposed would see the first paragraph amended from;

“This control applies to all sites within the centre plan area that are not identified as character-defining or character-supporting. No person shall construct or relocate a building or undertake any additions that exceed the height of an exiting building on the site without a restricted discretionary activity consent.”

to

“This control applies to all sites within the centre plan area that are not identified as character-defining or character-supporting. No person shall without a resource consent for a restricted discretionary activity:

- construct or relocate a building

- undertake any additions that exceed the height of an existing building on the site.”

The wording as notified did not have any punctuation and therefore has the potential to be read in a number of different ways.

In this regard, it is important that the words reflect what is intended by the plan change.

Proposed Benefits	Costs
<ul style="list-style-type: none"> <li>• The rewording and formatting will clarify those circumstances where a resource consent is required.</li> </ul>	<ul style="list-style-type: none"> <li>• If no change is made, not all development of sites will be required to obtain resource consent which may affect the character of St Heliers.</li> <li>• The notifying of a variation will increase the time and financial cost associated with the plan change.</li> </ul>

Amend the text in Section 4.0 - Verandahs in relation to criterion (g)

Section 4.0 of the plan change relates to verandahs. A word has been omitted from criterion (g) of the assessment criteria relating to verandahs. The word “no” needs to be inserted so that the criterion reads:

- (g) The carriageway edge of all verandahs must be **no** lower than 3 metres above the footpath and no greater than 4 metres above it.”

This change ensures that criterion is consistent with other verandah controls contained within the district plan.

Proposed Benefits	Costs
<ul style="list-style-type: none"> <li>• Consistency between the plan change and other verandah controls in the district plan.</li> <li>• The criterion makes sense and is understandable.</li> <li>• Clear guidance relating to the height of verandahs.</li> </ul>	<ul style="list-style-type: none"> <li>• The notifying of a variation will increase the time and financial cost associated with the plan change.</li> </ul>

### 3. Options

Promote a Variation

The centre plan seeks to minimise any adverse effects arising from future developments and it introduces control on development of physical resources by encouraging the retention and reuse of identified buildings. The amendments proposed would not alter the fundamental principles of the plan change. However, if buildings are incorrectly identified, and text contains errors, the objectives of the plan change will not be achieved.

Do not Promote a Variation

If a variation is not notified, the Council will be limited by the scope of submissions as to what changes can be made to the plan change. This would mean that those buildings that were not identified as character-supporting or character-defining, would only be able

to be noted as such if a submission specifically requested it, and text omissions would not be corrected.

A review of the submissions has been undertaken and they do not enable errors and omissions to be rectified.

#### **4. Conclusions**

A variation is proposed to plan change 145 the St Heliers centre plan. The variation corrects mapping and text errors and clarifies the circumstances where a resource consent is required for non character-supporting and defining buildings. This report recommends that the variation be endorsed for notification.