

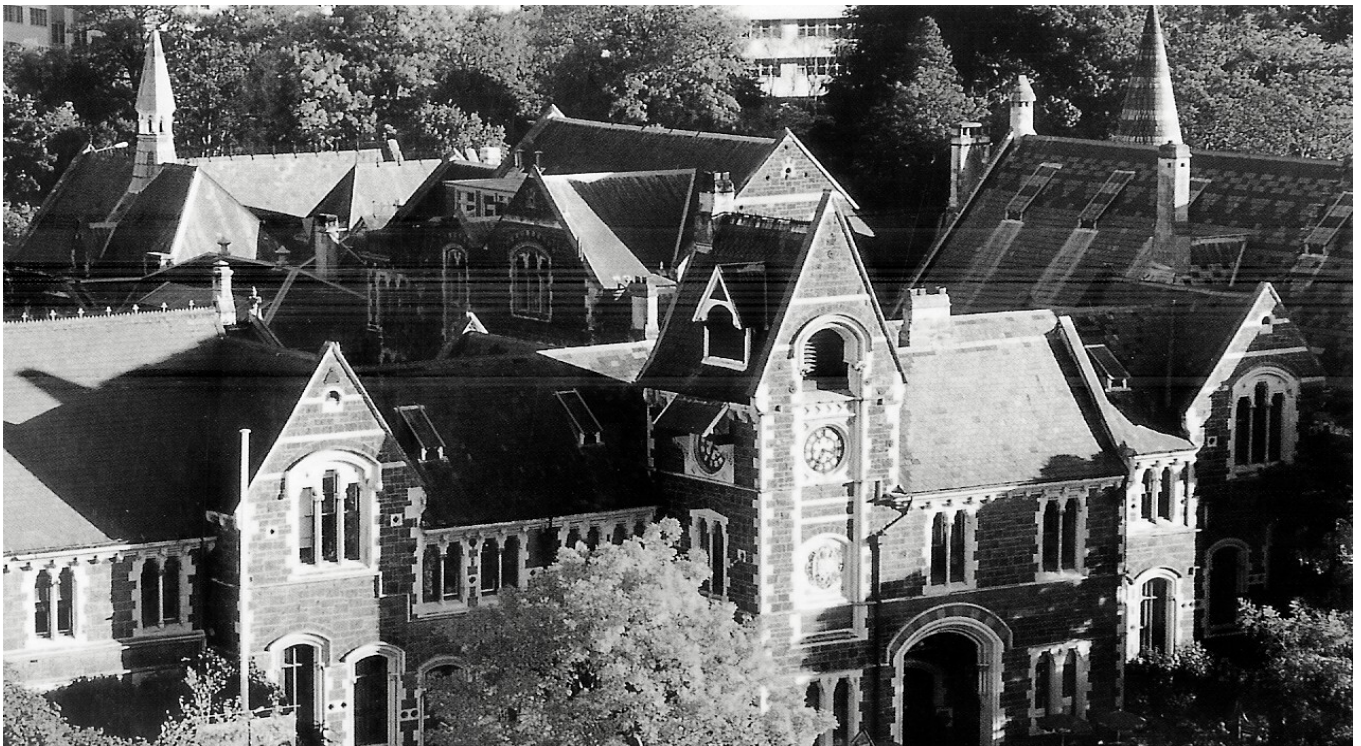


Newsletter

MARCH 2010

THE MUSIC SCHOOL ISSUE

WHAT'S NEW



The Christchurch Arts Centre which has its heritage value at risk

THE RESOURCE CONSENT HEARINGS

What Has Happened So Far

As many members will already know when an application was made last year for a Resource Consent to build a new Music School on the heritage Christchurch Arts Centre site the Civic Trust made a submission in November 2009 opposing the proposal,

When a further Resource Consent was lodged for re-subdivision of the Arts Centre site by the Christchurch Arts Centre Trust Board in January of this year, the Civic Trust opposed this also in their submission in February.

A hearing for the granting of the first Resource

Consent commenced on 15 February before two Auckland based Commissioners, David Kirkpatrick a Barrister and Dave Sergeant a Planner. This concluded on 05 March. The same Commissioners then considered the subdivision proposal over the period 09 – 12 March. It was considered that these applications were so closely intertwined that they should be heard together.

THE CIVIC TRUST CASE

On Tuesday 2 March the Christchurch Civic Trust began presenting its evidence in support of its case opposing the granting of the a Resource Consent for the Music School. The Trust took the stance that it contravened both heritage and environmental visual impact values under Part 7

and Part 10 of the City Plan and firmly sought that the application be declined. The Trust also emphasised the implications for the future heritage and conservation planning of the whole site.

THE EVIDENCE

Tony Hughes-Johnson as counsel for the Civic Trust presented legal argument and coordinated the evidence of the witnesses called on behalf of the Trust; the Chairman Tim Hogan, Planners Malcolm Douglass and Mike Garland, and international Heritage specialists Benjamin Gall and Dr Anthony Gall.

Tony Hughes -Johnson

Tony Hughes-Johnson's opening submission clearly indicated that an extremely cautious approach should be taken having regard to the irrevocable consequences that would follow if the existing heritage buildings turn out to be adversely affected by the new building. He stressed that the proposal failed to adhere to internationally recognised best practice management for significant heritage sites. The Applicant had commenced its processes with the view to obtaining approval for a building in the middle of the process rather than starting at the beginning.

Tim Hogan

Tim Hogan gave introductory evidence on the Civic Trust, its relationship to the Arts Centre and its involvement with the Music School proposal.

Malcolm Douglass

Malcolm Douglass of Douglass Consulting Services Ltd has had a long association with the Arts Centre at many levels. He was the Convenor of the group of 12 professionals who undertook the feasibility study for the establishment of the Arts Centre in 1974. He was a former Trustee on the Arts Centre Trust Board and was involved in the preparing the rules for the Cultural 1 zone in the City Plan in which the Arts Centre sits..

Malcolm provided in his evidence a detailed background on the history of the Arts Centre. He discussed the Cultural 1 and Cultural 4 zones, the latter being the zoning for the University at Ilam. He also made comments on the Applicant's assessment of effects.

Mike Garland

Mike Garland is a principal of the planning firm Robson Garland.

Mike assessed the proposal in terms of the Christchurch City Plan and Part 2 of the Resource Management Act. He also assessed the Council Officer's report on the application. He then discussed the external appearance of the proposed building in light of the Heritage assessment provided by the Civic Trust's experts. He concluded that a new building could compliment the Arts Centre but a building that was the largest and most dominant on the site was not contemplated by the City Plan.

Benjamin Gall

“The implications for allowing such a poorly conceived application is in my opinion placing Christchurch and New Zealand heritage at great risk” [Benjamin Gall Press 03-03 -2010]

Benjamin Gall is a Heritage Conservation and Planning expert based in Brisbane. He is a Director of Converge Heritage + Community a firm which specialises in heritage assessment, planning and management.

Benjamin Gall considered that the two heritage assessments used to support the application were flawed as they were not based on an appropriate current international best practice in terms of heritage management. He identified the Arts Centre as a site of national importance and potentially of international importance. A rigorous heritage and conservation strategy had not been carried out with adequate consultation for the whole site. It was his opinion that if this had been carried out the proposal would fail due to significant impacts posed by its size, bulk and location. A Heritage and Conservation Master Plan for the Arts Centre was needed urgently to provide guidance in planning for the site and its surroundings in the future.

Anthony Gall

Dr Anthony Gall's evidence was given on Wednesday 03 March via a teleconference video link to Budapest. He is a Director of Gall and Associates Architects in Budapest. He has extensive experience with 19th and 20th century buildings and the design of buildings within World Heritage sites. Dr Gall also examined the heritage assessment documents used by the Applicant and others that should have been used for a site of this importance. He provided his analysis of the proposal against the NZHPT guidelines entitled Assessing Impacts on the

surroundings associated with Historic Heritage. He looked at the proposal in terms of its site and surroundings. He provided graphical analysis of the existing scale of the site and the views to be lost with the new building. He identified buffer zones that existed around the site and their importance in understanding and preserving the integrity of the site.

THE SUBDIVISION

The Civic Trust presented its evidence opposing the subdivision of the Arts Centre site on 15 March. Tony Hughes Johnson provided legal arguments and Bruce Alexander and Malcolm Douglass examined the proposal in planning and surveying terms. The Civic Trust opposed the proposal to create six new allotments on the Arts Centre site. The Trust argued that if a subdivision was deemed necessary then it should involve the amalgamation of the existing titles. This would retain the site in one ownership. The subdivision in effect was proposing to alienate parts of the Arts Centre site which was problematic in terms of heritage planning for the whole site. This included the separation of the open spaces, which

represented a significant loss of context.

What Lies Ahead

Despite the excellent evidence presented by consultants and specialists working on behalf of the Civic Trust and others there are no guarantees that the application will be declined. The Civic Trust believes that the evidence against granting a resource consent to build on the Christchurch Arts Centre site is compelling.

On the 19 March written closing submissions by the Applicant's counsel were made. Following that the two Commissioners will then prepare their report and make a decision. This is likely to take upwards of two months but should be available in May.

The Civic Trust will now consider the next steps in this process and the most effective way to proceed.

Its primary concern will continue to be what is the best for the future of the Arts Centre in fulfilling its role as both an internationally recognised heritage site and its function in the city's arts and cultural precinct.

SUMMER LECTURE SERIES

GOING GOING GONE

Lecture III 09 April

Historic Places Trust Working for Christchurch

[by Malcolm Duff]

[Southern Regional manager New Zealand Historic Places Trust]

12.-30 ~ 1.-30pm

at

Fendalton Service Centre

Cnr Jeffrey's & Clyde Rd

CIVIC TRUST FUND RAISING

WE NEED YOUR HELP

The Civic Trust needs funds for the Resource Consent hearing to pay for legal representation and the evidence of expert witness costs
Although the Civic Trust is already well into fund raising it continues to seek your support.

The Trust's target is \$50,000.

Donations in either: \$50, \$100, \$250 or \$500 units or more are being sought (smaller donations would also be appreciated)

We also still seeking a person with fund raising experience.

Can you help?

To make a donation please complete and clip and detach the section below

I would like to make a donation to the Civic Trust in support of the appeal for funds

Name.....

Address.....

Amount of Donation \$.....

Direct Banking to Kiwibank Acct No 38-9003-0081396-00

All donations are tax deductible,will be receipted and should to be forwarded to:

**The Treasurer - Bruce Alexander Christchurch Civic Trust
P.O. Box 1927, Christchurch 8140**

The views expressed in this publication are not necessarily those of the Christchurch Civic Trust