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**Report 00.659**

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Report to the Environment Committee  
from Paula Reeves, Policy Advisor

## **The Use of Heritage Orders in the Coastal Marine Area**

### **1. Purpose**

To inform the Committee about the possible use of heritage orders and other options to maintain the character of boat sheds located in the coastal marine area.

### **2. Background**

On 22 June 2000 the Environment Committee resolved that officers report on the possible use of heritage orders to maintain the character of boat sheds. Only boat sheds located in the coastal marine area have been considered in this report. Activities relating to boat sheds in the coastal marine area are controlled through the Council's Regional Coastal Plan. On land outside the coastal marine area boat sheds are controlled by territorial authorities through their district plans.

### **3. Can heritage orders be made in the coastal marine area?**

The Resource Management Act 1991 identifies that heritage orders can only be made in district plans. The purpose of district plans is to assist territorial authorities to carry out their functions. The functions of territorial authorities only extend to the boundaries of their districts. As territorial authorities have no functions in the coastal marine area, it appears that heritage orders can not be used to protect boat sheds located in the coastal marine area.

## **4. Some other options for maintaining the character of boat sheds**

### **4.1 Design guidelines for boat sheds**

In 1997, the Council granted a number of resource consents to use boat sheds in the Porirua Harbour for overnight stays. In its report, the Hearing Committee recommended that design guidelines for boat sheds be developed so that the character of the area could be preserved. In response to the Hearing Committee recommendation, Report 97.396 to the Environment Committee in October 1997 sought guidance on the preparation of these guidelines. It identified that such guidelines could be a significant task involving considerable public consultation. At the time there was neither a budget or time allocated for the task. The Environment Committee decided that no further action be taken.

Since 1997, there have been 15 applications for altering and constructing new boat sheds such that the nature of the boat sheds is already changing. The Council has received 12 complaints about the appropriateness of changes to the boat sheds since 1997. Applications to renew resource consents granted in 1997 are being considered at the present time. Submissions in opposition to these applications raise considerable public support for maintaining the existing character of the boat sheds.

One option for the Environment Committee is to revisit its 1997 decision on preparing design guidelines for boat sheds. To be effective the guidelines would need to be incorporated into the Regional Coastal Plan.

Developing design guidelines would involve preparing separate assessments for each locality where boat sheds occur to determine their existing character and what key components need to be preserved. This is likely to involve considerable consultation and will be quite a difficult task in some places. In areas such as Porirua Harbour where the boat sheds are a diverse mix of sizes and shapes, it may be quite difficult to reach any strong degree of concurrence on what constitutes the existing character and what should be preserved. However, in other areas such as Evans Bay, where the boat sheds are easily characterised by their rectangular shape and pitched roofs, it should be reasonably straightforward to reach agreement on the character that should be preserved.

### **4.2 Identifying Features and Buildings of Historic Merit in the Regional Coastal Plan**

Provisions in the Regional Coastal Plan seek to protect features and buildings of historic merit. These are listed in Appendix 4 of the Plan. For example, permitted activity rules allowing minor extensions, modifications, or removal of structures do not apply to historic items. The Plan does not give outright protection to historic items, but does trigger a consent process enabling the merits of each proposal to be given full scrutiny.

Only the Skerret boat shed at Lowry Bay has been identified in Appendix 4 as having historic merit. The items of historic merit listed in Appendix 4 are based on information available at the time the Plan was notified. There has been no region-wide assessment of the historic merit of boat sheds.

An option for the Committee is to investigate whether individual or groups of boat sheds are worthy of being included in Appendix 4 of the Regional Coastal Plan. While this

option is more straightforward, it would only partially satisfy the goal of maintaining the character of existing boat sheds. This is because it is unlikely to extend to all boat sheds in the Wellington Region and would not apply to any new boat sheds.

## 5. **Resourcing and timing issues**

The options for maintaining the character of boat sheds in the coastal marine area will both require resources that are not currently budgeted for. In order to undertake either option this financial year, a change would need to be made to the Operating Plan for the Resource Policy Department to deliver resources to the task.

An amendment to the Resource Management Act 1991 requires that when the Regional Coastal Plan is next changed the Council must include a statement or regime on coastal occupation charges. A workshop on Coastal occupation charges will be held in this financial year followed by a report to the Council on how to proceed. Occupation of the coastal marine area by boat sheds will be a relevant issue.

## 6. **Communication**

There has been no communication relating to this report beyond Council staff. We have relied on information that is already available. Extensive consultation would be necessary should the Committee decide to proceed with any of the options raised in this report.

## 7. **Conclusion**

Heritage orders cannot be placed on features in the coastal marine area.

There are other options that the Committee could pursue if it wanted to maintain the existing character of boat sheds located in the coastal marine area presented in the report. The preparation of design guidelines is likely to be most effective of the two options at achieving the goal of maintaining existing character. This option will require additional resources to those currently budgeted for in this financial year.

## 8. **Recommendations**

1. *That the report be received and the information noted.*
2. *That the Committee indicates whether it wishes to pursue any of the options presented in the report.*

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