

From: ["The BPHT" <burkesspassht@gmail.com>](mailto:burkesspassht@gmail.com)

To: ["District Plan" <districtplan@mackenzie.govt.nz>](mailto:districtplan@mackenzie.govt.nz)

Date: 1/13/2023 8:10:42 PM

Subject: Further submission from BPHT(submitter 6) to Plan Change 21 - corrected.

Attachments: Further Submission (corrected)- Plan change 21.pdf

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Kia ora,

Please find attached the corrected version of the further submission to MDC Plan change 21 from The Burkes Pass Heritage Trust as the first version had a typo in a date which is now corrected.

Nga mihi

The Burkes Pass Heritage Trust

Further Submission from The Burkes Pass Heritage Trust

Plan Change 21

The Burkes Pass Heritage Trust

c/o 41 Kirkwood Avenue
Christchurch 8041

Contact Person: Jane Batchelor (Chairperson)

Email: burkespassht@gmail.com

Phone: 03 3481531 or 0273689709

Date: 12th January 2023

I am a person who has an interest in the proposal that is greater than the interest the general public has.

My grounds for saying this are: I am presenting this submission from the Burkes Pass Heritage Trust on behalf of its many supporters, volunteers and generations of people who have lived in or been closely associated with Burkes Pass/Te Kopi-O-Opihi over a period of time now spanning three centuries. They have entrusted their time, artifacts and stories to the Trust for future generations and our local historic, social and environmental heritage is important to them.

The Trust also wishes to support takata whenua who wish to link with their tupuna/ancestors along the Opihi Awa/River, a place of great significance and source of stories for them for hundreds of years. This history has huge potential to reconnect mana whenua and enrich our culture for all New Zealanders.

Summary of Further Information on the Burkes Pass Heritage Trust Submission 6

A special Heritage Precinct or zone is necessary and should be included with the other zones in Plan Change 21 as Burkes Pass/Te Kopi-O-Opihi is The Heritage Township of the Mackenzie District. Highly significant to mana whenua, it is a rare surviving early settlement township that was the administrative centre for the Mackenzie area and has survived virtually unchanged for 160 years. Its many layers of heritage make it unique not only for the Mackenzie District but for Canterbury and New Zealand. The evidence is overwhelming: well documented in museums, art galleries, photographs, oral histories, family histories and in multiple volumes of published literature, its historic heritage is highly visible and well preserved. It has multiple value layers of physical landscape, buildings, waterways and biodiversity, tauiwi narratives, early settler pakeha, community stories, arts and literature.

The narrow and vague Rural Character zone gives no acknowledgement to any of this, whereas a Heritage Precinct honours all of these layers to keep and enhance this rare asset while encouraging considerate development to allow Burkes Pass/Te Kopi-O-Opihi to thrive for the future. The proposed Heritage Precinct would be designed to protect the views of high value heritage within the village so that the streetscape is preserved whereas the current plan would allow up to 20 residences per hectare e.g. on the old school site. We have already established a Heritage Walk running the full length of the village with interpretation panels placed at each significant site for residents and the public.

There are many successful precedents for heritage precincts/areas in small historic townships especially in Central Otago. This gives significant advantages with a quality living environment and economic benefit of increased property values.

A Heritage Precinct in the plan would meet all four of the stated council objectives of the District Plan whereas the current plan would not.

Role of The Burkes Pass Heritage Trust

In 2000 I was asked by the Burkes Pass Residents Association to investigate forming a charitable trust, initially for the purpose of retaining historic St Patrick's Church building and to advocate for Burkes Pass heritage, as I have owned with my family, an historic small farm in Burkes Pass for 38 years. I was a founding trustee of the Burkes Pass Heritage Trust and have chaired the Trust since it was registered, and incorporated. The Trust's purposes are multilayered and include historic heritage, cultural, social and environmental heritage and to promote awareness through practical restoration, ecosourc native planting and sharing stories, photographs, film and sound archives for the benefit of the community, mana whenua, schools and the general public.

Projects completed and actively working on include (over 1000 voluntary hours per year):

- In 2022 a partnership project with Arowhenua Native Nursery started to restore a segment of the Opihi River with a public loop track along this significant seasonal travelling route, ka ara tawhito, to the Burkes Pass area and Mackenzie basin for gathering mahinga kai/food.
- Restoration of the historic St Patrick's Union church, opened in 1872, recognised by Heritage NZ Pouhere Taonga as a category 1 building, the oldest Union Church in New Zealand still on its original site and of national importance as an outstanding example of the co-operative spirit between denominations in an early settlement and copied by others.
- Restoration of a group of cob cottages, (one is a HNZPT category 2 building), unique for a Canterbury village, and other buildings.
- In 2003 establishing a public Heritage Walk through the township with interpretation and ecosourced native plantings, recognised by Waka Kotahi, and achieving a reduced speed limit through the township.
- Established an oral history archive in the South Canterbury Museum recording stories from significant present and past community members, and film in the BPHT archives with content that includes stories from the original Mackenzie District Council building (a HNZPT category 2 building), pastoral farming history, farm advisory services, women's roles, Country Women's Institute, Rabbit Board workers, Collie Club, childhood and school memories, travel, sport, social interaction, church and celebratory events.
- Collected an archive of photographs, social history stories and artifacts.
- Established a website, social media site, regular newsletters for the local community and NZ wide, published a cemetery book history and written another on history of the 150 year old church.
- Collected a library of published documents, books and academic research papers that confirm the place of Burkes Pass in New Zealand's identity in the past, present and future focussed.
- Held open days, events and community working bees.

Summary of Burkes Pass/Te Kopi-O-Opihi Heritage Values

Mana Whenua

Burkes Pass / Te Kopi-O-Ōpihi is closely associated with the source of the Ōpihi River. It was one of the main gateways into Te Manahuna used by Ngai Tahu on food gathering journeys and is regarded as a culturally significant area due to its proximity to the source of the Ōpihi River and

various mahika kai sites nearby. Many maori names are recorded for local geographical features including the site of the township Te Pakihi-o-mahiti-koura.

European Settler Heritage

In 1859, the Provincial Council planned for the township as a centre for administration and support for settlement of the vast Mackenzie Basin. The historic heritage remaining includes:

- The first accommodation house/hotel stables, and one wing of the old hotel.
- The St Patrick's Union Church, the oldest church in the Mackenzie, and the oldest union church on its original site in New Zealand recognised by HNZPT as a category 1 building of national importance and protected with a heritage covenant.
- The original Mackenzie Council Office, now a HNZPT category 2 building, initially built as the Mt Cook Road Board Office in 1876, an impressive concrete building.
- The earliest cemetery in the Mackenzie with many associated stories of settlers and mountain climbers.
- The school and school teacher's house, both dating from 1878 survive in excellent condition and are lived in.
- Five intact cob buildings (built of clay and chopped tussock) still exist in the valley. Three cottages are within the township, and one is recognised by HNZPT as a category 2 building also protected by a heritage covenant. They are a group now unique for a Canterbury township and a rare remnant of hundreds of cob buildings originally in existence in the province.
- Large limestone water trough associated with the original blacksmith shop and livery stables site.
- Early clubs such as the first Mackenzie sports clubs including the Burkes Pass 'Sloggers' cricket club in 1870 and rugby club in 1875, and the Mackenzie Collie Club also have their roots here.

The Role of a Heritage Precinct

The township is well preserved because the rail link with the coast did not proceed further than Fairlie in the 1883, and the consequent lack of development purely by chance, is no longer sufficient for future planning. It is highly unusual anywhere in NZ to have such a well preserved and unique small township with most of its major early buildings with their relationships to each other preserved and with unobstructed views.

The proposed precinct is designed to primarily protect the views of high value heritage from the Heritage Walk and highway. The setting and immediate landscape around each building is vitally important for heritage to tell the stories which is highly appreciated by visitors but totally unprotected and at significant risk. A similar situation already occurs in the Mackenzie where regulations place lighting restrictions on individual owners to benefit dark sky heritage, enhance the sense of place and with significant flow on cultural and economic advantages. There is a zone in place for these lighting controls and the individual elements of the celestial bodies are not treated in isolation. Historic heritage also needs protection as a zone and not just as individual sites. The current pressure in Burkes Pass for development is high and piecemeal irreversible development is already threatening this unique asset and should not wait for the Heritage Chapter of the District Plan where individual sites will be discussed.

Private Property Concerns

There are significant advantages to the landowners of living in a quality environment and economic benefit with elevation of property values, despite having some minor restrictions placed on them designed to avoid inappropriate and random development.

The Trust believes that a heritage precinct would create opportunities for local residents and meet all of the stated objectives of the District Plan which are:

1. Improved social and economic outcomes, and resilience, by enhancing its specific and unique identity, cultural enrichment and encouraging niche small businesses such as cafes and visitor accommodation.
2. Enhancing and protecting our natural environment and landscapes by local native plantings and creating green corridors for biodiversity such as birdlife and local trails for active recreation.
3. Mana whenua values are protected and integrated for future generations giving connection to the lives and stories of their ancestors, the landscape with its customary trails and mahinga kai.
4. The plan is fit for purpose & future focused by accurately defining what it is that we wish to protect and how to develop accordingly.

There are many precedents in small townships especially in Central Otago protected with heritage precincts/areas such as Ophir, Naseby, St Bathans, Old Cromwell, Arrowtown, and areas within larger towns and cities such as Dunedin, Christchurch, Lyttelton and Akaroa. The rules vary between these examples but are generally designed to protect the high heritage value sites, ensure that further development is considerate of these elements, does not obscure or cause significant distraction. Formal listing of an individual building by the council and HNZPT is usually done only with permission of the owner. There are buildings or spaces within these areas that do not have significant heritage value, such as non heritage homes (non-contributory) but are evaluated when rebuilt or significantly altered, to minimise adverse effects, such as obscuring the view from the street of the principal items. This evaluation is more than balanced by the advantages of a quality living environment and economic benefit of increased property values as experienced in other townships with Heritage Precincts.

Adverse Effects of the Current Plan

The current plan would allow infill housing to obscure the current heritage buildings and their setting within the village. There would be multiple entry points onto the highway that also would cross the Heritage Walk with more pedestrian and vehicle conflict. The new subdivisions do not have any walking tracks built into the plans when these should proceed hand in hand with any residential development.

This has the potential for unforeseen consequences for our heritage township without strict controls within a Heritage Precinct. The current plan allows for low density residential sections of between 400-600 square metres, density of 10-20 dwellings per hectare and according to the MDC website "Typically offered through large-scale subdivisions, creating affordability through volume." It would allow 1-2 storey buildings, with large plastic water storage tanks for each dwelling (due to township water supply issues) and accompanying garages and sheds that would effectively distract and obscure the critical view of several heritage buildings from the Heritage Walk and highway e.g. the old school site of 1 hectare area could potentially have 20 dwellings placed on it.

Future residential development sites for Burkes Pass are at present entirely reliant on submitter 16. Re-zoning land as residential will raise the value of their property, but understandably they may not wish to proceed with development. Consequently increased pressure for building sites is more likely to encourage subdivision of existing sections where there is a wider range of owners and life situations and as a result swamp the heritage area and permanently destroy the asset.

Comment on submissions is as follows:

Submission 7. Graham Batchelor

2033 Fairlie-Tekapo Rd, Burkes Pass

Email: grahambatch@gmail.com

ph 0273910673

BPHT supports submission 7

Reasons: The Trust agrees that removal of the Heritage Precinct with multiple layers of cultural landscape giving a sense of place, specific township identity, resilience for future generations and replacement with a vague single layer Rural Character Zone is completely unfit for purpose. Input from a Heritage Precinct consultant should inform this conversation, just as technical reports from Landscape experts have informed other aspects of Spatial Plans.

The Spatial Planning process was initially good and produced two versions that proposed a Heritage Precinct, walking/cycling tracks and restoration of the Upper Opihi. There were no objections to the Heritage Precinct in written submissions but without notification, due to last minute anonymous verbal objection, the current version was adopted removing the precinct and many other features including all walking/cycling tracks. This has resulted in profound sense of loss and injustice to many and a missed opportunity for supporters, objectors and council to discuss and identify what the concerns actually were and find a future focussed solution acceptable to most and meet the council aims of the District Plan.

Submission 9. Caroline Thomson

15 Birdwood Ave, Christchurch 8023

Email: carolinethomson300@gmail.com

ph 03 3376900

BPHT supports submission 9.

Reasons: The same as for submission 7. BPHT agrees the current proposal maintains the status quo which clearly does not meet District Plan aims.

Submission 13. Janine and Peter Donohue

2098 Fairlie Tekapo Highway, Burkes Pass

ph Janine 0273469362

Peter 021970909

BPHT supports submission 13.

Reasons: The same as those for BPHT submission. The Trust agrees that the original buildings, three with category listings from Heritage NZ Pouhere Taonga, cob cottages, school and teachers house are a highly valuable streetscape and legacy that could be easily destroyed permanently without proper planning. Heritage places are at risk, they tell powerful stories, give understanding of New Zealand's past and shape our future, once gone you cannot get them back.

The plan does not meet the wishes of the majority and should be formally reviewed before adoption.

Submission 15. Alex Lusby

2127 Fairlie-Tekapo Road, Burkes Pass 7987

ph 0211754431

BPHT supports submission 15.

Reasons: The Trust supports changing the Rural Character area back to Heritage Precinct and engage a Heritage Precinct consultant to inform the process.

Submission 16. Michael Guerin

Paddys Market Farm, Burkes Pass

ph 03 685 8980

BPHT oppose submission 16.

Reasons: The submitter has concerns regarding labelling of his woolshed or other buildings as heritage. Expert opinion is sought by the Trust to meet such concerns rather than abandon best planning practice as inconvenient for property owners within the proposed Heritage Precinct particularly when there is no designated significant heritage element on their site. The woolshed is not in view from the highway or heritage walk and therefore either less or noncontributory. If significant alterations are desirable to preserve function, the council agreed to meet any specifically heritage related costs of resource consents many years ago, or if absolutely necessary the precinct could be realigned to avoid it.

Future residential development sites for Burkes Pass are entirely reliant on submitter 16 and will raise the value of the property. However, they oppose the amenity walking/cycling trails expected in a modern subdivision that would carry the value layers of appreciating the physical geography of the township, environment and mana whenua stories together with climate change concerns. The detail of the trail route would not proceed without approval from the owner/developer and any health and safety concerns met. However the plan should indicate that the amenity would be provided.

Submission 17. John Emery

Old School, 2054 Fairlie-Tekapo Rd, State Highway 8, Burkes Pass

ph 03 6858575

BPHT supports submission 17.

Reasons: Same as BPHT submission. The Trust agrees with his preference for the original final plan with the Heritage Precinct and is concerned about significant change to the Spatial plan without adequate community consultation and requests open discussion before adoption by the District Plan.

Submission 44. Prue Clark

10 Selsey Lane, Christchurch

ph 0220745131

BPHT supports submission 14

Reasons: Same as in BPHT submission. Her special interest relates to her childhood spent at Holbrook and Mt Dalgety Stations. BPHT agrees with her concerns about how this current plan will enhance of the unique value of Burkes Pass, and cause increased infrastructure costs if development is a result of 'overflow' from Tekapo transient people (workers and visitors) who may not contribute to the community. The Trust agrees with her request for more consultation and open discussion with technical heritage input.

Submission 47. Warren and Marie Frost

48 Birches Road, Prebbleton 7604

ph 0272346599

BPHT supports submission 47

Reasons: Same as in BPHT submission. The Trust agrees with their concern that a rural character zone lacks the threads of stories, including early Maori, Pakeha settlers and future settlers that make up Te Kopi o Opihi, does little to honour the past or the present conventions of UNESCO and our own country. They recommend that a heritage consultant be engaged to ensure present stories are protected and that future stories can be clearly articulated by ensuring future development is sympathetic to the heritage environment, i.e not ignored or obscured.

Improved cycle and walking connections should proceed hand in hand with any future residential development and safety is a priority with increased residential density away from the busy highway.

The Trust is aware that the Central South Island Cycleway is being built from Timaru through Burkes Pass to Tekapo and is another opportunity for our stories, both Maori and Pakeha, to be told and complement a heritage precinct, the existing Heritage Walk and planned active walking and cycleways.

This submission expresses injustice at the process and a plea for open discussion with technical heritage input.

Submissions 62 and 63. John and Heather Capstick

2055 State Highway 8, Burkes Pass, R.D. 17 Fairlie, 7987

ph 03 6856106

BPHT opposes both submissions 62 and 63.

Reasons: Both submissions 62 and 63 support the status quo, prefer the single strand of rural character only and oppose intrusion of amenities such as walking tracks onto private land. The Trust can sympathise with their appreciation of the township as it is. However change is already happening and likely to accelerate, so identifying the elements appreciated by residents accurately is essential to planning for the future and to meet the council's four key aims of the District Plan, social and economic wellbeing with resilience, mana whenua interest, environmental issues and future focus. Amenities would not be built on private property unless the owner gave consent but should be planned for as a possibility looking ahead 30 years.

The non notified abandonment of heritage from the current plan has caused a profound sense of injustice for many and promoted division rather than agreement. Further open discussion with expert and experienced heritage technical advice should be held to advise on the pros and cons of a

heritage precinct as part of the process of Plan Change 21 and particularly information provided on how non contributory (non heritage) properties within the heritage precinct would be treated using the experience of other small townships.

Submission 80. Laura and Daniel Richards

65 Wills St, Allenton, Ashburton

02102742615

Email: laura@kawakawalandscape.co.nz

BPHT supports submission 80.

Reasons: Same as for BPHT submission. The Trust agrees with this experienced landscape architect that heritage elements make the town interesting to explore and should be highlighted, celebrated and in this case protected by a heritage precinct. Terms should be defined in the planning documents and any development sympathetic to the historical surroundings. A clear design guideline and strict covenants need to guide architectural and landscape design, ensure that consideration has been given to the surrounding character with professionally designed plans in order to be granted consent as in Arrowtown, Tekapo or Castle Hill. Concern expressed about recent subdivision and lack of thought or design. Successful small townships and large subdivisions near cities all have large reserves and walking tracks throughout making them pleasant to live in or visit. Growth of the township gives the opportunity for walking or cycling tracks, incorporating nature and wildlife into the township as well as stories of Ngai Tahu, however these have all been dropped.

Submission expresses injustice at the process and a plea for open discussion with technical heritage input.

Submission 87. Steve and Michele Allan

Burkes Pass Farm, 237 Rollesby Station Road, R.D. 17, Fairlie 7987

ph 03 6858190

BPHT opposes submission 87.

Reasons: Same as in BPHT submission. The Trust can understand anxiety that changes in zoning may cause a nearby landowner, however the proposed Heritage precinct does not directly involve land owned by the submitter and would help preserve the qualities of this township that residents currently appreciate and are under threat. An increase in numbers of residents will need further options for active recreation away from the heavy traffic on the main highway. The proposal on the previously 'final' spatial plan for a short and flat walking track, connecting the council reserve with the back of the church for 100m, is on the opposite side of Burgess Creek from the submitters land, and would require permission from the relevant owners and any health and safety issues met. This could also reduce any inclination to wander over farmland without permission and discourage illegal poaching if the offender was likely to meet a member of the public on the track, which are concerns for the submitter.

Submission 92. Grant and Liz Munro

Email: airies@matnet.co.nz

BPHT oppose submission 92

Reasons: Same as in BPHT submission. The Trust and submitter 92 appreciate the 'character and charm' of this township however the current proposal does not give protection to the very elements that provide this, such as no mention of this clearly historic township, no definition of rural character, and the single thread portrayal of this multilayered cultural landscape which does not meet the four key aims of the District Plan.

The Trust agrees that the process of consultation with the community started well with enthusiasm for the plans and there were no written objections to the supposedly final spatial plan, however the non notified radical change in the spatial plan at the last minute to pacify anonymous verbal objection has left many feeling a significant injustice and has served to encourage division rather than agreement. Further open discussion with expert and experienced heritage technical advice should be held to advise on the pros and cons of a heritage precinct as part of the process of Plan Change 21.

Submission 132. Liz Angelo

Unit 6/Arthur St, Dunedin 9016

03 34719505

Email: angelo.tekapo@gmail.com

BPHT supports submission 132.

Reasons: Same as in BPHT submission. This resident of Burkes Pass for 50 years has included a photograph of an early Mackenzie Council meeting in the first council chambers, later her home, and pointed out that this room and building is still intact and being further restored by the new residents. The Trust agrees that its story as the seat of decision making for the Mackenzie District and legacy of the role of Burkes Pass in NZ local government, recognised by its registration as a category 2 building by Heritage NZ Pouhere Taonga, as one of the threads and layers of history that is completely ignored by the current inadequate plan.

She is another expressing a profound sense of injustice of the process and a plea for open discussion with technical heritage input.

Decision Requested from the Mackenzie District Council

The Burkes Pass Heritage Trust requests:

- 1) That the zone originally marked Heritage Precinct on the final notified Spatial Plan for Burkes Pass /Te Kopi-o-Opihi be reinstated on the current plan instead of Rural Character Area.
- 2) That a Heritage Precinct technical expert be engaged to inform Plan Change 21.
- 3) That the marked walking track/cycletrails be reinstated as on the final notified Spatial Plan.

The Trust wishes to be heard in support of their submission.

If others make a similar further submission the Trust would consider making a joint further submission.

From: ["The BPHT" <burkesspassht@gmail.com>](mailto:burkesspassht@gmail.com)

To: ["District Plan" <districtplan@mackenzie.govt.nz>](mailto:districtplan@mackenzie.govt.nz)

Date: 1/12/2023 1:40:04 PM

Subject: Further submission- BPHT submission 6- accompanying documents

Attachments: 2 Burkes Pass Township 1880 E Jackson copy 2 (1).JPG
Heritage Map.pdf
burkes_pass_plan.pdf

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Kia ora,

The further submission of BPHT was emailed separately yesterday and these documents are to accompany it.

Attached are two images to accompany the further submission of the Burkes Pass Heritage Trust (original submission 6). I have also included the current plan stripped of walking/cycling tracks and with the outline of the proposed heritage precinct (now rural character zone) enclosing the heritage sites.

These images demonstrate the intact nature of Burkes Pass township heritage and confirm it is well preserved since the 1800s.

1) Historic photo of the township in the 1880's by E.A. Jackson from the hilltop behind the church and skating rink showing the key heritage buildings that are mostly still there today.

2) A Google image of the township today with most of the heritage buildings and sites marked on it unchanged and showing the sparsity of development that is the legacy for protection with a heritage precinct.

Nga mihi,

Jane Batchelor

Chairperson of The Burkes Pass Heritage Trust



A. H. Jackson

Burkes Pass in the 80s.
Looking towards Fairlie.

TIMARU,
NEW ZEALAND.

From M. Binney.



Cemetery

Alma Cob Cottage

Annis Cob Cottage

Heritage walk

Proposed Opihi Walk

School House

School

Elm Tree Cob Cottage

Mount Cook Road Board Office

Blacksmith Shop Site

Rabbit Board managers House

Limestone Trough and Musterers Hut

Road Board Secretary Residence and Old Paddy's Market Homestead

Cabbage Tree Flat

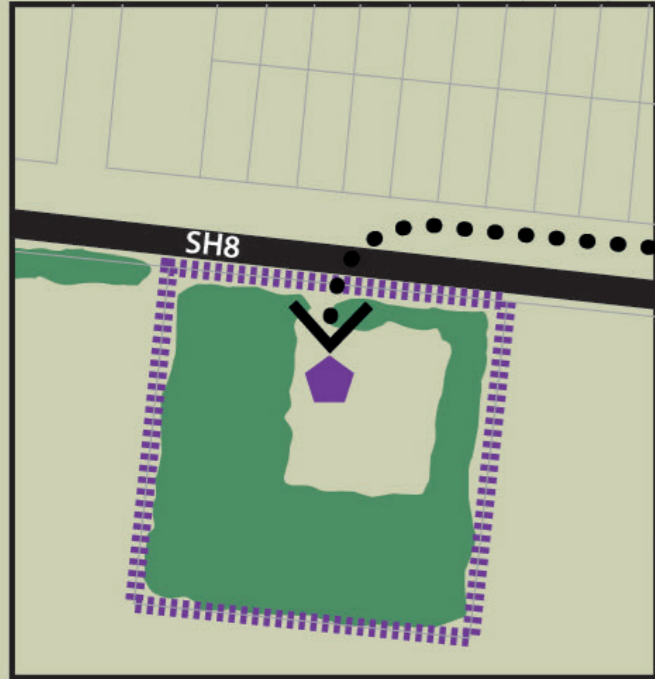
St Patrick's Church

Hotel and Stables

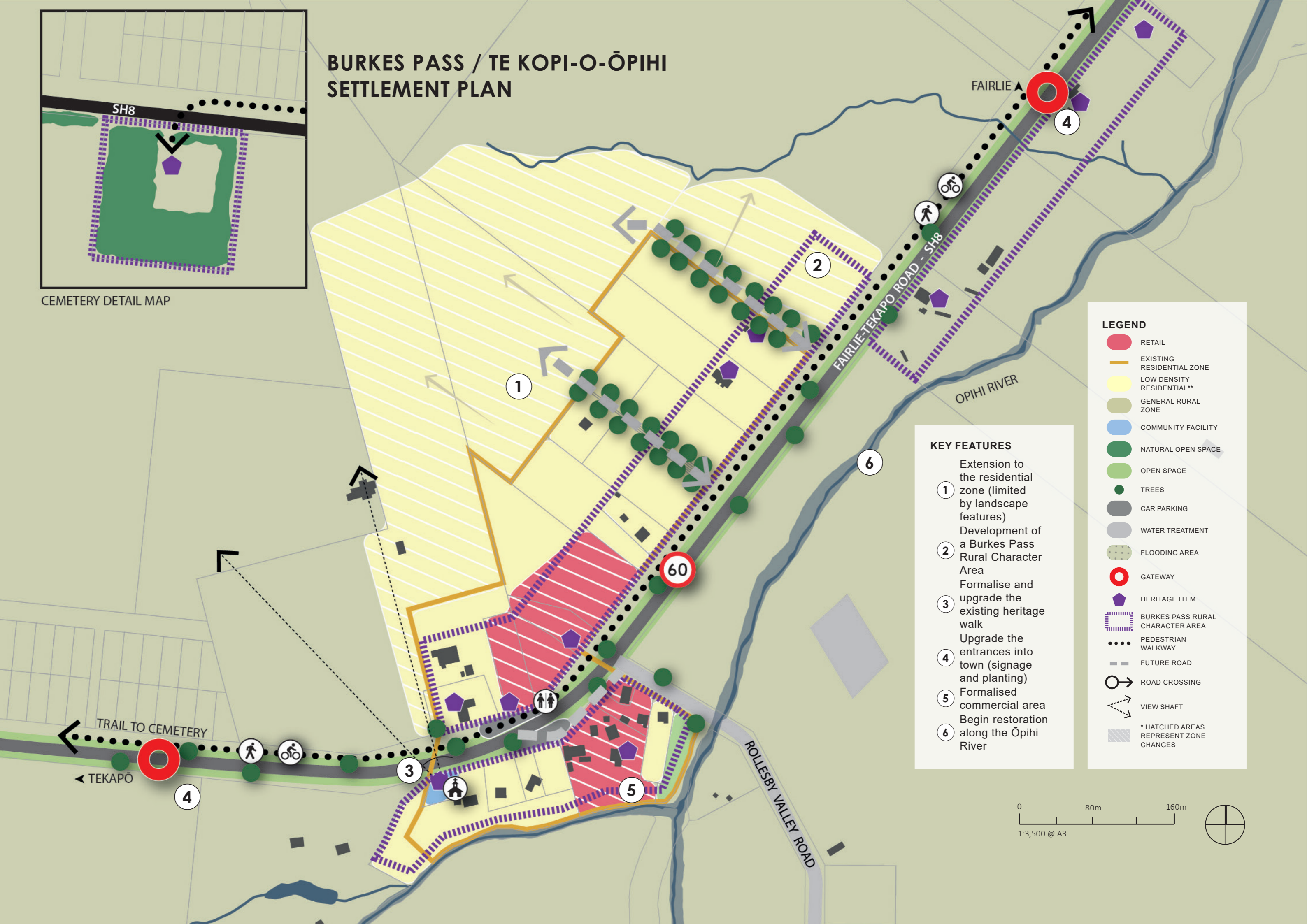
Ice skating rink

100m
1469.37 5115612.17 Meters | Scale 1:4514

BURKES PASS / TE KOPI-O-ŌPIHI SETTLEMENT PLAN



CEMETERY DETAIL MAP



- ### KEY FEATURES
- Extension to the residential zone (limited by landscape features)
 - 1 Development of a Burkes Pass Rural Character Area
 - 2 Formalise and upgrade the existing heritage walk
 - 3 Upgrade the entrances into town (signage and planting)
 - 4 Formalised commercial area
 - 5 Begin restoration along the Opihi River
 - 6

LEGEND

- RETAIL
- EXISTING RESIDENTIAL ZONE
- LOW DENSITY RESIDENTIAL**
- GENERAL RURAL ZONE
- COMMUNITY FACILITY
- NATURAL OPEN SPACE
- OPEN SPACE
- TREES
- CAR PARKING
- WATER TREATMENT
- FLOODING AREA
- GATEWAY
- HERITAGE ITEM
- BURKES PASS RURAL CHARACTER AREA
- PEDESTRIAN WALKWAY
- FUTURE ROAD
- ROAD CROSSING
- VIEW SHAFT

* HATCHED AREAS REPRESENT ZONE CHANGES

