

**Form 5**

**SUBMISSION ON NOTIFIED PROPOSAL FOR PLAN CHANGE**

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To** Mackenzie District Council

Name of submitter: The Church Property Trustees (CPT)

- 1 This is a submission on the proposed Plan Change 28 (PC28) to the Mackenzie District Plan (the *District Plan*).
- 2 CPT could not gain an advantage in trade competition through this submission.
- 3 CPT's submission relates to the proposed Heritage Overlay surrounding the Church of the Good Shepherd and the Statue of the Sheepdog.
- 4 CPT opposes the extent of the heritage setting for the reasons set out further in this submission.
- 5 CPT wishes to be heard in support of the submission.
- 6 If others make a similar submission, CPT will consider presenting a joint case with them at a hearing.

**Background to CPT**

- 7 CPT is a trust that holds and administers the property and investments of the Anglican Diocese of Christchurch (the *Diocese*) in accordance with the Anglican (Diocese of Christchurch) Church Property Trust Act 2003.
- 8 CPT hold a wide range of heritage assets throughout Canterbury on behalf of the Diocese. It is one of the largest (if not the largest) private heritage owners in the South Island.
- 9 The Diocese takes great pride in its heritage assets and over the last 10 years, particularly following the Christchurch earthquakes, have (through CPT) strengthened and bettered a significant number of its heritage assets around the region.

**The proposed Heritage Overlay**

- 10 Mackenzie District Council are proposing a Heritage Overlay surrounding the Church of the Good Shepherd (existing heritage listed item H18) and the Statue of the Sheepdog (existing heritage listed item H45). The Church of the Good Shepherd is listed as a Category 1 Historic Place on the New Zealand Heritage List.
- 11 The extent of the proposed Heritage Overlay is shown in Figure 1 below. The purpose of the proposed Heritage Overlay is to ensure the historic heritage values of the Church are protected, including its picturesque setting, and views of the Church with the lake in the backdrop, when viewed from the public pathway and footbridge and Pioneer Drive.
- 12 CPT owns land within the proposed Heritage Overlay (including the land occupied by the Church of the Good Shepherd), as also shown in Figure 1 below.



**Figure 1:** Figure shows proposed Heritage Overlay outlined in purple, and land owned by CPT shaded in red.

- 13 The CPT owned land is currently zoned Low Density Residential Zone in the Mackenzie District Plan, although the land occupied by the Church on the lakeward side of Pioneer Drive is proposed to be primarily zoned Open Space Zone through Plan Change 29.
- 14 The extent of the proposed Heritage Overlay has been assessed via a section 32 report which included the 'Historic Heritage Assessments' report of Mr Richard Knott dated 7 October 2024 (*Mr Knott's Assessment*).

#### **Reasons for submission**

- 15 CPT generally supports the proposed provisions in the Historic Heritage chapter of the Mackenzie District Plan.
- 16 CPT supports the continued heritage listing of both the Church of the Good Shepherd and the Statue of the Sheepdog in the Mackenzie District Plan.
- 17 CPT is not opposed to the use of heritage overlays in the Mackenzie District Plan as a means to protect the settings of heritage items, as is commonly done throughout the country.
- 18 However, CPT consider that the Heritage Overlay for the Church of the Good Shepherd as proposed is too extensive and is not sufficiently assessed and supported by technical heritage assessment. The extent of the Heritage Overlay as proposed has the potential to impose significant costs on the Diocese and seriously affect the value and development potential of the land which is held on trust for the benefit of the parish.
- 19 Mr Knott's Assessment of this particular Heritage Overlay is cursory and does not go into any substantial detail or assessment as to how the extent of the proposed

Heritage Overlay was determined. Further, Mr Knott's Assessment does not include any assessment of this particular Heritage Overlay against the proposed 'Historic Heritage Assessment Criteria' (although he does this for all other proposed heritage items and overlays considered in his report).

- 20 CPT consider the outcomes of the Historic Heritage chapter (and in particular those expressed in objectives HH-O1 and HH-O2) can be achieved through a reduced extent of the proposed Heritage Overlay.

**Relief Sought**

- 21 CPT seek the following relief:

- 21.1 that the extent of the proposed Heritage Overlay surrounding the Church of the Good Shepherd and the Statue of the Sheepdog be reduced to (at least) exclude the area marked as 'Area A' landward of Pioneer Drive; and
- 21.2 any other equivalent or consequential relief (including, if required, amendments to the planning provisions in the Heritage Chapter of the Mackenzie District Plan).

**Signed** for and on behalf of the Church Property Trustees by its solicitors and authorised agents Chapman Tripp



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Jo Appleyard  
Partner  
22 January 2025

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