
Landscape Conservation Plan for Queen's Gardens

1. Purpose of Report

- 1.1 To consider matters arising from the hearings for the Landscape Conservation Plan for Queen's Gardens.

2. Recommendation

THAT submissions received commenting on the Landscape Conservation Plan for Queen's Gardens be provided to the author of the Plan for consideration, and an amended Plan be brought back to Council so that it can be received;

AND THAT the information contained in the Landscape Conservation Plan for Queen's Gardens be used as a guide for staff until such time as management policies for the Gardens are adopted through a Horticultural Parks Reserve Management Plan;

AND THAT a possible plan change to the Nelson Resource Management Plan be investigated as a means to give effect to the relevant elements of the recommendations in the Landscape Conservation Plan for Queen's Gardens.

3. Background

- 3.1 In June 2011 at a meeting to adopt the 2011/12 Annual Plan, Council resolved:

THAT the Queens Gardens Conservation Plan become a priority project;

AND THAT staff ensure that adequate provision is made to recognise the heritage value of Queens Gardens in relation to any Suter Art Gallery development.

- 3.2 Minutes of this meeting are in Attachment 1. \$622,000 was allocated in the 2011/12 financial year to progress design plans for the Gallery redevelopment.

- 3.3 A Landscape Conservation Plan for Queen's Gardens was completed in December 2011. The Plan covers the history, people, physical environment and development of the Gardens and details conservation principles and recommends conservation and management policies for the Gardens. At its meeting on 31 January 2012 Council approved the Landscape Conservation Plan for Queen's Gardens for public feedback.
- 3.4 Council also requested that staff look into the option of acquiring adjacent sites to the Suter Art Gallery through the Public Works Act in order to potentially increase the land available for the redevelopment. Further information on this was provided in the hearing report, see Attachment 2.
- 3.5 The feedback period on the Conservation Plan closed on 12 March 2012 and Council heard feedback on 22 March 2012. 121 submissions were received with 14 people heard. 15 comments were also received via the Council website. A record of the hearing is included in Attachment 3.

4. Discussion

Landscape Assessment

- 4.1 At the hearing on 22 March 2012 a landscape assessment was requested by Council to provide information necessary for Council to make a decision regarding its support for the Suter redevelopment proposal. A landscape assessment is being completed and will be circulated separately to this report.

Protection of Queen's Gardens

- 4.2 At the hearing submitters raised the issue that Queen's Gardens are currently under-protected from inappropriate development.
- 4.3 Protection is afforded to the Gardens through the following mechanisms:
- The Gardens were gazetted and vested in Council in 1880 as a 'public recreation ground'. The Gazette Notice affords the Gardens protection from development or restrictions of public access.
 - As a site associated with pre-1900 human activity the Gardens are protected under the archaeological provisions of the Historic Places Act 1993. Any person wanting to destroy, damage, or modify an archaeological site must obtain an authority to do so from the Historic Places Trust.
 - The Gardens are owned by Council and managed in accordance with the Parks and Reserves Activity Management Plan as a horticultural park. The Activity Management Plan notes the importance of these parks to the public and to the city's identity and heritage and sets levels of service to manage and protect these parks into the future.
 - Items within Queen's Gardens that are listed in the Nelson Resource Management Plan include the Pitt Memorial Gates on Bridge Street (Group A protection), the remains of the Mill Race (Group C

protection) 18 Heritage Trees, four Landscape Trees and three Local Trees.

- Queen's Gardens were listed as a Category 2 Historic Place in 2007.

- 4.4 Further investigation of the level of protection that could be accorded the Gardens through the Nelson Resource Management Plan (NRMP) will be carried out as part of the existing work programme.
- 4.5 None of the protections above extend to the two oak trees on land owned by the Bishop Suter Trust. Both oak trees on the Suter grounds are classified as Local Trees in the NRMP. The NRMP states that Local Trees are of noteworthy interest but are not as significant as either Heritage or Landscape Trees. Their retention and protection is encouraged, but their removal is a permitted activity.

Wider Heritage Precinct

- 4.6 Issues associated with developing a wider heritage precinct involving Albion Square, the Queen's Gardens, the Suter Art Gallery and some of the NMIT buildings, were discussed in the hearing report in Attachment 2.
- 4.7 A key consideration is that some areas of Albion Square and the NMIT buildings are currently included in redress packages for treaty claims. To initiate any discussions about use of these areas at this stage would not be in keeping with the negotiation process and until settlement is achieved it is unlikely that the Crown or iwi can enter into any discussions about the future of those sites.
- 4.8 Staff have been in discussion with other partners about a management plan for Albion Square for some time. Submissions likewise indicated a desire from the public for a planned and strategic approach for the development and management of the wider area as a heritage precinct. While all stakeholders have a similar objective for the area, at present this work is not able to be prioritised by all the other parties involved.

Council could choose to take the lead in progressing a more strategic approach for Albion Square and the wider area but resourcing for this is not currently included in the proposed Long Term Plan.

Process for Involving Iwi

- 4.9 Initial contact has been made with iwi to provide them with a copy of the Conservation Plan and to progress a process for involving them in assessing the heritage values of Queen's Gardens that are important to them. The process will follow New Zealand Historic Places Trust Guidelines, and feed into the development of the Horticultural Parks Reserves Management Plan.

Planting Plan

- 4.10 Some submissions raised questions about the planting plan for Queen's Gardens and succession planning for large trees. Staff note that there is a

reasonable population of trees at various stages of development in the Gardens that have been planted over the last 50 years. It is very difficult to add a large developing tree without changing the spatial layout of the gardens which is a key component of its heritage value. Equally it is not practical to plant under a tree in decline as the new tree requires light, moisture and space to grow and removing the existing tree at the end of its life is very difficult with a replacement directly underneath. Therefore staff take the approach of waiting until a gap exists within the current tree cover before providing a replacement. However there is active propagation occurring from trees in decline so that genetically appropriate material is available for replanting.

Information for the Proposed Long Term Plan

- 4.11 In order for the public to make informed submissions on the proposed redevelopment of the Suter Art Gallery Council needs to indicate whether it supports the current plans, including removal of the trees, or not. If Council prefers other options which could retain the trees then developing these will take some time and the proposed funding for the Suter redevelopment should be moved some years later in the proposed Plan. For either scenario it is important to make clear to the public what the expected consequences are of the proposal in the proposed Plan.

5. Conclusion

- 5.1 Council requested that a Conservation Plan be developed for Queen's Gardens to ensure that adequate provision is made to recognise the heritage values of the Gardens in relation to any development of the Suter Art Gallery. The Plan has been completed and public feedback was sought on the Plan and its recommendations in relation to the Suter Art Gallery development.

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Attachments

- Attachment 1: Nelson City Council Minutes of Meeting to Adopt Annual Plan 2011/12 23 June 2011 [1114905](#)
- Attachment 2: Information for the Hearing on the Landscape Conservation Plan for Queen's Gardens [1242547](#)
- Attachment 3: Minutes of the Hearing on the Queen's Gardens Landscape Conservation Plan [1258858](#)

No supporting information follows.