

Plan Change 29 Built Heritage (August 2013)

Marked up post-hearing.

Key

Notified text

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Changes pre-hearings

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T13 Historic Heritage – Built Environment

Introduction

The term historic heritage is generally applied to things that have cultural heritage significance to people and communities. Heritage is regarded as our ‘inheritance’ from the past. While there is a particular emphasis on buildings, structures and objects that have architectural, archaeological, historical or cultural value, heritage items include areas, sites or places which have aesthetic, social, spiritual, scientific, technological, or traditional significance or value, or public esteem.

Heritage defines the relationship between people and place, the past, present and future. It gives a sense of place, character and community identity and dignity and often plays a fundamental role in the cultural, economic and social wellbeing of the community.

Wanganui is an area of early settlement in New Zealand. It was an important area for Maori, the Whanganui River margins being heavily populated and the river being an ancient highway to the interior. Wanganui was the second New Zealand Company settlement in the country, Wellington having been the first. Wanganui city still retains a very coherent collection of late nineteenth and early twentieth century buildings, with the Old Town as the core. This concentration of significant heritage buildings is rare in New Zealand and represents an important part of the historic heritage resource of the district. Given the long history of settlement, much of the Old Town and other parts in the district are effectively historical areas and archaeological sites.

The RMA Section 6(3) requires recognition and protection of the heritage values of sites, buildings, places or areas as part of managing the use, development and protection of the natural and physical resources of the Wanganui District. A prerequisite of recognition and protection is identification, which in turn is dependent on information and knowledge.

Information on Wanganui heritage values has been considerably increased by commissioned studies. The first, in 1990, focused on identifying relevant themes and an examination of central city buildings. Starting in 2003, significant updating was carried out by the Whanganui Branch of the New Zealand Historic Places Trust, led by Wendy Pettigrew, leading in 2009 to the addition of 48 buildings to the District Plan inventory. The 2012 study built on earlier work and extended its

reach to a wider range of buildings so that there is now a more comprehensive inventory, covering specific themes of early settlement, residential, industrial, agricultural and commercial development, transport, civic/administration, health, education, religion, recreation, community, memorials and military.

The Christchurch earthquakes of September 2010 and February 2011 have clearly shown how valuable historic heritage is, how vulnerable many of our key buildings and areas are and how imperative it is to find a balance between retention and demolition of key heritage items and areas. The implications are extensive, from health and safety to serious economic implications for landowners, tenants, the Council and the business community, as well as the potential to loose or destroy areas of high amenity and value that contribute to general wellbeing.

The long-term protection of historic heritage has always required involvement and co-operation of key stakeholders. In the past this has largely fallen into the hands of property owners, heritage protection agencies, Crown agencies and small committed groups of individuals. Due to the magnitude of the issue it is no longer possible for a limited stakeholder group to manage the heritage asset.

It is imperative to create an environment that enables co-operation and innovation across all stakeholders and interests. In this regard Council plays a fundamental role in regulating historic heritage and that requires open and frank dialogue with all sectors of the community.

Ultimately the protection of the heritage resource means that value and significance will need to be the test, as the Council, the community, landowners and developers have limited resources at their disposal and in order to protect those items of significance and sustainably manage them, it is necessary to prioritise heritage values. This enables the allocation of resources to be directed to those items of greatest value and significance. This resulted in the development of a rating system enabling items to be prioritised for protection.

Class A – High values at an international or national level, is ranked highly in a number of heritage areas and has high integrity or has very significant values in at least one heritage value.

Class B – At a regional or local level it has several high heritage values and/or has good integrity

Class C – There are a few heritage values but these have been in some way

compromised eg relocated, extensively modified or significant components removed

In providing a leadership role Council will need to develop a wide range of incentives covering information, advice, assistance with the preparation of conservation reports or plans, greater flexibility for development and financial assistance with meeting the additional costs of development directly attributed to providing for conservation of historic heritage values. These incentives will need to be tailor-made to suit the particular needs of owners or the situation. They could be developed as a comprehensive package or can be used individually or in different combinations and derived in part through the Long-Term Plan process.

The Central Business District of Wanganui including the Old Town Overlay has a considerable concentration of heritage buildings. Although some have been strengthened, many ~~These~~[†] are at high risk from damage or loss from earthquake, as the bulk are unreinforced masonry or poorly reinforced concrete. This poses a high degree of health and safety risk.

Heritage buildings, however, are significant for their contribution to the economic success of the CBD, based on their amenity value, creating attractive and welcoming urban spaces and streetscapes. Loss of items could lead to fragmentation of the CBD to a degree where the area loses its appeal as a commercial focus and as a tourist destination.

Earthquake strengthening, and sometimes fire safety or other upgrading, is often well beyond the economic return possible from buildings. This creates a dilemma for owners, developers and the community in attempting to achieve a balance between safety, functionality and economic reality. There is therefore a need to provide a range of pragmatic solutions to enable or encourage retention of valued heritage. Unless these are provided, there is a real risk of the abandonment of buildings, to the extreme of demolition by neglect. Pragmatic solutions need to be actively used and promoted.

In addition to the direct value and contribution of individual heritage buildings is the contribution of the spaces and places around buildings, including associated buildings. This is a form of cumulative effect, and changes in the surroundings of a building can also lead to potentially negative cumulative effects. Buildings losses therefore need to be carefully considered, as do replacements for any

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buildings lost, from whatever cause, in order to protect amenity and cultural values. Replacement buildings are of special importance as they are likely to have a 50 to 100 year plus lifespan and environmental impact.

Due to the concentration and the high quality of buildings and the surrounding environment in the Central Business District there is the potential to neglect, ignore or undervalue significant heritage outside of the core area. It is imperative that this does not occur. The 2012 Heritage Inventory has extensively examined a full range of items within the various themes and offers a broad basis for protection.

Historic heritage is however dynamic and perceptions and values change over time. Although the District Council has undertaken the preparation of the inventory in association with regulatory authorities, interest groups, the community and individually affected landowners, there may still be significant items that have not been identified or values may be lost through man-made and natural events. The heritage resource therefore needs to be monitored and managed to ensure it remain it remains relevant.

I56 Heritage Risk

Historic heritage is at risk from natural hazards, other damage or destruction or abandonment.

I57 Involvement for sustainable heritage protection

At-risk heritage requires a high level of community, business, institutional and landowner involvement and co-operation to ensure sustainable long-term protection.

I58 Old Town

The need, for cultural, economic and social reasons, to protect the historic heritage values of the Old Town.

I59 District-wide heritage protection

The need to protect historic heritage District-wide Heritage and not only historic heritage in the Central Business District.

I60 Heritage identification

The need to identify heritage values and resources and to establish appropriate levels of protection.

O47 Recognise and protect the historic heritage

Recognise and protect the historic heritage resource of the whole district.

O48 Community involvement with heritage protection

Enable all sectors of the community to participate in and contribute to heritage protection.

O49 Prioritising heritage protection

Ensure the sustainable management of historic heritage values and resources, both individual and collective, by prioritising the protection of the resource based on values and significance.

O50 Sustainable heritage retention

To retain heritage which is physically and economically sustainable particularly when faced with the risks of natural hazards.

O51 Recognise and conserve the Old Town

Recognition and conservation of the special historic heritage significance of the Old Town.

The Old Town has a great concentration of heritage items and groups of heritage items. However, the cultural heritage significance of the Old Town is more than the individual items and areas that have been registered. The entire Old Town is recognised as a conservation area where special management is required to conserve its great cultural heritage significance.²

P158 Maintain and update heritage inventory

Maintain and update the heritage inventory and accompanying database, in an appropriate format.

P159 Ongoing heritage inventory review

Acknowledge that, while a comprehensive inventory for the District has been undertaken, that values and perceptions of heritage change over time and regular review is an integral part of holistic historic heritage management.

P160 Heritage promotion

Promote community awareness, pride and understanding of historic heritage resources in the Wanganui District

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P161 Owner heritage protection

Encourage protection and conservation by property owners of identified historic heritage resources of the Wanganui District.

P162 Council heritage leadership

Council to adopt a leadership role to co-ordinate and facilitate historic heritage conservation and protection in the Wanganui District

P163 Heritage protection

Protect the historic heritage resource from inappropriate subdivision, use and development by ensuring that:

- a. Retention is preferred over demolition for all recorded heritage items and areas particularly for those items and areas in Class A and B
- b. Class A items and areas are afforded the highest level of protection taking into account their national or international significance and values
- c. Class B items and areas are afforded high levels of protection taking into account their regional or local significance and values
- d. To encourage the retention of Class C items and areas where practicable, while noting limitations in respect of condition, degree of modification and structural state. Where this is not sustainable Council may request that photographic record of the building be provided accompanied by an appropriate level of historic research
- e. Demolition of Class A and B items or areas shall be considered as a last resort when all feasible options and alternatives have been considered and that it can be demonstrated that it is unsustainable to retain the heritage item or area
- f. Class A and B items shall not be relocated unless it can be demonstrated that the relocation of the item is the only sustainable means of retaining the item or that the relocation has a positive effect on the integrity of the item or area
- g. Rely on international best practice principles to ensure that decisions with regards to heritage management are undertaken in accordance with the ICOMOS New Zealand Charter for the Conservation of Places of Cultural

Heritage Value (Revised 2010).

- h. Ensuring the relationship of the heritage item to its site and locality is retained, preferably in single ownership
- i. Provide an adequate setting for the heritage item within the subdivided lot
- j. Retain any functional relationships, visual catchments and viewshafts.

P164 Heritage alterations and additions

Ensure adverse effects of alterations and additions to historic heritage items, where these alterations and additions are to the external, visible fabric of the building, are appropriately avoided, remedied or mitigated by:

- a. ~~Supporting resource consent applications for alterations and additions where Encouraging applicants to extend the life of the heritage item by maintaining can be extended provided the historic values and the integrity are able to be maintained of the item for future generations through appropriate additions and alterations.~~
- b. Ensuring that any work that is undertaken is done in accordance with a conservation report using the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value (Revised 2010).
- c. ~~In respect of Class B and C items, t~~ Taking into account the feasibility and costs of maintaining and repairing heritage items while enabling the applicant to develop, use or retain economic benefit
- d. ~~Favourably considering Acknowledging the benefit of applications where the alteration or addition takes into account the context of the item. and avoids adverse effects on local, regional or District wide heritage.~~³

P165 Class A and B heritage alterations and additions

Ensure when alterations and additions to Class A and B items are undertaken that, in addition to considerations under P164,⁴ adverse effects on the heritage items are avoided, remedied or mitigated by:

³ Submission 10 P164

⁴ Submission 10 P165

- a. Retaining the main style and character features and allowing changes which are compatible in terms of symmetry, design finishes and ornamentation
- b. Respecting the scale and character of the item
- c. Ensuring compatibility in terms of form, materials and colour
- d. Restoring missing elements only when there is adequate proof of the original form of the structure (photographic evidence, drawings, building plans or written historical description)
- e. Preferring repair over replacement provided the repairs reflect the original materials in terms of texture, form, profile, colour and strength
- f. Respecting the age of the item and the extent of weathering
- g. Where the building has a street façade the exterior should be altered least and if possible not at all
- h. Avoid the installation of new openings to principal facades and elevations.

P166 Heritage interior alterations and additions

Ensure, where interiors are listed for protection, that adverse effects of interior alterations and additions are avoided, remedied or mitigated by:

- a. Retaining the floor plan and existing dimensions as far as practicable
- b. Avoiding as far as possible alterations to primary spaces such as foyers, lobbies, stairs and corridors
- c. Where alterations do occur that these preferably occur in secondary spaces
- d. Retaining as far as possible significant architectural features and finishes such as skirtings, panelling, doors, picture rails, pressed metal ceilings, woodwork and wallpaper.

P167 Heritage adaptive re-use

Enable the adaptive reuse of heritage items provided the adverse effects of the activity on heritage values and the surrounding environment can be avoided, remedied or mitigated.

P168 Heritage group or precinct protection

Ensure, in cases where group or precinct values have been identified, that the attributed values are protected from the adverse effects of erection of new structures, demolition of existing structures or alterations or additions to existing structures or spaces by:

- a. Ensuring that the character and scale of the space is retained and no visual domination occurs
- b. Ensuring that any new structure is relevant to the space and maintains the integrity of the space
- c. Ensuring that the orientation, scale, mass, density and shape of any new structure relates to the surrounding space and buildings
- d. Ensuring the design of any new structure is compatible with the historic design of the existing buildings
- e. Ensuring that any changes in hard or soft landscaping, parking or signage are appropriate for the space.

P169 Residential heritage precinct or special character area protection

Ensure that identified precinct or special character area values are protected in residential areas while simultaneously ensuring that there are no adverse effects on owner's enjoyment and use of the property is not unnecessarily restricted.⁵

P170 Adverse effects on residential heritage precinct or special character area values

Avoid, remedy or mitigate adverse effects on residential precinct or special character area values by ensuring alterations or additions to the dwelling facades visible by the public from a street frontage retain the identified style, scale and character of the original architectural style.

P171 Heritage protection from natural hazard

Enable and facilitate the retention of heritage items and groups at risk from natural hazards by:

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- a. Acknowledging that some heritage items are of greater significance than others and that resources may need to be prioritised on the basis of significance, integrity and condition.
- b. Reducing and/or minimising compliance costs for building owners for earthquake strengthening.
- c. Providing a range of instruments both regulatory and non-regulatory to encourage retention of heritage items and areas particularly for those items at risk from earthquake hazard.
- d. Encouraging a wide range of activities in the Central Business District in order to increase range and flexibility of uses.
- e. Enabling, as appropriate, alternative uses for heritage buildings in other parts of the District on a case-by-case basis.⁶

P172 Old Town recognition

Recognise the Old Town as a conservation area and ensure the protection of the great historic, cultural, architectural and townscape significance of the Old Town area for future use and development by:

- a. Identifying individual primary buildings for protection in accordance with the Class A and B classes
- b. Identifying contributory buildings that support the heritage context of the primary buildings and adopting appropriate and practicable guidelines to ensure that works undertaken on these buildings do not have an adverse effect on the primary heritage item
- c. Reviewing and expanding the Central District Business Urban Design Guidelines to ensure that where demolition or major redevelopment occurs within the Old Town that the new development, irrespective of whether the item is listed or not, responds to the heritage context and the high level of amenity in the overlay area
- d. Ensuring in the interim, prior to the integration of urban design guidelines into the Plan that the following principles be taken into account :

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- i. Encourage new and innovative design that respects the existing quality and grain of the streetscape by reinforcing the character of the existing built form with regard to height, proportion, mass, rhythm, building detail, scale, and materials
 - ii. Providing for new developments, alterations and additions that take into account the role the *structure** will play with respect to its overall form, street façade and detail
 - iii. New *development** should avoid design that replicates historic *structures*
 - iv. Where opportunities exist, new *development** should attempt to complete, improve and enhance the heritage settings of adjacent individual buildings or precincts
 - v. Create linkages both visual and physical between the development and Whanganui River where this is practicable and appropriate
- e. Promote good design as a means of conserving historic heritage context and values.
 - f. Enable a range of activities to revitalise the Old Town as a vibrant and physically attractive centre and enable the conservation historic heritage values.

PXXX Heritage Destruction

If a heritage item is completely or largely destroyed, its heritage is lost and replacement or replication is not required or expected.⁷

PYYY Heritage Damage

If a heritage item is damaged, replacement components may be of different materials, but should be of similar appearance.

M310 Heritage database

Maintain a comprehensive database of items and areas of historic heritage significance to the Wanganui District, deriving primarily from the 1990 Heritage Study, the 2000's updating, the 2012 Heritage study and ongoing research.

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M311 Heritage information for Lims and Pims

Ensure relevant information on sites of built heritage significance is entered into the database for Land Information Memoranda and Project Information Memoranda.

M312 Heritage update and review

Review and update the inventory as the database work progresses using suitably qualified persons.

M313 Heritage trails and information support

Support the establishment of heritage trails and the development of on-site interpretation and information facilities in partnership with Iwi, the community, business and institutional sectors and other key historic heritage interest groups.

M314 Heritage pamphlets support

Support preparation of general information pamphlets on various aspects of historic heritage conservation, including examples of existing heritage buildings, heritage colour schemes and shop fronts in original condition, advice on the value of research.

M315 Heritage events support

Support the organisation of school programmes, seminars, workshops, exhibitions, festivals, promotion events, heritage awards etc on historic heritage.

M316 Heritage owners advice

Using suitably qualified persons, establish a system of consultation and advice to owners of inventory items and groups regarding maintenance, alterations and adaptations of their property.

M317 Heritage seminars

Support or organise free seminars, workshops or other appropriate forum involving expert practitioners on matters relating to the conservation of historic heritage resources.

M318 Heritage plans assistance

Provide free assistance to owners of inventory items and places in the preparation of maintenance plans and conservation plans or reports where required.

M319 NZ Historic Places Trust consultation

Encourage developers to consult with the NZ Historic Places Trust or other design

experts as appropriate.

M320 Heritage fees waivers

Waive resource and building consent fees where appropriate⁸ for inventory items and areas and investigate other options and circumstances for financial assistance and incentives.

M321 Heritage fund

Investigate the establishment of a Heritage Fund, with contributions from Council as well as other sources, eg Lottery Grants Board, bequests etc, to make available small grants, low interest loans, guarantees and other types of financial assistance for the conservation and protection of inventory items,

M322 Heritage awards

Set up or support a system of heritage awards in partnership with appropriate agencies, for developments and projects which meet the criteria for outstanding achievement in conservation, restoration and protection of inventory items and areas.

M323 Urgent heritage restoration

If necessary identify inventory items and places which require urgent restoration and rehabilitation to avoid damage or loss of identified historic heritage values, and negotiate with owners of the properties to undertake such work.

M324 Heritage joint ventures

Define circumstances for participating in joint-venture projects with private owners of inventory items and areas which are in a poor physical state of repair and require restoration or rehabilitation to prevent damage or loss of historic heritage value.

M325 Long term heritage work programme

Establish a prioritised long term work programme and budget for historic heritage conservation, and seek funding through the Annual Plan process to implement the work programme.

M326 Expert heritage advice

Seek recognised professional expertise, eg Conservation Architect or Heritage Consultant, to provide advice to Council and the community, provide staff

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training and perform other advisory and advocacy functions.

M327 Council owned heritage

Prepare, for each Council owned item identified as having historic heritage significance, a conservation plan or report prior to any major maintenance, adaptation or alteration being undertaken or before its disposal. Conservation plans or reports will be included in the conditions of sale if a inventory listed item or area is to be sold.

M328 Heritage rules

Implement District Plan rules to manage physical alterations, adaptations or redevelopment, including design of buildings and other structures, signage, and external colours schemes, of inventory items.

M329 Heritage monitoring

Prepare an annual monitoring report or audit on conservation and protection of inventory items and areas.

M330 ICOMOS Heritage Charter

Continue to use, as Council policy, the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value (Revised 2010).

M331 Corporate member of ICOMOS New Zealand

Council to become a corporate member of ICOMOS New Zealand.

M332 Old Town area

Identify on District Planning maps the Old Town area.

M333 Heritage design guidelines

By December 2014 develop urban design guidelines for the Old Town area to assist developers in designing new buildings or in making alterations and additions to existing buildings.

M334 Old Town heritage fees

Waive resource consent fees apart from Subdivision in the Old Town area.

Rules:

R288 General Rule – Class A Heritage Inventory Items Features

The following rules apply to Class A heritage items and groups features listed in Appendix H1 Heritage Inventory, hereafter called 'inventory features'

Permitted Activities:

The following are permitted activities for Class A items and groups.

- a. Minor works and maintenance*
- b. Interior structural works associated with earthquake strengthening, alterations and/or additions provided that:
 - i. The works are not within a building listed for interior values in Appendix H1-Heritage Inventory
 - ii. The works do not change or alter the external physical footprint or appearance of the building

Controlled Activities:

The following are controlled activities for Class A items and groups.

- a. Interior structural works associated with earthquake strengthening, interior alterations and/or additions in a building listed for interior values in Appendix Heritage Inventory provided that, for major physical alterations, a conservation report* shall be prepared by persons suitably qualified in heritage conservation.

Discretionary activities:

The following are discretionary activities for Class A items.

- ~~b. Interior structural works associated with earthquake strengthening, interior alterations and/or additions in a building listed for interior values in Appendix H1 provided that, for major physical alterations, a conservation report* shall be prepared by persons suitably qualified in heritage conservation prior to the physical works being undertaken~~
- a. Alterations or additions that affect the exterior of the building, provided that, for major physical alterations, a conservation report* shall be prepared by persons suitably qualified in heritage conservation prior to the physical works being undertaken
- b. Erection of new structures or removal of structures in a Class A Group area other than a specifically listed Class A structure.

c. Interior structural works for earthquake strengthening, interior alterations and/or additions to a building listed for interior values in Appendix H1, for major physical alterations, where a conservation plan* or report has not been prepared by suitably qualified persons prior to physical works and implemented.⁹

Note: The Council* will waive resource consent fees for Discretionary activities associated with the use and development of Class A inventory items features unless a zone rule is breached.¹⁰ Discretionary applications may be publicly notified.

Non-complying activities:

The following are non-complying activities for Class A items:

-
- a. Demolition or relocation of any Class A inventory item feature or structure
- b. Interior structural works for earthquake strengthening, interior alterations and/or additions to a building listed for interior values in Appendix H1, for major physical alterations, where a conservation plan* or report has not been prepared by suitably qualified persons¹¹
- b. Alterations or additions that affect the exterior of the building where a conservation plan* or report has not been prepared by suitably qualified persons.

Note: Other than for demolition, the Council* will waive resource consent fees for Non-complying activities associated with the use and development of Class A inventory features.¹² Non-complying activities will generally be publicly notified.

NZ Historic Places Trust

Note: The NZ Historic Places Trust should be consulted regarding any activity which would result in damage, destruction or modification of any item registered with the NZ Historic Places Trust Pouhere Taonga. This is in order to determine any Historic Places Act requirements which may apply. Also note that it is an offence to destroy, damage or modify any archaeological site without an Authority from NZHPT. The record sheets contained in the Inventory indicate

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which heritage items are likely to fall within the definition of an archaeological site under the Historic Places Act 1993.

R289 General Rule - Class B Heritage Inventory Items Features

The following rules apply to Class B heritage items and groups features listed in the Appendix Heritage Inventory H2, hereafter called 'inventory features':

Permitted Activities:

The following are permitted activities for Class B items and groups:

- a. Minor works and maintenance*
- b. Interior structural works associated with earthquake strengthening, alterations and/or additions provided that:
 - i. The works are not within a building listed for interior values in the Appendix Heritage Inventory H1
 - ii. The works do not change or alter the external physical footprint or appearance of the building

Controlled Activities:

The following are controlled activities for Class B items and groups:

- a. Interior structural works associated with earthquake strengthening, alterations and/or additions within a building listed for interior values provided that a conservation plan or report has been prepared by persons suitably qualified in heritage conservation and implemented¹³
- b. Minor works and maintenance that do not comply with the meaning of minor works and maintenance*

Council retains control over the following matters:

- i. The area of work that fails to comply with a conservation plan or report that has been prepared by persons suitably qualified in heritage conservation
- ii. The area of works that fails to comply with the meaning of minor works and maintenance.

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Restricted Discretionary Activities:

The following are restricted discretionary activities for Class B items and groups:

- a. Interior structural works associated with earthquake strengthening, alterations and/or additions within a building listed for interior values where a conservation plan or report has not been prepared by persons suitably qualified in heritage conservation and implemented
- b. Alterations or additions that affect the exterior of the building
- c. Erection of new structures or removal of structures in a Class B Group area other than a specifically listed Class B structure.

In determining what conditions, if any, to impose, Council shall restrict its discretion to:

- i. Works are compatible with the original fabric and design of the building, but sufficient visual distinction to identify the visually distinct enough to be recognised as new work.
- ii. The relationship of the additions or alterations reflect to the original architectural style, character and scale of the building, including avoidance of visual dominance, and are not visually dominant.
- iii. Materials, form and colour
- iv. Works minimise alteration to Whether the additions or alterations minimise effects on¹⁴ street elevations.
- v. Effect on existing heritage fabric and values

For new buildings in a Class B Group area

- d. External design and appearance of the building, including building materials and external colour.
- e. The values and scale of the Group or precinct within which the site is located
- f. Relationship to the adjoining buildings

Discretionary activities:

The following are discretionary activities for Class B items and groups:

- a) Demolition or relocation

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Note: The Council* will waive resource consent fees associated with the use and development of Class B inventory features items for controlled and restricted discretionary activities or for discretionary activities for relocation provided the relocation results in the enhancement of the Inventory item unless a zone rule is breached.¹⁵ Controlled activities will be non-notified. Restricted discretionary activities may be publicly notified. Discretionary activities will generally be publicly notified.

NZ Historic Places Trust

Note: The NZ Historic Places Trust should be consulted regarding any activity which would result in damage, destruction or modification of any item registered with the NZ Historic Places Trust Pouhere Taonga. This is in order to determine any Historic Places Act requirements which may apply. Also note that it is an offence to destroy, damage or modify any archaeological site without an Authority from NZHPT. The record sheets contained in the Inventory indicate which heritage items are likely to fall within the definition of an archaeological site under the Historic Places Act 1993.

R290 General Rule - Class C Heritage Inventory Features Items

The following rules apply to Category Class C heritage items and groups features listed in Appendix H3 Heritage Inventory, hereafter called 'inventory features'.

Permitted Activities:

The following are permitted activities for Class C items and groups:

- a. Minor works and maintenance*
- b. Alterations and additions

Controlled Activities:

The following are controlled activities for Class C items and groups:

- a. Demolition, partial demolition¹⁶ or relocation

Council retains control over following matter:

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- i) Compliance with NZ Historic Places Trust Guidelines for Recording of Historic Items

Note: The Council* will waive resource consent fees associated with the use and development of Class C inventory features items for controlled activities for relocation or partial demolition provided the relocation or partial demolition results in the enhancement of the Inventory item unless a zone rule is breached.¹⁷ Applications may be publicly notified.

NZ Historic Places Trust

Note: The NZ Historic Places Trust should be consulted regarding any activity which would result in damage, destruction or modification of any item registered with the NZ Historic Places Trust Pouhere Taonga. This is in order to determine any Historic Places Act requirements which may apply. Also note that it is an offence to destroy, damage or modify any archaeological site without an Authority from NZHPT. The record sheets contained in the Inventory indicate which heritage items are likely to fall within the definition of an archaeological site under the Historic Places Act 1993.

R291 General Rule - Old Town Overlay Area

Note: Precedence of Rules at bottom

Permitted Activities:

The following are permitted activities in the Old Town Overlay area

- a. Minor works and maintenance* for all buildings not covered by other rules in this Topic
- b. Alterations or additions to buildings not in the Appendix Heritage Inventory H1 or H2 and provided the works do not change or alter the external physical footprint or appearance of the building

Controlled Activities:

The following are controlled activities in the Old Town Overlay area:

- a. Alterations or additions that affect the exterior footprint or appearance of the buildings not in the Appendix Heritage Inventory—provided the building is not

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listed in Appendix H1 or H2, or in H4 as a primary feature

b. Erection of new structures

c. Demolition or relocation of building provided the building is not listed in Appendix H1 or H2 or as a contributory building

In determining what conditions, if any, to impose, Council shall limit its control to:

1. Whether additions or alterations reflect the original architectural style, character and scale of the overlay.
2. Form, colour and materials
3. The effect on existing heritage fabric and values
4. Precinct values
5. Consistency with the Urban Design Guidelines

Restricted Discretionary Activities:

The following are restricted discretionary activities in the Old Town Overlay

- a. Erection of new structures
- b. Demolition, partial demolition or relocation of buildings not in the Appendix Heritage Inventory a contributory buildings provided the building is not listed in Appendix H1 or H2

In determining what conditions, if any, to impose, Council shall restrict its discretion to:

1. The effect of the demolition on the heritage values of nearby buildings or the streetscape setting or the precinct.
 1. Whether additions or alterations new structures reflect the original architectural style, character and scale of the overlay.
 2. Form, colour and materials.
 3. The effect on existing heritage fabric and values.
 4. Precinct values.
 5. Consistency with the Urban Design Guidelines. In lieu of these refer to the policies and objectives for the Old Town.¹⁸

Note: The Council* will waive resource consent fees associated for controlled activities. Controlled activities applications may be publicly notified. Discretionary applications will generally be publicly notified.

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The following rules apply to the Old Town Overlay and those items listed in Appendix H4 and apply in addition to the rules that apply to Appendix H1 and H2 inventory features.

Precedence of Rules Where There is a Conflict

Where there is conflict between the rules of the underlying zone and the rules of this overlay zone, the more stringent activity status applies. For the avoidance of doubt:

- a. Where an activity is a permitted activity in the underlying zone and no construction, exterior alteration or demolition of structures is proposed, the activity is a permitted activity.
- b. Where an activity is a permitted activity in the underlying zone but involves is a restricted discretionary activity in this chapter (due to proposed construction or exterior alteration of a structure), then the activity is a restricted discretionary activity in accordance with Rules R180 – R183 the rules below.
- c. Where an activity is a non-complying activity in the underlying zone but is a discretionary activity in this chapter (due to proposed demolition of a structure), then the activity remains a non-complying activity.

Waiver of Resource Consent Fees

Where an activity would have been a permitted activity under the underlying zone but requires a resource consent under the above provisions, the Council will waive resource consent fees.

Note: The NZ Historic Places Trust should be consulted regarding any activity which would result in damage, destruction or modification of any item registered with the NZ Historic Places Trust Pouhere Taonga. This is in order to determine any Historic Places Act requirements which may apply. Also note that it is an offence to destroy, damage or modify any archaeological site without an Authority from NZHPT. The record sheets contained in the Inventory indicate which heritage items are likely to fall within the definition of an archaeological site under the Historic Places Act 1993.

R292 General Rule – Class BR Residential Heritage Inventory Features Items

The following rules apply to Class BR items and precincts listed in Appendix H5 Heritage Inventory, hereafter called ‘inventory features’.

Permitted Activities:

The following are permitted activities where they comply with the performance below:

- c. Minor works and maintenance*
- d. Alterations and additions provided that they are not visible from the street frontage

Controlled Activities:

The following are controlled activities for Class BR residential inventory features items in appendix H5:

- a. Alterations or additions that are visible from the street frontage and affect the exterior footprint or appearance of the building provided the building is not listed in Appendix H1 or H2
- b. Erection of new structures visible from the street frontage.

In determining what conditions, if any, to impose, Council shall limit its control to:

- 1. Whether¹⁹ additions or alterations reflect the original architectural style, character and scale
- 2. Effect on existing heritage fabric and values
- 3. Precinct values

Restricted Discretionary Activities:

The following are restricted discretionary activities for Class BR residential inventory features in appendix H5:

- a. Demolition, partial demolition or relocation

In determining what conditions, if any, to impose, Council shall restrict its discretion to:

- 1. Heritage values of nearby buildings or the streetscape setting or the precinct.
- 2. Colours, materials and design of replacement structure.

Note: The Council* will waive resource consent fees associated with the use

¹⁹ Submission 10

and development of residential inventory features items. Discretionary applications may be publicly notified.

Note: The NZ Historic Places Trust should be consulted regarding any activity which would result in damage, destruction or modification of any item registered with the NZ Historic Places Trust Pouhere Taonga. This is in order to determine any Historic Places Act requirements which may apply. Also note that it is an offence to destroy, damage or modify any archaeological site without an Authority from NZHPT. The record sheets contained in the Inventory indicate which heritage items are likely to fall within the definition of an archaeological site under the Historic Places Act 1993.

RZZZ General Rule – Class SCA Special Character Area Inventory Items

The following rules apply to Class SCA items and precincts listed in Appendix Heritage Inventory

Permitted Activities:

The following are permitted activities:

- e. Minor works and maintenance*
- f. Alterations and additions that are not visible from the street

Controlled Activities:

The following are controlled activities for Class SCA residential inventory items:

- c. Alterations or additions that are visible from the street and affect the exterior footprint or appearance of the building
- d. Erection of new structures visible from the street

In determining what conditions, if any, to impose, Council shall limit its control to:

- 4. Whether additions or alterations reflect the original architectural style, character and scale
- 5. Precinct values

Restricted Discretionary Activities:

The following are restricted discretionary activities for Class SCA residential inventory items:

b. Demolition, partial demolition or relocation

In determining what conditions, if any, to impose, Council shall restrict its discretion to:

3. Special character values of nearby buildings or the streetscape setting or the precinct.

4. Colours, materials and design of replacement structure.

Note: The Council* will waive resource consent fees associated with the use and development of Special Character Area residential inventory items. Discretionary applications may be publicly notified.

Note: The NZ Historic Places Trust should be consulted regarding any activity which would result in damage, destruction or modification of any item registered with the NZ Historic Places Trust Pouhere Taonga. This is in order to determine any Historic Places Act requirements which may apply. Also note that it is an offence to destroy, damage or modify any archaeological site without an Authority from NZHPT. The record sheets contained in the Inventory indicate which items are likely to fall within the definition of an archaeological site under the Historic Places Act 1993.

GLOSSARY

Adaptive reuse - an activity which involves no change to culturally significant fabric, changes which are substantially reversible or changes which make a minimal impact

Addition - the action or process of adding something to something else

Alteration - change in character or composition, typically in a comparatively small but significant way:

Central Business District: for heritage purposes, the Central business District is the area covered by the Central Commercial Zone, Arts and Commercial Zone and Riverfront Zone.²⁰

Conservation report - a document identifying the heritage features of a building or area and appropriate management steps.

Contributory Building – Buildings which make a contribution to the streetscape when read in conjunction with Class A or B buildings.

Historic Heritage - means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:

- (i) archaeological:
- (ii) architectural:
- (iii) cultural:
- (iv) historic:
- (v) scientific:
- (vi) technological; and

(b) includes—

- (i) historic sites, structures, places, and areas; and
- (ii) archaeological sites; and
- (iii) sites of significance to Māori, including wāhi tapu; and
 - (iv) surroundings associated with the natural and physical resources

Demolition - defacing, destroying or dismantling of a heritage item or a component of a heritage conservation area in whole

Heritage item - a landscape, place, precinct, work, monument, structure or building of historical architectural, archaeological, aesthetic, social, cultural, technical, scientific or

²⁰ Submission 10

natural heritage significance

Heritage Fabric - any physical structure, fixture, fitting, feature, material, or finish which is associated with the heritage item. In relation to the interior of buildings, heritage fabric also includes the dimension of spaces and the relationship between spaces (floor plan). Original heritage fabric is any such physical element which was an integral part of the initial heritage item. Subsequent changes to and additions of such physical elements which contribute to the record of the historic development of the heritage item are also considered to be part of the heritage fabric. This includes the aggregate effect of material weathering and wear due to historic use.

Inventory Item – Any heritage item, group or area identified in in an Appendix relevant to Historic Heritage – Built Environment Chapter

Minor works and maintenance

- Cleaning or washing with materials or techniques not detrimental to the heritage fabric
- General maintenance and/or minor repair where minor repair means the repair of materials by patching, piecing-in, splicing and consolidating existing materials and including minor replacement of minor components such as individual bricks, cutstone, timber sections, tiles and slates where these have been damaged beyond reasonable repair or are missing. The replacement should be of the original or similar material, colour, texture, form and design as the original it replaces and the number of components replaced should be substantially less than the existing
- Repainting and revarnishing of surfaces. The application of other finishes provided that the materials used are similar to the existing or earlier finishes
- Activities that have an insignificant effect on the heritage fabric of the item, for example:
 - * hanging planter pots.
 - * the installation and refurbishment of services where the work does not affect significant fittings or features.
- Replanting of existing landscape features

Partial Demolition

Defacing, destroying or dismantling of a heritage item or a component of a heritage conservation area in part.