

Chapter 56**HERITAGE****56.1 RESOURCE MANAGEMENT ISSUES**

The following resource management issues have been identified as significant:

56.1.1 The possibility of the loss of identified heritage features through the development process.

Both the Council and Heritage New Zealand have identified buildings or places that are of heritage significance not only to the City but nationally and internationally. A possibility exists for the presence of archaeological sites associated with pre-1900 human activity throughout the City. Any such sites, both recorded and unrecorded, are controlled under the Heritage New Zealand Pouhere Taonga Act 2014. The development process can have a major influence on the heritage (including unrecorded heritage items) of a City. The Council is endeavouring to raise the profile of the City's heritage values and it will do this through a number of different mechanisms. Many of these are currently being used however the public do not have a clear understanding of the process used or the areas of responsibility among bodies with statutory responsibilities for heritage. The Council intends to clearly identify its role in heritage preservation.

56.1.2 The possibility of the loss of special character in areas of the City, through the development process.

The review process has highlighted areas of the City that have a special character that is related to the heritage of the City. The Council aims to preserve the elements that give these areas their character. Areas of the City that fall into this category include the Art Deco Quarter, special character areas of Ahuriri and Westshore and the residential character areas of Marewa Art Deco, Marewa State Housing and the Te Awa Bungalow area. It is the fact that there is an intact collection of buildings of one particular character that makes them important and warrants that encouragement be given to their preservation. The development process can have a profound effect on the collective nature of these buildings and a variety of means will be employed to safeguard the character of these areas.

56.1.3 The possibility of the loss of the heritage features which have significance for Maori and the potential lack of recognition of the relationship of Maori and their culture.

The Council has commissioned two separate reports on Sites of Significance within the City boundary to the Iwi, one covering the Ahuriri area and the other the remaining areas of the City. Many of the sites identified are not part of the inventory of recorded sites lodged with the New Zealand Archaeological Association Site Recording Scheme (as at 7 December 2013) and therefore the risk of being damaged or lost is high. The Wai 55 and Wai 400 land claims to the Waitangi Tribunal recognise the wide cultural and economic interest of the Iwi in this area. The Council has established procedures for the identification of areas of Iwi interest and it is intended that these will be further improved.

OBJECTIVES, POLICIES AND METHODS

The following objectives, policies and methods apply:

Objective 56.2

To identify, conserve and enhance heritage features to ensure that the heritage of the City be reflected in the future.

This objective relates to Issues 56.1.1; 56.1.2 and 56.1.3.

Policies

To achieve this objective, the Council will:

- 56.2.1 Identify heritage resources with historic, cultural, architectural, archaeological value or of special spiritual significance to the district including sites, buildings, places, or areas.
- 56.2.2 Avoid the loss of heritage value associated with heritage resources listed in the Plan.
- 56.2.3 Ensure that the adverse effects of land uses on heritage items listed in the Plan are avoided, remedied or mitigated.
- 56.2.4 Manage heritage on a basis of partnership involving property owners, tangata whenua, heritage agencies, communities and individuals.
- 56.2.5 Encourage public participation in the identification and protection of heritage values through education and increased public awareness.
- 56.2.6 Ensure that, through the implementations of appropriate procedures within the Council's administration, all development and building proposals in the vicinity of waahi tapu and other sites of significance to Maori are notified to the tangata whenua.
- 56.2.7 Ensure that, through the implementations of appropriate procedures within the Council's administration, all development and building proposals in the vicinity of an archaeological site are notified to Heritage New Zealand, in accordance with the Heritage New Zealand Pouhere Taonga Act 2014, in order to enable the implementation of the archaeological authority provisions of the Heritage New Zealand Pouhere Taonga Act 2014.
- 56.2.8 Recognise Heritage New Zealand as an affected party under Section 94(2)(b) of the Act to any non-notified resource consent affecting any resource on the New Zealand Heritage List of historic places, historic areas, waahi tapu and waahi tapu areas.
- 56.2.9 To facilitate and encourage alterations to heritage items to improve structural performance, fire safety and physical access while minimising the significant loss of associated heritage values.

Principal Reasons for Adopting Objective and Policies

The term heritage covers a wide range of issues and meanings. It is interpreted in many different ways. Therefore the Council relies on statutory agencies and heritage experts for the identification of heritage elements that should be recognised by the district plan.

Heritage values are assigned to buildings, monuments, sites and trees. Elements of the City's heritage give Napier an important identity – one which sets it apart from other cities in New Zealand. The Council recognises the Inner City Art Deco buildings as the City's primary heritage resource

The Council also has a responsibility to identify and encourage heritage that has significance for the nation. Heritage New Zealand has a register of buildings and sites which are of historic importance and the Council has incorporated these into the District Plan.

Some parts of the City have an important link to the City's past and Ahuriri is clearly in this category. It was the earliest settled part of the City, and in recognition, the Council commissioned a Heritage Study on the area, its buildings and the identification of the special character elements that it possesses.

The Council does not wish to take a solely regulatory approach to preserving the City's heritage. To date it has approached the issue on a proactive basis. It has offered incentives to owners to upgrade buildings, and it has allowed the exchange of development contributions for heritage preservation. The Council takes an education role by producing design guides and it supports and works jointly with heritage agencies which include the Art Deco Trust and Heritage New Zealand. The Council has made a conscious decision to continue with this approach to heritage preservation.

The District Plan seeks to encourage alterations to improve structural performance (earthquake strengthening), fire safety and physical access whilst minimising significant loss of heritage values. This work will enable the buildings to continue to be used in a safe and economical manner, as well as assist in retaining the heritage fabric of the City. The aim is to ensure, where possible, that regulation is not a barrier to upgrading buildings and that demolition is not the only option left for owners. Specific rules are provided for safety-related alterations as distinct from general amenity-related alterations and repairs and maintenance. These provisions will also enhance integration between the RMA and the Council's Earthquake-Prone Buildings Policy prepared under the Building Act 2004.

Methods

- (1) District Plan Rules.
- (2) Education and information.
- (3) Provision of Design Guides to provide design information based on heritage characteristics.
- (4) The Council will liaise with tangata whenua, Heritage New Zealand, New Zealand Archaeological Association Site Recording Scheme (as at 7 December 2013), Art Deco Trust and interested groups to educate property owners about the historic value of particular areas.
- (5) Promotion of City Heritage by provision of heritage documents.
- (6) Liaison with the Tangata Whenua, Heritage New Zealand, New Zealand Archaeological Association Site Recording Scheme (as at 7 December 2013), Art Deco Trust and interested groups to identify heritage items and the means for their conservation and enhancement.
- (7) Incentives, legislation (heritage orders).

Reasons for Methods

The Council has taken a multi-faceted approach to heritage conservation up to the present time and the results have been well received. It relies on the substantial efforts of such organisations as the Art Deco Trust and the Heritage New Zealand to raise the profile of heritage in the community. An incentive approach has also worked well with grants being given to property owners in the Inner City to repaint their buildings in colours sympathetic to the Art Deco architecture. The Council also aims to educate the public by use of design guides and other documentation. A partnership with other agencies, including iwi, is being developed. Rules in the Plan are seen as a backstop measure when all other avenues have been exhausted.

Objective 56.3

To maintain and enhance the areas of the City that have a recognised special character.

This objective relates to Issues 56.1.1 and 56.1.2.

Policies

To achieve this objective, the Council will:

- 56.3.1 Identify areas of the City that have a particular character within a clearly defined area.
- 56.3.2 Encourage any future development and use within the identified character areas to be sympathetic with the elements that make the areas special.
- 56.3.3 To maintain and enhance where appropriate the character of the Hardinge Road, Battery Road, Iron Pot and Coronation Street character areas identified in the Port Ahuriri Heritage Study (Refer to Appendix 13A for maps of character areas).

Principal Reasons for Adopting Objective and Policies

In preparing for the review of the Plan, consultation has revealed that the City has areas of distinctive character and that there is a consensus that this character should be preserved.

These special character areas are diverse and range from art deco housing to a mixed use industrial area. For the most part, the character areas have a common scale and design and have elements that can be linked to the history of the area. Collections of buildings with similar features are important to heritage values. This is particularly evident on West Quay, Ahuriri, and also in the art deco special character area in Logan Avenue or the State Housing special character area in Russell Road, Marewa.

In the character areas development can have a negative impact on the existing streetscape. The Council's aim is to draw the community's attention to the importance of retaining the scale of existing buildings and in some instances to the importance of the positioning of buildings on the site.

Outside the Character Zones, advocacy areas have been identified. These recognise that there are some excellent examples of the character that is to be preserved in the zones that fall outside the boundary of the character zones. Advocacy areas immediately surround the character areas and an education approach is adopted within these areas to preserve the heritage values. They are something of a transitional area between the character area and the normal zone. Within the advocacy areas preservation of the character is encouraged by means of education and the architectural and landscape design characteristics is recognised in the assessment criteria for discretionary activities.

The Port Ahuriri Heritage Study identifies a number of precincts of distinctive character and states that those features which are critical to that character should be preserved and protected. The Ahuriri Advocacy Area identified on the planning maps comprise four specific character areas; Iron Pot, Hardinge Road, Battery Road and Coronation Street. The heritage study identified these four areas as being of distinctive character. While individually all buildings in the character areas may not warrant protection as heritage items, and they do not all share common features, the Council wishes to recognise those features which contribute to the overall character of Ahuriri and the linkages to the past. Buildings which are considered to contribute to the essential character of the area are originally in the Port Ahuriri Heritage Study and these are now shown on the maps in Appendix 13A.

Methods

- (1) District Plan Rules.
- (2) Education and information including two heritage studies on: "Places of Spiritual Significance to the Maori" by P. Parsons and "Port Ahuriri Heritage Study" by J. Salmond.
- (3) Identification of Advocacy Areas that recognise that many fine examples of the buildings that characterise the character zones are found in the areas immediately outside the zones.
- (4) Design guides to provide information on achieving successful design in the character areas.
- (5) Liaison with Tangata Whenua, Heritage New Zealand, Art Deco Trust, New Zealand Archaeological Association and other interested groups to educate people about the

historic values of areas.

- (6) Incentives and grants subject to the Annual Plan process.

Reasons for Methods

The Council recognises that a combination of methods is the most successful means of achieving the preservation of Heritage in the City. This approach has been successful to date and the Council intends to retain this approach. Identification of heritage elements has been given a greater priority and raising the profile of heritage goes hand in hand with this.

Objective 56.4

To facilitate and enable the exercise of Tino Rangatiratanga and Kaitiakitanga by the tangata whenua.

This objective relates to Issue 56.1.3.

Policies

To achieve this objective, the Council will:

- 56.4.1 Identify and define sites of significance to tangata whenua for inclusion in the Plan.
- 56.4.2 Avoid the loss of sites that are significant by establishing a process for considering land uses that affect these sites.
- 56.4.3 Recognise the importance of heritage to tangata whenua and to establish an ongoing process of tangata whenua consultation and participation.
- 56.4.4 Consult with tangata whenua where land uses are to occur in areas identified as significant.

Principal Reasons for Adopting Objective and Policies

The land within Napier City contains significant Maori heritage, cultural and archaeological sites which have been identified by studies entitled "Places of Spiritual Significance to Maori", and by Heritage New Zealand. It is important that these features are recognised. Maori historical and sacred places exist, but the physical presence of the features has often been largely obscured over time. The District Plan provides an opportunity to acknowledge the sites of importance to tangata whenua and to require any new developments to respect their significance.

The Council intends to recognise sites significant to Maori and identify them in the Plan. It is intended to encourage public recognition of this heritage to prevent further loss of the heritage values. Any development of the identified sites will require further consultation with the tangata whenua. The Council also intends to continue to encourage tangata whenua involvement in further identification and management of the heritage features. This will achieve an increased awareness of the relationship of Maori with the natural resources and culture. It is important to note that there are sites that Iwi do not wish to disclose, and these will not be identified on the Planning Maps. Owners will be advised that consultation will be required with tangata whenua where development is to occur in the vicinity of these sites.

Methods

- (1) District Plan Rules.
- (2) Education and information.
- (3) Liaison with Tangata Whenua, Heritage New Zealand and interested groups to educate property owners about the historic value of sites.
- (4) Continue to work with tangata whenua, Heritage New Zealand and interested

groups to identify heritage items.

Reasons for Methods

The Council has worked with Iwi in identifying the heritage elements within the City that are significant to them. To be successful, a partnership approach has been adopted with appropriate processes established for consultation on the preservation of Maori heritage.

56.5 ANTICIPATED ENVIRONMENTAL RESULTS

- (1) Retention of identified heritage features that are significant to the City.
- (2) Retention of the features and elements which are identified in the character areas.
- (3) The recognition and respect of heritage sites that are of significance to tangata whenua and other Maori.
- (4) An environment which has a mix of both new development and development that is representative of the history and culture of the City.
- (5) An increased public understanding and knowledge of heritage.
- (6) The maintenance and enhancement of recognised heritage features within Napier's residential environments.

56.6 INTRODUCTION TO RULES

The heritage features of the City have been grouped according to either their type or the level of significance for the heritage values of the City. Groups 1-3 are in the order of importance and Groups 4 and 5 are special heritage sites and are not in any order of priority.

The groups have been developed from the following information sources:

1. The Art Deco Inventory – jointly prepared by the Napier City Council and the Art Deco Trust.
2. Heritage New Zealand Register of historic places, historic areas, waahi tapu and waahi tapu areas, which includes archaeological sites.
3. Sites of Significance to Maori – Ahuriri and Napier City by Patrick Parsons.
4. The New Zealand Archaeological Association Site Recording Scheme (as at 7 December 2013).
5. Port Ahuriri Heritage Study by Jeremy Salmond – Ahuriri Advocacy Area / Character Areas.

Group 1 Identifies individual buildings and streetscapes which are of prime importance to the heritage of the City and must be protected. It includes:

- i) Those buildings and structures identified as Group 1 in Appendix 13.
- ii) All buildings within the West Quay Waterfront Zone.

Group 2 Identifies buildings that individually are of primary importance to the heritage of the City and the protection of which is seen as reasonably able to be achieved. It includes:

- i) Those buildings and structures identified as Group 2 in Appendix 13.
- ii) Buildings included in the Marewa Art Deco, Marewa State Housing, and Te Awa Bungalow character zones.
- iii) The Ellison Duncan Facade.

Group 3 Identifies buildings that contribute as a group, or by a recognised style, to the character of the City. The Council will encourage the protection of this character. It includes:

- i) Buildings within the Advocacy areas shown on the planning maps.

Group 3A Identifies buildings which contribute as a group, or by a recognised style, to the character of Ahuriri. The Council will encourage the protection of this character. It includes:

- i) Buildings within the Ahuriri Advocacy Areas (Iron Pot, Hardinge Road, Battery Road and Coronation Street Character Areas) shown on the planning maps and in Appendix 13A.

Group 4 Identifies some features of importance to Maori in terms of their history, culture, and traditions. This includes:

- i) Areas and sites of significance to Maori as shown on the planning maps.

- ii) Waahi Tapu registered by Heritage New Zealand (There are none registered within the City as at 11th November 2000).

Group 5 Identifies the archaeological sites of the City. This includes:

- i) Archaeological sites recorded on the New Zealand Archaeological Association Site Recording Scheme (as at 7 December 2013).
- ii) Archaeological sites as defined by the Heritage New Zealand Pouhere Taonga Act 2014.
- iii) Archaeological sites registered by the Heritage New Zealand.

Advisory Note:

Under the Heritage New Zealand Pouhere Taonga Act 2014, all archaeological sites (within the meaning of the Act) are afforded statutory protection. This applies to sites whether they are identified on the Planning Maps or not. In other words it also applies to unrecorded archaeological sites that may be accidentally uncovered or to those that have been amended or registered subsequent to the latest District Plan update. If there is “reasonable cause” to suspect an archaeological site may be modified or destroyed in the course of any activity, an archaeological authority is required from Heritage New Zealand. An authority is required whether or not the land on which an archaeological site may be present is designated, or a resource or building consent has been granted, or the activity is permitted by a district or regional plan. The Heritage New Zealand Pouhere Taonga Act 2014 outlines specific procedures and consents applicable to archaeological sites.

The planning maps identify recorded archaeological sites as a star symbol. Those recorded archaeological sites indicated on the planning maps are representations of the information sourced from the New Zealand Archaeological Association Site Recording Scheme (as at 7 December 2013). This site recording scheme is endorsed by Heritage New Zealand and the Department of Conservation. The star symbols shown on the planning maps identify the location of a recorded archaeological site, but does not delimit its extent. The list (refer to Appendix 13B) and maps included in this Plan are current as at the date of notification of the Plan Change 10 (7th December 2013). Archaeological sites that subsequently come to light are covered by the provisions of the Heritage New Zealand Pouhere Taonga Act 2014.

For security reasons it is not always prudent to pinpoint the exact location of sites. Any person intending to undertake an activity within the area is advised to contact the Council’s planning staff prior to initiating any work. Consultation with both the tangata whenua and Heritage New Zealand may be required.

In the case of accidental discovery of an archaeological site, Heritage New Zealand must be contacted immediately and work cease on the site until approval for work to resume has been given from Heritage New Zealand.

56.7 Summary of Rules for Heritage

The following is a quick reference guide that summarises the Heritage Activity Table. It is intended as a guide only and should not be used in place of the Heritage Activity Table elsewhere in this chapter.

Rule Number and Description		Classification	Page Number
Rule 56.8	Repair and maintenance of a heritage item.	Permitted	10
Rule 56.9	Alteration, safety alteration, addition and/or demolition of a Group 3 heritage item (does not include Group 3A heritage items).	Permitted	10
Rule 56.10	Internal alteration and internal safety alteration to Group 2 Heritage Items	Permitted	10
Rule 56.11	Internal or external alteration or redevelopment of a Group 3A heritage item.	Permitted	10
Rule 56.12	External safety alteration to any Group 2 heritage item necessary for the primary purpose of improving structural performance, fire safety or physical access.	Controlled	10
Rule 56.13	Any permitted activity or controlled activity that does not comply with all the relevant conditions, unless stated elsewhere in this Chapter.	Restricted Discretionary	11
Rule 56.14	Internal or external safety alteration of any Group 1 heritage item necessary for the primary purpose of improving structural performance, fire safety or physical access.	Restricted Discretionary	11
Rule 56.15	External alterations (excluding safety alterations) and/or additions to a Group 2 heritage item.	Restricted Discretionary	11
Rule 56.16	Any subdivision, disturbance of land, including erection of structures within a Group 4 heritage item.	Restricted Discretionary	11
Rule 56.17(a)	Internal and/or external alterations (excluding safety alterations), relocation and/or demolition of a Group 1 heritage item.	Discretionary	11
Rule 56.17(b)	Demolition or relocation of a Group 2 heritage item.	Discretionary	11
Rule 56.17(c)	Demolition, excluding partial demolition, or relocation of a Group 3A heritage item.	Discretionary	11

DISTRICT WIDE HERITAGE ZONE – ACTIVITY TABLE

PERMITTED ACTIVITIES	Matters the Council will restrict its discretion to for restricted discretionary activities.
<p>56.8 Repair and Maintenance of a Heritage Item</p> <p>1. The repair and maintenance of any heritage item is a permitted activity provided that:</p> <p>a) The repair and maintenance involves replacement with materials that are of the same nature as the original materials.</p> <p>b) The repair and maintenance works comply in all respects with the relevant conditions of the respective zone's activity table and condition table.</p>	<p>The Council will restrict its discretion to the matters in Rule 56.12, including the following:</p> <ul style="list-style-type: none"> - The amenity of the area. - The effect on the heritage and cultural values of the area. - The effects on the streetscape. - The scale and bulk of the building in relation to the site and other heritage buildings / structures in the vicinity. - The effects on the continuity of buildings with like heritage elements.
<p>56.9 Alteration and Safety Alteration of, Addition to, or Demolition of Group 3 Heritage Items</p> <p>1. The alteration or safety alteration of, addition to, and/or demolition of any Group 3 heritage item is a permitted activity provided that:</p> <p>a) The alteration or safety alteration, addition and/or demolition works comply in all respects with the relevant conditions of the respective zone's activity table and condition table.</p>	<p>The Council will restrict its discretion to the matters in Rule 56.13.</p>
<p>56.10 Internal Alterations, and Internal Safety Alterations to Group 2 Heritage Items</p> <p>1. The internal alteration, or internal safety alteration of any Group 2 Heritage Item is a permitted activity provided that:</p> <p>a) The internal alteration, or internal safety alteration complies in all respects with the relevant conditions of the respective zone's activity table and condition table.</p>	<p>The Council will restrict its discretion to the matters in Rule 56.13.</p>
<p>56.11 Internal or external alteration or redevelopment of a Group 3A heritage item.</p> <p>1. The internal or external alteration or redevelopment of a Group 3A Heritage Item is a permitted activity provided that:</p> <p>a) The internal or external alteration or redevelopment complies in all respects with the relevant conditions of the respective zone's activity table and condition table.</p> <p>Alteration: For the purpose of this rule, alteration means; Any change to, alteration to, or partial demolition of, any building, structure or site. In relation to a building or structure, it does not include general maintenance where that maintenance involves replacement with materials that are the same as the original materials of the building. Alteration does not include safety alteration works, which has a separate meaning in this Plan.</p>	<p>The Council will restrict its discretion to the matters in Rule 56.13.</p>
CONTROLLED ACTIVITIES	Matters the Council will restrict its discretion to for restricted discretionary activities.
<p>56.12 External Safety Alterations to Group 2 Heritage Items</p> <p>1. External safety alteration to any Group 2 heritage item necessary for the primary purpose of improving structural performance, fire safety or physical access.</p> <p>NOTE: A structural engineering assessment, by a chartered professional engineer, needs to be supplied to Council with the application.</p>	

Where this is not supplied, work will be assessed as an 'alteration' as it fails to meet the definition of safety alteration.	
RESTRICTED DISCRETIONARY ACTIVITIES	Matters the Council will restrict its discretion to for restricted discretionary activities.
<p>56.13 Land Uses Not Complying With Conditions</p> <p>1. Any permitted activity or controlled activity that does not comply with all of the relevant conditions in the Heritage Activity Table and Condition Table is a restricted discretionary activity, unless stated by a rule elsewhere in this Plan.</p>	<p>The Council will have regard to the relevant objectives and policies of the Plan and will restrict its discretion to:</p> <ul style="list-style-type: none"> - The cumulative effect of non-compliance with more than one condition. - In respect of a controlled activity failing to comply with all of the relevant conditions, those matters the Council had reserved its control over. - The matters set out in Chapter 1.6.5. - The assessment criteria in Chapter 56.17 of this Plan where applicable.
<p>56.14 Internal or External Safety Alterations to Group 1 Heritage Items</p> <p>1. Internal or external safety alteration of any Group 1 heritage item necessary for the primary purpose of improving structural performance, fire safety or physical access.</p>	<p>The Council will have regard to the relevant objectives and policies of the Plan and will restrict its discretion to:</p> <ul style="list-style-type: none"> - The matters set out in Chapter 1.6.5. - The assessment criteria in Chapter 56.17 of the Plan, where applicable.
<p>56.15 External Alterations and/or additions to Group 2 Heritage Items</p> <p>1. The external alteration (excluding safety alterations) and/or addition to any Group 2 heritage item is a restricted discretionary activity.</p>	<p>The Council will have regard to the relevant objectives and policies of the Plan and will restrict its discretion to:</p> <ul style="list-style-type: none"> - The matters set out in Chapter 1.6.5. - The assessment criteria in Chapter 56.17 of this Plan where applicable.
<p>56.16 Group 4 Heritage Items</p> <p>1. Any subdivision, use, erection, reconstruction, placement, alteration, removal, or demolition of part of any structure in, on, under, or over the land; or any excavation, drilling, tunnelling, or other disturbance of the land; or any deposit of any substance in, on, or under the land; or any other use of land (as determined by Section 9(4) of the Resource Management Act) of any Group 4 heritage item.</p>	<p>The Council will have regard to the relevant objectives and policies of the Plan and will restrict its discretion to:</p> <ul style="list-style-type: none"> - The spiritual, cultural and heritage values associated with sites of significance to Maori. - The matters set out in Chapter 1.6.5. - The assessment criteria in Chapter 56.17 of this Plan where applicable.
DISCRETIONARY ACTIVITIES	
<p>56.17 Discretionary Activities</p> <p>1. The following land uses are discretionary activities. A resource consent application must be made and consent may be declined or granted with or without conditions. The Council will have regard to the objectives and policies of this Plan and the relevant assessment criteria elsewhere in this Plan. The Council's discretion is unrestricted.</p> <p>a) The internal and/or external alteration (excluding safety alterations), relocation and/or demolition of any Group 1 heritage item.</p> <p>b) The demolition, including partial demolition, or relocation of any Group 2 heritage item.</p> <p>c) The demolition, excluding partial demolition, or relocation of a Group 3A heritage item.</p>	

PROHIBITED ACTIVITIES	
56.18 Prohibited Activities 1. There are no prohibited activities in respect of heritage items.	

56.17 ASSESSMENT CRITERIA

Some discretionary activity and restricted discretionary rules refer to assessment criteria to assist the Council in considering resource consent applications. The Council will have regard to the Assessment Criteria outlined below for Heritage when considering an application under Sections 104 and 105 of the Act.

1. General

The following criteria will be used by the Council in considering a resource consent application for a Discretionary Activity or a Restricted Discretionary Activity for non-compliance with one or more conditions in the relevant activity table and/or condition table.

- a) Any unusual circumstances including, but not limited to, those listed below:
 - i) Inherent site considerations: including unusual size, shape, topography, substratum, vegetation or flood susceptibility;
 - ii) Particular site development characteristics: including the location of existing buildings or their internal layout, achievement of architectural harmony, compliance with engineering or bylaw standards, enhancement of private open space, achievement of a better relationship between the site and the road, building renovation or restoration of demonstrable merit, the design and arrangement to facilitate access for the disabled, or legal impediments;
 - iii) Unusual environmental circumstances: including adverse topography, unusual use or location of buildings on adjacent sites, improved amenity for neighbouring sites, the presence of effective on-site screening.

2. Safety Alterations

- a) The contribution of the heritage item to the history or heritage value of the site or to the City;
- b) The extent to which the proposed work will change the appearance of the building and whether the work enables compatible, original and new adaptive uses;
- c) Whether the building has been subject to a detailed structural engineering assessment, by a chartered professional engineer. This should be supplied to Council with the application. Where this is not supplied, work will be assessed as an alteration as it fails to meet the definition of safety alterations;
- d) The extent to which the works proposed involve the least possible loss of material or heritage value, including any irreversible or cumulative effects;
- e) Whether the removal of key historic or architectural elements is required, and whether it is proposed that records be kept (such as photographs, written history, drawings and so on) of the item(s) removed;
- f) Whether the significance of the item to the City's heritage is such that it is necessary for a heritage assessment and/or conservation plan to be completed prior to work being carried out;

- g) Whether the building is located within a Historic Area, or within a significant group of buildings.
- h) The extent to which significant original interior finishes will be retained;
- i) The extent to which visible seismic bracing detracts from the architectural or historical features of the building;
- j) Whether a conservation plan prepared by a suitably qualified heritage professional has been prepared to inform the work being undertaken (where appropriate); and
- k) Whether the site has been identified as a potential Archaeological site, and whether it is necessary to undertake an archaeological assessment due to the nature of the proposed work.

3. External Alterations and/or Additions to a Group 2 Heritage Item

The Council will have regard to the relevant objectives and Policies of this Plan and in addition will consider:

- a) Whether the form, mass, proportion and materials of the alteration or addition will be compatible with the prevailing architectural style of the existing heritage item.
- b) Whether any existing traditional fences or walls at the road frontage can be reasonably preserved and/or reinstated subsequent to the alteration or addition.
- c) Whether the adverse effects of the alteration or addition on the character of the heritage item and surrounding environment can be avoided, remedied or mitigated.
- d) Whether any cumulative adverse effects on the heritage item and any other heritage items in the surrounding environment can be avoided, remedied or mitigated.

NOTE: The Council may take expert architectural advice in the application of these criteria as a peer review of information lodged with the resource consent application. The cost of such advice will be recovered in accordance with Section 36(1)(b) of the Act.

4. Alteration, Addition, Relocation and/or Demolition of a Group 1 Heritage Item; Demolition of a Group 2 Heritage Item; Demolition of a Group 3A heritage Item; Any Disturbance of Land Within a Group 4 Heritage Item.

The Council will have regard to the relevant objectives and Policies of this Plan and in addition will consider:

- a) Whether the proposal follows appropriate conservation method. The conservation method should:
 - i) Make use of all relevant conservation values, knowledge, disciplines, arts and crafts;
 - ii) Show the greatest respect for, and involve the least possible loss of material or heritage value;
 - iii) Take into account the needs, abilities and resources of the particular communities;
 - iv) Involve the least degree of intervention consistent with long term care: and
 - v) Be fully documented and recorded.
- b) Whether the proposal respects existing evidence of the heritage item and to what extent.

The evidence of time and the contributions of all periods should be respected in conservation. The material of a particular period may be obscured or removed if assessment shows that this would not diminish the cultural heritage value of the place. In these circumstances such material should be documented before it is obscured or removed.

- c) Whether the proposal conserves the historical setting of the place and to what degree.

The historical setting of a place should be conserved with the place itself. If the historical setting no longer exists, construction of a setting based on physical and documentary evidence should be the aim. The extent of the appropriate setting may be affected by constraints other than heritage value.

- d) Whether the proposal will assist in risk mitigation, that is, in the prevention of potential risk from any natural process or event.

All places of cultural heritage value should be assessed as to their potential risk from any natural process or event. Where a significant risk is determined, appropriate action to minimise the risk should be undertaken. Where appropriate, a risk mitigation plan should be prepared.

- e) Whether the contents of a place that contribute to its cultural heritage value are conserved.

Where the contents of a place contribute to its cultural heritage value they should be regarded as an integral part of the place and be conserved with it.

- f) Whether works of art and special fabric will be retained.

Carving, painting, weaving, stained glass and other arts and crafts associated with a place should be considered integral with a place. Where it is necessary to carry out maintenance and repair of any such material, specialist conservation advice appropriate to the material should be sought.

- g) Whether invasive investigation can be justified.

Invasive investigation of a place can provide knowledge that is not likely to be gained from any other source. Archaeological or structural investigation can be justified where such evidence is about to be lost, or where knowledge may be significantly extended, or where it is necessary to establish the existence of material of cultural heritage value, or where it is necessary for conservation work. The examination must be carried out according to accepted scientific standards. Such investigations should leave the maximum amount of material undisturbed for study by future generations.

- h) Whether non-intervention is a desirable alternative.

In some circumstances, assessment may show that any intervention is undesirable. In particular, to leave the spiritual association of a place undisturbed may be more important than the physical aspects of some places of indigenous heritage value.

- i) Where a proposal involves specific works to a heritage item, the following specific criteria will be applied, where appropriate:

- i) Relocation, will be considered in the context of these issues:
- the site of the heritage item is not of associated value (an exceptional circumstance).
 - relocation is the only means of saving the heritage item.

- relocation provides continuity of cultural heritage value (ie. Repositioning on the site may retain heritage value, relocation to another site or even district will not).

Where a proposed shifting is approved in principle the new site should provide a setting compatible with the cultural heritage value of the heritage item.

- ii) Adaptation (meaning modifying a heritage item to suit it to a compatible use, involving the least possible loss of cultural heritage value).

The conservation of an item of cultural heritage value is usually facilitated by it serving a socially, culturally or economically useful purpose. In some cases, alteration and additions may be acceptable where they are essential to continued use, or where they are culturally desirable, or where the conservation of the heritage item cannot otherwise be achieved. Any change, however, should be the minimum necessary and should not detract from the cultural heritage value of the item. Any additions and alterations should be compatible with the original fabric but should be sufficiently distinct that they can be read as new work.

- iii) Guidelines for additions - compatibility and distinction.

The issue of compatibility of new additions relates to the scale and positioning of the new work. Any addition should not overshadow or dominate the item as it is now. Successful additions are often located at the rear of the item and generally of smaller size. Design features such as a lower roof ridgeline and setting the addition within the existing roof may assist in making the addition more compatible. In general materials and finishes should be similar to the historic item. The general pattern of fenestration (arrangement and size of windows) should be similar but need to provide distinction between the item and the proposed work may allow variation.

In general with small scale and delicate heritage items, a high degree of compatibility with a small scale of distinction is required, while larger more robustly designed items may utilise a greater scope for additions that are more distinctive.

NOTE: The Council may take expert architectural advice in the application of these criteria as a peer review of information lodged with the resource consent application. The cost of such advice will be recovered in accordance with Section 36(1)(b) of the Act.