

HISTORICAL AND CULTURAL VALUES

HH – Historic Heritage

Introduction

This Part of the District Plan specifically addresses the District's historic heritage resources. These comprise features that are significant to the District, and may include historic buildings, sites (including archaeological sites), places/areas of cultural significance to Māori, and trees with specific heritage value or association. These features contribute to a sense of place and District identity in many ways. For example, they:

1. tell the story of our past and contribute to an understanding and appreciation of the District's history and cultures;
2. provide a record of human activity maintaining a link with the District's history as it develops; and
3. may signify or represent a particular historical event.

Legislation including the Heritage New Zealand *Pouhere Taonga* Act 2014 and the RMA, impacts on the way Council deals with heritage issues. The Heritage New Zealand *Pouhere Taonga* Act 2014 provides a framework for the recognition of places of historical, cultural and ancestral significance including historic places (archaeological sites, buildings and memorials), historic areas, wahi tūpuna, wāhi tapu and wāhi ~~taonga tapu~~ areas. Listing of such items or sites does not, however, provide specific protection under this Act. Listing is primarily a means of identifying the significant heritage items for the purposes of information and advocacy, with items listed by Heritage New Zealand *Pouhere Taonga* notified to territorial local authorities.

Commented [SM1]: S55.020 HNZPT - Heritage Topic, Key Issue 2

Section 6(f) of the RMA requires the Council to recognise and provide for the protection of historic heritage from inappropriate subdivision, use, and development, as a matter of national importance. Section 74(2)b(iia) of the RMA also requires Council to have regard to any relevant entry on the New Zealand Heritage List / Rārangi Kōrero when preparing a District Plan. To give effect to these obligations the District Plan needs to identify these sites or items.

There are also legal responsibilities that relate to all archaeological sites, whether they are identified, unknown, listed or recorded. Section 42 of the Heritage New Zealand *Pouhere Taonga* Act 2014 makes it an offence for anyone to ~~destroy, damage or~~ ~~destroy, damage or~~ modify ~~or destroy, or cause to be modified or destroyed~~, the whole, or any part of any site, if it is known or suspected to be an archaeological site. Section 44 of the Act, requires applications for an authority to ~~destroy, damage or~~ modify ~~or destroy, or cause to be modified or destroyed~~, an archaeological site to be made to Heritage New Zealand *Pouhere Taonga*. The location of recorded archaeological sites in Central Hawke's Bay as at the date of notification of the District Plan are shown on the Planning Maps. This is for information purposes only, as an alert to Council and landowners. Landowners are encouraged to search the New Zealand Archaeological Association's database for the latest ~~recorded site record~~ information prior to commencing any land disturbance activities. ~~It should be noted that there~~

Commented [SM2]: S55.020 HNZPT. S18.001 E Pisheif - Heritage Topic, Key Issue 2

Commented [SM3]: S55.020 HNZPT. S18.001 E Pisheif - Heritage Topic, Key Issue 2

Commented [SM4]: S84.001 Kairakau Lands Trust - Heritage Topic, Key Issue 3

are many unrecorded archaeological sites, and developers also have a responsibility to avoid damage to these.

Commented [SM5]: S84.001 Kairakau Lands Trust - Heritage Topic, Key Issue 2

The District Plan incorporates all the heritage item entries located within Central Hawke's Bay District that are listed in the New Zealand Heritage List / Rārangī Kōrero administered by Heritage New Zealand Pouhere Taonga as at the date of notification of the District Plan. These are listed in HH-SCHED2 and shown on the Planning Maps. Further information on these sites can be found at <https://www.heritage.org.nz/the-list> Landowners and developers of heritage sites containing heritage items are also encouraged to contact Heritage New Zealand Pouhere Taonga prior to undertaking any works that might impact on these items and their sites.

Commented [SM6]: S55.038 HNZPT - Heritage Topic, Key Issue 8

Wāhi tapu and wāhi taonga areas are also further addressed in the SASM – Sites and Areas of Significance to Māori chapter of the District Plan.

Issues

HH-I1 Loss of Historic Heritage

The loss of significant heritage items and values.

Explanation

The district's historic heritage is a non-renewable legacy: once destroyed it cannot be replaced. It is at risk from natural and human induced hazards and inappropriate development. Heritage resources that are identified and valued are much more likely to be protected and conserved. Historic places that are in use are more likely to be well maintained and the risks managed.

Objectives

HH-O1 Identify, preserve and enhance the District's significant heritage items, heritage character and history of the District.

HH-O2 Encourage the upgrade of heritage buildings where there is an identified safety risk.

HH-O3 To promote the continued use of heritage buildings in the District where this encourages their retention, restoration and maintenance.

Commented [SM7]: S121.150 Federated Farmers - Heritage Topic, Key Issue 4

Policies

HH-P1 To identify and classify heritage items in the District according to their relative significance and value including aesthetic, archaeological, architectural, cultural, historic, social, spiritual, technological, industrial or traditional significance or value, and their rarity, representativeness, authenticity and integrity.

Commented [SM8]: S55.021 HNZPT - Heritage Topic, Key Issue 5

- HH-P2 To identify archaeological sites to assist the continued protection of these sites **from inappropriate subdivision, use and development.**
- HH-P3 To ensure activities avoid, remedy or mitigate adverse effects on the character and values of heritage items.
- HH-P4 To promote a greater awareness and understanding of the District's heritage items.
- HH-P5 To enable heritage items to be used for a variety of activities where this promotes their preservation.
- HH-P6 To encourage the restoration and conservation of recognised heritage items.
- HH-P7 To facilitate and encourage alteration to heritage items to improve structural performance, fire safety and physical access while minimising any potential loss of associated heritage values.
- HH-P8 To discourage the demolition of historic items taking into account the importance of their historical or cultural significance or value.

Commented [SM9]: S121.152 Federated Farmers - Heritage Topic, Key Issue 5

Rule Overview Table

Use/activity	Rule Number
Repairs and maintenance of heritage items identified in HH-SCHED2	HH-R1
New underground electricity, gas or telecommunication customer connections, or replacement of existing overhead electricity or telecommunication customer connections, affecting heritage items identified in HH-SCHED2	HH-R2
Internal safety alterations to heritage items identified in HH-SCHED2	HH-R3
External safety alterations to heritage items identified in HH-SCHED2	HH-R4
Internal alterations to heritage items identified in HH-SCHED2	HH-R5
External alterations to heritage items identified in HH-SCHED2	HH-R6
Relocation of any building identified in HH-SCHED2	HH-R7
Demolition (including partial demolition) of heritage items identified in HH-SCHED2	HH-R8

Rules

It is important to note that in addition to the provisions in this chapter, zone chapters and a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities on land within or containing identified heritage items.

HH-R1 Repairs and maintenance of heritage items identified in HH-SCHED2

All Heritage Items	1. Activity Status: PER	2. Activity status where compliance not achieved: N/A HH-R5 & HH-R6 apply
	<p>Where the following conditions are met: N/A</p> <p><u>a. The work carried out on the building must generally match the original in terms of quality, materials and detailing;</u></p> <p><u>b. Repair of material or of a site should generally be with original or similar materials. However, repairs to a technically higher standard than the original workmanship or materials may be justified where the life expectancy of the site or material is increased, the new material is compatible with the old and any heritage value is not diminished;</u></p> <p><u>c. Any materials removed to carry out the repairs must be limited to the amount necessary to carry out the works;</u></p> <p><u>d. The work is for the purposes of keeping the building in good condition;</u></p> <p><u>e. There must be no damage to the heritage item when undertaking the repairs and maintenance, and protective</u></p>	

Commented [SM10]: S55.007 HNZPT - Heritage Topic, Key Issue 1 and S55.23 HNZPT - Heritage Topic, Key Issue 6

material must be used where necessary to prevent damage.

HH-R2 New underground electricity, gas or telecommunication customer connections, or the replacement of existing overhead electricity or telecommunication customer connections, affecting heritage items identified in HH-SCHED2

All Heritage Items

1. Activity Status: PER

2. Activity status where compliance not achieved: HH-R6 applies

Where the following conditions are met:

- a. No new support poles are required.
- b. The new or replaced connection work does not involve a change or addition to the exterior of the building, except for the following:
 - i. small customer connection boxes (less than 0.1m³ in volume) which are not affixed to the primary façade of the building.

Note: Where this is not the case, the work will be assessed as an 'alteration'.

Commented [SM11]: S117.053 Chorus, S118.053 Spark and S119.053 Vodafone - Heritage Topic, Key Issue 6

HH-R3 Internal safety alterations to heritage items identified in HH-SCHED2

Category 2 Heritage Items and Uncategorised Heritage Items

1. Activity Status: PER

2. Activity status where compliance not achieved: ~~NA~~HH-R5 applies

Where the following conditions are met: ~~N/A~~

- a. Where seismic strengthening work is proposed it must be identified by a chartered professional engineer who has knowledge of the structural characteristics and earthquake performance of the type of building being assessed.
- b. The works are required to satisfy or increase

Commented [SM12]: Note: 'safety alteration' is a separately defined term to 'alteration' and needs to be hyperlinked correctly.

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	compliance with the Building Act 2004 and Building Code requirements.	
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Commented [SM14]: S55.007 HNZPT - Heritage Topic, Key Issue 1

Category 1 Heritage Items	<p>3. Activity Status: RDIS</p> <p>Where the following conditions are met:</p> <p>a. A structural engineering assessment by a chartered professional engineer must be supplied to Council with the application.</p> <p><i>Note: Where this is not supplied, work will be assessed as an 'alteration' as it will fail to meet the definition of safety alteration.</i></p> <p>Matters over which discretion is restricted:</p> <p>b. HH-AM1.</p>	<p>4. Activity status where compliance not achieved: DIS</p>
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HH-R4 External safety alterations to heritage items identified in HH-SCHED2

Category 2 Heritage Items and Uncategorised Heritage Items	<p>1. Activity Status: CON</p> <p>Where the following conditions are met:</p> <p>a. A structural engineering assessment by a chartered professional engineer must be supplied to Council with the application.</p> <p><i>Note: Where this is not supplied, work will be assessed as an 'alteration' as it will fail to meet the definition of safety alteration.</i></p> <p>Matters over which control is reserved:</p> <p>b. HH-AM1.</p>	<p>2. Activity status where compliance not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>a. HH-ACM2.</p>
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Commented [SM16]: consequential change in response to accepting in part S55.037 HNZPT (relating to CHB Municipal Theatre) - Heritage Topic

Commented [SM17]: Clause 16 Schedule 1 RMA minor amendment

Category 1 Heritage Items	<p>3. Activity Status: RDIS</p> <p>Where the following conditions are met:</p> <p>a. A structural engineering assessment by a chartered professional engineer must be supplied to Council with the application.</p> <p><i>Note: Where this is not supplied, work will be assessed as an 'alteration' as it will fail to meet the definition of safety alteration.</i></p> <p>Matters over which discretion is restricted:</p> <p>b. HH-AM1.</p>	<p>4. Activity status where compliance not achieved: DIS</p>
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HH-R5 Internal alterations to heritage items identified in HH-SCHED2

Note: This rule does not apply to signs – signs are addressed in the SIGN – Signs chapter in the District Plan.

Category 2 Heritage Items and Uncategorised Heritage Items	<p>1. Activity Status: PER</p> <p>Where the following conditions are met: N/A</p>	<p>2. Activity status where compliance not achieved: N/A</p>
Category 1 Heritage Items	<p>3. Activity Status: DIS</p> <p>Where the following conditions are met: N/A</p>	<p>4. Activity status where compliance not achieved: N/A</p>

HH-R6 External alterations to heritage items identified in HH-SCHED2

Note: This rule does not apply to signs – signs are addressed in the SIGN – Signs chapter in the District Plan.

Category 2 Heritage Items and Uncategorised Heritage Items	<p>1. Activity Status: RDIS</p> <p>Where the following conditions are met: N/A</p> <p>Matters over which discretion is restricted:</p> <p>a. HH-AM2.</p>	<p>2. Activity status where compliance not achieved: N/A</p>
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Category 1 Heritage Items	3. Activity Status: DIS Where the following conditions are met: N/A	4. Activity status where compliance not achieved: N/A
HH-R7 Relocation of any building comprising all or part of a heritage item identified in HH-SCHED2, within or beyond the property boundary of the heritage item		
All Heritage Items	1. Activity Status: DIS Where the following conditions are met: N/A	2. Activity status where compliance not achieved: N/A
HH-R8 Demolition (including partial demolition) of a heritage item identified in HH-SCHED2		
Category 2 Heritage Items <u>and Uncategorised Heritage Items</u>	1. Activity Status: DIS Where the following conditions are met: N/A	2. Activity status where compliance not achieved: N/A
Category 1 Heritage Items	3. Activity Status: NC Where the following conditions are met: N/A	4. Activity status where compliance not achieved: N/A

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Assessment Matters

For Discretionary Activities, Council's assessment is not restricted to these matters, but it may consider them (among other factors).

HH-AM1 Safety Alterations

1. The contribution of the heritage item to the history or heritage value of the site or to the District.
2. 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.
3. The extent to which the works proposed involve the least possible loss of material of heritage value, including any irreversible or cumulative effects.
4. 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.
5. Whether the significance of the item to the District'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.

6. The extent to which significant original interior finishes will be retained.
7. The extent to which visible seismic bracing detracts from the architectural or historical features of the building.
8. Whether a Conservation Plan (where appropriate) has been prepared by a suitably qualified heritage professional to inform the work being undertaken.
9. 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.

Guidance:

Safety alterations are imperative for the safety of building occupants and the general public. Where heritage is concerned, safety alterations need to be carefully managed to ensure the cumulative nature of the work does not remove key heritage elements, except when absolutely necessary, and a management plan put in place for how both safety and historic values can be preserved. Where practicable, efforts should be made to retain as much of the heritage fabric of the building as possible.

Where the proposed work involves the removal of significant parts or key elements of the building, it may be necessary for a photographic record to be kept of these elements, as well as drawings and written history where necessary. In some cases where the work proposed could mean significant alteration to the building, it may be necessary for a conservation plan to be prepared prior to work being carried out. This will need to be undertaken by a suitably qualified heritage professional.

Safety alterations should be designed to:

- a. *Understand significance and take a precautionary approach;*
- b. *Enable compatible original and new adaptive uses;*
- c. *Be informed by sufficient research and documentation; and*
- d. *Ensure the work involves the least possible loss of heritage significance.*

Safety alterations should be carefully designed to:

- a. *Not alter, obscure or remove significant heritage fabric and fixtures;*
- b. *Retain and conserve ceiling heights and surfaces and significant ceiling decoration;*
- c. *Be discreetly installed. Any transparent strengthening approach should be compatible with the heritage values of the building;*
- d. *Ensure seismic bracing is not visible through prominent windows;*
- e. *Retain and strengthen elements such as parapets, towers and chimneys. Replacement of original elements with replicas in plastered polystyrene or glass reinforced plaster or concrete is not ideal.*
- f. *Where elements such as towers and parapets have been lost over time, reconstruction in lightweight materials is acceptable.*

HH-AM2 Alterations, Repairs and Maintenance

1. The extent to which the work may have an irreversible effect on the heritage form or heritage features of the building.

2. The extent to which the work alters, obscures, or removes significant heritage fabric and fixtures.
3. Whether the work will be sympathetic with the original heritage character and value of the building and is not visually dominant.
4. Whether alterations that are limited to a particular part of the building or only to one level, will be inconsistent with the remainder of the building in terms of visual, aesthetic, and heritage significance.
5. Any immediate or cumulative effects of the work on local and District heritage and historical amenity values.
6. Whether it would be appropriate to impose a restriction on any work for a specified period to explore options to retain the heritage item or its key features.
7. Whether the relationship of the building with the setting is maintained.
8. Whether significant architectural components are retained.
9. Whether the work is necessary for the continued use of the building in terms of structural integrity and adaptive re-use.
10. The extent to which a Conservation Plan is necessary and has been provided in order to ensure the continued heritage integrity of the item during and after works being carried out.
11. 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.

Guidance:

Any alterations or additions should be carefully designed to:

- a. *Retain existing internal and external heritage fabric as far as possible and disturb, distort or obscure it as little as possible.*
- b. *Respect the design, form, scale, materials, workmanship, patina of age, colours, content, location, curtilage and setting, including alterations that have heritage value.*
- c. *Avoid work that will compromise or obscure fabric of heritage value*
- d. *Ensure any new work is of a scale and location that it does not dominate the heritage place and respects its setting*
- e. *New work should be appropriately recorded.*

A Conservation Plan, prepared by a heritage professional, should inform and guide alterations of historic buildings.

Alterations should only be undertaken where the work is necessary to restore to good or sound condition any existing building or part of an existing building.

Alteration work should generally match the original in terms of quality, materials and detailing. Previously unpainted surfaces should not be painted, nor should paint be applied to previously unplastered wall surfaces. New paint should not be in bright or extreme colours and the adoption of 'corporate colours' should be avoided.

Repair work should be carried out by a tradesperson with experience in working with heritage buildings.

A Conservation Plan may be required for major work where it is believed the alterations are likely to have a detrimental impact on the heritage feature. A Conservation Plan should be prepared by a conservation architect with proven experience in the field.

HH-AM3 Relocation

1. Whether the relocation of the building is necessary for the ongoing retention of the building or structure including:
 - a. Any genuine threats to the building that prevents retention of the building in its current location, which should be documented.
 - b. The new location should allow an understanding of the remaining significance of the building (e.g. ensuring the new site allows similar views from the street and setting or that a corner building is relocated to a new corner site).
 - c. Future preservation of the building will be provided through a compatible use, improved physical condition, appropriate context or surroundings, and protection from vandalism and fire.
 - d. Where a building was designed to be relocatable or relocation has been a feature of its history, relocation may in some circumstances be appropriate. However, a full assessment of the potential effects of relocation should nevertheless be carried out.
2. Whether the relocation of any listed building within or off the site will remove the building or structure from its historical context in a manner that is detrimental to the character of the area and/or for the local heritage value of the District.
3. 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.
4. **Whether all other means of retaining the structure in its current location have been exhausted.**

Guidance:

Relocation should only occur where:

- a. *The existing site or setting is not of significant heritage value;*
- b. *Relocation is required as a last resort to save the building; or*
- c. *Heritage value could not continue if the structure remained on the site.*

All relocation proposals must indicate the proposed new location for the building, why relocation is required and any risks to the structure. A 'last resort' means that there is a proven physical threat to the site or building in its current state. It is not sufficient to claim that it is inconvenient for the current owner to retain it. Where this latter argument is proposed, discussions should focus on retaining the building and adaptively reusing it.

A Conservation Plan, prepared by a heritage professional, should inform and guide any proposal that involves relocation.

HH-AM4 Demolition (including partial demolition)

1. Whether the demolition or partial demolition of any building would compromise:
 - a. The integrity of the surrounding area

Commented [SM25]: S55.033 HNZPT - Heritage Topic, Key Issue 7

- b. The value of the District's historic heritage.
2. Whether adaptive re-use has been adequately considered as an alternative to demolition, as well as the economic and social benefits to the owner and the wider public through retention of heritage items.
3. Whether the building in its current state poses a safety risk, including potential for loss of life, in the event of an earthquake, and safety alterations are not a viable option.
4. Where the retention of the façade only is proposed, the extent to which the heritage value of the remainder of the building has already been compromised to the extent that demolition is the only viable option, and the scale of the impacts of this on the heritage fabric of the District.
5. Where the demolition of the façade is proposed, and the remainder of the building retained, the extent to which the façade is an invaluable element to the whole building and its loss would be detrimental to the visual appearance of the building, and the setting in which the building is located. Replacement facades must be compatible with the building and surrounding buildings.
6. 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.

Guidance:

The demolition of these items should not occur at the expense of the setting, streetscape or to the detriment of the District's historic heritage. For example, removal of one building can negatively impact the amenity of the surrounding area. An assessment of the viability of adaptive re-use is to be submitted as part of the assessment of environmental effects within a resource consent application for demolition of any heritage item. This assessment is to be carried out by an independent and suitably qualified architect with substantial knowledge in historic heritage.

Older buildings may not be built to modern building standards and therefore may pose a risk to life in some cases. The decision, however, to demolish such buildings should be a 'last resort', in cases where it is shown that it is not economically viable to make the building structurally sound or adaptively re-use the building.

Buildings and their facades do not exist in isolation from each other, but in fact work together to comprise the heritage value of the whole building. The retention of the façade only is acceptable in cases where the remainder of the building is beyond repair or is structurally unsound but is strongly discouraged in all other cases. In addition, the removal of the building façade is in most cases discouraged. Exceptions are where the façade is structurally unsound to the extent that it poses a risk to life and is beyond strengthening.

Where demolition is necessary, replacement facades must be the same or similar in material, design and colour to the removed facade.

Methods

Methods, other than the above rules, for implementing the policies:

HH-M1 Identification and Mapping of Historic Heritage Items

Identifying and categorising heritage items in HH-SCHED2 in the District Plan and showing them on the relevant Planning Maps, and showing archaeological sites recorded by the New Zealand Archaeological Association on the relevant Planning Maps (for information purposes only).

HH-M2 Education, Advocacy and Information Sharing

Working with Heritage New Zealand *Pouhere Taonga*, local historical societies and tangata whenua to promote public awareness of the importance of heritage values.

Supporting applications to the National Heritage Preservation Incentive Fund for the conservation of significant heritage places in private ownership (Note this fund is only available to Category 1 historic places).

Providing public education and information about heritage items in the District.

HH-M3 Incentives

All resource consent applications relating solely to safety alterations for heritage items will be processed free of charge to encourage the preservation of heritage items in the District.

Principal Reasons

The principal reasons for adopting the policies and methods:

The District's heritage resource comprises historic buildings, and areas, wāhi tapu (sacred places) of special significance to tangata whenua, archaeological sites and notable trees that contribute to an understanding and appreciation of the district's history and cultures.

Council is obliged as a matter of national importance (section 6(f)), to recognise and provide for the protection of historic heritage from inappropriate subdivision, use and development. The community also wants to see their important historic and special places, buildings and trees preserved so that residents, visitors, and future generations can enjoy them and learn about the District's rich heritage.

The District Plan has adopted the Heritage New Zealand *Pouhere Taonga* identification and classification method for heritage items as the basis for providing levels of protection, so that these important items are appropriately recognised and provided for. This method identifies two categories of historic places:

1. Category 1 – places of special or outstanding historical or cultural heritage significance or value; and
2. Category 2 – places of historical or cultural heritage significance or value.

Such items have been listed for a number of reasons, including their:

- historical and social significance;
- cultural and spiritual significance to tangata whenua;
- architectural significance; and/or
- technological significance.

Council has listed these items in HH-SCHED2 and shown them on the Planning Maps.

Archaeological sites are also protected under the Heritage New Zealand *Pouhere Taonga* Act 2014. Archaeological sites are defined in this Act and generally include any indication of use or development from before 1900, including pre-1900 buildings and other structures. Any modification or destruction of such sites can only be undertaken with Heritage New Zealand *Pouhere Taonga*'s permission. The Planning Maps show recorded archaeological sites that are listed in the NZ Archaeological Association's register as at the date of notification of this District Plan, most of which are middens and terraces. It is important to note that the identification of sites or items reflects a particular moment in time and there are likely to be additional sites or items that were not identified at the time of publication of the District Plan.

Unrecorded archaeological sites ~~may be~~ are usually accidentally discovered during earthworks ~~and irreparably damaged, and~~ therefore, it is also important that applicants seek advice at an early stage when earthworks are proposed in areas known to be ~~the site of associated with~~ pre-1900 activity.

Commented [SM26]: S84.002 Kairakau Lands Trust - Heritage Topic, Key Issue 3

Anticipated Environmental Results

The environmental results anticipated from the policies and methods:

- HH-AER1 The preservation of heritage items that are significant to the District.**
- HH-AER2 The productive use of heritage buildings and sites.**
- HH-AER3 An increased public understanding and knowledge of heritage.**