

13.2 Heritage Rules

13.2.1 Purpose

The rules are directed at the retention, as far as possible, of the District's stock of heritage features for a variety of reasons. Protection of heritage features is always difficult and the Council has taken account of this. Incentives will be considered as part of the protection and retention process including acceptance of non-compliance with other rules for activities.

13.2.2 General

i Alterations to heritage buildings, structures, features, memorials or precincts shall be deemed to exclude general maintenance. General maintenance includes minor repair of building materials by patching, piecing-in, splicing and consolidating existing materials and includes minor replacement of minor components such as individual bricks, cut-stone, timber sections, tiles, and slates where these have been damaged beyond repair, missing or subject to deterioration by weather. The replacement should be of the original or similar material, colour, texture, form and design as the original it replaces. Any components replaced by way of general maintenance should constitute a minor part of the total heritage components of the building. General maintenance also includes general cleaning, done in a way appropriate to the heritage fabric of the building.

ii Clarification of Terms

For the purpose of this rule:

- (a) **Demolition** means the complete destruction or removal of a heritage building, feature, memorial, structure or precinct;
- (b) Alteration includes any work which involves the addition, alteration or removal and replacement of any part of any heritage feature, building, structure, memorial or precinct, either internally or externally;

(but does not include):

- General maintenance; and
- The total demolition or removal of any item which is identified as being of heritage significance.

iii Buildings, Places or Objects subject to Heritage Orders

Any work affecting buildings, places or objects that may be subject to Heritage Orders are required to comply with the separate procedures specified in Part 8 of the Act.

13.2.3 Activities

13.2.3.1 Controlled Activities

Category 3 Heritage Items

Any alteration to a building, memorial, feature, structure or precinct, listed in and identified as Category 3 in Appendix 3.

13.2.3.2 Discretionary Activities

The following shall be Discretionary Activities, provided they are not listed as a Prohibited or Non-Complying Activity.

i Buildings, Memorials, Features, Structures, Precincts

(a) Category 1 or 2 Heritage Items

Any alteration to a building, memorial, feature, structure or precinct, listed in and identified as Category 1 or 2 in Appendix 3.

(b) Category 3 Heritage Items

Any demolition of a building, memorial, feature, structure or precinct, listed in and identified as Category 3 in Appendix 3.

(c) The demolition of any non-heritage item within a Heritage Precinct

ii Landscape Features

Any earthworks which will alter the physical shape of the land; any tree planting; or the construction of any building; on any site of a landscape feature listed in Appendix 3.

iii Heritage Trees

Any work including under paragraphs a to d below and involving a tree or group of trees listed in Appendix 3 as heritage trees:

- (a) removal of any protected tree; or
- (b) significant trimming of any protected tree; or
- (c) the construction of any building or laying of overhead or underground services within 5m of the base of any protected tree, whether on the site or not; or
- (d) any works, including paving, within the drip line of any protected tree.

For the purposes of this Rule the term “any works” shall not include:

- (a) removal of trees referred to as item 209 in Appendix 3 where removal is deemed to be necessary to prevent potential damage to property or people provided any removal must first be authorised by Queenstown Lakes District Council in accordance with Council’s Tree Policy and provided further that any removed tree shall be replaced with planting that is appropriate and that, where the tree being removed is part of an identifiable avenue of poplars, such planting shall be the same or comparable to the species of trees that is being removed;
- (b) maintenance trimming of hawthorn hedgerows referred to as item 208 in Appendix 3 provided such work is carried out under the authority and supervision of a qualified arborist first approved by the Queenstown Lakes District Council.

13.2.3.3 Non-Complying Activities

The following shall be Non-Complying Activities, provided they are not listed as a Prohibited Activity.

i Category 2 Heritage Items

Any demolition of a building, memorial, feature, structure or precinct, listed in and identified as Category 2 in Appendix 3.

13.2.3.4 Prohibited Activities

The following shall be Prohibited Activities.

i Category 1 Heritage Items

Any demolition of a building, memorial, feature, structure or precinct listed in and identified as Category 1 in Appendix 3.

13.3 Resource Consents - Assessment Matters - Heritage

13.3.1 General

- (i) The following Assessment Matters are methods or matters included in the District Plan, in order to enable the Council to implement the Plan’s policies and fulfil its functions and duties under the Act.
- (ii) In addition to the applicable provisions of the Act, the Council shall also apply the relevant *Assessment Matters* set out in Clause 13.3.2 below.

13.3.2 Assessment Matters

In considering whether to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

i Controlled & Discretionary Activity - Buildings, Memorial, Features, Structures

- (a) any immediate or cumulative effects of the demolition or alteration or addition on local and District wide heritage values.
- (b) where a building is part of a group of similar buildings or precinct, any adverse effect on the integrity of building character in the vicinity or the integrity of any special character area, precinct or the Arrowtown Residential Historic Zone or Arrowtown Town Centre Zone.
- (c) any ability of the applicant to develop the site without altering, or demolishing the heritage building, memorial, feature, structure and/or the degree of dislocation of the place from its historical context. An adjustment on the site may have limited adverse effects. A greater dislocation would be likely to have adverse effects and the relocation away from its historical context would be a substantial adverse effect.
- (d) any incentives available to the applicant to retain the building, memorial, feature or structure.
- (e) in the case of any place of cultural and spiritual significance to takata whenua, the adequacy of consultation and the response to that consultation.
- (f) whether it would be appropriate to impose a restriction on any work involving alterations or demolition for a specified time period to explore options to retain the heritage item or its key features.
- (g) in the case of alterations or demolition, the provision by the applicant of photographs and/or other information relating to the heritage item prior to work commencing.

(h) Conservation Principles

Conservation of listed heritage structures, including adaptation, should be carried out according to ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value and should be in accordance with the following accepted conservation principles:

- (i) All work should be thoroughly documented.
- (ii) Historic evidence should not be removed, destroyed or falsified, including movable cultural heritage associated with heritage structures.
- (iii) Any conservation work should be the minimum required and reversible where technically possible.
- (iv) Any conservation work should be identifiable on close inspection, date stamping for example, and be visually and physically compatible in all respects with adjacent fabric.
- (v) The aesthetic, historical and physical integrity of the cultural property should be respected.
- (vi) Appropriately qualified and experienced conservation professionals should be involved in all aspects of conservation work.
- (vii) Existing levels of authenticity of design, materials, craftsmanship and setting should be maintained.
- (viii) The value of existing heritage values should not be reduced.

(i) Selection of an Appropriate Conservation Process

Where there is authenticity in design, conservation work should respect the architectural and structural designs. The choice of conservation processes includes maintenance, repair, stabilisation, restoration or compatible adaptation.

Where there is authenticity in materials, maintenance and consolidation of materials related to the significant periods of construction are appropriate conservation activities. Repair and restoration are also acceptable using matching materials which are identified with discretely located date stamps.

Where there is authenticity in workmanship the aim of the conservation treatment is retention of significant fabric and structures through maintenance and repairs using traditional skills or compatible new techniques.

Authenticity in setting requires the retention of the relationship of the setting with the structure.

(j) **Adaptation of Exteriors**

The following principles should be followed when adapting exteriors of listed heritage structures.

(i) Retention of Authenticity of Design

Street Elevation

The street elevation should be altered least, and if possible not at all. Therefore the preferred elevation to be altered, if necessary, is a rear or secondary elevation. Where the building is located on a corner, both street elevations become significant, and should not be changed.

The street elevation is usually the most important elevation of the building, where the distinctive character of the building is presented and which is of paramount importance to retain. In some instances it may not be appropriate to add to a heritage building.

Style and Character

The main determinant of the style and character of the building should be retained.

The architectural and aesthetic significance of a building is largely determined by the style of the building, and will guide the design of the new alteration or addition. The style of the building should be reflected in the design of the building in areas such as the level of symmetry, use and articulation of materials, openings, skyline, roof forms and details.

Scale

Any addition should respect the scale of the authentic building and not be visually dominant.

Visual dominance of additions will depend on the scale of the authentic heritage building. For small scale buildings even a small addition may radically alter the character of the building. In general additions should not comprise the majority of the building. The location of the addition should consider effects on the street elevation(s) as discussed above.

Design

There should be a visual distinction between the authentic building and the addition, but additions should be sympathetic in form, scale, cladding materials, building and opening proportions and colour.

In order to retain the authenticity and historic integrity of the heritage building, any alteration or addition should be distinguishable as being new work. Copying building elements and details can lead to confusion between authentic and new work, whereas a modern sympathetic addition can enhance the authentic building and make a significant contribution to modern architecture.

Restoration

Restoration of missing elements on main elevations is encouraged where there is a high level of authenticity of architectural design. Restoration of elements can only be carried out where there is conclusive evidence of the earlier built form.

Authenticity is a major determinant of significance in heritage buildings. Maintaining or enhancing authenticity by restoration, in accordance with the parameters as set out above, is encouraged.

Removal of Additions

The removal of additions to the building is acceptable only where it can be proven that they are of no significance.

Buildings are modified over time, and each modification can add significance to the building. For example an architect of great merit may have designed the addition, or the addition was associated with a person or event. The retention of these additions will add to the overall significance of the building. Therefore when discussing authenticity of materials, design, craftsmanship and setting, these later additions are included as being worthy of retention and respect to the same extent as any authentic fabric.

(ii) Retention of Authenticity of Materials and Craftsmanship

Repair

Repair using materials matching the physical composition, texture, form, profile, strength and colour is appropriate. This applies both to the finish and the underlying substrate.

Repair ensures the retention of the maximum of historic fabric, ensuring retention of authenticity of materials and craftsmanship. The use of inappropriate substitute materials can compromise the architectural design of the building, as materials which are not compatible in strength and other physical characteristics can result in the destruction of the authentic fabric. The use of consolidants and waterproof coatings is not recommended as these materials too can cause the destruction of the authentic fabric. Similarly, waterblasting and sand-blasting are not recommended as even at low pressures materials such as brickwork, stonework and lime renders, can be extensively and irreparably damaged.

The cleaning of uncoated masonry buildings for the sake of appearance only is not recommended. Only where significant additional weathering or deterioration is likely from dirt, should cleaning be considered, and then only by the gentlest possible means.

Patina

There should be respect for the patina of age of the building (ie the natural weathering of building materials over time).

An old building should not look new. Patina can contribute significance to the building.

Function

An addition to a heritage building will affect the significance of that building. To minimise any adverse effects, the addition should be the smallest in area to house the function, and should contribute greatly to the survival of the building.

(iii) Retention of Authenticity of Setting

Setting

The relationship of the building with the setting should be maintained.

The authenticity of the setting is a major determinant of the significance of a heritage building. Therefore the design of the building in relation to its setting should be respected when considering modification of a listed building. Relocation is not recommended, except where, as a last resort, this is the only means of saving the building.

Where relocation is the only option, a site as close as possible to the authentic should be sought, and one which maintains the same spatial relationship with the building.

(k) **Adaptation of Interiors**

(i) **The Retention of Authenticity of Design**

Plan

The significant plan form of the building should be respected.

New uses may require the alteration of the internal spaces. However, the plan layout of the building is likely to have heritage significance. The plan is likely to reflect the style of the building and sequence of spaces.

Primary Spaces

The primary spaces and their sequential layout should be respected.

Primary spaces are those most likely to be seen by the public and may include entrance foyers, lobbies, lifts, stairs and major corridors. The planned sequence of these spaces is also likely to have significance to the authentic design and should be conserved. Alterations to include services and new functions should be carried out in secondary spaces.

(ii) Retention of Authenticity of Materials and Craftsmanship**Architectural Elements**

Significant architectural elements should be conserved.

Elements such as architraves, skirtings, panelled doors, dado rails, radiators, grilles and panelling are usually designed to be consistent with the style of the building, and are likely to be of significance to the building. These elements are also valuable historic documents in the design and use of materials. Historic glazing is also of importance and should be maintained.

Finishes

Significant finishes should be conserved.

Finishes such as pressed metal ceilings, leather stair treads, grained timber work, and rare wallpaper, are examples of craftsmanship, and use of materials which are scarce and can contribute significance to the heritage building. Their retention is essential.

ii Controlled and Discretionary Activity - Precincts

- (a) any immediate or cumulative effects of the alteration or demolition on local and District wide heritage and historical amenity values.
- (b) the effect of any alteration or demolition on the setting of other buildings, public amenity spaces or roads within the precinct.

- (c) any incentives available to the applicant to retain the precinct.
- (d) any effects on the aesthetic, architectural, historical and amenity values of the precinct, the buildings and spaces it comprises and its contribution to the quality of the environment in the general locality.

iii Discretionary Activity - Landscape Feature

- (a) any immediate or cumulative effects of the proposed activity on local and District wide heritage values for present and future generations.
- (b) any effects on how readily understood the particular landscape may be in a geological or geographical sense.
- (c) any potential mitigation measures proposed by the applicant.
- (d) the significance of the landscape feature in terms of its rarity on a local, regional or national scale.
- (e) any effect on culturally or historically significant landscape features.

iv Discretionary Activity - Heritage Trees

- (a) whether the applicant has the ability to undertake a permitted activity without removal or any major trimming of the tree.
- (b) the condition of the tree including any potential hazard.
- (c) the effect of any trimming, or disturbance of the root system, of the tree on its appearance or health.
- (d) the effect of any building on the visibility of the tree from a road or public place.
- (e) whether the tree or trees are currently causing, or likely to cause, significant damage to buildings, services or property, whether public or privately owned.

- (f) the provisions of Section 129(c) of the Property Law Act.
- (g) whether the tree or trees seriously restrict the development.
- (h) any substitute or compensating tree planting or landscaping proposed.