

This section has rules that have legal effect. Please check the ePlan to see what the legal effect is or subject to appeal.

HISTORICAL HERITAGE AND CULTURAL VALUES

Introduction

The Council has a responsibility to recognise and provide for the protection of historic heritage within the Tamaru District. Heritage buildings, monuments, structures, and sites embody and provide a context for the identity of rural, settlement and urban communities within the District. They can also provide valuable connections with, and information about, the past, and the people who came before us.

Historic heritage values can be adversely impacted or lost through inappropriate subdivision, use or development. It is therefore important that historic heritage is identified, protected and managed. This chapter of the¹ District Plan recognises and manages two elements of historic heritage namely:

1. Historic Heritage Items: These items, which include buildings, structures and places, are listed in SCHED3 — Schedule of Historic Heritage Items. There are two categories of historic heritage items: Category A - which are highly significant, and Category B - which are significant; and
2. Historic Heritage Areas: These areas are identified in SCHED4 — Schedule of Historic Heritage Areas and contain groups of buildings, structures and places which collectively have significant historic heritage value.

The District Plan also recognises and manages ~~Sites of Significance to Māori~~ SASM within the ~~SASM~~ Sites and Areas of Significance to Māori Chapter. These are historic heritage sites which have high historic heritage, social and cultural values and are listed in SCHED-6 Schedule of Sites and Areas of Significance to Kāti Huirapa. Where a historic heritage value is listed in multiple schedules then the provisions of all chapters must be considered.²

The following explanations describe the historic heritage values listed within HH P1:

Historical and social value:

Historical and social significance values that demonstrate or are associated with a particular person, group, organisation, institution, event, phase or activity; the continuity and/or change of a phase or activity; social, historical, traditional, economic, political, or other patterns.

Cultural and spiritual value:

Cultural and spiritual values that demonstrate or are associated with the distinctive characteristics of a way of life, philosophy, tradition, religion, or other belief, including: the symbolic or commemorative value of the place; significance to Tangata Whenua; and/or associations with an identifiable group and esteemed by this group for its cultural values.

Architectural and aesthetic value:

Architectural and aesthetic values that demonstrate or are associated with a particular style, period or designer, design values, form, scale, colour, texture, and material of the place.

¹ Te Runanga O Ngai Tahu [185.88]

² Te Runanga O Ngai Tahu [185.88]

Technological and craftsmanship value:

Technological and craftsmanship values that demonstrate or are associated with the nature and use of materials, finishes, and/or technological or constructional methods which were innovative, or of notable quality for the period.

Contextual value:

Contextual values that demonstrate or are associated with a relationship to the environment (constructed and natural), a landscape, setting, group, precinct or streetscape; a degree of consistency in terms of type, scale, form, materials, texture, colour, style, and/or detail; recognised landmarks and landscape which are recognised and contribute to the unique identity of the environment.

Archaeological and scientific value:

Archaeological or scientific values that demonstrate or are associated with the potential to provide information through physical or scientific evidence and understanding about social, historical, cultural, spiritual, technological, or other values of past events, activities, structures, or people.^{3 4}

Archaeological Authority Process

Under the Heritage New Zealand Pouhere Taonga Act 2014 it is unlawful to destroy, damage, or modify an archaeological site without obtaining an archaeological authority from Heritage New Zealand Pouhere Taonga (HNZPT) before you start work. An archaeological site is defined in that Act as any place in New Zealand (including buildings, structures and shipwrecks) that was associated with pre-1900 human activity, where there is evidence relating to the history of New Zealand that can be investigated using archaeological methods. An archaeological authority is required in addition to any resource consent required by the Council.

If you discover a previously unknown archaeological site (e.g. when you are doing earthworks) you must stop any work that could affect it and contact HNZPT for advice on how to proceed in accordance with the Accidental Discovery Protocol set out in Appendix 4.

Section A	Scheduled Historic Heritage Items
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The following provisions in Section A apply only to historic heritage items listed in SCHED3 — Schedule of Historic Heritage Items.

Objectives	
HH-O1	Identification and documentation of Hhistoric Heritage items
Historic H eritage i tems are identified and their <u>historic</u> heritage values documented.	
HH-O2	Protection of values
The Tamaru District's H historic H eritage i tems and their settings are protected from inappropriate subdivision, use, and development.	
HH-O3	Active use of Hhistoric Heritage items

³ Heritage NZ [114.18]

⁴ Panel Decision Report, Part 6, Section 4.3.1

Historic ~~H~~eritage ~~I~~tems are actively used and maintained, including through adaptive re-use.

Policies

HH-P1 Identification and assessment of ~~H~~istoric ~~H~~eritage ~~I~~tems

Identify ~~H~~istoric ~~H~~eritage ~~I~~tems that contribute to an understanding of ~~Timaru~~ the District's history, identity and cultural and historic themes, and assess their significance in relation to the following values:

1. historic and social; and
2. cultural and spiritual; and
3. architectural and aesthetic; and
4. technological and craftsmanship; and
5. contextual; and
6. archaeological and scientific.

HH-P2 Historic ~~H~~eritage ~~I~~tems categories

1. Classify the ~~H~~istoric ~~H~~eritage ~~I~~tems using the values in HH-P1 according to their relative significance as follows:
 - a. Highly Significant Historic Heritage (~~Group A~~) Items (Category A) which:
 - i. meet at least one of the heritage values in HH-P1 at a highly significant level; and
 - ii. are of high overall significance to the ~~Timaru~~ District (and may also be of significance nationally or internationally), because they convey important aspects of the ~~Timaru~~ District's cultural and historical themes and activities, and thereby makes a strong contribution to the ~~Timaru~~ District's sense of place and identity; and
 - iii. have a high degree of authenticity (based on physical and documentary evidence); and
 - iv. have a high degree of integrity (particularly whole or intact heritage fabric and heritage values); and
 - b. Significant Historic Heritage (~~Group B~~) Items (Category B) which:
 - i. meet at least one of the heritage values criteria at a significant level; and
 - ii. are of significance to the ~~Timaru~~ District (and may also be of significance nationally or internationally), because they convey aspects of the ~~Timaru~~ District's cultural and historical themes and activities, and thereby contribute to the ~~Timaru~~ District's sense of place and identity; and
 - iii. have a moderate degree of authenticity (based on physical and documentary evidence) to justify their significance to the ~~Timaru~~ District; and
 - iv. have a moderate degree of integrity (based on how whole or intact they are) to clearly demonstrate its significance to the ~~Timaru~~ District; and
2. Identify the ~~H~~istoric ~~H~~eritage ~~I~~tems in ~~Groups~~ Categories A and B on the planning maps; and
3. Describe each ~~H~~istoric ~~H~~eritage ~~I~~tem, its setting and its values and, where relevant, any scheduled interior elements where these contribute to the heritage values of the historic heritage item in an assessment report.

HH-P3 Benefits of active protection and use of ~~H~~istoric ~~H~~eritage ~~I~~tems

Recognise the cultural, social, and economic benefits of the ongoing protection and use, including adaptive re-use, of ~~H~~istoric ~~H~~eritage ~~I~~tems.

HH-P4 Maintenance, repairs and internal alterations to ~~H~~istoric ~~H~~eritage ~~I~~tems

Enable the maintenance and repair of ~~H~~istoric ~~H~~eritage ~~I~~tems and internal alterations that do not adversely affect the heritage values of any scheduled interior elements.

HH-P5 Signs and external alterations and additions to ~~H~~istoric ~~H~~eritage ~~I~~tems

Only allow external alterations and additions to ~~Historic Heritage~~ items, signs attached to ~~Historic Heritage~~ items, or internal alterations which affect scheduled interior elements where:

1. any adverse effects on the historic heritage values of the item are avoided or minimised; and
2. the proposal will result in the long-term protection and on-going use of the building; and
3. the proposal is consistent with the principles contained in the ICOMOS New Zealand Charter.

HH-P6 Relocation of ~~Historic Heritage~~ items within or beyond their heritage setting⁵

Only allow the relocation of ~~Historic Heritage~~ items ~~within or beyond their heritage setting⁶~~ where it can be demonstrated that:

1. the relocation is necessary due to the level of risk to the heritage item from natural hazards; or
2. the physical condition of the item and its heritage values will be enhanced ~~and the greater public appreciation of those values will result;~~⁷ and
3. adequate measures are in place to minimise risk of damage to the item; and
4. the new location of the item is as close to the original location as is practicable, or offers a degree of association with the item.

HH-P7 Management of heritage settings

Only allow subdivision, earthworks or new buildings within the settings of ~~Historic Heritage~~ items where they protect the heritage values of the items, taking into account whether:

1. alternatives have been considered that would achieve a similar outcome; and
2. there is sufficient land around the item to maintain the heritage values of the item; and
3. there are measures to minimise obstruction of views of the heritage item from adjoining public spaces that may result from any proposed building, future land use or development.; and
4. ~~for Regionally Significant Infrastructure, that adverse effects are managed in accordance with EI-P2 and EI-PX⁸ Managing adverse effects of Regionally Significant Infrastructure and other infrastructure.~~⁹

HH-P8 Demolition of Category B ~~Historic Heritage~~ items

Only allow demolition of a Category B ~~Historic Heritage~~ items identified in SCHED3 — Schedule of Historic Heritage Items where it can be demonstrated that:

1. there is a threat to life and/or property which cannot be removed or reduced by interim protection measures; or
2. the extent of the work required to retain and/or repair the item is of such a scale that the heritage values and integrity of the item would ~~not~~¹⁰ be significantly compromised; or
3. there are no other reasonable options to conserve, adapt or relocate the item the cost of remedying any disrepair or threat to life and/or property is prohibitive; or¹¹
4. the historic heritage item can be demolished in part without adversely affecting the heritage values for which it was scheduled.

HH-P9 Demolition of Category A ~~Historic Heritage~~ items

Avoid the demolition of a Category A ~~Historic Heritage~~ items included in SCHED3 — Schedule of Historic Heritage Items unless it can be demonstrated that it is in a state which poses an imminent threat to life.

⁵ Clause 16(2)

⁶ Clause 16(2)

⁷ Heritage NZ [114.19]

⁸ Transpower [159.36]

⁹ KiwiRail [187.49]

¹⁰ Clause 16(2)

¹¹ Heritage NZ [114.20]

Rules

Note: Activities not listed in the rules of this chapter are classified as a permitted under this chapter. For certain activities, consent may be required by rules in more than one chapter in the District Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

HH-R1	Maintenance, repair or internal alterations of a H historic H eritage i tem
<p>All Zones</p>	<p>Note: #For earthwork external ¹²strengthening and external alterations, see HH-R57 and HH-R79.</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 For maintenance, it is limited to the work undertaken to conserve as nearly, and as long, as possible the condition of the item while compensating for normal wear and tear; and</p> <p>PER-2 For repair, it is limited to replacement or mending in situ decayed or damaged heritage fabric, using materials (including identical, closely similar or otherwise appropriate material) which resemble the form, appearance and profile of the heritage fabric as closely as possible. It includes temporary securing of heritage fabric for purposes such as making a structure safe or weathertight; and</p> <p>PER-3 For internal alterations, the alterations do not modify, relocate or remove any <u>scheduled</u> ¹³ interior elements listed in SCHED3 - Schedule of Historic Heritage Items.</p> <p>Activity status when no compliance not achieved: Discretionary</p>
HH-R2	Temporary buildings and structures within a heritage setting

¹² Timaru TC Ratepayers [219.12] and Timaru Civic Trust [223.14]

¹³ Heritage NZ [114.21]

All Zones	Activity status: Permitted Where: PER-1 The temporary building <u>or structure</u> is associated with a temporary event and is within the heritage setting no longer than 14 days per year.	Activity status when <u>re</u> compliance with PER-4 not achieved with PER-1: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none">1. the duration of the temporary building or structure within the heritage setting; and2. location of the temporary building with particular regard to impacts on the views to or from the <u>historic</u> heritage item(s) and visibility from public spaces; and3. compatibility with heritage item and its setting and other elements including structures, plantings and access.
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HH-RX3	Official signs attached to Historic Heritage items or within a heritage setting¹⁴	
All Zones	Activity status: Controlled Matters of control are restricted to: <ol style="list-style-type: none"> 1. <u>compatibility of the form, scale, design and materials of the official sign with the historic heritage item, its identified values and its heritage setting; and</u> 2. <u>location of the official sign with particular regard to whether it obstructs sightlines that are critical to an appreciation of the heritage values of the historic heritage item(s); and</u> 3. <u>relationship with other elements with the heritage setting including ancillary structures, plantings and access.</u> 	Activity status when compliance not achieved: Not applicable
HH-RX4	Customer connections to Historic Heritage items	
All Zones	Activity status: Permitted Where: PER-1 <u>Customer connections to historic heritage items resources identified in SCHED3 - Schedule of Historic Heritage Items where the customer connection shall not be attached to a primary feature or front façade of the heritage building or structure.</u>	Activity status when compliance with PER-1 not achieved: Controlled Restricted Discretionary¹⁵ Matters of control discretion are restricted to: <ol style="list-style-type: none"> 1. <u>the purpose, necessity and location of the customer connection; and</u> 2. <u>compatibility of the form, scale, design and materials of the alterations, additions or new building with the historic heritage values and integrity of the Historic Heritage Area.</u>¹⁶
HH-R35	New buildings, structures and signs (other than official signs)¹⁷ within a heritage setting	
All Zones	Activity status: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. <u>compatibility of the form, scale, design and materials of the new building, structure or sign with the historic heritage item, its identified values and its <u>heritage</u> setting; and</u> 	Activity status when compliance not achieved: Not applicable

¹⁴ Fonterra [165.67]¹⁵ **Panel Decision Report Part 6, Section 4.16**¹⁶ Connexa [176.67], Spark [208.67], Chorus [209.67] and Vodafone [210.67]¹⁷ Fonterra [165.67]

	<ol style="list-style-type: none"> location of the new building, structure or sign with particular regard to whether it obstructs sightlines that are critical to an appreciation of the heritage values of the <u>historic heritage</u> item(s); and visibility from public spaces; and relationship with other elements with the heritage setting including ancillary structures, plantings and access. 	
HH-R46	Earthworks within heritage settings	
All Zones	<p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the values of the <u>historic</u> heritage item and the impacts of the earthworks on those values and the scale, nature, extent and timing of the earthworks; <u>and</u> any measures proposed to mitigate adverse effects associated with the earthworks on the heritage item; <u>and</u> the commitment to implementation of an Accidental Discovery Protocol, in accordance with a commitment form contained within APP4 — Form confirming a commitment to adhering to an Accidental Discovery Protocol; Except where an Archaeological Authority has been obtained from <u>Heritage New Zealand Pouhere Taonga</u>, the earthworks are undertaken in accordance with the <u>Accidental Discovery Protocol contained within APP4</u>.¹⁸ 	Activity status when compliance not achieved: Not applicable
HH-R57	External strengthening of a Historic <u>Heritage</u> item	
All Zones	<p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> methodologies, design, form and materials used to protect and maintain heritage values of the <u>historic</u> heritage item, including integration with and connection to other parts of the item during and after strengthening works; and 	Activity status when compliance not achieved: Not applicable

¹⁸ Consequential amendment to Pye Group [35.1], NZDF [151.11], Alliance Group [173.46], Rooney Holdings [174.98], GJH Rooney [191.98], Rooney Group [249.98], Rooney Farms [250.98], Rooney Earthmoving [251.98] and TDL [252.98]

	2. how it is proposed to document changes to the heritage item during the course of works and on completion of the strengthening; and 3. the necessity of the work to achieve seismic resilience and ongoing use.	
HH-R68	Signs attached to a Historic Heritage items (other than official signs) external alterations and additions to a heritage item¹⁹	
All Zones	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
HH-R79	External alterations and additions to a <u>historic</u> heritage item (excluding strengthening and customer connections²⁰)	
All Zones	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
HH-R810	Relocation of a <u>historic</u> heritage item within or outside a heritage setting²¹	
All Zones	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
HH-R911	Demolition of a Category B Historic Heritage item	
All Zones	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
HH-R10	Subdivision of land containing a Historic Heritage Item	
All Zones	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable²²
HH-R1112	Demolition of a Category A Historic Heritage item	
All Zones	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable

¹⁹ Fonterra [165.73]²⁰ Consequential amendment to Connexa [176.67], Spark [208.67], Chorus [209.67] and Vodafone [210.67]²¹ Clause 16(2)²² Speirs, B [66.46]

Section B	Historic Heritage Areas
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The following provisions in Section B apply within ~~Historic Heritage Areas~~ contained in SCHED4 — Schedule of Historic Heritage Areas but do not apply to any ~~Historic Heritage Item~~ contained in SCHED3 — Schedule of Historic Heritage Items located within the ~~Historic Heritage Area~~.

~~SCHED4 – Schedule of Historic Heritage Areas identifies the extent of the two Historic Heritage Areas, SCHED4A – Schedule of Contributory Historic Features and also identifies the Heritage Items and Contributing Historic Features located within the Historic Heritage Areas. All new buildings or structures, external alterations and additions, removal or demolition of buildings, and subdivisions of land within a Historic Heritage Area are subject to the provisions outlined in Section B, regardless of whether they are identified as a contributing historic features or not. In cases where resource consent is required, the consent process will take into account the extent to which a building is classified as a contributing historic feature, or not.~~²³

Objectives	
HH-O4	Identification and documentation of Historic Heritage Areas
Historic Heritage Areas are identified and their heritage values are documented.	
HH-O5	Protection of Historic Heritage Areas
The integrity and heritage values of Historic Heritage Areas are protected from inappropriate subdivision, use and development.	
Policies	
HH-P10	Identification and assessment of Historic Heritage Areas
Identify Historic Heritage Areas that contribute to an understanding of Timaru District's history, identity and cultural and historic themes, and assess their significance in relation to the following values: <ol style="list-style-type: none"> 1. historic and social; and 2. cultural and spiritual; and 3. architectural and aesthetic; and 4. technological and craftsmanship; and 5. contextual; and 6. archaeological and scientific. 	
HH-P11	Historic Heritage Areas recording
Identify Historic Heritage Areas on the planning maps and describe each such area and its value with reference to P10, within SCHED4 — Schedule of Historic Heritage Areas.	
HH-P12	Benefits of active protection and use of Historic Heritage Areas
Recognise the cultural, social and economic benefits of the ongoing protection and use of Timaru District's Historic Heritage Areas .	
HH-P13	Protection, use and development in Historic Heritage Areas
Determine the appropriateness of the scale, form, location, design and material of development within historic heritage areas against the following matters: <ol style="list-style-type: none"> 1. any impact on the integrity or intactness of the Historic Heritage Area; and 2. the vulnerability of the Historic Heritage Area to change or modification; and 	

²³ Heritage NZ [114.27]

3. opportunities for protecting identified heritage values.

HH-P14 Maintenance, repair, alterations and additions to buildings in ~~H~~historic ~~H~~eritage ~~A~~reas

Manage changes to buildings within ~~H~~historic ~~H~~eritage ~~A~~reas by:

1. enabling the maintenance, repair and internal alterations of buildings; and
2. requiring the form, design and material of external alterations, additions and signs to maintain or enhance the historic heritage values, integrity and heritage significance of the ~~H~~historic ~~H~~eritage ~~A~~rea.

HH-P15 New buildings and structures

Provide for new buildings and structures when their location, form, design, scale and material maintains or enhances the historic heritage values, integrity and heritage significance of the ~~H~~historic ~~H~~eritage ~~A~~rea while taking into account EI-P2 and EI-PX5²⁴~~Managing adverse effects of Regionally Significant Infrastructure and other infrastructure.~~²⁵

HH-P16 Removal or demolition of buildings in ~~H~~historic ~~H~~eritage ~~A~~reas

Only allow the removal or demolition of buildings that do not contribute to the values of a ~~H~~historic ~~H~~eritage ~~A~~rea.

Provide a hyperlink from the added words in HH-P15 to EI-P2.

²⁶Amend planning map for HHA-1 Stafford St.

Rules

Note: For certain activities, consent may be required by rules in more than one chapter in the *District Plan*. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

HH-R 42 ¹³ Maintenance, repair or internal alteration of buildings		
Historic Heritage Areas	Note: # For external alterations, see HH-R 44 ¹⁵ .	Activity status when compliance not achieved: Restricted Discretionary
	Activity status: Permitted	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. compatibility of the form, scale, design and materials of the alterations, additions or new building with the historic heritage values and integrity of the Historic Heritage Area; and 2. location of the new building or structure with particular regard to the existing heritage values.
	Where: PER-1 For maintenance, it is limited to the work undertaken to conserve as nearly, and as long, as possible the condition of the <u>historic heritage</u> item while compensating for normal wear and tear; or PER-2	

²⁴ Transpower [159.36]

²⁵ TDC [42.33], OWL [181.57], KiwiRail [187.49]

²⁶ Timaru TC Ratepayers [219.11], Timaru Civic Trust [223.13], and Heritage NZ [114.27]

	<p>For repair, it is limited to replacement or mending in situ decayed or damaged heritage fabric, using materials (including identical, closely similar or otherwise appropriate material) which resemble the form, appearance and profile of the heritage fabric as closely as possible. It includes temporary securing of heritage fabric for purposes such as making a structure safe or weathertight; or</p> <p>PER-3 The activity is limited to internal alterations only.</p>	
HH-4314	New buildings or structures	
Historic Heritage Areas	<p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. compatibility of the form, design, scale and materials of the new building or structure with the historic heritage values and integrity of the Hhistoric Hheritage Area; and 2. location of the new building or structure with particular regard to the existing heritage values. 	Activity status when compliance not achieved: Not applicable
HH-R4415	External alterations and additions to buildings	
Historic Heritage Areas	<p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. compatibility of the form, design, scale and materials of the alterations, additions or new building with the historic heritage values and integrity of the Hhistoric Hheritage Area; and 2. location of the new building or structure with particular regard to the existing heritage values. 	Activity status when compliance not achieved: Not applicable
HH-R4516	Removal or demolition of buildings	
Historic Heritage Areas	Activity status: Discretionary	Activity status when compliance not achieved: Not applicable
HH-R16	Subdivision of land within a Historic Heritage Area	

Historic Heritage Areas	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable²⁷
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²⁷ Speirs, B [66.47]