

The Proposed Auckland Unitary Plan (notified 30 September 2013)

2 Historic Heritage

1. Activity tables

The following tables specify the activity status of activities in the Historic Heritage overlay. Where there is a conflict between the activity table in the underlying zone and the activity table within the scheduled historic heritage place overlay, the activity table in the latter takes precedence.

There are additional activity controls below in activity table 2 and 3, for scheduled historic heritage places subject to archaeological controls or controls for historic heritage areas. If a rule in table 2 is more onerous than the same activity rule in activity table 1, it takes precedence over the rule in activity table 1. Where there is a conflict between the activity table for a scheduled historic heritage area table 3 and the activity table for an individually scheduled historic heritage place table 1, the latter takes precedence.

Where the extent of place entry for a scheduled historic heritage place is annotated with a # in the schedule, no geographic extent has been delineated for the place. In these cases the rules in activity tables 1 and 2 apply to all land or water within 50m of any feature identified in the schedule of historic heritage places with a #, refer to [appendix 9](#) and the planning maps.

The controls in activity table 1 apply to building interiors unless specifically identified in the exclusions column in the schedule of historic heritage places.

Refer to the Historic Heritage overlay - objectives and policies description for explanations of following terms: conservation, demolition or destruction, dismantle, setting, place, maintenance, fabric, features and restoration.

Activity table 1 – Significant historic heritage place overlay				
	Primary feature Category A place	Primary feature Category A* place	Category B place and non-primary features within the scheduled place extent of Category A and A* place	Features identified in exclusions column
Development - demolition or destruction				
Total or substantial demolition or destruction	Pr	NC	NC	C
Partial demolition or destruction	NC	NC	D	C
Development - relocation				
Relocation within the scheduled place extent	NC	NC	D	C
Relocation beyond the scheduled place extent	Pr	NC	D	C
Development - maintenance and repair				

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Activity table 1 – Significant historic heritage place overlay				
	Primary feature Category A place	Primary feature Category A* place	Category B place and non-primary features within the scheduled place extent of Category A and A* place	Features identified in exclusions column
Maintenance and repair of buildings and structures	P	P	P	P
Development - modifications				
Modifications to buildings or structures or the fabric or features of a scheduled place	D	D	D	P
Development - new buildings and structures				
New buildings or structures	D	D	D	NA
Temporary buildings, structures and signs not affixed to any existing object, feature or structure within a scheduled historic heritage place	P	P	P	P
Development - subdivision				
Subdivision of land containing a scheduled historic heritage place	NC	NC	NC	NA
Development - earthquake strengthening				
Temporary dismantling for seismic strengthening to meet the requirements of the council's plans prepared under the Building Act	RD	RD	RD	C
Development - signs and systems				
Identification and safety signs	P	P	P	P
Signs not otherwise specified	NC	RD	RD	NA
Security lighting and alarm systems	P	P	P	P
Development- disturbance and extraction				

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Activity table 1 – Significant historic heritage place overlay				
	Primary feature Category A place	Primary feature Category A* place	Category B place and non-primary features within the scheduled place extent of Category A and A* place	Features identified in exclusions column
Earthworks for interments in a burial ground, cemetery or urupā	P	P	P	P
Development and maintenance - Infrastructure				
New underground network utilities	P	P	P	P
Maintenance and repair of existing network utilities	P	P	P	P
Upgrading and replacement of network utilities	D	D	D	C

The rules in table 2 below apply to scheduled historic heritage places identified in a column in the schedule of historic heritage places as being subject to additional management controls for archaeological features. These rules apply in addition to the activity rules in table 1 above.

Activity table 2- Additional management controls for archaeological sites or features (identified as subject to additional archaeological controls in appendix 9)				
	Primary feature Category A place	Primary feature Category A* place	Category B place and non-primary features within the scheduled place extent of Category A and A* place	Features identified in exclusions column
Development – rural				
Farming within the scheduled place extent, excluding where archaeological controls apply	P	P	P	P
Farming within the scheduled place extent, where archaeological controls apply	D	D	D	P
Grazing of sheep and goats	P	P	P	P
Development- disturbance and extraction				

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Activity table 2- Additional management controls for archaeological sites or features (identified as subject to additional archaeological controls in appendix 9)				
	Primary feature Category A place	Primary feature Category A* place	Category B place and non-primary features within the scheduled place extent of Category A and A* place	Features identified in exclusions column
Development – rural				
Archaeological investigation that does not involve land disturbance, except for the temporary insertion of a probe or peg not exceeding a diameter of 10mm	P	P	P	P
Archaeological investigation not otherwise provided for as a permitted activity	RD	RD	RD	C
Removal of trees greater than 3m in height or greater than 300mm girth where archaeological controls apply	D	D	D	P
Forestry	Pr	NC	NC	C
Conservation planting	D	D	D	P
Other earthworks	Refer to Auckland-wide Earthworks rules - for controls that apply to the schedule historic heritage place overlay			
Activities in the Coastal Marine Area	Refer to General Coastal Marine Zone rules - for controls that apply to the schedule historic heritage place overlay			

Activity table 3- Historic heritage areas		
	Contributing	Non-contributing
Total, substantial or partial demolition or destruction of a building, feature or landscape feature within a Category A historic heritage area	NC	C
Total, substantial or partial demolition or destruction of a building, feature or landscape feature within a Category B historic heritage area	D	C
Modifications to a building, feature, or landscape feature within a Category A or B historic heritage area	RD	C
New buildings within a Category A or B historic heritage area	RD	RD
Maintenance and repair of buildings	P	P
Subdivision of land within a historic heritage area	NC	RD

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2. Development controls

2.1 Maintenance and repair

1. The maintenance and repair of buildings and structures identified in the schedule of historic heritage places (excluding features identified in the exclusions column) must:
 - a. not result in a change to the existing surface treatment of fabric. In particular, no painting of any previously unpainted surface or rendering of any previously un-rendered surface is allowed
 - b. not involve abrasive or high-pressure cleaning, such as sand or water-blasting
 - c. not involve the use of scaffolding affixed to the building or structure
 - d. not result in a change to the design, texture, or form of the fabric
 - e. not result in a change to the extent, floor levels, location of internal walls, form, proportion and scale of the building or structure
 - f. use the same materials as that of the existing original or significant fabric, but where this is not possible, the closest equivalent must be used
 - g. use methods which result in the same or similar finish or outcome to that of the original or significant fabric
 - h. not involve disturbance of land or the foreshore or seabed where archaeological controls apply.

2.2 Development - modifications

1. Modifications to features identified in the exclusions column must not result in any change to the footprint, height or volume of any building or structure.

2.3 Identification signs

1. Identification signs within a scheduled historic heritage place must not:
 - a. be attached, painted, fixed, or projected on to the exterior of any scheduled building, object, feature, or structure
 - b. exceed two signs per site. For the purposes of calculating compliance with this rule, only one side of double sided signs will be taken into account. If a sign has more than two sides, then all of the faces of the sign will be taken into account
 - c. exceed 0.5m² per sign
 - d. be flashing, illuminated or variable
 - e. involve disturbance of land or the foreshore or seabed to construct the sign where archaeological controls apply.
2. Identification signs must only be for the purposes of:
 - a. setting out information relating directly to the onsite activities or uses or
 - b. aiding traffic or maritime safety or navigation or providing information for public health and safety requirements
 - c. interpretive material on the heritage values of the place.

2.4 Forestry

1. Forestry must be at least 15m from the perimeter of any scheduled archaeological site.

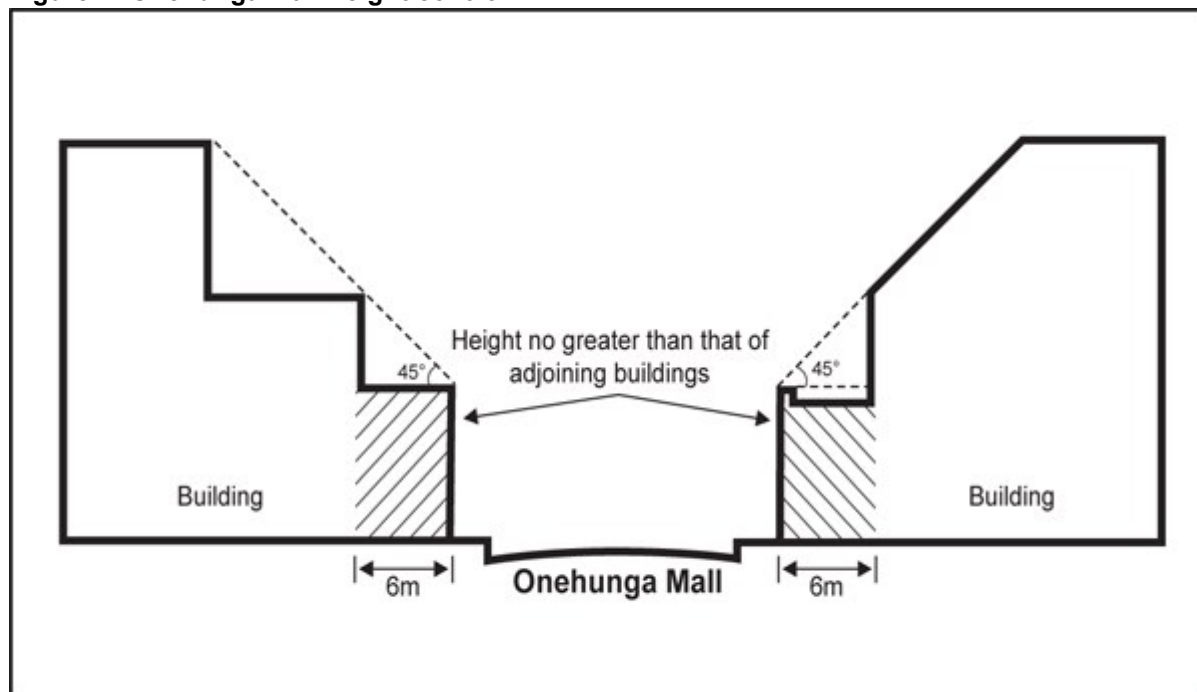
2.5 Building Height - Onehunga Mall

1. Buildings within 6m of Onehunga Mall in the Onehunga historic heritage area:

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- a. must not exceed the height of an adjoining building
 - b. must not project beyond a 45-degree recession plane measured at all points along the site frontage above the height specified in Figure 1 below
 - c. building height will be measured from the average level of the surface of the street measured at the street boundary of the site.
2. Buildings that do not comply with this control are a discretionary activity.

Figure 1: Onehunga Mall height control



3. Assessment - Controlled activities

3.1 Matters of control

The council will restrict its control to:

1. All controlled activities
 - a. effects on the heritage values of the scheduled historic heritage place or area
 - b. effects on the views to, from or within the scheduled historic heritage place or area.
2. Demolition or dismantling for seismic strengthening of a feature identified in the exclusions column in the schedule of historic heritage places
 - a. methods of demolition, removal or relocation.
3. Forestry
 - a. The potential effects of root disturbance, felling and extraction on archaeological sites.

3.2 Assessment criteria

1. Refer to the relevant assessment criteria in clause 4.2 below.

4. Assessment - Restricted discretionary activities

4.1 Matters of discretion

The council will restrict its discretion to the matters below for restricted discretionary activities listed in activity tables 1, 2 and 3 and development control infringements.

1. The nature, form, scale, location, design, materials, finish and extent of the proposal.

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2. The effect of the proposal on the heritage and Mana Whenua values of the place, including effects on its setting.
3. The effect of the proposal on the inter-relationship between contributing places within a historic heritage area, including the views to, within or from the place or area.
4. The purpose and necessity for the works and any alternatives considered.
5. The provisions of a heritage policy document, where one has been prepared for the scheduled historic heritage place.
6. The provisions of the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value where appropriate.
7. Archaeological investigations and earthworks
 - a. the matters set out in clause 1 above
 - b. the effect of the proposal on the archaeological or Mana Whenua values of the place
 - c. the findings of any archaeological assessment provided with the application
 - d. the results of any consultation with the NZHPT
 - e. the outcome of any applications to the NZHPT for an authority to modify the place.
8. Signs
 - a. the matters set out in clause 1 above, and
 - b. the duration for which the sign or structure will be present within the place
 - c. the content and visual appearance of the sign
 - d. the method of constructing the sign or structure.
9. Seismic strengthening
 - a. whether the proposed works are the most appropriate method of achieving seismic resilience and
 - b. the method of dismantling, removal, relocation and reassembly.

4.2 Assessment criteria

1. All restricted discretionary activities
 - a. Whether the proposed works will be undertaken in accordance with good practice conservation principles and methods.
 - b. Whether the proposed works will be undertaken in a manner that is based on a clear understanding of the heritage values of the place. This understanding will be informed by a conservation plan or similar heritage policy document.
 - c. Whether the proposed works will maintain or enhance the heritage values of the place, including by:
 - i. recovering or revealing the heritage values of the place
 - ii. complementing the form and fabric which contributes to, or is associated with, the heritage values of the place by:
 - avoiding or minimising the loss of fabric that contributes to the significance of the place
 - removing features that compromise the heritage values of the place; and
 - avoiding significant adverse effects on the place, having regard to the matters set out in [RPS – Historic Heritage section](#).
 - d. Whether the proposed works will compromise the ability to interpret features within the place.

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- e. Whether the proposed works are the most appropriate method of achieving seismic resilience including the methods of dismantling, removal, relocation and reassembly.

4.3 Assessment criteria for total or substantial demolition or partial demolition or destruction

The following criteria will determine whether a proposed demolition activity constitutes:

- partial demolition or destruction or
 - total or substantial demolition.
1. The amount or size of the parts of the place to be demolished, destroyed, damaged or modified. Any proposal to demolish, damage or destroy 30 per cent or more by, volume or area of any building or other feature is considered total or substantial demolition or destruction.
 2. The relative proportion of the part of the place to be demolished, destroyed, damaged or modified, compared to the whole.
 3. The significance level of the part of the place that is to be demolished, destroyed, damaged or modified, as identified in an approved conservation plan or conservation policy document. Demolition or destruction of elements of exceptional significance (or equivalent terminology) of a Category A place is a prohibited activity, except for the purposes of temporary dismantling for seismic strengthening, to meet the requirements of the council's plans prepared under the Building Act.
 4. The effect that demolishing, destroying, damaging or modifying parts of a place will have on the nature, character, Mana Whenua value and heritage value of the place as a whole.
 5. The cumulative effects of modifications since the initial scheduling of the place under this Unitary Plan schedule of historic heritage places or under any previous District Plan.
 6. Whether the proposed activity would result in the heritage place no longer meeting the assigned Category A or B criteria.
 7. The effect the demolition, destruction, damage or modification of the place will have on its group or area significance or interrelationships with other heritage places.
 8. Demonstration that the proposal for total or substantial demolition or destruction is critical to the longevity of the heritage place and has sufficiently exhausted all other alternatives, such as relocation, dismantling, or limiting works to partial demolition.
 9. Whether the proposal involves temporary dismantling of a building or structure for the purposes of seismic strengthening or other necessary repair works.

5. Special information requirements

1. Any application for temporary dismantling of a building or structure for the purposes of seismic strengthening must include a plan detailing the methodology for dismantling, removal, relocation and reassembly of the building or structure or its parts.

Heritage Impact Assessment

1. An application for resource consent or subdivision consent for a scheduled historic heritage place must be accompanied by a heritage impact assessment which must include all the following information:
 - a. identification and description of the scheduled historic heritage place affected by the proposal, including the extent and nature of its setting
 - b. a description of the significance of the scheduled historic heritage place, including the extent to which the feature(s), use(s), and setting contributes to the significance of the place
 - c. a description of the proposal, including:
 - i. details of the location, scale, design, materials and finish of the proposed works

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- ii. the extent of any proposed modifications to the place, including any:
 - archaeological investigations
 - repair
 - redecoration
 - additions or alterations
 - excavations or land disturbance
 - removal of fabric
 - removal, demolition or destruction of buildings, structures or features
 - modifications to, or new, vehicular access, circulation or car parking areas, and
 - changes to hard and soft landscaping, including vegetation removal or modification
- iii. details of the methods and techniques that will be used to undertake the proposed works
- iv. the proposed use(s) of the place, including the proposed use(s) of any development enabled by the proposal
 - v. in the case of a proposed subdivision, destruction, partial total or substantial demolition, details of the proposed development that will be enabled by the subdivision, destruction, partial demolition or total or substantial demolition
- iv. an outline of consultation, if any, with the NZHPT, Mana Whenua and other interested parties
- v. an assessment of the effects of the proposal, both positive and adverse, on the significance of the place
- vi. in the case of subdivision, destruction or demolition, the percentage and/or proportion of demolition or destruction of the place proposed.

Heritage policy documents

1. Where an application for resource consent or subdivision consent involves significant works or alteration to a scheduled historic heritage place, it must be accompanied by a conservation plan or conservation policy. The following triggers will be used to determine where a proposal constitutes significant work:
 - a. the proposal involves substantial or total demolition of any feature(s) within a scheduled historic heritage place, excluding any features within scheduled historic heritage places identified in the exclusions column in the schedule of historic heritage places
 - b. the proposal is for the subdivision of a scheduled historic heritage place not including non-contributing sites.

Explanation and reasons

Heritage policy documents such as conservation plans play a key role in understanding the significance of a historic heritage place and its setting. They set out a place-specific policy and strategy for the ongoing protection and conservation of a place and the attributes that contribute to its significance.

Heritage policy documents set out a strategic approach to managing the conservation, potential development and other asset management requirements and needs of a historic heritage place. They provide information about the significance of a place.

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There are two types of heritage policy documents provided for in the Unitary Plan:

- Conservation Plan
- Conservation Policy.

The aim of providing for two types of heritage policy documents is to acknowledge that the complexity of a heritage policy document should be commensurate to the overall significance of a historic heritage place.

Conservation Plans

1. These should be prepared for historic heritage places where two or more of the following circumstances exist in relation to a significant historic heritage place where it is:
 - a. a Category A or A* scheduled historic heritage place
 - b. geographically extensive
 - c. complex in the levels of significance of its component elements
 - d. composed of a series or set of significant elements that form part of a larger system or landscape
 - e. the subject of widespread community interest
 - f. managed, or will be managed, by several different entities or organisations.
2. A plan should be prepared in accordance with best practice conservation principles, guided by the following documents:
 - a. The Conservation Plan: A Guide to the Preparation of Conservation Plans for Places of European Cultural Significance. (Semple Kerr, J) National Trust of Australia, Sydney, 6th Edition 2004.
 - b. ICOMOS New Zealand Charter for The Conservation of Places of Cultural Heritage Value. ICOMOS NZ, 2010.
 - c. Guidelines for Preparing Conservation Plans - Guideline No. 4 (Bowron and Harris), New Zealand Historic Places Trust, 2000, Wellington.
3. It should include the following information:
 - a. a description of the place including the nature and extent of its setting
 - b. a description of the significance of the place (statement of significance)
 - c. a description of the historical context of the place
 - d. identification of any gaps in the knowledge about the place
 - e. a description of the physical integrity of the place
 - f. the physical conservation, care, or actions necessary for retaining or revealing the heritage significance of the place
 - g. a statement of the conservation approach to the place
 - h. policies and strategies to enable the heritage significance of the place to be retained and enhanced
 - i. the types of activities/development that are compatible with the heritage significance of the place
 - j. the types of activities/development that are incompatible with the heritage significance of the place
 - k. the timing and nature of the review of the Conservation Plan.

Conservation Policy

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1. This should be prepared for significant historic heritage places which don't meet the criteria set out for Conservation Plans above, but where the place is of overall significance to the region or a wider geographic area. It should include:
 - a. a description of the place including the nature and extent of its setting
 - b. a description of the significance of the place (statement of significance)
 - c. a statement of the conservation approach to the place
 - d. the timing and nature of the review of the Conservation Policy.

Approval process

1. A heritage policy document may be submitted at anytime for council approval, including as part of a resource consent, notice of requirement for designation or heritage order, or plan change process. The person undertaking the review and sign-off of a heritage policy document submitted for approval will be suitably qualified.

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