

Planning for Growth

District Plan Review

Historic Heritage

Issues & Options Report



Tō tātou taone
mō Apōpō

**E rautaki
ana mātou**

Our City
Tomorrow

**Planning
for Growth**

Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke

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Executive Summary

Wellington's historic heritage is a precious finite resource that contributes to Wellington being the vibrant, unique and memorable city it is today. The protection and continued use of city's historic heritage resources is fundamental to Wellington's future. This report expands on the concepts identified in earlier research and monitoring to develop preferred options for change relating to Wellington's historic heritage. The issues and options identified in this report seek to ensure that the regulatory framework for managing historic heritage in Wellington city:

- meets the Council's obligations to recognise and provide for the protection of historic heritage from inappropriate subdivision, use, and development as a matter of national importance under the Resource Management Act 1991.
- recognises the potential for historic heritage to contribute to the goals of the spatial plan and planning for growth work programme
- meets the goals of the Wellington Heritage Policy 2010. These are that
 - Wellington's heritage is recognised as contributing to our understanding of our cultural diversity and awareness of our sense of place
 - Wellington's unique character is enhanced by the protection, conservation and use of its heritage
 - Wellington's heritage is acknowledged as contributing to a vibrant economy
- reflects current best practice, and;
- reflects the views and values of Wellingtonians.

The report concludes that the current district plan provisions provide a level of protection for historic heritage. Since the current district plan became operative, a number of heritage places have been adapted to meet the needs of their owners and a dynamic and changing city. Some have been partially or totally demolished, or have had their heritage values diminished by alterations and adaptations.

The provisions should be amended to meet any statutory and policy requirements, and reflect environmental and best practice changes since last reviewed. There is also the opportunity to simplify some definitions and activities in light of the format required to implement the national planning standards.

1 Introduction

1.1 Purpose of this report

The purpose of this report is to identify issues and recommend options for further consideration in the district plan review regarding Wellington’s Heritage buildings, objects and areas. The report does not include heritage trees, sites of significance to Māori, and provisions for special character areas (including the pre-1930 rules).

The report builds on the earlier ‘Wellington’s Heritage and Character: Issues and Opportunities preliminary report’ and ‘Background and Monitoring Report’. The relationship between the reports is as shown below.

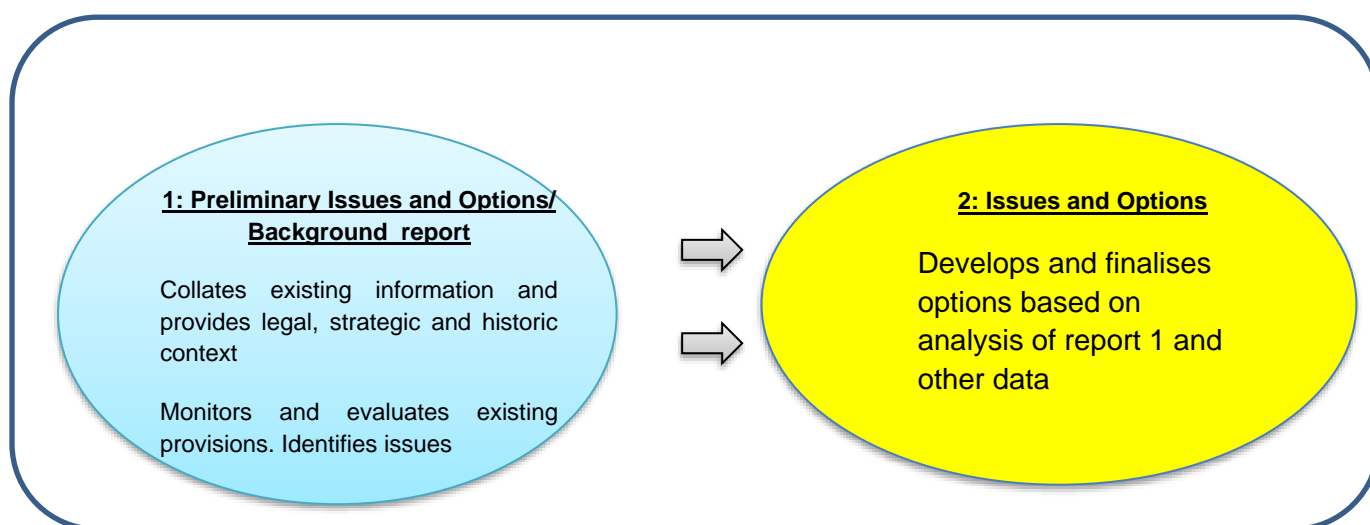


Figure 1: Relationship between phases of options development

1.2 Resources that have informed this report

Wellington’s Heritage and Character: Issues and Opportunities preliminary report

The [preliminary issues and opportunities report](#) was prepared by the WCC heritage team in November 2018 as an initial input into the ‘Planning for Growth’ work-stream. It establishes the key issues and opportunities for heritage in Wellington including the benefits of heritage; the opportunities for heritage to support growth and change; and the loss of heritage values as a result of inappropriate subdivision, use and development.

Background Report

The [background report](#) establishes the legislative and strategic context for heritage. It includes an overview of legislation and National Direction, along with an overview of the Greater Wellington Regional Council (GWRC) regional policy statement and regional plan provisions. The report considers WCC Policies and Strategies, along with key projects and studies such as the:

- Wellington Heritage Policy 2010

- Built Heritage Incentive Fund (BHIF)
- Mount Victoria Study/Heritage Audit 2016/17
- Thematic Heritage Study of Wellington 2013
- District Plan Built-Heritage Inventory Review 2012/14
- Pre-1930s Character Area Review 2018

It reviews the existing District Plan provisions and past plan changes relating to historic heritage. Finally it identifies that the National Planning Standards have requirements for historic heritage which will influence how provisions are contained in the plan.

Resource and building consent monitoring

The '[quantitative analysis of resource consents report](#)' provides an overview of resource and building consents associated with heritage in Wellington for the time period 1 January 2006 to 17 March 2009. It includes quantitative analysis of 393 resource consents and found that nearly all were approved. A summary of the findings are that:

- 38% of applications for resource consents were for alterations to doors, windows, and roofs including additions.
- Over half of building consents were for fit-outs and refurbishments.
- Te Aro and Wellington Central have the highest numbers of resource consents and building consents. They are also the key suburbs for seismic strengthening.
- 9% of resource consent applications were considered to have seismic strengthening as their main purpose and all of these occur after 2010. In 2012, 2014 and 2017, applications for seismic strengthening made up close to 20% of applications.
- 7% of resource consent applications were considered to have demolition or partial demolition as their main purpose.
- 15% of building consents included strengthening works and the majority of these occurred after 2010, the bulk of these in the period 2012-2015.

The analysis does not include qualitative assessment of the outcomes of resource consents.

2 Key Issues & Options

2.1 Ensuring the district plan provisions reflect how Wellingtonians view and value heritage in a changing city

Summary of the issue

Heritage is a matter of national importance under section 6(f) the RMA. The existing DP heritage provisions provide a level of protection for heritage places in Wellington. The current district plan seeks to discourage demolition, partial demolition and relocation. Some scheduled heritage places have been demolished, substantially demolished or relocated as outlined below:

- 021.1 Erskine Main Building (demolished c.2018) HASHAA
- 111 Gazebo at 59 Falkirk Street (relocated c.2011)

- 281 39 Taranaki Street (demolished c.2005)
- 335 Shed 27 (demolished pre-2005) may have been included on the list in error
- 341.1 30 Wigan Street (relocated c.2003)
- 419 Shed 35 (demolished 2017) earthquake damage
- 425 HMNZS Olphert (demolished 2019) defence designation

A number of buildings have been partially demolished with the loss of significant heritage fabric.

- Stewart Dawson
- Mr Bun
- Matterhorn
- Hamilton Chambers - now removed from HNZPT list
- Manthell motors

The partial demolition of the buildings noted above is due, in part, to the prioritisation of street facing facades in the current district plan provisions. Although the prioritisation of the street façade may address concerns about the retention of aesthetic/streetscape values, it does not address protection of all heritage values of a site. This is not good heritage practice and does not allow for the heritage places to be protected from inappropriate development, subdivision and use.

Along with the buildings noted above, a number of buildings have also been altered to the extent that there has been a substantial loss of heritage values. It is difficult to identify the extent of this issue as there has been no qualitative analysis of the resource consent outcomes for heritage buildings since 2005. This means that it is difficult to establish whether the existing objectives and policies are being delivered throughout the resource consent process.

A final consideration is the effect of incremental change to heritage buildings and heritage areas. Cumulative effects of multiple resource consents have been difficult to assess within the resource management system and is difficult to consider. Consequently cumulative effects (eg, of multiple signs) can detract from heritage values.

Pressure to alter, relocate or fully or partially demolish heritage buildings is likely to increase in line with growth pressures across Wellington city and the expiry of Earthquake Prone Building (EQPB) notices. Engagement has clearly and consistently shown that Wellingtonians value heritage resources and wish to see them remain for the enjoyment of future generations. Provisions in the new district plan need to recognise and provide for the protection of historic heritage from inappropriate subdivision, use, and development in the context of growth pressures and resilience issues.

The full review of the district plan offers the opportunity to ensure plan provisions reflect the present value of heritage, are informed by best practice, retain heritage places in sustainable use, and promote a high quality, resilient urban environment.

Best Practice Advice

A review of best practice advice from Heritage New Zealand Pouhere Taonga (HNZPT) has raised the following issues:

- Ranking or categorisation of heritage items
- Activity status

Ranking of heritage items

There is no RMA requirement for Councils to adopt ranking or categorisation systems, but there is some guidance on the use of ranking or categorisation available on the Quality Planning website¹ and in the HNZPT Sustainable Management of Heritage series.² HNZPT support the categorisation of district plan lists as this can “*enable places of special or outstanding historical and value to have greater recognition and protection, and also enable appropriate protection for other heritage items.*”

Ranking of heritage items in heritage schedules is a feature of some district plans, while others (including Wellington’s heritage schedule) group all heritage items equally. The current system in Wellington relies on the preparation of detailed assessments for each heritage item to establish the heritage values and significance of a place. Resource consents are assessed to establish the level of effects of the proposed development on the actual heritage values of a place.

Ranking of items on the Wellington City heritage list has been considered but is not the preferred option as

- There is no requirement in the RMA or GWRC RPS to rank or categorise heritage
- Council has carried out and reviewed in-depth assessments of all heritage buildings, objects and areas. This leads to an informed decision-making process where resource consent applications are assessed, on a case-by-case basis, to establish the effects on the heritage values of the place
- Ranking can be confusing, particularly as HNZPT divides its lists into Category I for historic places that *are of special or outstanding historical or cultural significance or value* and Category II for historic places [that] *are of historical or cultural significance or value*. This means that a place could two sets of categorisation that may not necessarily align.
- Many 2nd Generation district plans are adopting simplified methods of categorisation/ ranking.
- Ranking / categorisation would require the creation of new assessment criteria thresholds, and the reassessment of all current items on the heritage list. It categorisation adds complexity (and therefore costs) to the consenting process, with no clear benefits as a regulatory protection mechanism.

¹ *Identification of Historic Heritage*, Quality Planning website, MfE
<https://www.qualityplanning.org.nz/index.php/node/749>

² *Sustainable Management of Historic Heritage, Guide No. 3, District Plans* (2007), HNZPT,
<https://www.heritage.org.nz/resources/-/media/b915e233b3ef447794f0037986ae2740.ashx>

- Ranking sets up a differential where it becomes accepted that lower ranked heritage items can be lost with less consequence than those of higher rank. Once heritage items are demolished, regardless of rank, they are lost forever.

Activity Status

The review of best-practice guidance has also raised the issue of Activity Status. The current district plan includes a lower activity status for some activities than those that are recommended by HNZPT. The preferred approach to drafting the new district plan is to retain any existing provisions if they are fit for purpose, addressing gaps to protection. If changes are made to activity statuses of specific activities, particularly if activities are changed to be 'non-complying', consideration is needed of the framework for rules in the chapter. For non-complying activities, consent can only be granted if the effects of the activity are no more than minor or the activity is not contrary to the objectives and policies of the plan (RMA s104D). It is therefore especially important that definitions, objectives and policies are clear and unambiguous about the outcomes sought. The current provisions utilise a large amount of assessment criteria in considering resource consents for restricted discretionary activities. This drafting approach should be revisited for its application in the new plan, particularly when a non-complying activity status is assigned. In these instances, this content will need to be turned into policy content.

Activity statuses of activities on or around heritage buildings or objects

The table below sets out different types of activities relating to heritage buildings and the comparative HNZPT recommended activity status with that of the Wellington District Plan.

Activity	HNZPT Activity status	WCC activity status
Repair and maintenance	P with standards	P with standards
Alterations and additions	RD	RD
Safety alterations (EQ strengthening)	C or RD	P if not externally visible. RD otherwise
Internal additions and alterations	-	P
Construction of new buildings	RD	RD
Additions to non-contributory buildings	RD	RD
Land disturbance	RD	D
Signage	RD	RD
Subdivision	D	D
Relocation	D	RD
Partial demolition	D	RD
Demolition	NC	RD

*Grey = 'lesser' activity status than recommended by HNZPT

Table 1: Comparative activity status of HNZPT and the Wellington District Plan

There is a difference between Heritage NZ's recommended activity statuses and that of the Wellington District Plan. The plan is very clear in the policy commentary that a RD activity status is not intended to set a lower bar than a D or NC activity status, rather it is intended to

focus assessment on heritage effects. The plan leaves open the possibility for demolition where there are no reasonable alternatives.

Discussions have been held with members of the resource consents team regarding whether the correct activity statuses have been assigned, particularly to partial and complete demolition. In essence, these discussions have revolved around whether the current rules set too low a threshold (being restricted discretionary activities, or represent an appropriate balance in terms of protection/public safety/economic vitality and sustainable economic use while meeting the requirements of section 6 of the RMA). Draft provisions will be tested with the resource consents and heritage teams.

Reviewing the rule framework also offers the opportunity to be clearer about the specific status of activities within the broad categories of ‘repair and maintenance’, ‘demolition’ and ‘partial demolition’. Splitting out these different activities into separate rules may make them easier to understand and support a considered approach to resilience. For example depending on the policy position around resilience:

- Should structural works to secure or adapt features at high risk of failure in earthquakes (eg, chimneys) have a more permissive activity status and supportive policy framework?
- Should earthquake strengthening or stabilisation be clearly identified as separate activities, using a controlled or permitted activity status, and addressed independently of ‘additions and alterations’.

Definitions and assessment criteria could also be examined in a review of plan provisions to ensure they offer enough certainty and direction for both consent planners and plan users to work towards good outcomes.

Options for discussion – Activity Status

Heritage buildings		
Option	Detail	Recommendations for further consideration
Retain the status quo and fix minor errors	This option would ‘rollover’ existing provisions managing heritage buildings and items in their entirety unchanged, other than reformatting to be compliant with the national planning standards. This would include separating them into a standalone heritage chapter where currently some are contained in zone chapters	Not recommended in entirety. See detailed consideration of the issues in this matrix
Activity statuses	<p>Repairs and maintenance –</p> <p><i>Currently Permitted</i></p> <p>Defined as:</p> <p><i>includes:</i></p>	<p>Retain current approach (Permitted)</p> <p>Need to ascertain if current definition is clear and understood or if could be simplified to have less exclusions. Also opportunity to standardise for other chapters of the plan.</p>

	<p>(i) <i>[in the case of the interior of a building, any alteration or addition to or demolition of an interior element which is identified in the heritage list]</i></p> <p>(ii) <i>any repair of a structural element that substantially preserves or recreates either the original structural appearance or the structural appearance on 27 July 1994</i></p> <p>(iii) <i>any repair (including the replacement of any element reasonably required to maintain the building in a sound or weather proof condition or to prevent deterioration of the building fabric) using the same materials or materials of similar texture, form profile and strength</i></p> <p><i>but does not include:</i></p> <p>(iv) <i>in the case of a building, any other alteration of addition to or demolition of any structural Element</i></p> <p>(v) <i>in the case of the exterior of a building, any other repair of a structural element.</i></p> <p><i>["structural" in relation to any building means any facade, any exterior wall, and any roof]</i></p>	
	<p>Internal additions and alterations (except buildings with interiors listed) –</p> <p><i>Currently Permitted</i></p> <p>Include standards that require any new floor levels to not be visible from the exterior of the building as a result of planning standards redrafting</p>	<p>Retain current approach (Permitted).</p> <ul style="list-style-type: none"> • Add a new rule for internal earthquake strengthening that is visible from the exterior of a building • Investigate additional significant interiors see 2.4
	<p>Exterior alterations and additions –</p> <p><i>Currently Restricted discretionary</i></p>	<p>Retain current approach (Restricted Discretionary), but:</p> <ul style="list-style-type: none"> • Consider new separate rules for additions and alterations;

		<p>earthquake strengthening; demolition; & relocation</p> <ul style="list-style-type: none"> • Review alignment of rules and criteria with objectives and policies • Review assessment criteria and matters of discretion.
	<p>Buildings on sites of listed heritage items – demolition</p> <p>Currently permitted</p>	<p>Review current approach (permitted)</p> <ul style="list-style-type: none"> • Consider a new rule for the demolition of contributing items on the site of a heritage place • Check RMA and RPS requirements • Check HNZPT extents of listings • Consider activity status for demolition contributing items on site of heritage buildings to Restricted Discretionary
	<p>Buildings on sites of listed heritage items – additions and alterations</p> <p>Currently permitted and restricted discretionary</p>	<p>Retain current provisions (Permitted & Restricted Discretionary), but:</p> <ul style="list-style-type: none"> • Consider separate rule for additions and alterations to buildings on the site of a heritage place
	<p>Buildings on sites of listed heritage items – new buildings</p> <p>Restricted discretionary</p>	<p>Retain current approach (Restricted Discretionary)</p> <ul style="list-style-type: none"> • Consider changing the activity status of new structures (currently permitted) to Restricted Discretionary
	<p>Relocation –</p> <p>Currently Restricted Discretionary</p> <p>Could be changed to Discretionary (unrestricted) or Non-complying</p>	<p>Retain current approach (Restricted Discretionary), but:</p> <ul style="list-style-type: none"> • Consider separate rule for relocation • Review alignment of rules and criteria with objectives and policies • Review assessment criteria • Review matters of discretion
	<p>Partial demolition –</p> <p>Currently Restricted Discretionary</p> <p>Could be changed to Discretionary (unrestricted) or Non-complying</p>	<p>Retain current approach (Restricted Discretionary), but:</p> <ul style="list-style-type: none"> • Consider separate rule for partial demolition • Consider threshold for partial demolition. Further work required to determine if definition needed to define

		<p>threshold. Note that this must be considered carefully as it may lead to a perverse outcome (perceived support for façade-retention)</p> <ul style="list-style-type: none"> • Review alignment of rules and criteria with objectives and policies • Review assessment criteria • Review matters of discretion
	<p>Total demolition –</p> <p><i>Currently Restricted Discretionary</i></p> <p>Could be changed to Discretionary (unrestricted) or Non-complying</p>	<p>Explore change to non-complying.</p> <p>This option would also change the activity status of demolishing a listed heritage building to ‘non-complying’, consistent with HNZPT guidance.</p> <p>This means that the objectives and policies relating to the retention of heritage buildings and demolition should be strengthened as they will be subject to the ‘gateway test’.</p>
	<p>Subdivision –</p> <p><i>Currently Discretionary</i></p> <p>Could be changed to non-complying</p>	<p>Retain current approach (Discretionary) with relevant assessment criteria</p> <ul style="list-style-type: none"> • Review assessment criteria • Review matters of discretion
	<p>Signs on heritage buildings</p> <p><i>Currently permitted, controlled and restricted discretionary</i></p>	<p>?????</p>
Clarifying activities	<p>Seismic strengthening (where cannot be seen from exterior) –</p> <p><i>Currently Permitted</i></p>	<p>Decision needs to be made if this should be a standalone activity, or considered repairs and maintenance, or alterations.</p>
	<p>Seismic strengthening (where can be seen from the exterior)</p> <p><i>Currently an alteration (RD)</i></p>	<p>Could be lowered to permitted or controlled.</p> <p>Specific non-visually obtrusive methods that retain heritage fabric could be specified.</p> <p>Decision needs to be made if this should be a standalone activity, or part of repairs and maintenance, or alterations.</p>

	<p>Removal and replacement of high risk elements –</p> <p><i>Currently an alteration (RD)</i></p>	<p>Depending on policy position on resilience, could be a permitted or controlled activity</p> <p>If changed to a controlled activity (as in Porirua and Dunedin) resource consent fees could be waived where consent is required under this rule only.</p> <p>Requires determination what building features should be deemed to be a ‘high risk feature’ and include a rule and policy to provide their removal and replacement as a controlled activity.</p> <p>Assessment is required to understand the extent of the issue and the number of enquiries and resource consents that have been made on this issue.</p> <p>AC or matters of control could include:</p> <ul style="list-style-type: none"> • architectural features and details that contribute to the heritage values of the building are replaced using appropriate materials and design that are visually indistinguishable from the feature removed. • retaining the original façade material where practicable
	<p>‘Restoration’ as a specific activity</p> <p><i>Currently ‘repairs and maintenance’ (Permitted)</i></p>	<p>Current definition could be unpacked and restoration to July 1994 appearance or other date could be a permitted activity (Status quo)</p>

Heritage areas

Option	Detail	Recommendations for further consideration
Retain the status quo	This option would ‘rollover’ existing provisions managing heritage areas in their entirety	Not recommended in entirety. See detailed consideration of the issues in this matrix

and fix minor errors	unchanged, other than reformatting to be compliant with the national planning standards.	
Activity statuses	Repairs and maintenance to buildings and structures within a heritage area and the maintenance of land comprising the heritage area- <i>Currently Permitted</i>	Retain as a permitted activity noting definition may be 'unpacked' with regard to restoration.
	Internal alterations to buildings in a heritage area – <i>Currently Permitted</i>	Retain current approach (permitted).
	The construction of any new building in a heritage area in a Residential Area where any new building must be accessory to a residential building and must be located to the rear of the residential building and shall not exceed 10m ² <i>Currently permitted</i>	Retain current approach (permitted).
	Earthworks within a heritage area which do not exceed 10m³ or a surface area of 10m². Does not apply to the Botanic Gardens and Otari Native Botanic Garden. – <i>Currently Permitted</i>	Retain current approach (permitted), but: <ul style="list-style-type: none"> • check whether the area/volume of earthworks is acceptable – or should be reduced • Consider why earthworks are part of heritage area rules but not heritage building and objects
	Earthworks which are not a Permitted Activity <i>Currently Restricted Discretionary</i>	Retain current approach (Restricted Discretionary), but: <ul style="list-style-type: none"> • Consider why earthworks are part of heritage area rules but not heritage building and objects
	Subdivision <i>Currently Discretionary</i>	Retain current approach (Discretionary).
	Signs	

Clarifying activities	The construction of any new building or modification to any existing building on a site within a heritage area that is not a permitted activity Currently Restricted discretionary.	Retain current approach (Restricted Discretionary), but: <ul style="list-style-type: none"> • Consider separate rule for construction of new buildings in a heritage area
	Exterior alterations and additions – Currently ‘modifications’ Restricted discretionary	Retain current approach (Restricted Discretionary), but: <ul style="list-style-type: none"> • Consider separate rule for additions and alterations to an existing building • Fix heritage assessment criteria 21B.2.1.6
	Relocation – Currently Restricted discretionary	Retain current approach (Restricted Discretionary), but <ul style="list-style-type: none"> • Consider separate rule for relocation
	Partial demolition Currently Restricted discretionary	Retain current approach (Restricted Discretionary), but: <ul style="list-style-type: none"> • Consider separate rule for partial demolition • Consider threshold for partial demolition. Further work required to determine if definition needed to define threshold. Note that this must be considered carefully as it may lead to a perverse outcome (perceived support for façade-retention) • Review alignment of rules and criteria with objectives and policies • Review assessment criteria • Review matters of discretion
	Total demolition – Currently Restricted discretionary	Explore change to non-complying. This option would also change the activity status of demolishing a building or structure that “contributes” to heritage area to ‘non-complying’, consistent with HNZPT guidance. This means that the objectives and policies relating to the retention of heritage buildings and demolition should be strengthened as they will be subject to the ‘gateway test’.

		It would also require a definition of “contributing”, “contributor” and “non-contributor”
	Seismic strengthening (where cannot be seen from exterior)– <i>Currently Permitted (as repairs and maintenance)</i>	Retain current approach (permitted) Decision needs to be made if this should be a standalone activity, or considered repairs and maintenance, or alterations.
	Seismic strengthening (where can be seen from the exterior) <i>Currently an alteration (RD)</i>	Could be lowered to permitted or controlled. Specific non-visually obtrusive methods that retain heritage fabric could be specified. Decision needs to be made if this should be a standalone activity, or part of repairs and maintenance, or alterations
	Removal and replacement of high risk elements – <i>Currently an alteration (RD)</i>	Depending on policy position on resilience, could be a permitted or controlled activity If changed to a controlled activity (as in Porirua and Dunedin) resource consent fees could be waived where consent is required under this rule only. Requires determination what building features should be deemed to be a ‘high risk feature’ and include a rule and policy to provide their removal and replacement as a controlled activity. Assessment is required to understand the extent of the issue and the number of enquiries and resource consents that have been made on this issue. AC or matters of control could include: <ul style="list-style-type: none"> • architectural features and details that contribute to the heritage values of the building are replaced using appropriate materials and design that are visually indistinguishable from the feature removed.

		<ul style="list-style-type: none"> retaining the original façade material where practicable
	<p>'Restoration' as a specific activity</p> <p><i>Currently 'repairs and maintenance' (Permitted)</i></p>	<p>Current definition could be unpacked and restoration to July 1994 appearance or other date could be a permitted activity (Status quo)</p>

Further work required

- Test the options identified above with the resource consent and heritage team.
- Qualitative analysis of existing District Plan provisions is required, particularly if any major changes to the heritage provisions are suggested – for example works to chimneys and parapets.
- Continue to consult with users to identify and explore issues and opportunities with current provisions. These include:
 - The definition of repairs and maintenance.
 - Partial demolition – particularly if total demolition is changed to a non-complying activity
 - Subdivision of a site with a heritage building
 - Earthquake strengthening – definitions and activity status

2.2 District Plan Heritage Schedules

Summary of Issue

The current District Plan heritage list/schedule includes

- 35 areas
- 550+ buildings
- 51 objects
- 67 sites of significance to tangata whenua and other Māori
- 156 trees
- 8 Maori precincts

Wellington's first heritage "register" was established in 1972 as part of the District Scheme, and this was reviewed in 1979 and 1985. The introduction of the RMA in 1992 prompted the review of heritage places, and a heritage inventory of approximately 400 buildings was published in three-volumes in 1995. This was followed by a city-wide review of heritage places in 2000 which culminated in the publication of the 2001 heritage inventory of non-residential buildings and precincts. The operative July 2000 District Plan heritage "lists" included the heritage buildings, objects and areas identified in these reviews, along with heritage trees and sites of significance to tangata whenua and other Māori. A number of buildings, objects and areas were added to the lists in various plan changes over the past 19 years. These include DPC 3, 17, 18, 22, 37, 48, 53, 58 and 75.

The current heritage lists of areas, buildings and objects were subject to a substantial and robust review in 2012 to 2014. A heritage inventory report was created or updated for almost every listed item. Each heritage item was assessed against the 2007 WCC heritage criteria; and errors and omissions on the list were identified. A review of the heritage inventory project found that the *“vast majority of buildings and objects on the heritage list have identifiable heritage values when assessed against the criteria set by Council in 2007. This demonstrates that the present content of the list is justifiable in that respect.”*

Unlisted heritage

Although the existing list has been recently reviewed, and the listed items are, generally, considered to meet the current criteria, the list does not include the full range of places with significant heritage value in Wellington. A number of notable non-scheduled buildings and structures with heritage value have been demolished over the years, examples which can never be replaced.

- 91 Dixon Street – deferred listing DPC 53
- Overseas Passenger Terminal – nominated by Docomomo in DPC 53, assessed 2005
- 55 Molesworth Street, ICI House – deferred listing DPC 53
- 53 Rugby Street, pair of terrace houses – assessed 2008, nominated for listing by HNZPT
- 172 Taranaki Street, Wellington City Mission Boys’ Hostel – assessed 2007
- 153 Willis Street, The Settlement – assessed 2005

The district plan review process presents an opportunity to review nominations that have been received or deferred from previous plan changes for inclusion on the heritage list. There is also an opportunity to engage with communities to identify places that they value.

Unlisted database

Council has compiled a database of unlisted heritage items which may help make the heritage list more representative, and protect other items that are worthy of formal protection through the district plan. This database includes places that are or were:

- listed by HNZPT
- recommended to be scheduled in a previous District Plan changes but were deferred or declined
- researched and assessed to some extent by WCC
- nominated to be scheduled; and
- other miscellaneous items.

The database includes over 500 items and is the starting place for the identification of places with heritage values in Wellington. Not all the places on the list would meet the threshold to be scheduled in the District Plan. The database was reviewed at two workshops in November/December 2019. The workshops included representatives from Council’s Place Planning and Heritage teams, and planning and heritage consultants. The workshops produced a “short-list” of items that could be researched and assessed against the heritage

criteria. A methodology is needed to create a priority order of items to be researched, and assessed against the criteria.

The database currently only includes the places that have been identified by Council. There are likely to be places that meet the heritage criteria and have not been identified on the database. More work is required to identify places that Wellington's communities value.

Thematic Heritage Study of Wellington, 2013

The GWRC RPS establishes a thematic approach to identifying items with historic heritage values. The GWRC RPS guidance on Policy 20, and the assessment of historic values notes that.

Knowing the main themes of history can be helpful in grouping similar places together, widening understanding of history and identifying those themes that are under- or over-represented.

Council has undertaken some analysis of the current list against the Thematic Heritage Study. Preliminary findings suggest that while some historic themes are under-represented on the list, others are well-represented.

Alongside consideration of historic themes, the RMA, GWRC RPS, best practice guidance from ICOMOS NZ, HNZPT and MfE, and the current District Plan indicate that some types of heritage have not been included in the current district plan heritage schedules. Under-represented heritage types include

- cultural landscapes
- archaeology
- surroundings
- interiors
- Modernist buildings; and
- suburban heritage

Listing buildings that fill these gaps will provide a more complete understanding of Wellington's heritage.

Options

Option 1 – do nothing / status quo

- This option does not meet the statutory requirements in the RMA and GWRC RPS and is not recommended

Option 2 – identify new places that could be added to the heritage schedule

- This option would include the identification of new places that could be added to the heritage schedule

Preferred option

Option 2 – identify heritage places to be added to the heritage schedule is the recommended option as it meets the statutory requirements

Further work required

- Establish a methodology for heritage identification that meets the statutory requirements, addresses the issues of under-represented heritage (historic themes and types of heritage place), and identifies the places that Wellington's communities value

Methodology for heritage identification

The database of "unlisted" heritage includes over 500 items and is the primary source of information on places that may meet the heritage criteria. It is anticipated that the database will be updated to include any places identified during the consultation on the new district plan. The current database was reviewed in two workshops in November/December 2019. These workshops identified a short list of places that could be researched and assessed against the heritage criteria. The short list includes over 600 items and there are concerns that it will not be possible to research and assess all identified items within the PFG budget and programme for heritage. This suggests that a priority order could be established so that the highest priority items on the short list are researched and assessed.

The first priority is to assess places that are listed by HNZPT, but are not currently included in the DP schedules. The RMA requires Councils to give regard to the HNZPT heritage list when preparing the heritage list in the district plan. Assessment of unlisted HNZPT places would meet Council's statutory obligation.

Once the HNZPT places have been assessed against the current heritage criteria, then there is scope to consider priorities for research and assessment. An option is to consider that the list represents Wellington's unique identity and stories, and to use the Thematic Heritage Study of Wellington 2013 to identify themes that are under-represented and well-represented in the current list. Places that fit under-represented themes could be prioritised for research and assessment. This would be consistent with the historic themes assessment criteria that *"the place is associated with an important event or events in local, regional or national history."*

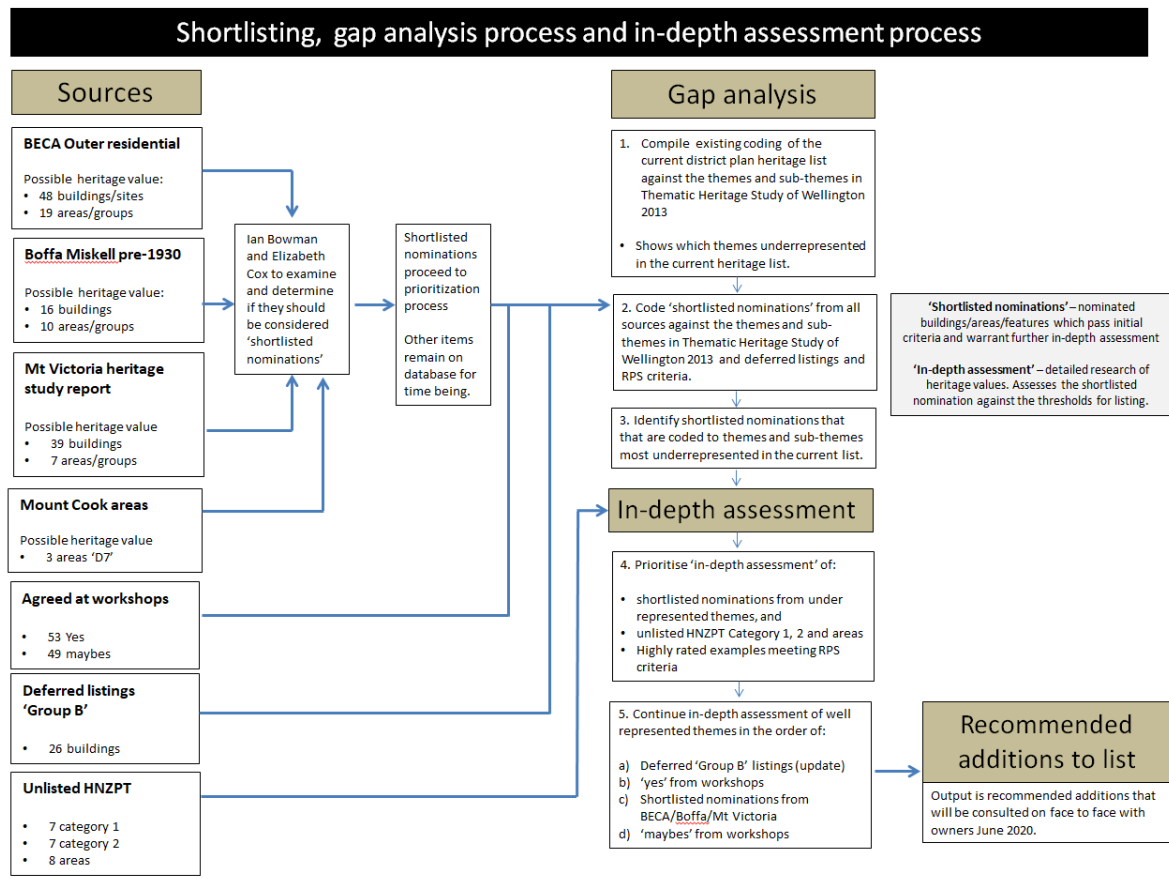
Another consideration is that some places in the heritage database have been identified as having significant heritage values. The GWRC RPS notes that a place, site or area should be assessed against all the criteria, but only needs to meet one of the criteria in order to be considered significant. "Historic themes" is only one assessment criterion, and the remaining items in the heritage unlisted database should also be considered on their merits. An option is to review the remaining items on the shortlist produced in the November/December 2019 workshops and identify the places that are likely to have the most heritage significance. These places could be prioritised for research and assessment.

A third consideration is that there are a number of places that have already been assessed and meet the 2007 WCC heritage criteria. These places could also be prioritised for research and assessment. These are considered to be "deferred listings".

A final consideration is that places were identified in the November/December heritage workshops as being likely to have significant heritage values to meet the listing criteria. A

further group were identified that might meet the listing criteria, but which required further research.

The following flow diagram is an option for creating a priority order to the short list of places to be researched and assessed against the heritage criteria.



Option 1

- Research and assess all of the places identified in the November/December workshops as having the potential to meet the listing criteria. This option would have a time and cost effect on the PFG work programme and may not be achievable

Option 2

- Prioritise the research and assessment of items identified in the November/December workshops as noted in the flow chart. This process should be repeated as new items are added to the database during the district plan consultation period

Preferred Option

- Option 2 –prioritise the research and assessment of items identified

Criteria for heritage identification and assessment

Best practice guidance on the identification of heritage has been reviewed and used as an input into new draft heritage assessment templates for heritage places [link] and heritage areas [link], along with a methodology for assessment including criteria and thresholds [link]. Organisations that provide best practice guidance are as follows:

- RMA
- GWRC RPS
- ICOMOS NZ Charter
- HNZPT Sustainable Management of Historic Heritage guidance series
- Quality Planning website (MfE)
- Wellington Heritage Policy 2010
- WCC heritage criteria 2007
- Other New Zealand TAs
- Heritage agencies overseas including

Options for assessment criteria

Option 1 – Do nothing. Use 2007 assessment criteria

- The 2007 WCC assessment criteria do not comply with the GWRC RPS and this is not the preferred option.

Option 2 – update the 2007 assessment criteria to account for the RPS policy 21.

Preferred Option

- Option 2 is the preferred option as this will mean that the assessment criteria for listing are robust and meet the requirements of the RPS and Council's obligations under the RMA.

Further work required

- Review and finalise the draft WCC heritage criteria
- Finalise the draft methodology for research and assessment of heritage buildings and finalise the draft research templates

2.3 The current Heritage List contains errors and does not reflect best practice

Summary of Issue

The current heritage schedule includes a number of errors and omissions including incorrect building names, addresses and construction dates. It also includes buildings that have been demolished or relocated and should be removed from the schedule. In addition, there are some identification processes that could be included to the schedule entries including map locations and land parcel identifiers, and references for items that are listed with HNZPT.

Options

Option 1 - do nothing

- This would retain the current heritage list as is.

Option 2 - Review the existing list to identify known errors and omissions and update to reflect best practice listing guidelines

Preferred Option

- Option 2 is the preferred option as this will ensure the heritage list is free from errors and is robust.

Further work required

- Consult with users of the current DP heritage schedules to identify any additional errors and omissions

2.4 Should the district plan address surroundings, extent and curtilage differently?

Summary of Issue

The RMA definition of heritage and GWRC RPS assessment criteria include provisions for identification and protection of the surroundings of heritage places. Most heritage places on the DP schedule are covered by the rules for the whole site, but the rules do not always consider their surroundings or relationships between items. This approach is not consistent with the RMA definition of heritage which includes “surroundings associated with the natural and physical resources.” It is also not consistent with the GWRC RPS policy 20 which requires the identification of “*surroundings: the setting or context of a place contributes to an appreciation and understanding of its character, history and/or development.*”

The following issues have been identified:

1. Small buildings on large sites: The RMA definition of heritage and GWRC RPS assessment criteria include provisions for identification and protection of *the surroundings* of heritage places. Most heritage places on the DP schedule are covered by the rules for the whole site. On sites that are not overly large this is appropriate, however, there are also some small scheduled heritage items on large sites. Accordingly the heritage rules apply to the whole site. For some of these places, the extent of heritage values is not clear. It is noted that this is best achieved through revisiting the listing assessment.
2. Partial listings: There are scheduled heritage items that are subject to partial listings. This means that for some buildings only some features are protected (eg listing 10/1 Warehouse 1907 at 1-5 Allen street where the front façade of one street only is protected). Partial listings have been used when only certain features of items are to be protected to manage their heritage values. This could be because extensive alterations have taken place and only some intact heritage features remain. Partial listings may still be appropriate for a number of items, but for others, protection of the entire building may now be appropriate if its relative significance has changed and should be examined.

3. Demolition/alterations to contributing items within the curtilage of a heritage item.
 - a. HNZPT list entries: There are some scheduled heritage items where items/surroundings identified by HNZPT as contributing to heritage values are not identified on the DP heritage schedule. This means that items such as significant outbuildings, structures and landscaping can be demolished as a permitted activity. For example – outbuildings and fences at Katherine Mansfield House
 - b. Other significant settings: There are some places that are not listed by HNZPT that have significant surroundings or settings that could be demolished / removed as a permitted activity – for example the landscaping, fences and gates at the former William Booth College in the Aro Valley.
4. Structures: There are no provisions to control the construction of new structures on the site of heritage listed item. This means that as long as new item fits the definition of a “structure” it can be constructed as a permitted activity. For example – construction of a new structure at the former crèche.
5. Interiors: Limited numbers of interiors are protected in the plan. Interiors can contribute greatly to the heritage values of place, and currently risk degradation without regulation. For example – Old Saint Paul’s
6. Archaeology: There are sites that are already listed in the district plan that are likely to have archaeological values, but the current archaeological provisions in the existing district plan are difficult to interpret or apply. Best practice heritage management dictates that archaeological sites should be regarded as ‘heritage’ and therefore protected seamlessly.
7. Consideration of heritage effects from adjacent development: There is limited discretion for the Resource Consent planners to consider effects on heritage when assessing applications for works that are adjacent to heritage areas and heritage buildings. The exceptions are that applications for buildings in the Central Area that exceed the height and mass standards do include discretion for effects on heritage.

Options

Option 1 - Status quo. Retain existing approach to partial listings, surroundings and interiors.

Option 2 – Review all partial listings on the existing heritage schedule and consider whether if their scope needs to be expanded or is appropriate.

Option 3 – review curtilage of small buildings on large sites on the existing schedule to ascertain how much of an issue this is.

Option 4 – review the existing list entries for Category I and Category II Historic Places to ensure that the extent of the district plan list entry is the same as HNZPT.

Option 4b – review other significant settings

Option 5 – Consider if there are places where interiors should be considered for protection, in addition to exteriors.

Option 6 – see section on archaeology

Option 7 – Consider how heritage items are considered in the plan where adjacent to new buildings

Preferred Option

- Options 2 – 7 are the preferred options. Doing so will ensure the updated heritage list is robust and meets current best practice.

Further work required

- Review all partial listings on the existing heritage schedule and consider if their scope needs to be expanded or is appropriate.
- Review curtilage of small buildings on large sites on existing schedule to ascertain how much of an issue this is.
- Review extent and mapping of all items on existing schedule for alignment with HNZPT recommendations.
- Review other significant settings
- Consider if there are places where interiors should be considered for protection, in addition to exteriors.

2.5 Resilience

Earthquake risk and heritage buildings

What is an earthquake prone building and what does this mean?

Earthquake-prone buildings have a higher chance of causing damage or injury in an earthquake. A building, or part of a building, is earthquake prone if it is likely to collapse and cause injury of death, or damage to another property, in a moderate earthquake. A moderate earthquake would generate a third of the level of shaking used to design a new building at the same site.

Buildings are given an earthquake rating, commonly referred to as a percentage of the new building standard (NBS). Earthquake ratings mean the degree to which the building, or part, meets the seismic performance requirements of the Building Code. Buildings that achieve less than a third of the new building standard (below 34% NBS) are considered earthquake-prone.

The Building Act requires owners of earthquake-prone buildings to undertake strengthening work within a determined timeframe. If a building is confirmed to be an earthquake-prone building it is entered into the national register of earthquake-prone buildings

<https://epbr.building.govt.nz/> .

There are currently 568 earthquake-prone buildings in Wellington.

What is the timeframe to strengthen a building?

EQPB notices include a requirement for work to be complete within a set time period. These are generally:

Status	Timeframes for resolution
New EQPB notices	<ul style="list-style-type: none"> • Priority Buildings -7.5 years to complete works • All other buildings -15 years to complete works
EQPB notices before the Building Act was amended in July 2017	Vary but are no more than: <ul style="list-style-type: none"> • Priority Buildings -7.5 years to complete works • All other buildings -15 years to complete works

Most building owners have made arrangements to complete earthquake strengthening works. The most notable exceptions of Toomath's Building on Ghuznee Street and the Tramway Hotel on Adelaide Road.

What buildings are the priorities to strengthen?

Some buildings are a priority to strengthen because they are considered a higher risk because of their construction type, use or location. They have a shorter time frame for carrying out seismic work. Priority buildings are identified as:

Type of building	Timeframes and parts to strengthen
Buildings that are used as an emergency service or education centre. Buildings that could collapse in an earthquake and block an emergency transport route	7.5 years to strengthen the entire building
Buildings with unreinforced masonry (URM) that could fall onto a high traffic route	7.5 years to strengthen any relevant URM elements 15 years to strengthen the rest of the building

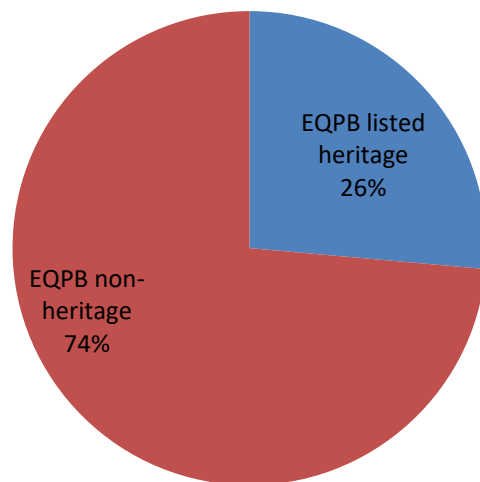
What if an owner doesn't strengthen their building?

In the event that an owner does not undertake strengthening actions prior to the expiration of the EPB notice, the Building Act gives powers to Territorial Authorities to carry out strengthening works and seek costs from owners. Prior to such a step being taken it is likely a territorial authority would use powers available to place hoardings and signs around the building to restrict access.

Some heritage buildings are earthquake prone

- There are currently 568 earthquake-prone buildings in Wellington.
- 150 EQPB notices apply to sites that are scheduled in the District Plan as heritage buildings, or are buildings in heritage areas.

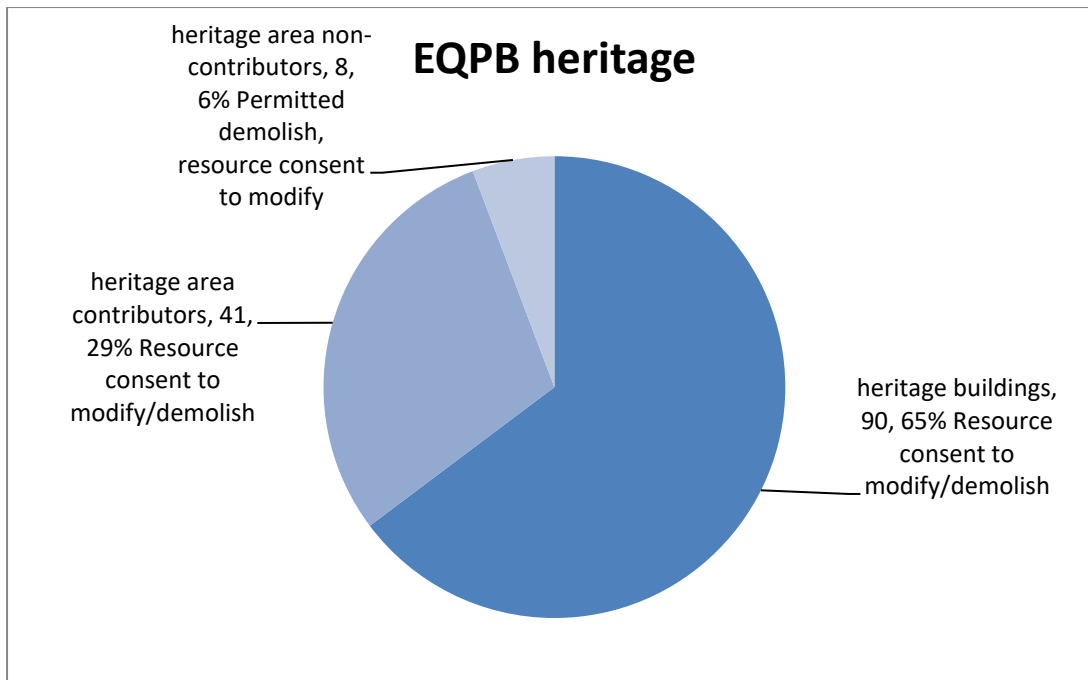
EQPB buildings in Wellington



There are some places that have more than one earthquake-prone building within the curtilage of the site, and there are 139 sites where EQPB notices apply.

The 139 EQPB heritage sites include:

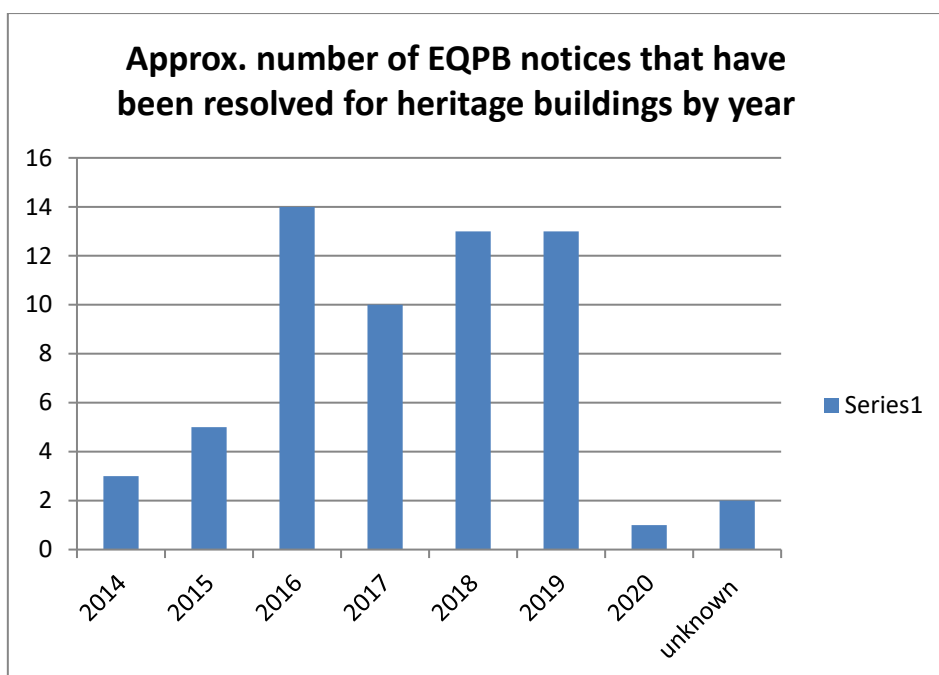
- 90 listed heritage buildings
 - Note that some EQPB notices apply to secondary buildings on the site of a heritage building.
- 41 contributing buildings in heritage areas.
- 8 non-contributors to heritage areas.
 - These are buildings that have been identified as non-heritage buildings for the purpose of the heritage area demolition rule 21B.2.2.



Numbers of earthquake prone heritage prone buildings are coming down

A review of the Built Heritage Incentive Fund (BHIF) since 2014 suggests that progress on the resolution of EQPB notices is relatively evenly divided between sites where:

Type	Number of buildings
Notices have been resolved and buildings removed from the EQPB list	approx. 33% / 70 buildings <ul style="list-style-type: none"> This number does not include six statues and monuments that are no longer considered to the EQPB after a change to the Building Act in 2017. Two heritage buildings, Shed 35 and Erskine Main Building, have been demolished.
There is no information	approx. 29% / 62 buildings)
Owners have made some progress with strengthening their buildings	<ul style="list-style-type: none"> 8 have completed strengthening and are awaiting a formal code of compliance certificate for building works (CCC) 32 works have started on site to strengthen the building 18 owners are undertaking detailed design 18 owners are at a concept planning stage 7 owners are at an initial seismic assessment stage



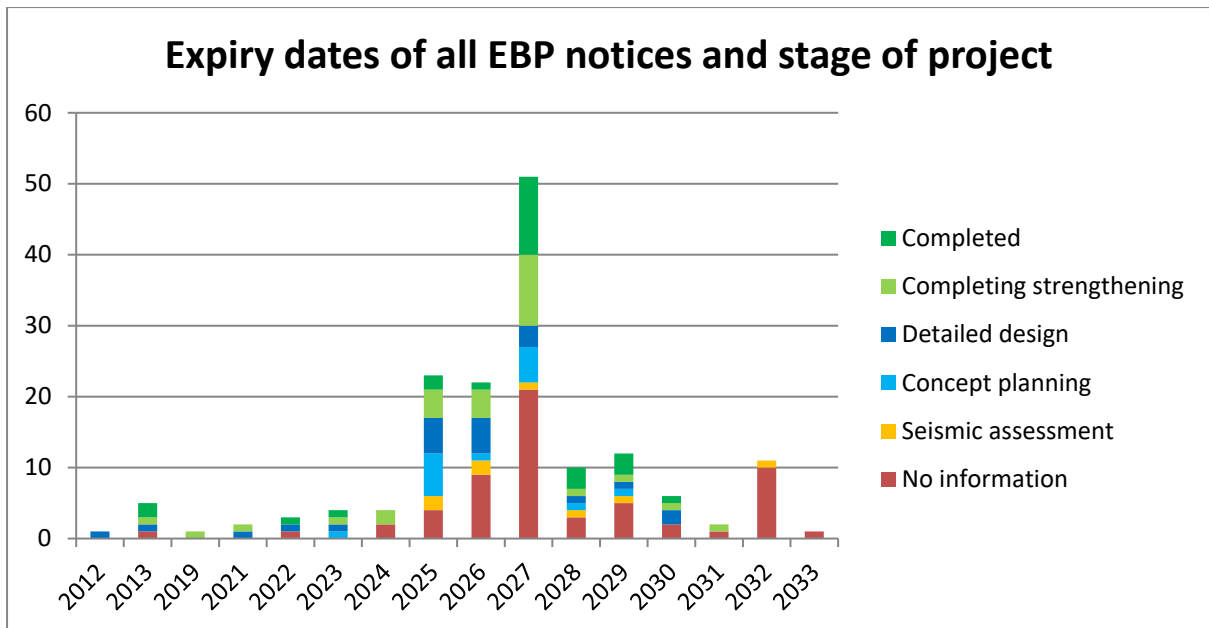
Some notable buildings that have been strengthened include:

St James Church, Adelaide Road Home of Compassion Crèche, Buckle Street	St Mary of the Angels, Boulcott Street Te Aro House (Te Auaha), cnr Cuba and Dixon streets
Hallenstein Brothers Building (former) cnr Cuba and Ghuznee streets	George and George Building (former) aka Floriditas, Cuba Street
Maguires Building, 168 Cuba Street	Thistle Hall, Cuba Street
Hope Gibbons Building, Dixon Street	Cadbury Building (former) Dixon Street
Karori Crematorium and Chapel, Karori Cemetery	Kate Sheppard Place substation (former)
Public Trust Building, Lambton Quay	DIC building (former) Lambton Quay
Australian Temperance and General Mutual Life Assurance Building (aka Harcourts), Lambton Qy	Whitcoulls Building (former), Lambton Quay
St Matthias Church, Makara Road	Opera House, Manners Street
Wellington Central Fire Station, Oriental Parade	Wellington Rowing Club and Star Boating Club, Taranaki Wharf
Woolstore (former) Thorndon Quay	Curry Heaven, Riddiford Street
Racing Conference Building, Victoria Street	Wellington Trades' Hall, Vivian Street
Manthell Motors Building, Wakefield Street	Evening Post Building, Willis Street

A large number of EQPB notices will begin to expire from 2025 onwards

BHIF fund analysis shows both the number of EQPB notices that will expire in each year up to 2033, and an indication of the strengthening-progress for the buildings within each year-group. Of particular note is the peak of over 50 EQPB notices expiring in 2027.

At least 20 of these buildings have either started or completed earthquake-strengthening.



The unreinforced masonry ‘URM’ programme [reduced risk](#)

Due to the increased risk of earthquakes following the November 2016 Hurunui/Kaikōura earthquake the Ministry of Business Innovation and Employment set up an initiative to improve the seismic performance of unreinforced masonry buildings in high-risk areas – see [link](#). The Unreinforced Masonry (URM) strengthening programme required building owners of certain buildings to take action to secure unreinforced masonry parapets and facades by the end of September 2018. The intention behind the initiative was to take a proactive approach to strengthening Wellington’s buildings so that the city would be better prepared for the possibility of further earthquakes or aftershocks following the November 2016 earthquake.

Of particular concern were unreinforced-masonry buildings. These buildings are constructed using, or contain significant elements of, clay brick, concrete block or natural stone units bound together using lime or cement mortar, without any reinforcing elements such as steel reinforcing bars. These buildings are particularly vulnerable to falling in an earthquake, so targeted strengthening was a priority. The buildings targeted were those with street facing parapets and facades on busy, high-traffic streets.

139 buildings were identified by the programme, of which 54 (39%) were heritage buildings.

The programme ended in September 2018. Only the buildings that were identified in this programme and required to undertake work during this timeframe were eligible for funding. Because there was a tight deadline of 18 months to complete this work, the Government and Council contributed a total of \$3 million to help Wellington building owners achieve this timeframe. The fund contributed 50% of costs up to \$25,000 for buildings 1-2 storeys, and 50% of costs up to \$65,000 for 3 or more storeys.

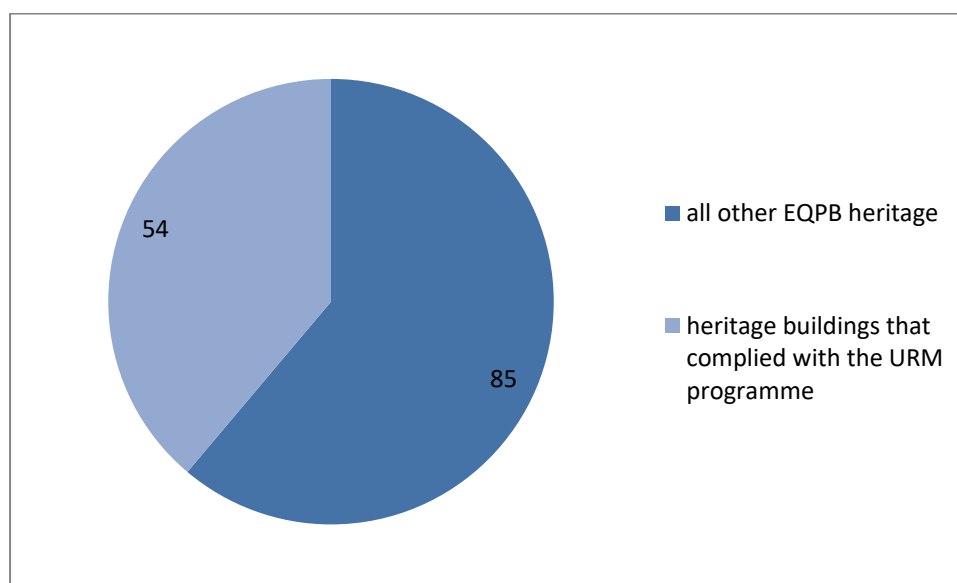
Wellington streets identified as being high traffic for this programme were:

Adelaide Road, Berhampore/Mt Cook/Newtown	Bond Street, Wellington Central
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Courtenay Place, Te Aro	Coutts Street, Kilbirnie
Cuba Street, Te Aro	Dixon Street, Te Aro
Dundas Street, Seatoun	Egmont Street, Te Aro
Eva Street, Te Aro	Ganges Road, Khandallah
Ghuznee Street, Te Aro	Hobart Street, Miramar
Holland Street, Te Aro	Hutt Road, Pipitea
Kilbirnie Crescent, Kilbirnie	Lambton Quay, Wellington Central
Manners Street, Te Aro	Miramar Avenue, Miramar
Riddiford Street, Newtown	Rintoul Street, Newtown
Taranaki Street, Te Aro	The Parade, Island Bay
Tinakori Road, Thorndon	Tory Street, Te Aro
Victoria Street, Te Aro	Vivian Street, Te Aro
Wakefield Street, Wellington Central,	Willis Street, Wellington Central
Woodward Street, Wellington Central	

Once the programme was completed the Council had an independent review carried out to identify what successes could be applied to the wider earthquake-prone building programme, and what we could learn.

[Unreinforced-masonry programme independent review](#) (486KB PDF)



All 54 heritage buildings had their street-facing parapets and facades secured as part of the 2017/18 URM programme. Without additional strengthening, these buildings are still considered earthquake prone.

They were located in the following areas:

Adelaide Road – 2 buildings	Buckle Street – 1 building	Courtenay Place – 6 buildings
Cuba Street – 24 buildings	Egmont Street – 2 buildings	Manners Street – 1 building
Riddiford Street, Newtown – 18 buildings	Taranaki Street – 1 building	The Parade, Island Bay – 2 buildings
The Terrace – 1 building	Tory Street – 2 buildings	Vivian Street – 2 buildings

Wakefield Street – 3 buildings	Willis Street – 2 buildings	
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How building owners are supported by Council

Council offers a range of support options for building owners who are managing potentially earthquake-prone or earthquake-prone buildings. These are:

- Built Heritage Incentive Fund (BHIF) - [link](#)
- Rates remissions for owners carrying out strengthening - [link](#)
- Building Consent fee rebates - [link](#)
- Building Resilience Fund (for non-heritage buildings) - [link](#)

BHIF funding

The purpose of the Built Heritage Incentive Fund is to assist owners of heritage buildings to undertake conservation and seismic strengthening work where successful outcomes would be unlikely without assistance.

15% of the fund is reserved for conservation-specific work, whilst 85% is intended for work related to earthquake strengthening. Earthquake strengthening work can include:

- an initial engineering report or assessment
- the detailed design
- a grant towards actual strengthening work.

BHIF statistics from October 2014 to February 2020

- Total BHIF funding grants - Council has contributed \$3,094,857 to 64 EQP heritage buildings
- BHIF grants for strengthened buildings - Council contributed \$1,907,440 to 27 projects where strengthening is complete and the building is no longer earthquake-prone.
- BHIF grants for earthquake strengthening – Council contributed \$1,208,417 to help owners of buildings strengthen buildings that are currently earthquake-prone

BHIF funded projects included:

- Albemarle Hotel, Ghuznee Street
- Wellington Rowing Club and Star Boating Club, Taranaki Wharf
- 15 Courtenay Place
- 216 Cuba Street
- Evening Post Building, Willis Street
- Futuna Chapel, Karori
- Morgan's Building, Cuba Street
- St Mary of the Angels, Boulcott Street
- TG Macarthy Building, Cuba Street
- Kate Sheppard Place Substation
- Wellington Trades' Hall, Vivian Street

Further funding is available from:

- [Heritage EQUIP](#)

- [Heritage New Zealand Pouhere Taonga - National Heritage Preservation Incentive Fund](#)
- [Lottery Grants](#)

Emergency legislation

During the normal course of events most works to heritage buildings must comply with the District Plan resource consent process. However there are special provisions for emergency works within the RMA and Building Act.

RMA Emergency Works

There are provisions for emergency works in sections 330, 330A, 330B, 331 which suspend typical RMA provisions and requirements to obtain resource consents.

In essence where a local authority, considers any natural and physical resource (including heritage) is affected by or likely to be affected by:

- an adverse effect on the environment requiring immediate remedial or preventative measures or,
- a sudden event that causes or is likely to cause loss of life, injury, or serious damage to property.

Normal RMA provisions, plan rules and consent processes do not apply. Immediate action (assessed on a case by case basis) can be undertaken.

There is a requirement to apply for retrospective resource consents after action is taken. Currently these must be obtained within 20 working days of the action, but this is proposed to be extended to 60 working days. The same criteria and emergency work avenues are available to network utility operators and life-line utilities.

Shed 35 was demolished in 2017 following the Kaikoura Earthquake under these RMA provisions

Building Act provisions

The Building Act was amended in 2019 to include special provisions for buildings affected by an emergency. The provisions allow for the establishment of “designated areas” where the emergency provisions apply. This is when a state of emergency has been declared under the Civil Defence and Emergency Management Act, or a local authority has declared an emergency. In these situations RMA plan provisions and the requirement for resource consent do not apply. Instead, special building act provisions apply under Subpart 6B.

The powers under sections 133BA to 133BZA can be used in relation to heritage buildings and include:

- Measures to keep people at safe distance and protect building,
 - such as fences, hoardings, containers to stop debris falling.
- Place signs
- Require the supply of information
- *Urgent* works to remove or reduce risks (133BV)

- Such as propping up, partial or total demolition. HNZPT must be consulted before any heritage building or wāhi tapu is demolished (this includes all heritage places scheduled in the District Plan).
- Works to remove or reduce risks (133BW)
 - This applies where a building is impacting on the safety of another building, or disrupts a public thoroughfare. HNZPT must be consulted at least 10 days before any heritage building is demolished

Government may also enact other emergency legislation that sets aside the requirements for Resource Consent. For example the Hurunui/Kaikōura Earthquakes Recovery (Unreinforced Masonry Buildings) Order 2017 set aside the requirement for Resource Consent and Building Consent for works to secure URM parapets and facades in specific circumstances.

Specific risk management approaches for chimneys

What's the issue?

Chimneys were a ubiquitous feature of pre-1960 buildings in New Zealand. Chimneys are often vital components of a building's composition; often have aesthetic/architectural value; and are tangible reminders of a previous way of life.³ Many homes built before the 1970s have a brick or concrete masonry chimney, although the fireplace may no longer be used. These chimneys are likely to be unreinforced and in an earthquake, they can collapse and cause damage to the house below. Cracked chimneys can also start house fires if open fireplaces are still used.

The Heritage team often receives enquiries from building owners regarding the demolition of chimneys on listed heritage buildings, or on buildings in heritage areas. At least nine chimneys have been demolished by building owners without resource consent in the past 6-years. Chimneys are sometimes replaced with lightweight replica which, although it is considered by HNZPT to be a less desirable heritage outcome than repair and strengthening, at least may help retain the aesthetic values for some buildings. Lightweight replica chimneys are not considered to be appropriate for buildings with the highest heritage values, and should be considered on a case-by-case basis.

Building consent for chimney removals

The Building Act was changed following the Canterbury earthquakes of 2010/2011 to simplify the repair of damaged buildings.

Building owners do not require a Building Consent to remove a chimney if:

- it is an unreinforced chimney made of brick, stone or concrete
- the building is three storeys high or less
- removing it won't have an adverse affect on the primary structure of the building
- it is not a shared joint chimney stack between two semi-detached buildings
- it does not provide structural support to an upper floor or roof structure.

³ <https://www.heritage.org.nz/protecting-heritage/earthquakes> Making damaged buildings safe - Repairing chimneys

All work must meet the Building Code, including using acceptable trade practices, including fixing any holes in floors, ceilings and internal partitions, and making the roof weathertight.

Building owners may require Resource Consent to remove a chimney if the building

- is heritage listed or in a heritage or character area
- [was built before 1930 in Aro Valley, Mount Cook, Newtown, Berhampore, Thorndon, Mount Victoria or Holloway Road.](#)

Building owners may require Resource Consent to remove a chimney if the building:

- is heritage listed or in a heritage or character area
- was built before 1930 in Aro Valley, Mount Cook, Newtown, Berhampore, Thorndon, Mount Victoria or Holloway Road. (and the chimney is on the primary frontage).

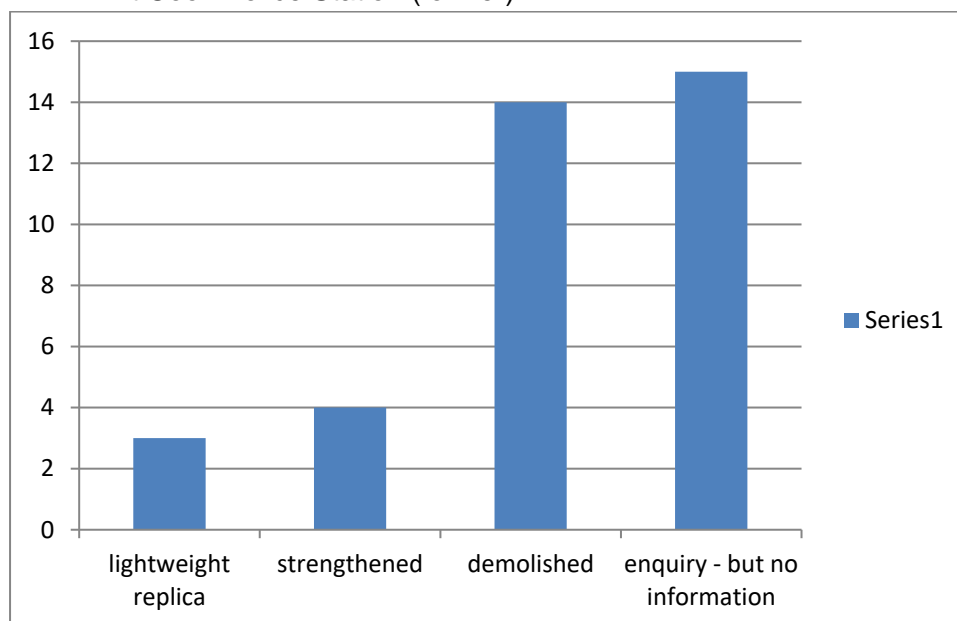
Resource consent for chimney removals

Since 2014 there have been at least 35 requests for advice on chimneys. Most enquiries have been for general advice and have not resulted in a resource consent application.

- At least nine chimneys have been removed from chimneys without resource consent, although two were subsequently replaced with a lightweight replica.
- five chimneys were removed with resource consent, one of which was replaced with a lightweight replica.

Some chimneys have been strengthened or rebuilt in brick. These include:

- Karori Cemetery crematorium chimney
- Nairn Street Cottage
- Mt Cook Police Station (former)



- 9 resource consents for chimneys
 - 2 were strengthened
 - 5 were removed
 - 2 were rebuilt in brick
 - 1 were replaced as a lightweight replica

- 9 chimneys removed without resource consent
 - 2 were replaced with lightweight replicas
- 15 enquiries about chimneys did not result in a resource consent
- 2 chimneys were strengthened or repaired but did not require resource consent

HNZPT recommends repair, replication only in limited circumstances

Heritage New Zealand published guidance for the repair of chimneys following the 2010/2011 Canterbury earthquakes.⁴ They note that:

Chimneys were a ubiquitous feature of pre-1960 buildings in New Zealand. The majority of chimneys were built using unreinforced brick masonry. The Canterbury earthquake (4 September 2010), and its subsequent aftershocks, caused significant damage to a high proportion of unreinforced masonry chimneys in the region.

Chimneys are often vital components of a building's composition and it would be regrettable to lose these architectural elements from the skyline. Not only are chimneys aesthetically pleasing, they serve as tangible reminders of a previous way of life.

Heritage New Zealand strongly recommends that, where possible, chimneys damaged or destroyed as a result of an earthquake, should be repaired, restored or reconstructed in the most authentic manner feasible. However, safety must be the priority and seismic strengthening may require significant intervention.

No two chimneys, or the damage they have sustained, are identical..repairing[sic] or rebuilding a chimney to its original form, using original materials is the most heritage-sensitive solution. However, in some instances replacement using engineered lightweight construction may be an option. Each chimney needs to be dealt with on a case by case basis.

HNZPT advice includes:

- Inspection to establish the structural integrity of the chimney
- Recording existing chimneys with photographs, drawings and measurements
- Repair and strengthening of chimneys where possible
- Reconstruction of damaged chimneys in brick masonry if they cannot be repaired

The replacement of existing chimneys using lightweight replica materials is the least desirable option. HNZPT note, however, that

... there will be occasions when it may be necessary to reproduce discrete elements within a building which have been lost or destroyed due to a destructive event (i.e. earthquake). Using lightweight replacement materials would be unlikely to be an acceptable option for buildings with the highest heritage value. Solutions for each building/chimney must be carefully considered on a case by case basis.

In these circumstances:

- *Any reconstruction should be accurately replicate the visual appearance of the original chimney.*

⁴ <https://www.heritage.org.nz/protecting-heritage/earthquakes> Making damaged buildings safe - [Repairing chimneys](#)

- *In order to ascertain the form of the original structure architectural plans (if available) should be studied. Photographs taken pre-damage will also provide valuable information.*
- *If sufficient information is not available to accurately replicate the original form rebuilding should not proceed. In such cases it may be deemed most appropriate to remove the chimney altogether. Use of conjecture is not considered acceptable on a heritage building.*
- *Further information is available on a separate information sheet on the use of lightweight materials.*

Replacement of other URM elements with lightweight materials

Council regularly receives requests for advice on the removal of chimneys from heritage buildings. By comparison, there are relatively few enquiries about the removal of other high-risk elements on earthquake-prone buildings, and even fewer enquiries about the replacement of high-risk elements with lightweight replica materials. HNZPT note that

High-risk elements refer to exterior fabric of a building that may be a threat to public safety. It includes chimneys, gables, parapets and other decorative elements on a building façade. If these elements are not properly maintained and securely connected into the structure of the building, their integrity may be compromised. They may also be susceptible to collapse in an earthquake. These elements may be a critical structural weakness, even if the rest of the building may be structurally sound.

The repair and strengthening of high risk elements should be a high priority for all building owners.

Repair of other URM elements

The most common approach to earthquake strengthening in Wellington is to repair and retain the existing heritage fabric, including the URM features noted above. An example is the 2017/18 URM programme which required owners of 113 earthquake-prone buildings to secure unreinforced masonry facades and parapets. 54 owners of heritage buildings that are currently EQPB have carried out some works to secure high risk URM elements.

The use of lightweight materials

Lightweight replica materials are most commonly used in circumstances where decorative features of buildings have been removed historically. Examples of the reconstruction of missing elements in lightweight materials include:

- Government Buildings, Lambton Quay –chimneys
- Government House, Dufferin Street – chimneys
- Karo Drive – chimneys on relocated houses
- Whitcoulls Building (former), Lambton Quay – parapets
- Wellington East Girls College, Austin Street – parapet
- Supreme Court(former), Stout Street – some ornamentation
- Wellington Town Hall, Wakefield Street – column capitals
- Dr Henry Pollen’s House, Boulcott Street – chimneys

This complies with HNZPT’s guidance which considers that...

If repair and strengthening is not possible, replacement with lightweight materials may be an option. Replacement is considered the least desirable option from a heritage retention perspective.

In a 2014 thesis by Moira Smith examined the use of lightweight replica ornament to manage the heritage values of earthquake-prone buildings. Part of the research involved interviews with interviewed conservation architects, heritage consultants and a structural engineer. A summary of the issues of lightweight replica materials⁵ that they raised includes:

- Rarity – Chimneys are the most common features that are replaced with lightweight replicas.
- Repair – Repair is generally considered to be achievable, and should be the first priority
- Reconstruction – lightweight replicas should only be used to reconstruct missing elements, rather than to replace existing heritage fabric
- Maintenance - Lightweight replicas are likely to be less robust, and require more maintenance than traditional materials
- Weathering and patination - Lightweight materials tend to become more obvious over time as they do not weather or age in the same way as traditional materials
- Cost - Replacement of existing elements in lightweight materials may cost more than repair

Opportunity for district plan provisions for resilience

RMA plan provisions can help ensure heritage buildings are treated sensitively when obligations under the Building Act to resolve EPB notices must be discharged. To achieve the intent of s6 of the RMA this means encouraging and facilitating strengthening and discouraging and making limited provision for demolition and complete loss of heritage value. Through the district plan policy framework specific forms of risk can be incentivised to be reduced

New District plan provisions can assist with the implementation of the Heritage Policy as well as the Resilience Strategy. The scope of what can be achieved within the RMA framework and through an RMA plan mean the district plan won't be a 'silver bullet' to addressing all issues, and can't be the only tool used by Council. However, the policy direction and provisions of the district plan should be consistent with these other documents. Both of these documents seek to enable buildings to be made more resilient to the risk from natural hazards, with due regard to heritage values.

2.6 Can heritage be addressed differently in the design guides?

Summary of Issue

Heritage is addressed in a number of the appendix design guides to the district plan. However, the manner in which heritage is addressed is variable. In some circumstances plan rules do not provide discretion for consideration of effects on adjoining heritage buildings in the assessment of resource consents, while the design guides do. It is recognised that in

⁵ Moira Smith, "A USEFUL ACCESSORY": The use of lightweight replica ornament to manage the cultural heritage values of earthquake-prone buildings, MMHS Thesis 2014.

these circumstances this is an issue with the plan rules and matters of discretion, rather than the design guides themselves. The review of design guides should consider opportunities to strengthen how heritage is integrated into area based guides (eg, Central area) and where separate design guides specifically for heritage values could be beneficial.

There are also non-statutory design guides which may be usefully incorporated as statutory design guides to help achieve better outcomes through the resource consent process and provide clarity for owners how their consent will be assessed from a design perspective.

These guides include:

- Tarikaka settlement
- Shopfronts

For example there are a number of heritage areas for which design guides may be useful to be developed eg, Salisbury Garden Court.

Options

Option 1 – do nothing and rollover current approach to heritage in the design guides.

Option 2 – update existing design guides and integrate heritage provisions within each guide

Option 3 – remove heritage from the urban design guides and prepare separate heritage design guides

Option 4 – integrate heritage considerations into area based design guides and also pursue heritage specific design guides for specific topics and areas

Option 5 – explore adding new design guides for some heritage areas

Option 6 – explore updating and upgrading non-statutory design guides as statutory design guides

Preferred Option

- At this point a preferred option cannot be reached. This is because the broader suite of design guides are being considered for fundamental restructure. Heritage guides will be part of the decision making process. Whatever the eventual organisation, so long as it is clear where heritage provisions can be found, and plan rules create a link to considering the design guides it is not overly significant.

Further work required

- Liaise with the urban design team who are leading the development of the design guides

2.7 Should archaeological sites be listed in the district plan?

Summary of the issue

The definition of an archaeological site under the Heritage New Zealand Pouhere Taonga Act 2014 is:

(a) any place in New Zealand, including any building or structure (or part of a building or structure), that—

(i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and

(ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and

(iii) includes a site for which a declaration is made under section 43(1)- shipwrecks that can provide historical insight.

Recently updated district plans have listed archaeological sites as they fall within the definition of historic heritage under RMA. A dual management framework through both RMA plans and the archaeological authority process under the HNZPT Act provides a more considered approach to their management. The archaeological authority process under the HNZPT Act enables information extraction (through archaeological methods) rather than protecting entire archaeological sites in the first instance.

The Wellington City District Plan currently protects sites of significance to Maori (some of which will be archaeological sites provide they date back before 1900), but not for their non-Māori archaeological values. The first set of national planning standards sets the structure and form for district plans, and separates sites of significance to Māori from non-Māori archaeological sites. Given this standardised structure, the question raised is whether the plan should list and protect non-Māori archaeological sites.

Options

Option 1 – Do nothing

Option 2 – Explore including a selection of archaeological sites in the district plan which are on Council land.

Option 3 – Explore including a comprehensive selection of Wellington’s significant archaeological sites in the district plan heritage list both on private and public land.

Recommended option

- On balance, it is recommended that Option 2 is selection as a ‘trial run’ for protecting archaeological sites. This should be worked through in consultation with HNZPT.

Further work required

- Consultation and information sharing with other councils who schedule or have explored the scheduling of archaeological sites eg New Plymouth District Council.
- Engagement and consultation with HNZPT for further guidance on the scheduling of archaeological sites.
- Engagement and consultation with tangata whenua around the potential implications of scheduling archaeological sites that may be of significance to them.

- Engagement and consultation with the New Zealand Archaeological Association (NZAA) for advice on identifying significant archaeological sites for scheduling.
- Discussions on the definition of 'archaeological sites' for scheduling in the WCC District Plan. e.g., should the definition of the HNZPT Act simply be adopted?

2.8 Can conservation plans be encouraged to assist with more efficient consenting?

Summary of issue

The WCC heritage policy suggests that Council provides an accelerated resource consent process for heritage places with conservation plans. This would help simplify and expedite the process for building owners who are undertaking works that have good heritage outcomes and have been agreed in advance with council via a peer-reviewed conservation plan. This recognises building owners that have 'done the right thing', and could encourage others to follow suit. Currently only a small number of heritage places have conservation plans, and these are treated the same as those without in the consenting process.

Options

Option 1 – Do nothing. Status quo.

Option 2 – Explore providing an accelerated approval process for heritage with conservation plans

Recommended option

- Option 2 is the preferred option as it could incentivise owners to develop conservation plans for their heritage buildings.

Further work required

- Work with the resource consents team to explore how an accelerated resource consent process for heritage places with conservation plans could work and if they are supportive of such a move.

3 Conclusion

This report has expanded on the findings of the background and monitoring reports and presents options for ensuring the historic heritage provisions of the district plan are suitable in a changing Wellington City. A number of options for further consideration have been identified and will need to be examined in depth through the district plan review process.

Other direction to identify and protect heritage

There are multiple documents and legislative drivers that the Council must observe when listing heritage items in the district plan.

RMA requirements

The RMA includes a number of requirements for the identification of heritage. These include the RMA definition of historic heritage, and a requirement for Council to have regard to any relevant entry on the HNZPT Heritage List/ Rārangī Kōrero.

There are also a number of heritage places that are listed by HNZPT but are not scheduled by WCC in the current District Plan. These include:

- 7 Category I Historic Places
- 7 Category II Historic Places
- 5 Historic Areas that are not scheduled in the District Plan
- 3 Historic Areas that are partially scheduled
- 0 Wāhi tapu sites and wāhi tapu areas

Council must give regard to the HNZPT heritage list when preparing the heritage list in the district plan.

NES, NPS and NZ Coastal Policy Statement

The New Zealand Coastal Policy Statement includes a number of requirements for the management of heritage including requirements under the Treaty of Waitangi and for Māori heritage. Policy 2 includes a requirement for identification, assessment, protection and management of coastal sites in consultation and collaboration with tangata whenua. Policy 17 requires the protection of historic heritage in the coastal environment from inappropriate subdivision, use and development by the “identification, assessment and recording of historic heritage, including archaeological sites”.

Accordingly, the Council must consider the requirements of the NZ Coastal Policy Statement when identifying or assessing any coastal heritage places.

GWRC RPS requirements

The GWRC regional policy statement includes requirements for heritage identification and assessment including:

- Objectives 23-28: resource management with tangata whenua.
- Objective 15: Historic heritage is identified and protected from inappropriate modification, use and development.
- Policy 21: Identifying places, sites and areas with significant historic heritage values – district and regional plans.
- Method 1: District Plan implementation

- Method 20: Information to assist with the identification of places, sites and areas with significant historic heritage values
- Method 32: Engagement with tangata whenua, stakeholders, landowners and the community in the identification and protection of significant values

Policy 21 includes a list of criteria to ensure significant historic heritage resources are identified in district and regional plans in a consistent way. A place must fit one (or more) of the listed criteria in order to have significant historic heritage values. The RPS requires that the Council must assess a place, site or area against all the criteria contained in the RPS and may use additional criteria in reaching a listing decision.

GWRC have published guidance on the use of the criteria as part of their requirements under Method 20. This is “A guide to historic heritage identification. An issue for the Council is that the current assessment criteria were written in 2007 and do not include the GWRC requirements. The Council has reviewed the 2007 WCC assessment criteria against the provisions of the GWRC RPS and developed draft criteria based on GWRC RPS policy 21, these need to be finalised.

Wellington Heritage Policy 2010 requirements

- Wellington Heritage Policy – Goals – Recognition – Wellington’s heritage is recognised as contributing to the understanding of our cultural diversity and awareness of our sense of place.
- Wellington Heritage Policy Objective 1 – To continue to recognise heritage places as essential elements of a vibrant and evolving city

The Wellington Heritage Policy also includes a number of actions including:

Identification

- Adopt a heritage-area approach to identify important areas within the urban and rural areas of the city that will contribute to the community’s sense of place
- Continue to identify heritage places with significant heritage value to ensure their protection, promotion, conservation and appropriate use for present and future generations
- Recognise buildings with significant interiors to ensure their protection, promotion, conservation and appropriate use for present and future generations
- Acknowledge the contribution surroundings make to the values to the heritage value of places
- Establish and implement clear criteria for identifying individual places and heritage areas
- Identify nationally significant places in Wellington at risk from natural disaster or war for inclusion in a Heritage Disaster/Emergency Management Plan
- Continue to liaise with Council departments, [Heritage New Zealand Pouhere Taonga, government and non-government agencies, professionals, property owners and the community in identifying the city’s heritage

Inventory

- Maintain and expand a comprehensive inventory of the city's heritage.

Research

- Ensure that places continue to be fully researched, documented and recorded for regulatory and non-regulatory purposes
- Continue to liaise with Wellington City Archives, Wellington Public Library and other research and archive institutions to ensure information about heritage places in the city is accessible
- Support the New Zealand Archaeological Association in its continuing archaeological surveys as an important method and programme of heritage identification and verification

District Plan

- Recognise those places with significant heritage value through listing in the District Plan, either individually or as part of a heritage area
- Continue to review provisions in the District Plan to ensure they take into account the heritage values of listed [scheduled] items, the heritage significance of areas, the values of sites of significance to Māori and archaeological sites.
- Continue to extend the protection of heritage values to suburban areas through regulatory and non-regulatory mechanisms, and identify more heritage areas

Council should take the provisions of the heritage policy into consideration in the preparation of the new District Plan.