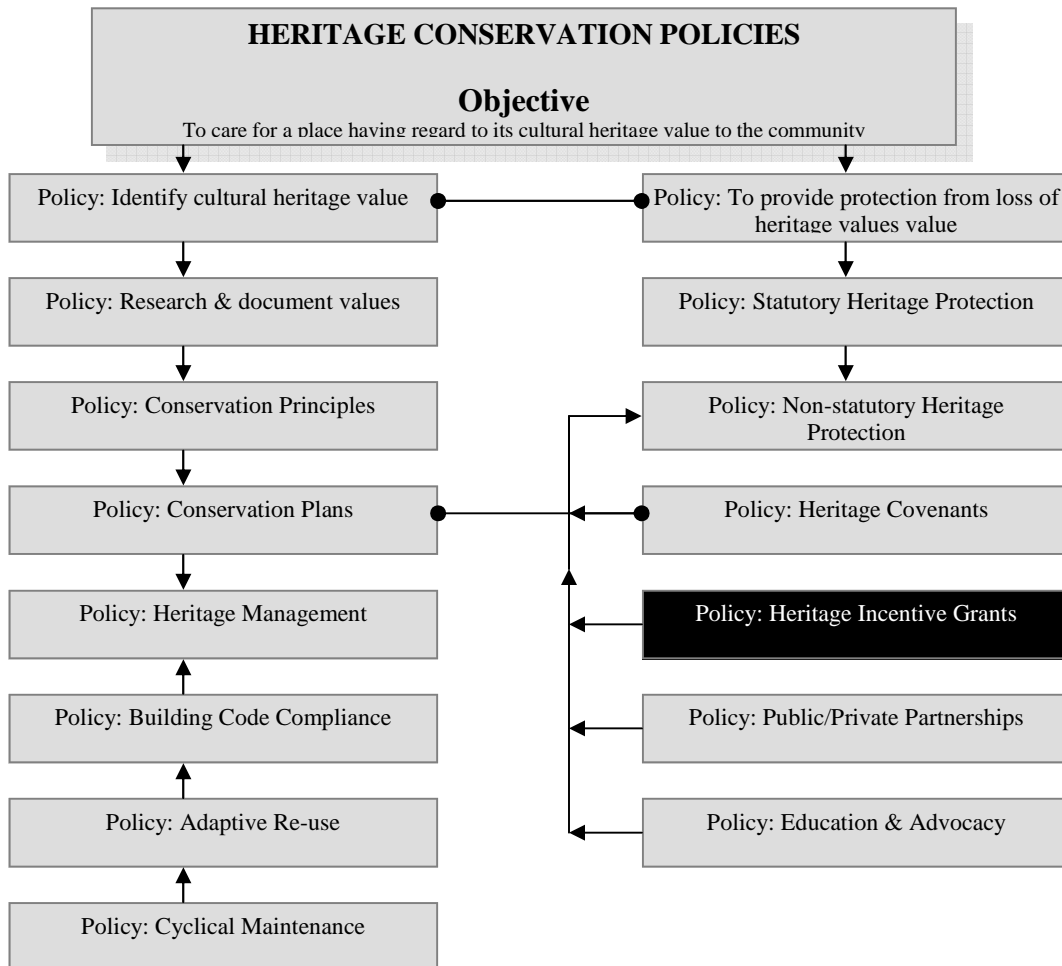


8.1 Heritage Conservation

1 Introduction

The Christchurch City Council reviewed its Heritage Conservation Policy in 2007. This review included a comprehensive Heritage Incentives Policy, with Operational Guidelines for its implementation and use, within the overall set of policies which support Heritage Conservation as shown the diagram below.



2 Background

The history and location of Christchurch City and Banks Peninsula provide a distinctive character, much of which is derived from buildings and other structures. While it is the early buildings in Christchurch and Banks Peninsula which do most to define the City's and the Peninsula's unique architectural identity, the contributions of all periods have helped to shape the City's character and define a special sense of 'place'.

The City's appeal as a cultural and tourist centre is due in part to its architectural, historic and scenic attractions. Christchurch's future economic development as a significant tourist destination is therefore, to some extent, dependent on conservation of its heritage buildings, places and objects.

The Christchurch City Council has the primary responsibility for protecting Christchurch's and the Peninsula's heritage on behalf of its residents. In meeting this responsibility the Council has listed heritage buildings, places and objects in the City Plan and scheduled them in the Banks Peninsula District Plan.

The Christchurch City Council provides for heritage incentive grants towards conservation and maintenance to owners of heritage properties for the protection, and necessary upgrading of these properties to ensure their retention and continuing use.

3 Alignment and Links

Heritage Conservation Policies are aligned with the Community Outcome, "An Attractive and Well-designed City" through the indicator "Number of heritage buildings, sites and objects."

They are also aligned with Council's Strategic Directions; specifically Strong Communities through Goal 7, and Liveable Cities through Goal 4.

- Goal 7 of Strong Communities: "Celebrate and promote Christchurch's identity, culture and diversity by protecting and promoting the heritage character and history of the city."
- Goal 4 of Liveable Cities: "Maintain and enhance the quality of development, and renewal of the city's built environment by protecting Christchurch heritage buildings and neighbourhood character."

Strategies and policies relevant to the Draft Heritage Conservation Policy:

- The Greater Christchurch Urban Development Strategy;
- The Central City Revitalisation Strategy
- The New Zealand Urban Design Protocol
- ICOMOS New Zealand Charter For the Conservation of Places of Cultural Heritage Value
- Christchurch City Council Building Code Policy on Earthquake Strengthening

HERITAGE INCENTIVES GRANTS

1 Heritage Incentive Grants Policy Statement

The Christchurch City Council shall make grants to owners of heritage buildings, places and objects listed in the Christchurch City Plan and scheduled in the Banks Peninsula District Plan through the Heritage Retention Incentive Fund. The grants are in recognition of, and provide support and encouragement to, owners who provide public benefits to the community with the long-term retention of heritage buildings, objects and places through financial assistance with the conservation, protection and maintenance of their heritage forms and fabric.

2 Operational Heritage Incentive Grant Guidelines

This policy should be read in conjunction with the Heritage Incentive Grants Policy Operational Guidelines, the Terms and Conditions and the Glossary of Definitions.

3 Key Documents and Regulations

- The International Charter for the Conservation and Restoration of Monuments and Sites (ICOMOS) New Zealand Charter;
- Relevant provisions of the Resource Management Act (RMA) 1991 and its 2003 amendment in particular;
- Building Act 2004;
- Local Government Act 2002;
- Christchurch City Plan and Banks Peninsula District Plan;
- Historic Places Act 2003;
- Reserves Act 1977
- Christchurch City Council Earthquake-Prone, Dangerous and Insanitary Buildings Policy 2006.

HERITAGE INCENTIVE GRANTS POLICY – OPERATIONAL GUIDELINES

Introduction

These Heritage Incentive Grant Guidelines are to be used in the interpretation and application of the Heritage Incentive Grants Policy.

1 Scope of Grant Consideration

The scope of works addressed for the consideration of a grant shall include, but not be restricted to, the following as they relate to the appropriate practice of conservation and maintenance of heritage fabric and form of the heritage item and the protection of its heritage values:

- Structural and seismic engineering works.
- Maintenance.
- Fire protection.
- External security
- Exterior painting and weatherproofing.
- Essential services including but not limited to electrical, drainage, and plumbing works where there has been or where there is a likely risk of damage to heritage fabric through failure of these services due to age or accelerated deterioration.
- Refunds of non-notified Resource Consent fees.

2 Criteria for Assessing Heritage Incentive Grant Applications

The following criteria will be used to assess Grant applications and determine the amount of the Grant:

- The relative heritage value of the building, place or object;
- The contribution the proposed work will make to the retention of the building, place or object;
- The contribution that the proposed work will make to the wider heritage values of the area;
- The degree to which the proposed works are consistent with the conservation principles and practice of the ICOMOS (NZ) Charter and other relevant international ICOMOS Charters;
- The urgency of the work required relating to the risk of damage if the work is not done in a timely manner;
- The availability of grant funds;
- The amount of any previous Grants for the property; noting that in general only one Grant will be made for work on a property unless the circumstances demand otherwise in terms of paragraph 3 of the Terms and Conditions Associated with Grants

3 Determining the Heritage Incentive Grant Amount

Each Grant shall equate to a percentage of the value of the conservation and maintenance work required as detailed in the Grant Application.

When determining the amount of a proposed grant consideration will be given to the criteria in Paragraph 2 above which includes the heritage significance of the place.

The following tables relate heritage significance as identified in the City Plan and the Banks Peninsular District Plan (BPDP) for the purpose of grant assessments.

Table 1 shows the Categories of Heritage Significance listed in the current City Plan Heritage Groups.

Table 1: The City Plan

	Christchurch City Plan
Group 1	Heritage items of international or national significance
Group 2	Heritage items of national or regional importance.
Group 3	Heritage items of regional or metropolitan significance
Group 4	Heritage items of metropolitan significance

Table 2 shows the categories of Heritage Significance scheduled in the Banks Peninsula District Plan. Schedule IV identifies items included in the Register of the Historic Places Trust in the Banks Peninsula territorial area. Schedule V is an additional set of heritage items on the Peninsula, not included in the HPT Register and with an indication of the reasons for listing, but no comparative significance assessment within the Schedule or with Schedule IV.

Table 2: Banks Peninsula District Plan

	Banks Peninsula District Plan
Schedule IV	NZHPT Category I and II Register of Historic Places
Schedule V	Notable Buildings, Objects and Sites

Table 3 shows the Categories of Significance that the Historic Places Act provides for the registration of heritage places as they relate to Schedule IV of the BPDP.

Table 3: New Zealand Historic Places Register

	Historic Places Trust Register
Category I	Places of special or outstanding historical or cultural heritage, significance or value
Category II	Places of historical or cultural heritage significance or value

Table 4 shows the approximate comparison of heritage listings and the upper level of the percentage of the value of the costed work that may be considered for grant approval.

Table 4: Approximate comparison of heritage listings and Grant percentage ranges

Percentage guide	CCC Plan listings	HPT Categories
0 - 50%	1 (International/national)	Category I
0 - 40%	2 (National/regional)	Category I
0 - 30%	3/4 (Regional/metropolitan)	Category II
Percentage guide	BPDP List	HPT Categories
0 - 50%	Plan Schedule IV	Category I
0 - 40%	Plan Schedule IV	Category II
0 - 30%	Plan Schedule V Notable Places (No relative significance)	No HPT category

4 Approval of Grants

- The Heritage Grants and Covenants Subcommittee (HGCS) of the Council has delegated authority to approve individual Heritage Grants to owners of heritage buildings, places or objects listed in the City Plan or the Banks Peninsula District Plan for Grants up to \$100,000 under the terms and conditions of the Heritage Incentive Grants Policy;
- Applications for such Grants in excess of \$100,000 are reported to the Council for approval or otherwise;
- Where the proposed scope of works includes a requirement for Resource Consent and/or consent under a Conservation Covenant then grant approval will not be given until such consents have been applied for and granted.
- A report is provided to Council twice a year listing Heritage Grants which have been approved by the HGCS pursuant to its delegated power within the preceding six months.

5 Payment of Grants

Grants subject to a requirement for a conservation covenant will not be paid until the covenant has been registered against the property Certificate of Title or the Personal Property Securities Register (as appropriate).

(i) Full payment

- Grants are not paid until the work to which the Grant relates is completed and certified by a Council approved inspection; and a covenant (where required) is registered against the property Certificate of Title or on the Personal Properties Security Register (as appropriate);
- However, where the Grant is made to a Trust or other not for profit organisation, full payment may be made prior to completion of the work where the work could not be done without the payment and where the covenant specifies the time period for completion of the work;
- Grant money is available for a period of 18 months from the date of written approval of the Grant. This period will only be extended with the written consent of the Heritage Grants and Covenants Subcommittee

(ii) Interim payment

- Where the Grant is to be paid over a period of several years (and where the covenant specifies the time period for completion of the work and where the agreed work meets partial completion milestones and has been certified), payment may be made on a pro-rata basis according to the extent of the agreed scope of heritage conservation and maintenance works having been completed .

Terms and Conditions associated with Grants

1 Eligibility for Grants

Any person who is the owner of a listed or scheduled heritage building, place or object within the administrative area of the Christchurch City Council may apply for a Heritage Grant [or some such similar overall statement of eligibility]

Owners of heritage buildings, places or objects who apply for Heritage Grants are not precluded from applying for Council Community Grant Funding as the two types of schemes are for fundamentally different purposes.

Owners of heritage buildings, places or objects who apply for Heritage Grants from the Christchurch Community Trust, the Lotteries Commission, the New Zealand Historic Places Trust or other heritage funding sources are not precluded from applying for Council Heritage Incentive Grant Funding.

In addition to the requirement for Grants to be applied only to listed or scheduled heritage items, the following exclusions will also apply: -

- Buildings owned by the Crown with their own capital programmes are not eligible for Heritage Incentive Grants, except where there are special circumstances including urgency and risk mitigation.
- Grant assistance is not applicable to Council owned buildings, places or objects, as these specific buildings have their own maintenance programmes.
- Grant assistance is not applicable to the contents of buildings, or chattels which do not form part of the fabric of the building or place, unless these items were an integral design element of the original place.
- Grant assistance is not applicable to the interior fabric of buildings unless the works relate to conservation of specific heritage features
- Grant assistance is not applicable to 'moveable' heritage items which are designed to be either towed or are self propelled
- Grant assistance is not applicable to those sections or areas of a heritage item which do not contribute to the heritage value of the place.
- Grant assistance is not applicable to landscape elements, features or additional buildings within a heritage setting identified in the City Plan or the BPDP.
- Grant assistance is not applicable to relocation of heritage items to other sites either within the Banks Peninsula or Christchurch territorial areas, or relocation to sites outside these areas. Consideration will be given to Grant assistance for relocation of heritage items within their existing site, and to relocated heritage items only if they are to new sites of compatible heritage value..
- Grant assistance is not applicable for the investigation of archaeological sites, whether included in Schedule VI of the BPDP, the Archaeological Association records or the Register of the New Zealand Historic Places Trust
- Grant assistance will not be provided to meet financial, legal, professional or administrative costs incurred by the grantee which are associated with the grant, a conservation covenant or the conservation or maintenance works subject to the grant, which will be met by the grant recipient
- Grant assistance is not applicable to work carried out by the owner of the property, unless the owner is an approved tradesperson with trade qualifications relevant to the works provided a quotation for an agreed scope of works is approved prior to the works being undertaken.

2 Bridging Finance for Grant Approvals

In the event of an individual Grant being provided that covers future or multiple years, the Council will **not** provide bridging finance to the applicant(s), nor will interest payments on bridging finance be included in the Grant approval as owners are expected to appropriately manage the funds as they have been allocated in the grant approval.

3 Multiple Grants

The Council discourages multiple small individual Grants. Once a Grant has been approved, in general a minimum of five cumulative years must elapse prior to a further Grant application being made. Where the total approval amount for multiple Grants exceeds the threshold level requiring the entering into a covenant, a covenant should be required.

In certain circumstances, such as:

- an increase in the assessed level of risk, including possible loss;
- essential unforeseen maintenance identified as a consequence of other works being carried out on the building;
- essential works necessitated by events such as fire, earthquakes or natural events;

additional Grants may be approved within the five year period.

4 Changes to the Agreed Scope of works

The scope of work to which the Grant relates is to be agreed prior to Grant approval. However, if the work done does not comply with the scope of work, or the resource consent or conservation principles as outlined in the ICOMOS Charter, the Council reserves the right to reduce the amount of the Grant paid or to withdraw the Grant entirely.

In some instances a Heritage Grant application for urgent work may be submitted on time but the processing of the application and hence of Grant approval may be delayed. If the scope of work has been agreed, the applicant may choose to continue with the work. However the Grant will only be paid if and when it is approved by HGCS (for Grants up to \$100,000) or the Council (for Grants over \$100,000). Accordingly, as there is no guarantee that the Grant will be approved the owner in commencing work before the Grant is approved takes a risk as to the outcome of the approval process.

5 Retrospective Grant Approvals

Where works have been undertaken without consultation with Council with regard to a grant application and where there has been no prior written agreement as to the scope of works applicable to the project for consideration of a grant, then no grant application will be accepted for the work other than at the specific discretion of the HGCS or the Council having regard to any special circumstances which may apply.

6 Extent of Work Underestimated

In some instances once the Grant has been approved and work has begun, the full extent of the conservation and maintenance work is greater than anticipated. In such cases a further scope of work should be agreed and a revised Grant application submitted for consideration.

7 Potential Conflicts of Interest

Where grant applications are made by members of Council staff, then this interest shall be stated in the grant application for consideration by HGCS or the Council. Where Council staff who would be otherwise be involved in the assessment and grant approval process have a personal or family interest in the receipt of a grant, then that member of staff shall take no part in the grant assessment and approval process and shall declare the nature of their interest to HGCS.

8 Conservation Covenants

Grants of \$50,000 or more will be subject to a compulsory requirement for a Full Conservation Covenant (refer to the Glossary).

Grants of \$5,000 to \$49,999 will be subject to a requirement for a Limited Conservation Covenant (refer to the Glossary).

The HGCS may exercise their discretion in relation to the Heritage Covenant conditions for specific grant applications.

Where the Grant relates to works to any part of a property which are to fall within the legal boundaries of a unit or units to be under the Unit Titles Act 1972 (or its successors), if the property is subject to a Full or a Limited Conservation Covenant, then the Covenant must be agreed and registered before the individual unit titles are created.

Where the Grant relates to works to any part of a property which falls within the legal boundaries of a unit or units created under the Unit Titles Act 1972 (or its successors), if the property is subject to a Full or a Limited Conservation Covenant, then all the unit title owners affected must agree to the registration of the Covenant over their individual unit titles before Grant payment will be made. In the event of all affected unit title owners not agreeing to a conservation covenant then the grant may be reduced on a pro rata basis calculated using the unit entitlements of each affected unit.

Glossary - Heritage Definitions

Additions

means in relation to a listed heritage place the construction of new fabric that increases the external volume of a listed heritage place and which has the effect of altering the heritage form, fabric or heritage values of the place.

Alterations

means in relation to a listed heritage place the modification or replacement of the internal or external fabric of a listed heritage place which has the effect of altering the heritage forms, fabric, and heritage values of the place. (See also 'maintenance').

Conservation

means the processes of caring for a place so as to safeguard its cultural heritage value.

Demolition

means in relation to a listed heritage place the destruction in whole or in part of a listed heritage place which results in the complete or significant loss of the heritage forms, fabric and heritage values of the place.

Full Conservation Covenant

means a covenant under section 77 of the Reserves Act 1977 or other appropriate legal instrument approved as a Full Conservation Covenant by the Heritage Grants and Covenants Subcommittee which requires the owner to obtain a consent in order to carry out any proposed activity on the protected heritage place.

Heritage Place

means any buildings, items, objects, and sites of significant heritage value that are Listed in the City Plan, in the Banks Peninsula District Plan Schedules IV or V, or in the Historic Places Trust Register of Historic Places.

Heritage Fabric

means any physical element, feature, material or finish which is part of the heritage value in whole or in part of a building, place or object and includes any original heritage fabric. Subsequent changes to such physical elements, features, materials or finishes which contribute to the record of the historic development of the heritage place are also considered to be part of the heritage fabric. This also includes the aggregate effect of material weathering and wear due to use over time.

Heritage Values

means those tangible and intangible values of a heritage place which relate to or are derived from its historical, social, cultural, spiritual, aesthetic, architectural, technological, craftsmanship, environmental, archaeological or contextual significance or its significance in terms of its location as a landmark or as part of a group.

Limited Conservation Covenant

means a covenant under section 77 of the Reserves Act 1977 or other appropriate legal instrument approved by the Heritage Grants and Covenants Subcommittee which prevents the owner from demolishing or partly demolishing, or applying to demolish or partly demolish, the protected heritage place within a specified period of time.

Maintenance

means the protective care of a place and significant features of a Setting.

Original Heritage fabric

means any physical element, feature, material or finish which was an integral part of the original heritage item.

Relocation

means the removal and re-siting of any building from any site to a new site and in relation to a listed heritage place also includes removal and re-siting within the same site.

Risk Mitigation

means action taken to minimise an identified significant risk to a heritage building, place or object. Where appropriate a risk mitigation plan should be prepared.

Setting

means in relation to a listed heritage place, a defined area around a listed heritage place which itself is not specifically listed but which is an area identified to protect the context of a heritage place from effects that could detract from or reduce the heritage values of that listed heritage place, including view shafts of that heritage place from a public place or from within the setting. They include the contents of that area such as trees, gardens, buildings, and structures that form the context for the heritage place.

Urgent

means, in the context of a heritage place, that the property is liable to damage or may be lost if the work is not done.