

LGOIMA reference – 2022/825

11 February 2022



Response - Official Information Request

I refer to your request for information received on 20/01/2022. Your request has been considered under the Local Government Official Information and Meetings Act 1987 (LGOIMA) and I provide the following information.

How many historic heritage sites in your district are not currently listed by heritage New Zealand Pouhere Taonga?

A total of 60 heritage buildings/sites are currently listed in Schedule 2 of the Horowhenua District Plan 2015 (the District Plan). There are only 17 heritage buildings/sites that are listed in the District Plan which are **not** listed with Heritage New Zealand Pouhere Taonga. **Table A** (as attached) identifies the 17 buildings/sites currently listed in the District Plan which are not listed by Heritage New Zealand Pouhere Taonga. For a complete list of all 60 buildings/sites please refer to the District Plan.

Please note that the list of heritage buildings/sites currently identified in Schedule 2 of the District Plan is not exhaustive. There may be other buildings/sites with heritage value in the District which have not been identified on this list (for example the District Plan does not currently identify sites of cultural significance).

How many historical heritage sites identified above (not listed by Heritage New Zealand Pouhere Taonga) are private residences (houses)?

There are six (6) residential dwellings listed for their heritage value in the District Plan which are not listed with Heritage New Zealand Pouhere Taonga.

Do heritage sites that have been identified by the local community require the agreement of the landowner in order to be protected?

When Council last amended Schedule 2 of the District Plan in 2017/18, it made the decision to only list buildings/sites where the landowner was supportive.

If Council was to choose to list buildings/sites in the future and the landowner was not supportive, then the plan change process is a public process and the landowner would have the opportunity to submit in opposition to their property being listed.

Are there any specific rules for owners of private residences, identified as historic sites, in regards to controlled or permitted activities?

Below are the Permitted and Controlled Activity provisions which relate to heritage properties listed in Schedule 2 of the District Plan.

The provisions for both the residential zone (Chapter 15) and the commercial zone (Chapter 17) are included as some of our heritage buildings within the commercial zone contain private residences.

Relevant District Plan Definitions (to help interpretation of provisions):

MAINTENANCE (only applicable to the heritage provisions for historic heritage sites) means mowing grass and lawns, general gardening, tree trimming, but excludes new earthworks, landscaping or fencing. For existing buildings, structures and signs within a historic site, it means the continuous care, repair and/or reinstatement of the building, structure or sign, where any disturbance of land does not extend beyond the area or depth of land previously disturbed.

REDECORATION (only applicable to the heritage provisions) means the renewal, restoration, or new applications of: surface finishes, coatings, painting, decorative elements, minor fittings and fixtures, and floor coverings, excluding paint on previously unpainted surfaces. Includes the application of finishes and coatings to repaired fabric and preparation of surfaces for redecoration (e.g. washing but excludes sandblasting).

REPAIR (only applicable to the heritage provisions) means to improve the long-term condition of a building by using identical or closely similar materials to make good any damaged or decayed fabric. Repairs include re-painting deteriorated brickwork, putting right damaged timberwork and replacing corroded or deteriorated roofing material.

Residential Zone Provisions:

15.1 PERMITTED ACTIVITIES

The following activities are Permitted Activities in the Residential Zone provided activities comply with all relevant conditions in Rule 15.6 and Chapters 21, 22, 23 and 24.

(l) Where a building or structure is listed in Schedule 2 – Historic Heritage, the following are permitted activities:

- (i) The maintenance, redecoration and repair of the interior and exterior of a Group 1 or 2 building or structure.
- (ii) Internal alteration of a Group 2 building.

(m) Where a site is listed in Schedule 2 – Historic Heritage, the following are permitted activities:

(i) Maintenance and repair of existing lawns, gardens, structures (including fences), buildings and signage on any site.

(ii) Removal of vegetation on any site.

(r) Earthworks (Refer to Rule 15.4(i)(v) Earthworks within the heritage setting of a Group 1 or 2 building or structure and Rule 15.4(j)(ii) Earthworks within a site that is listed in Schedule 2 – Historic Heritage).

15.2 CONTROLLED ACTIVITIES

The following activities are Controlled Activities in the Residential Zone, provided activities comply with all relevant conditions in Rule 15.7 and Chapters 21, 22, 23 and 24. Refer to Rule 15.7 for matters of control and conditions:

(b) Earthquake strengthening of any Group 2 building listed in Schedule 2 - Historic Heritage. (Refer Rule 15.7.2)

15.7 MATTERS OF CONTROL AND CONDITIONS FOR CONTROLLED ACTIVITIES

The matters over which Council has reserved its control and the conditions are detailed below for each controlled activity:

15.7.2 Historic Heritage – Buildings (Refer to Rule 15.2(b)) (a) Matters of Control (i) The potential effects of earthquake strengthening work on the heritage values associated with the building.

Commercial Zone Provisions:

17.1 PERMITTED ACTIVITIES

The following activities are Permitted Activities in the Commercial Zone, provided activities comply with all relevant conditions in Rule 17.6 and Chapters 21, 22, 23 and 24.

(v) Where a building or structure is listed in Schedule 2 – Historic Heritage, the following are permitted activities:

(i) The maintenance, redecoration and repair of the interior and exterior of a Group 1 or 2 building or structure.

(ii) Internal alteration of a Group 2 building.

(w) Where a site is listed in Schedule 2 – Historic Heritage, the following are permitted activities:

(i) Maintenance and repair of existing lawns, gardens, structures (including fences), buildings and signage on any site.

(ii) Removal of vegetation on any site

- (aa) Earthworks (Refer to Rule 17.4(h)(v) Earthworks within the heritage setting of a Group 1 or 2 building or structure and Rule 17.4(i)(ii) Earthworks within a site that is listed in Schedule 2 - Historic Heritage).

17.2 CONTROLLED ACTIVITIES

The following activities shall be Controlled Activities in the Commercial Zone, provided activities comply with all relevant conditions in Rule 17.7 and Chapters 21, 22, 23 and 24. Refer to Rule 17.7 for matters of control and conditions.

- (d) Earthquake strengthening of any Group 2 building listed in Schedule 2 - Historic Heritage. (Refer Rule 17.7.4)

17.6 CONDITIONS FOR PERMITTED ACTIVITIES

The following conditions shall apply to all permitted activities:

- (b) Any permitted signs within the Foxton and Shannon Town Centre Character/Heritage Overlay Areas; or attached to any building or structure, or within the heritage setting of any Group 1 or 2 building or structure, or site listed in Schedule 2 – Historic Heritage; shall comply with the conditions in Rule 17.6.5(a) above as well as the following:
- (i) All signs shall have a total combined maximum face area of 6m²
 - (ii) All signs shall not extend above the building parapet

17.7 MATTERS OF CONTROL AND CONDITIONS FOR CONTROLLED ACTIVITIES

The matters over which Council reserves its control and the conditions are detailed below for each controlled activity.

17.7.4 Historic Heritage – Buildings. (Refer Rule 17.2(d))

(a) Matters of Control

- (i) The potential effects of earthquake strengthening work on the heritage values associated with the building.

Although you have not requested these, the District Plan also has Restricted Discretionary, Discretionary and Non-complying provisions which relate to residential Historic Heritage buildings/sites. Please refer to Chapters 15 and 17 of the District Plan for these.

Table A: List of Heritage Buildings and Sites for Schedule 2 of the Horowhenua District Plan which are not listed by Heritage Pouhere Taonga

Map	Ref	Site Name	Location	Description	Legal Description
14,15	H1	Duncan House	11A Ladys Mile Foxton	Dwelling	Lot 3 DP 9245
4	H3	Nye Homestead Sunnyside	64 Newth Road, Foxton	Dwelling	Pt Section 428 Town of Foxton
14,15	H4		31 Robinson Street, Foxton	Dwelling	Lot 2 DP 32194
2	H37	Akers Homestead	Opiki Road (State Highway 56), Opiki	Dwelling	Pt Lot 1 DP 10283
2	H37	Akers Homestead	Opiki Road (State Highway 56), Opiki	Woolshed	Pt Lot 1 DP 10283
5	H47	Miranui Flaxmill remains	State Highway 57, Shannon	Mill remains	Lot 1 DP 13248, Lot 1 DP 30532, Pt Lot 1 DP 40776
4	H56		969 Koputoroa Road, Levin (formerly 41 Bath Street, Levin)	Dwelling	Lot 4 DP 350389
1, 14, 15, 15A	H57	Dolphin	Manawatu River (Foxton Loop) – to west of Lot 3 DP 457778	Former Foxton Wharf Structure	Manawatu River
1, 14, 15, 15A	H58	Former Presbyterian Church <i>(partial refer to note 1)</i>	5 Main Street, Foxton	Community Building (Foxton Little Theatre)	Lot 1 DP 33751
7, 27, 27B, 28, 28B	H59	Levin Cenotaph	4-12 Kent Street, Levin	War Memorial	Section 2 Block XVIII Town of Levin
7, 27	H60	Weraroa Peace Gate and the Pioneer Memorial	North-west Corner of Mako Mako Road and Oxford Street, Levin	War Memorials	Part Section 32 Levin Suburban
3, 16	H61	Tokomaru Memorial Gates	5 Tokomaru East Road, Tokomaru	War Memorial	Section 166 Town of Tokomaru
5	H62	Moutoa Memorial Gates	Foxton-Shannon Road, Moutoa (south of Moutoa Hall)	War Memorial	Section 21 Block VII Mt Robinson SD
1, 14, 15, 15A	H64	Former Manawatu Herald Building <i>(partial refer to note 2)</i>	6 Main Street, Foxton	Commercial Building	Part Section 100 Town of Foxton
1, 14, 15, 15A	H65	Foxton Racing Club Building (Façade only)	8 Main Street, Foxton	Dwelling	Part Section 100 Town of Foxton
1, 14, 15, 15A	H66	De Molen	24 Harbour Street, Foxton	Wind Mill	Part Section 598 Town of Foxton
5	H67	Whitaunui Military Defaulter's Camp	1027 Foxton-Shannon road, Moutoa	Former Detention Camp for World War Two Objectors	Section 116 Moutoa District

Horowhenua District Council publishes responses to Local Government Official Information and Meetings Act 1987 (LGOIMA) requests that we consider to be of wider public interest, or which relate to a subject that has been widely requested. To protect your privacy, we will not generally publish personal information about you, or information that identifies you. We will publish the LGOIMA response along with a summary of the request on our website. Requests and responses may be paraphrased.

If you have any queries regarding this information, please contact the LGOIMA Officer on 06 366 0999 or email - LGOIMAOfficer@horowhenua.govt.nz

Yours sincerely,



Lisa Slade
Executive Sponsor – LGOIMA