



HERITAGE CONSERVATION AREA - RULES

CA3.1 Rule Statement

The following rules shall apply to all land shown as being within a Heritage Conservation Area in the District Plan Maps, except the Sunshine Settlement in Taumarunui, which has been identified for information purposes only. These rules shall be read in conjunction with all other rules in the District Plan, and in particular the:

- (a) Residential Zone – Rules
- (b) Transport Infrastructure and Car Parking - Rules
- (c) Subdivision – Rules
- (d) Signs – Rules
- (e) Relocated Buildings – Rules
- (f) Network Utilities – Rules
- (g) Natural Hazards – Rules
- (h) Heritage - Rules

Advice Note

Any development within a Heritage Conservation Area must comply with both the Heritage Conservation Area rules and the rules in the Chapters mentioned above. Where the activity status or conditions differ the more restrictive provisions will take precedence.

CA3.2 Rules

CA3.2.1 Permitted Activities

The following activities are Permitted Activities in relation to development within a Heritage Conservation Area, provided they comply with the General Conditions outlined in section CA3.3 below:

- (a) The maintenance and repair of any building;

Definition:

For the purposes of these rules, works will be classed as 'Maintenance and Repair' where any materials that are replaced are of the original or similar material, texture, form and design to the original they replace. Should there be any uncertainty as to whether the proposed works fall into this category please contact Council for an opinion.

- (b) Changes to the interior of a building;
- (c) Any alteration to the side elevation of any building, but excludes side additions;
- (d) Any alterations or additions to the rear of any building;
- (e) Accessory buildings located to the rear of a railway house.

CA3.2.2 Controlled Activities

The following activities are Controlled Activities in relation to development within a Heritage Conservation Area.

Such activities shall be considered without the need to obtain the written approval from affected parties and without the need for notification. Applications will be assessed and conditions imposed only in respect of the matters of control specified below and the Assessment Criteria specified in section CA3.4.1.

- (a) Accessory Buildings (except those permitted under Rule CA3.2.1 above).



- (b) Relocation of a railway house within a site, or the character area;
 - (c) New detached dwellings.
- In relation to (a) - (c), Council has reserved control over the following matters:
- (i) Design and external appearance of the building; and
 - (ii) Siting.

CA3.2.3 Restricted Discretionary Activities

The following activities are Restricted Discretionary Activities in relation to development within the Heritage Conservation Area.

Applications will be assessed against but not limited to the relevant Assessment Criteria outlined in section CA3.4 below.

- (a) Any activity that is provided for as a Permitted Activity by Rule CA3.2.1, or a Controlled Activity under CA3.2.2, but fails to meet one or more of the General Conditions outlined in section CA3.3.

CA3.2.4 Discretionary Activities

The following activities are Discretionary Activities in relation to development within the Heritage Conservation Area.

Applications will be assessed against but not limited to the relevant Assessment Criteria outlined in section CA3.4 below.

- (a) Any additions to the side elevation of any building when viewed from the road the site gains principle access from,
- (b) Alterations or additions (other than *maintenance and repair*) to the streetscape exterior of any railway house;
- (c) Relocated buildings brought in from outside the Heritage Conservation Area.

CA3.2.5 Non-Complying Activities

The following activities are Non-Complying Activities, in relation to development within the Heritage Conservation Area.

Applications will be assessed against but not limited to the relevant Assessment Criteria outlined in section CA3.5 below.

- (a) Apartment buildings; and Comprehensive Residential Development.
- (b) Demolition of any Railway House
- (c) Relocation of any railway house within the Heritage Conservation Area to an area outside of the Heritage Conservation Area;

CA3.3 General Conditions

Compliance with the following General Conditions is required for all Permitted and Controlled Activities as outlined in rules CA3.2.1 and CA3.2.2 above.



CA3.3.1 Density

Railway Row

- (a) Each dwelling shall be contained within a minimum net site area of 450m².

Relevant Assessment Criteria: CA3.4.1 and CA3.4.2(a)

Ruapehu Road and Egmont Street

- (b) Each dwelling shall be contained within a minimum net site area of 700m².

Relevant Assessment Criteria: CA3.4.1 and CA3.4.2(a)

CA3.3.2 Height

- (a) The maximum height of any building or part of a building shall be:
- (i) 5m if the building is within Railway Row;
 - (ii) 4.5m if the building is within Egmont Street or Ruapehu Road; or
 - (iii) 2.0 metres plus the horizontal distance from the nearest site boundary, whichever is the less.

Relevant Assessment Criteria: CA3.4.1 and CA3.4.2(a)

CA3.3.3 Building Stories

- (a) Buildings shall be no more than one storey.

Relevant Assessment Criteria: CA3.4.1 and CA3.4.2(a)

CA3.3.4 Setback from Front Boundary

- (a) Buildings shall be setback the following distances from the front boundary:
- (i) Railway Row (northern side) – 4m
 - (ii) Railway Row (southern side) – 6.5m
 - (iii) Ruapehu Road – 10m
 - (iv) Egmont Street (northern side) – 6m
 - (v) Egmont Street (southern side) - 10m
- (b) A front porch may extend into the front yard by 2m on:
- (i) Railway Row - southern side only
 - (ii) Ruapehu Road
 - (iii) Egmont Street

Relevant Assessment Criteria: CA3.4.1 and CA3.4.2(a)

CA3.3.5 Accessory Buildings

- (a) The maximum floor area of an accessory building is 45m².

Relevant Assessment Criteria: CA 3.4.1 and CA3.4.2(a)

**CA3.3.6 Fencing**

- (a) The maximum height of a front yard fence shall be 1.2m.
- (b) The maximum height of 1.2m shall apply to fencing along the side boundary until a point in line with the front façade of the dwelling.

Relevant Assessment Criteria: CA3.4.2(a)

CA3.3.7 Telecommunications

- (a) No telecommunication facilities shall be located on the road reserve adjoining or within a Heritage Conservation Area.

Relevant Assessment Criteria: CA3.4.2(b)

CA3.4 Assessment Criteria**CA3.4.1 Controlled Activities**

Controlled Activities will be assessed against the assessment criteria listed below.

- (a) The building should maintain the characteristic setback of buildings from the road.
- (b) The design of buildings should be compatible with the materials, form, height and bulk of the surrounding railway houses, being single storey with a roof designed to compliment the surrounding railway cottages.
- (c) The front door of the dwelling shall face the street.

CA3.4.2 Restricted Discretionary, Discretionary and Non-Complying Activities

Restricted Discretionary Activities will be assessed only in respect of the Relevant Assessment Criteria applicable to the Conditions with which the activity was unable to comply.

Discretionary and Non-Complying Activities will be assessed against, but not limited to, the assessment criteria below.

Reference to relevant assessment criteria in other sections of the District Plan may be required as stated for the General and Specific Conditions above.

- (a) General Criteria
 - (i) Whether any new building, or addition or alteration to an existing building is compatible with the material, form and design of the surrounding residential development.
 - (ii) Whether the proposal has adverse effects on the heritage precinct and whether measures have been taken to avoid, remedy or mitigate potential adverse effects.
 - (iii) Whether the proposed activity significantly detracts from the heritage values identified for the Heritage Conservation Area.
 - (iv) Whether the proposed work is necessary, considering available and feasible alternatives.
 - (v) Whether the building can be relocated on or off site, the impact that the relocation would have on the identified heritage values and/or whether the relocation of the building would mitigate potential adverse effects identified.



- (vi) The extent to which the proposed activity will detract from the heritage values or features of the Heritage Conservation Area and surrounding environment.
 - (vii) The extent to which the proposed activity retains or is compatible to the style or character (eg, maintaining building form, building materials or design) identified for the heritage conservation area and/or the extent to which this could be achieved through any alternatives.
 - (viii) Whether the proposed activity will significantly impact on the streetscape appearance of the heritage conservation area.
 - (ix) Whether the proposed activity will detract from the low density, heritage setting of Ruapehu Road and Egmont Street.
 - (x) The extent to which the proposed activity will positively encourage the protection and ongoing maintenance of the heritage conservation area.
 - (xi) Any immediate or cumulative effects resulting from the activity on the number, range and quality of heritage features and characteristics in the heritage conservation area.
 - (xii) The extent to which the design and scale of the proposed works will ensure that the railway cottages will remain the dominant feature in the street scene.
- (b) Telecommunication Facilities in Road Reserve
- (i) The visual impact of the structure on the heritage characteristics and setting of the heritage building or heritage site.