

Historic and heritage property

Avoiding the traps, enjoying the benefits

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Introduction

- ▶ Part A - Avoiding the issues
 - ▶ Archaeological sites and heritage and historic property
 - ▶ Legislation
 - ▶ Due diligence and what to consider?
 - ▶ The archaeological process
- ▶ Part B - Enjoying the benefits
 - ▶ Investing in Heritage property
 - ▶ Strategy
 - ▶ Examples
 - ▶ Key Factors

Part A

Avoiding the issues

Why is property investing
and archaeology mentioned
in the same breath?



An archaeological site

Defined by legislation







In NZ, an archaeological site is defined in legislation

- ▶ Any place associated with pre-1900 human activity where
 - ▶ there is material evidence relating to the history of New Zealand.
 - ▶ And, upon investigation, can inform on the history of NZ
- ▶ And any **site** that meets this **definition** is afforded automatic statutory protection under the Act
- ▶ **le. Doesn't have to have been previously identified**





Many don't realise that buildings can also be archaeological sites

Under the HNZPT Act 2014

Some are more obvious than others





Heritage vs historic

- ▶ Just because a building is historic, doesn't make it a heritage building. Useful to understand the distinction here
 - ▶ Historic is old - but tends to then be archaeological
 - ▶ Heritage assumes values.
- ▶ Heritage - there is no age limit
 - ▶ Dealt with under the RMA

Appearances can be deceiving

- ▶ Often building facades change to reflect changing fashions, or change in function.
- ▶ Alterations and additions through time, often obscure typical 19th century elements.
- ▶ Frequently, however, remains of earlier structure(s) exist within buildings that appear modern.







Why does all this matter?

- ▶ That's because, before any modification, demolition, destruction of an archaeological site, requires a permit, or "archaeological authority" from the Crown Entity, Heritage New Zealand Pouhere Taonga - this first requires an archaeological assessment.
- ▶ For heritage houses and buildings scheduled on the District Plan, or in a scheduled area, may require a resource consent to modify
- ▶ It all costs money
- ▶ And penalties for non-compliance
- ▶ Most of the time, there is no indication that there may be a site there.
- ▶ The above ground structure can also be completely modern, but remains of sites exist below ground.
- ▶ DOESN'T STOP YOU FROM ACHIEVING AN OUTCOME



Legislation

Heritage New Zealand Pouhere Taonga Act
2014

Resource Management Act 1991

Heritage New Zealand Pouhere Taonga Act 2014

Administered by Heritage New Zealand, a Crown Entity.

Issue archaeological authorities which provide conditions under which developments can occur that affect archaeological sites.

Applications to destroy or modify an archaeological site require an Archaeological Assessment (of effects).

An authority is required for PRESENCE / ABSENCE of pre-1900 occupation not - presence of occupation and then its significance

District Plan considerations under the Resource Management Act 1991

- ▶ Property can be both Archaeological and a Heritage site
 - ▶ That is to say, can be scheduled on the district plan
 - ▶ Listed with Heritage New Zealand
 - ▶ As well as an archaeological site.
- ▶ A listing with Heritage New Zealand doesn't actually afford it any protection - it is the resource consent and district plan process which determines an outcome. HNZ can be an affected party to the Resource Consent
 - ▶ Tends to be Category I listings only, providing advice for Category II
- ▶ A property doesn't need to be archaeological to be included on the District Plan
- ▶ While a building may not be scheduled, it could be in a scheduled streetscape, or character contributing area, which restricts what can be done



Due Diligence

Because there are costs, and possibly
some limitations

What to consider?

First steps

- ▶ First thing is to look at the age of the property and what has been there before
- ▶ While it might be more obvious when buying an historic house or building, the same legislation applies to subsurface modification
- ▶ Any area occupied prior to the year 1900 is covered by the legislation
- ▶ Is the property in an “historic area” (don’t mean in a theme park kind of way)
 - ▶ Just that that area has been in existence or occupied prior to 1900
 - ▶ Could the site be archaeological?
- ▶ Is the property on the district plan schedule? Is it listed with Heritage New Zealand.
- ▶ You can check for yourself, but for an application, you will need a consultant

Due Diligence - How to...

- ▶ District plan schedule for both scheduled but also townscape precincts - Plus archaeological site
- ▶ New Zealand Archaeological Association - holds and maintains the national database of archaeological sites. (Archsite.org.nz)
 - ▶ Keeping in mind, this shows only previously recorded sites, not all sites.
- ▶ Council records
 - ▶ Consents and Rates records (NOTE- first consent, might not mean construction date)
 - ▶ Archives
- ▶ Archives NZ
 - ▶ Directories,
 - ▶ Photographs
 - ▶ Maps and plans



- 1 CATHEDRAL
- 2 BISHOP'S COURT
- 3 ST MICHAEL'S AND ALLAN
- 4 ST LUKE'S
- 5 ST JOHN'S
- 6 ST PAUL'S
- 7 ST ANDREW'S
- 8 PRIMITIVE METHODIST
- 9 FREE METHODIST
- 10 WESLEYAN
- 11 BRETHREN
- 12 CONGREGATIONAL
- 13 BAPTIST
- 14 GERMAN CHURCH
- 15 ROMAN CATHOLIC
- 16 SYNAGOGUE
- 17 CANTERBURY COLLEGE
- 18 CHRIST'S COLLEGE
- 19 GOVERNMENT BUILDING
- 20 SUPREME COURT HOUSE
- 21 RESIDENT MAGISTRATE
- 22 POLICE DEPOT
- 23 CUSTOMS & TELEGRAPH
- 24 POST OFFICE
- 25 COUNCIL CHAMBERS
- 26 HOSPITAL
- 27 MUSEUM
- 28 NORMAL SCHOOL
- 29 EAST CHRISTCHURCH
- 30 EAST CHRISTCHURCH
- 31 WEST CHRISTCHURCH
- 32 ST AUGUSTINE'S
- 33 CANTERBURY
- 34 FORESTERS' HALL
- 35 ODDFELLOWS
- 36 ODDFELLOWS
- 37 ODDFELLOWS
- 38 GOOD TEMPLE
- 39 ORANGE HALL
- 40 THEATRE ROYAL
- 41 GAIETY THEATRE
- 42 SKATING RINK
- 43 PUBLIC LIBRARY
- 44 DRILL SHED
- 45 BOAT SHED
- 46 FIRE BRIGADE
- 47 FIRE BRIGADE
- 48 GIRLS' HIGH SCHOOL
- 49 RAILWAY STATION
- 50 GASTON'S
- 51 UNION BANK
- 52 BANK OF NEW ZEALAND
- 53 BANK OF AUSTRALIA
- 54 NATIONAL BANK
- 55 COLONIAL BANK
- 56 CHAMBER OF COMMERCE
- 57 BOARD OF HEALTH
- 58 CHRISTCHURCH
- 59 CANTERBURY

If the property was occupied prior to 1900 or scheduled...What to consider?

- ▶ Will largely depend on the intentions for the property
 - ▶ Demolition for redevelopment?
 - ▶ renovation?
 - ▶ Rental?
- ▶ Doesn't stop work from proceeding -
 - ▶ But do have to consider that it might
 - ▶ Streetscape
- ▶ Will the archaeological site be affected, ie. Service installation, demolition, addition to existing structure.
- ▶ If the site will be affected, need to understand the archaeological process, in order to understand potential costs.
- ▶ Choose a consultant



What is the archaeological process?

- ▶ Aligns closely with the RMA legislation and process
- ▶ First stage is an assessment which determines whether an archaeological site is likely to be affected, and assess the impact of the proposed works on that site.
- ▶ An application to Heritage New Zealand Pouhere Taonga for an archaeological authority
- ▶ Post authority recording and subsurface monitoring

Post authority works



Monitoring and recording

- ▶ Recording - where a pre-1900 building is being demolished, a forensic record of the structure is required
 - ▶ 4 levels of recording
- ▶ Archaeological monitoring
 - ▶ Working alongside contractors and excavators as works are undertaken

Analysis





0 cm 5 cm



Final report

- ▶ Submitted to Heritage New Zealand to fulfil all conditions
- ▶ Material is property of the landowner unless it is of Maori origin and then it is *Prima facie*, property of the crown

Why “doing your homework” is important

- ▶ Allows for informed decision making
- ▶ Knowledge is Golden
- ▶ Avoid compliance issues including prosecution
- ▶ Reduce costs and cost surprises,
- ▶ Restrictions on proposals

How to keep costs down

- ▶ It is all relative, but doesn't need to be expensive
- ▶ Get a consultant involved early, preferably during the design phase
- ▶ Loss of time- Archaeology as an after thought. Can take up to three months to get an authority and the stand down period to lapse.
- ▶ Once on site, the greatest cost overruns come with disorganisation - ie. Site works not starting, stop and start nature of works etc



Part B

Enjoying the benefits



Dunedin's Warehouse Precinct

How and why this worked



Collective Strategy

Collective Benefit



Street Art



43 Jetty St



43 Jetty St



















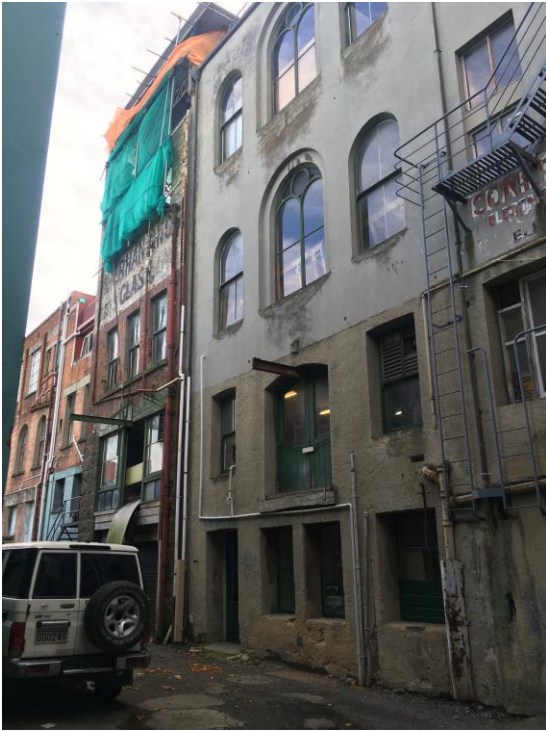




Key factors

- ▶ Model of investment? Traditional or entrepreneurial?
- ▶ Strategy and goals - both individually and collectively
- ▶ Consider the wider environment
- ▶ Tenants
- ▶ Negotiation - buying right
- ▶ Enjoyment

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