

19 Historic Heritage

19.1 Purpose

- a) Historic heritage is a natural or physical resource and is defined in the Act. This chapter addresses historic structures and their immediate surroundings, and sites of archaeological or cultural significance.
- b) The purpose of this chapter is to identify those individual buildings, structures, places and sites that are significant, and therefore warrant recognition and protection. These items are listed in Volume 2, Appendix 8:
 - i. Schedule 8A: Built Heritage (buildings, structures and associated sites).
 - ii. Schedule 8B: Group 1 Archaeological and Cultural Sites.
- c) There is potential for cultural artefacts to be found and for archaeological sites to be discovered throughout the City. Schedule 8C: Group 2 Archaeological and Cultural Sites in Volume 2, Appendix 8, identify areas where there is a higher potential for finding artefacts and archaeological sites. There are no additional controls in the plan on these sites that are identified for information purposes only. If artefacts or archaeological sites are discovered an Authority must be obtained from Heritage New Zealand Pouhere Taonga.

Buildings and Structures

- d) Rapid growth over the last decade has resulted in redevelopment and intensification of both residential and business sites and in some circumstances this has led to the loss of heritage values. Demolition of heritage buildings often results because a viable use has not been, or cannot be, identified, or because of the high cost of maintenance, restoration or adaptation. Heritage items are a finite resource which cannot be replaced.
- e) Unsympathetic alterations or additions can damage heritage values associated with heritage buildings or structures. While modifications are often needed to make built heritage usable (e.g. telecommunication upgrading, energy-efficiency and conforming with fire, earthquake and access standards) these need to be undertaken in a manner that protects the heritage value.
- f) Removing buildings from their original setting can change their context and diminish their historic significance. The modification of the surrounding environment can also reduce heritage values. For example, the removal of mature trees and vegetation, changes to fences, or the addition of new buildings on the site can all reduce the overall heritage value.

Archaeological and Cultural Sites

- g) Hamilton has many sites of archaeological and cultural significance. Some of these are associated with European settlement, while others are significant to Waikato iwi and local hapu.
- h) Archaeological sites include any place that was associated with human activity that occurred before 1900. Archaeological sites can include military redoubts,

objects and locations associated with industry (e.g. flour mills and a lime kiln), as well as locations of early settlement.

- i) Many sites in the City are not visible on the surface, but may have underground features and artefacts which could be disturbed or damaged through earthworks and construction. Digging foundations and other activities can damage historical sites, especially if there is a lack of awareness of historical significance or the potential to uncover historic features. Important features of a site (like filled-in trenches of a pa or kumara pits) may still exist below the surface.
- j) While many sites have been destroyed or damaged by urban development and are not easily recognisable for their original purpose and form, their historical or cultural importance has not diminished. Sites of archaeological and cultural significance form an important part of the cultural history of the City and should be protected for the benefit of current and future generations.
- k) The relationship of Maaori and their culture and traditions with their ancestral lands, water, waahi tapu and other taonga may be destroyed or compromised through inappropriate development. Kaitiakitanga or guardianship and protection of the land, water, waahi tapu and other taonga is an important issue for Waikato iwi and local hapu.

19.2 Objectives and Policies: Historic Heritage

All Historic Heritage

Objective	Policies
<p>19.2.1 Significant buildings, structures, sites and items that define the City's historic heritage are identified and protected.</p>	<p>19.2.1a The City's historic heritage shall be protected from the adverse effects of subdivision, use and development.</p>
	<p>19.2.1b Ensuring that where features have been destroyed or damaged, the historical heritage values of these sites are recorded and recognised to ensure the historical legibility of Hamilton City.</p>
	<p>19.2.1c Subdivision and development shall adhere to the conservation principles of International Council on Monuments and Sites (ICOMOS) being the New Zealand Charter (2010) for the Conservation of Places of Cultural Heritage Value where applicable.</p>
<p>Explanation</p>	
<p><i>Historic places make a significant contribution to the sense of identity and wellbeing of the City's residents. A wide range of heritage values need to be protected, including buildings, structures, sites and their surroundings with historical, social, cultural, architectural or technological significance. The District Plan matches levels of</i></p>	

protection with the classification of the item so the City's most significant items are protected.

Heritage resources are vulnerable to change, and once lost cannot be replaced. It is therefore important to seek means to avoid adverse effects on historic places. The District Plan controls activities recognised as having an adverse effect on the heritage values of identified historic places.

Heritage New Zealand Pouhere Taonga has the primary responsibility for the regulation of activities relating to archaeological sites under the Heritage New Zealand Pouhere Taonga Act 2014. Guidance on the principles for the conservation of places of cultural heritage value can be found in ICOMOS being the New Zealand Charter (2010) for the Conservation of Places of Cultural Heritage Value.

Objective	Policies
19.2.2 The heritage values of a diverse and representative range of natural, physical and cultural resources are protected.	19.2.2a Items of significant heritage value (buildings, objects, areas, trees and sites) shall be scheduled.
	19.2.2b The loss of heritage values associated with scheduled items shall be avoided.
	19.2.2c Outstanding examples of a particular type of site, or sites that are highly significant to the community shall be scheduled.
Explanation	
<p><i>Historic heritage is an integral part of Hamilton's character and its future development. For this reason the destruction or alteration of buildings, or significant elements of buildings, objects, areas, trees and Maaori sites that are of heritage significance will be assessed against criteria which seek to maintain an item's heritage value. The loss of heritage values will be considered through a resource consent process.</i></p>	

Buildings and Structures

Objective	Policies
19.2.3 The heritage values of significant buildings, structures and their immediate surroundings are protected.	19.2.3a Demolition or relocation of buildings and structures ranked A in Schedule 8A shall be avoided.
	19.2.3b Demolition or relocation of buildings and structures ranked B in Schedule 8A should be discouraged.
	19.2.3c Subdivision and development shall retain, protect and enhance the heritage values of any building or structure listed within Schedule 8A.

	<p>19.2.3d Subdivision and development shall avoid any potential cumulative adverse effects on any building or structure listed in Schedule 8A.</p>
	<p>19.2.3e Heritage buildings and structures shall be used in a manner that ensures essential heritage qualities are not damaged or destroyed.</p>
	<p>19.2.3f The design, materials and finish of any development shall be consistent with identified heritage values.</p>
	<p>19.2.3g The continued use or adaptive reuse of any building or structure of identified heritage value shall be encouraged.</p>
	<p>19.2.3h The site surrounding the heritage building or structure shall be protected to the extent that it contributes to the heritage values.</p>
	<p>19.2.3i Encourage the strengthening of buildings in Schedule 8A to increase their ability to withstand future earthquakes while minimising the significant loss of associated heritage values.</p>

Explanation

The demolition of historic places can result in the loss of associated heritage values. The aim of the District Plan is to minimise the loss of any historic buildings and structures within Volume 2, Appendix 8, Schedule 8A. Demolition of highly significant historic buildings and structures will be considered only in exceptional circumstances.

Inappropriate additions or major alterations to historic buildings and structures also have the potential to destroy or degrade heritage values. However, minor or routine maintenance and repair enables items to be maintained. In most cases, the exterior of historic buildings and structures is more sensitive to change through unsympathetic changes than the interior. Changes to the interior of heritage buildings are not controlled as change is considered necessary to ensure buildings are useable. The strengthening of historic heritage buildings to meet earthquake strengthening requirements is important to ensure heritage buildings and structures are safe and useable. However, the strengthening of these buildings and structures still needs to ensure the heritage values are retained.

Removal of a building from its original site or changes to a building's setting (e.g. destruction of gardens, trees and other heritage buildings) can affect heritage values and reduce its significance. However in some circumstances, relocating the item off-site may be the only way to protect the item. Other structures, signs or lighting on historic buildings and structures can also impact on heritage values.

The District Plan also encourages activities that will facilitate the retention and enhancement of historic buildings and structures. Greater flexibility in what historic buildings and structures can be used for, while ensuring the management of any potential adverse effects, can help their preservation by finding an ongoing use.

Archaeological and Cultural Sites

Objective	Policies
<p>19.2.4 Significant archaeological and cultural sites shall be protected from damage or destruction.</p>	<p>19.2.4a Subdivision, use and development shall be managed to avoid damage to archaeological and cultural sites where they exist, or are likely to exist.</p>
	<p>19.2.4b The protection and management of sites of archaeological and cultural significance shall be informed by their significance.</p>
	<p>19.2.4c Activities or development shall not adversely affect the physical structure and integrity of scheduled sites. This may include:</p> <ul style="list-style-type: none"> i. Inappropriate planting, ii. The removal of vegetation where it affects the stability of the site, and iii. Addition, excavation or compaction of any soil, rock or other materials.
	<p>19.2.4d The relationships of tangata whenua with sites of spiritual, cultural or historical significance shall be recognised and provided for.</p>
	<p>19.2.4e Where features of significant cultural sites are lost, these features should be recorded and recognised through on-site marking to ensure the historical legibility of Hamilton City.</p>

Explanation

The policies recognise that activities that disturb the ground pose a significant threat to archaeological and cultural sites, and aim to control these activities. In some cases, the original features of a site may be lost or damaged through exposure to weather, earthworks, damage from tree roots and coverage of a site by buildings or impermeable surfaces. However, sub-surface features may still survive. The aim of the policies is to protect the physical integrity and features of the site.

Identification of sites before development occurs is particularly important. If the general location of sites can be signalled then developers and landowners are able to

plan development that minimises or avoids disturbance.

An important concern for tangata whenua is the need to protect sites from accidental or intentional interference. The District Plan will record and protect only those sites which iwi are comfortable to make known. The location of other sites is known only to Waikato iwi and local hapu. The policies also recognise the importance of these sites to Maaori.

Where development has already taken place and the site's features have been destroyed or damaged, recognition of the site's existence is desirable through signs, planting or some other method. Even where these sites no longer exist physically they still hold cultural significance, particularly to Waikato iwi and local hapu.

19.3 Rules - Activity Status Table

Activity	Class
Volume 2, Appendix 8, Schedule 8A: Built Heritage (structures, buildings and associated sites)	
a) Maintenance and repair	P
b) Internal alterations of buildings	P
c) Accessory buildings or new buildings within any scheduled site ranked A	D
d) Accessory buildings or new buildings within any scheduled site ranked B	RD*
e) Accessory buildings or new buildings within the Major Facilities Zone – Waikato Hospital Campus and Wintec City Campus	P
f) Alterations or additions (excluding maintenance and repair) to the exterior of any structure or building ranked A	D
g) Alterations or additions (excluding maintenance and repair) to the exterior of any structure or building ranked B	RD
h) Demolition of any structure or building ranked A	NC
i) Demolition of any structure or building ranked B	D
j) Earthquake strengthening works to the external façade of any structure or building ranked A	RD*
k) Earthquake strengthening works to the external façade of any structure or building ranked B	C
l) Erecting, constructing or extending any structure or fence on a site	RD*
m) Erecting, constructing or extending any structure or fence on a site within the Major Facilities Zone – Waikato Hospital Campus and Wintec City Campus	P
n) Signs (refer also to Chapter 25.10: City-wide – Signs)	RD*
o) Signs within the Major Facilities Zone – Waikato Hospital Campus and Wintec City Campus	Refer to Chapter 25.10: City-wide – Signs

Activity	Class
p) Subdivision of an allotment containing a scheduled Historic Heritage Item and sites identified in Volume 2 Appendix 8, Schedule 8A and 8B	Refer to Chapter 23: Subdivision
q) Change of use to an activity otherwise listed as non-complying in the underlying zone rules for any historic place identified in Schedule 8A	D
r) Removal off site of any structure or building ranked A	NC
s) Relocation on existing site of any structure or building ranked A	D
t) Removal off site of any structure or building ranked B	D
u) Relocation on site of any structure or building ranked B	RD
Volume 2, Appendix 8, Schedule 8B: Group 1 Archaeological and Cultural Sites	
v) Minor work on all sites	P
w) Any earthworks on a site in Group 1	RD
x) Signs on a site in Group 1 (refer also to Chapter 25.10: City-wide – Signs)	RD*
y) Any earthworks on a site in Group 2	P
All Activities and Structures	
z) Any activity not listed above	NC

Note

1. If archaeological material, koiwi or taonga is uncovered on a site which pre-dates 1900, then the site is an archaeological site in terms of the Heritage New Zealand Pouhere Taonga Act 2014. Any disturbance of archaeological sites, regardless of their listing or otherwise in this District Plan, is not permitted under the Heritage New Zealand Pouhere Taonga Act 2014. Consent of Heritage New Zealand Pouhere Taonga is required to modify or disturb an archaeological site under the Heritage New Zealand Pouhere Taonga Act 2014. For further information or to make an application, contact the nearest office of Heritage New Zealand Pouhere Taonga. An authority is required for all such activity whether or not the land on which an archaeological site may be present is designated, a resource or building consent has been granted, or the activity is permitted under the Regional or District Plan.

19.4 Rules – Specific Standards

19.4.1 Maintenance and Repairs to a Schedule 8A Item

- a) In any repair or maintenance to the exterior of a building or structure, the heritage values for which the Historic Place was scheduled shall be respected. This will be achieved by:
 - i. Using the same or similar materials.
 - ii. Maintaining consistency with the scale, proportion, finishes and techniques.
- b) Maintenance to a building or structure shall be limited to:
 - i. Works for the purpose of weatherproofing.
 - ii. Plumbing and electrical work.

- c) Repairs shall be for the purpose of repair, patching, piecing in, splicing or consolidating.

19.4.2 Archaeological and Cultural Sites

- a) In the event that during earthworks on any site any archaeological feature, artifact or human remains are found, the Accidental Discovery Protocol within Volume 2, Appendix 8-2 will be complied with.

19.5 Controlled Activities: Matters of Control

- a) In determining any application for resource consent for a controlled activity in addition to compliance with the relevant standard within 19.4 the Council shall have control over the following matter referenced below.

Activity Specific	Matter of Control and Reference Number (Refer to Volume 2, Appendix 1.3.2)
i. Earthquake strengthening works to the external building façade of any structure or building ranked B*	<ul style="list-style-type: none"> E – Historic Heritage

Note

1. Refer to Chapter 1.1.9 for activities marked with an asterisk (*)

19.6 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria

- a) In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters referenced below, to which Council has restricted the exercise of its discretion. Assessment Criteria within Volume 2, Appendix 1.3 provide for assessment of applications as will any relevant objectives and policies. In addition, when considering any Restricted Discretionary Activity located within the Natural Open Space Zone, Waikato Riverbank and Gully Hazard Area, or Significant Natural Area, Council will also restrict its discretion to Waikato River Corridor or Gully System Matters (see the objectives and policies of Chapter 21: Waikato River Corridor and Gully Systems).

Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)
Schedule 8A: Built Heritage (structures, buildings and associated sites)	
i. Accessory buildings or new buildings within any scheduled site ranked B*	<ul style="list-style-type: none"> E – Heritage Values and Special Character

ii. Alterations or additions (excluding maintenance and repair) to the exterior of any structure or building ranked B	<ul style="list-style-type: none"> E – Heritage Values and Special Character
iii. Earthquake strengthening works to the external building façade of any structure or building ranked A*	<ul style="list-style-type: none"> E – Heritage Values and Special Character
iv. Erecting, constructing or extending any structure or fence on a site*	<ul style="list-style-type: none"> E - Heritage Values and Special Character
v. Relocation on site of any structure or building ranked B	<ul style="list-style-type: none"> E - Heritage Values and Special Character
vi. Signs*	<ul style="list-style-type: none"> E – Heritage Values and Special Character
Schedule 8B: Group 1 Archaeological and Cultural Sites	
vii. Any earthworks on a site in Group 1	<ul style="list-style-type: none"> E – Heritage Values and Special Character
viii. Signs on a site in Group 1*	<ul style="list-style-type: none"> E – Heritage Values and Special Character

Note

1. Refer to Chapter 1.1.9 for activities marked with an asterisk (*)

19.7 Other Resource Consent Information

Refer to Chapter 1: Plan Overview for guidance on the following.

- How to Use this District Plan
- Explanation of Activity Status
- Activity Status Defaults
- Notification / Non-notification Rules
- Rules Having Early or Delayed Effect

Refer to Volume 2, Appendix 1: District Plan Administration for the following.

- Definitions and Terms Used in the District Plan
- Information Requirements
- Controlled Activities – Matters of Control
- Restricted Discretionary, Discretionary and Non-Complying Activities Assessment Criteria
- Design Guides
- Other Methods of Implementation