

# Technical Report

## **HERITAGE ARCHITECTURE ASSESSMENT - WAIKATO REGIONAL THEATRE**

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For: Hamilton City Council

Dated: 23 September 2019

## **INTRODUCTION**

- 1 Resource consent is sought from the Hamilton City Council (HCC) by the Waikato Regional Theatre Governance Panel for the establishment of the Waikato Regional Theatre facility at 170-206 and 208-218 Victoria Street, Hamilton Central.
- 2 The proposal includes a 1,300-seat auditorium and associated theatre facilities, a conference centre, hotel and other retail/hospitality tenancies. Construction of the proposal requires, amongst other activities, the following:
  - The partial removal of, and external and internal alterations to, the Hamilton Hotel; a 'A' Ranked Built Heritage Item;
  - The removal of three Significant Trees;
  - Works within Embassy Park to create a large plaza and level access to the main theatre entrance and access to the riverfront promenade; and
  - The installation of 5m wide riverfront promenade which will include works within a 'Group 2' Significant Archaeological Site and the Waikato Riverbank and Gully Hazard Area.
- 3 The purpose of this report is to provide a technical review of the Architectural Heritage aspects of the proposal which will support the section 42A officers report prepared on behalf of HCC.

## **DESCRIPTION OF BUILDINGS**

- 4 Currently located on the site is a building known as the former Hamilton Hotel. The existing building was the third to have been constructed on the site, the earlier two versions both having been destroyed by fire.
- 5 The present building was constructed in several stages. The first section located on the corner of what is now Sapper Moore-Jones Place and Victoria Street dates from 1923 and was designed in a Classically derived architectural style with distinctive arched windows. The second section was constructed in 1924 and located further along Sapper Moore-Jones Place. Its architectural style is plainer and likely derived from the Georgian architectural style.
- 6 The 1925, a separate Spanish Mission styled building was constructed in the eastern corner of the site to provide staff accommodation. Four years later, in 1929, the main hotel building was extended along Victoria Street in the same style as the earlier section. The extension included a wing at the rear which was apparently modified to accommodate

Queen Elizabeth II and the Duke of Edinburgh shortly after the queen's coronation in 1953. This area is still known as the Queen's Suite.

- 7 The ground floor of the former Hamilton City hotel at Victoria Street level has been extensively modified over the years as successive tenants have altered the building to suit their particular needs. The upper level of the façade is relatively unchanged although the interior has been considerably altered with the original bedrooms being removed to create larger spaces.
- 8 There have also been a number of smaller structures built on the site since that time including a double garage that opens off Sapper Moore-Jones Place. A non-descript building was erected at the corner of Victoria Street and the Embassy Plaza at some stage.

### **HERITAGE LISTINGS**

- 9 The former Hamilton City Hotel is listed as a Category A historic building in Schedule 8A of the Operative District Plan. This identifies it as a historic place of highly significant heritage value and one that is considered to be of outstanding or high heritage value locally, regionally or nationally. The criteria which contribute to its heritage value are a) Historic b) Qualities; Physical/Aesthetic/Architectural Qualities; c) Context of Group Qualities and f) Cultural Qualities. The interior of the former hotel building is not listed as being of heritage value. No specific mention is made of the 1925 Spanish Mission staff accommodation building in the listing<sup>1</sup>.
- 10 Also found on the site are five significant trees, scheduled within the Operative District Plan. These include two mature Magnolias, two Norfolk Pines and a Bunya Pine tree.
- 11 The former Hamilton Hotel is listed by Heritage New Zealand Pouhere Taonga as a Category 2 Historic Place. The Heritage Impact Statement on page 12 advises that the listing includes the land described as *Lot 1 DPS 32477 Units A B AU1 DPS 33762*, the main hotel building exterior and its interior fittings and fixtures, as well as the other buildings located around the site.

### **DETAILS OF PROPOSAL**

#### **Brief**

- 12 The proposed development is detailed in a Resource Consent Report prepared by JASMAX. The brief required a 1300 seat capacity auditorium and high-quality public foyer. Other amenities to be provided included a commercial development with conference facilities and an art gallery. Retail facilities were to include food and beverage offerings.

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<sup>1</sup> HCC built heritage inventory record form – H36

## **New Development**

- 13 Preliminary drawings of the proposed development are included in the Resource Consent report prepared by Jasmox. As described below, the rear section of the existing 1929 building will be removed. In its place will be a new structure over four levels which will have a conference facility and carparking at the lowest level and a commercial development above. Above this will be mechanical plant. Beyond this new structure will be a glazed atrium and beyond this again will be the auditorium for the theatre and a stage with a fly tower above. Associated with the auditorium will be foyer areas, toilets and stairs between the various levels. Behind the stage will be back of house facilities including a green room. In the western corner of the development an art gallery is proposed.
- 14 On the river side of the auditorium and stage will be a courtyard area and an elevated riverfront promenade. A high-level glazed screen extends around the western and the northern corners before running the full length of the northeast elevation and returning around the eastern corner to unify the composition.
- 15 Viewed from directly opposite the site in Victoria Street, the existing hotel façade facing south west will appear in the foreground. At the western end of the existing building is a proposed gallery. This structure will be of a similar height to the hotel parapet and will be clad with Profilit glass, comprising a series of translucent cast glass channels. A small recess is proposed between the gallery and the hotel to enable the hotel to maintain its own identity. Behind the hotel is the proposed theatre which will be visible from an elevated position, but only obliquely from street level. At the south-eastern end of the theatre is the proposed fly tower above the stage. The fly tower which will rise to a height of around 25 metres is proposed to be constructed from “red stained textured precast concrete”.
- 16 Viewed from the north west, the proposed gallery clad with Profilit glass is visible at the corner of Victoria Street and the Embassy Plaza. Beyond this is the foyer to the theatre with the theatre and fly tower beyond. These elements are clad with “red stained textured precast concrete”. At the northern corner of this elevation is another Profilit glazed screen with a stairwell and lightwell behind.
- 17 As seen from the north east, a Profilit glazed screen extends along the entire length of the building above a timber deck and a promenade overlooking the Waikato River. Above the screen and clad with “red stained textured precast concrete” are a light well, the theatre and fly tower which will be visible from the opposite side of the river.
- 18 Viewed from the south east, the Profilit glass screed extends around from the north east elevation. When the development is viewed from this aspect, the fly tower is prominent above the stage and back-of-house area. The “red stained textured precast concrete” is again selected as the cladding material for these elements. At the south corner is the

original 1923 section of the Hamilton Hotel. Separating the new development from the existing building is a recessed section of curtain wall glazing above an entry into the building.

### **Existing Buildings**

- 19 On the site is a hotel complex comprising a number of buildings that have been constructed over the years. The largest building is the former hotel which was constructed in at least three different stages. The oldest part of the complex dates from 1923 and is located on the corner of Victoria Street and Sapper Moore-Jones Place. This was followed by a wing which was constructed in 1924 and extends down Sapper Moore Place. The section of the hotel that faces Victoria Street was then completed in 1929. A small single level extension was constructed at some point at the rear of the building to fill in an area between two wings of the 1929 development.
- 20 To enable construction of the new development, the rear portion of the 1929 addition to the hotel including an area known as the Queen's Suite will be removed. The 1924 wing will also be removed, as will all the other buildings on the site including the 1925 staff accommodation building and the garages.
- 21 The front portion of the 1929 addition will be retained, as will the 1923 structure on the Victoria Street/Sapper Moore-Jones Place corner. Little detail is given as to what is proposed for the retained section of the hotel. The Resource Consent report states "the design proposes to expose the back wall of the heritage building in the lobby area at the building level 1 on Grid 2 between grids H5 and H8 and at the lobby located on Level 2 on Grid 2 between grid H5 and H6. The overall intent of this is to delineate the new and historic building envelope interfaces".
- 22 The report continues "The design proposes to relocate and re-use a number of existing internal elements into the new commercial development. These include the existing Hamilton Hotel's main timber stair the timber arches (portals), located on the first floor and some timber joinery elements from what is believed to be the Queen's Suite. The details of this strategy will be developed during subsequent design phases."
- 23 The Heritage Impact Assessment contains a diagram of possible structural upgrading measures. These include the installation of new concrete shear walls, enlargement of the foundations and steelwork to restrain the parapets. The proposal is in diagrammatic form only and lacks any substantial detail.

### **Significant Trees**

- 24 With regard to the five trees that are currently protected, the two Magnolias and one of the Norfolk Pines will be removed. One Norfolk Pine and the Bunya tree will be retained and incorporated into the landscape design.

### **AEE AND HERITAGE IMPACT ASSESSMENT**

#### **Assessment of Environmental Effects**

- 25 Section 4.2.1 of the Assessment of Environmental Effects prepared by Tattico states that the 1929 three storied addition will be removed. This should read 1924 as noted on page 30 of the Heritage Impact Assessment.
- 26 The AEE also states the main hotel will be retained and altered where needed to ensure no damage to the hotel building. In fact, more than half of the building comprising the original 1923 section and the later 1929 extension along Victoria Street including the Queen's Suite, along with the 1925 wing is proposed to be demolished. The Resource Consent Report in Section 3.0 Heritage states that the intention is to expose parts of the back wall of the heritage building at Level 1 Grid 2 between grids 5 and 8. From the documents supplied, it is unclear which areas could be exposed.

#### **Heritage Impact Assessment**

- 27 A heritage impact assessment (HIA) of the proposed development has been prepared by Archifact – architecture and conservation ltd. The HIA included a comprehensive history of the place and a description and physical condition of the building fabric. In the second part of the document, the proposed development was described and the impact of the development was assessed in terms of Hamilton ODP Section 1.3.3 – Restricted Discretionary, Discretionary and Non-Complying Assessment Criteria.
- 28 In the conclusion on page 99 of the Archifact report, the main adverse effect was considered to be the significant excavation and demolition of the House, Hut Garage and Shed as well as some northeast portions of the hotel. The effect of the removal of the ancillary buildings was assessed as being less than minor, while the impact caused by the removal of the 1924 wing was considered to be moderate on the basis that it was not considered to have the prominence or landmark qualities of the Victoria Street frontage. The impact of the removal of the rear section of the 1929 building was not specifically assessed.
- 29 The Archifact report listed what they saw as being the positive effects of the proposal. These included the regeneration of the site and restoration of the hotel façade including the shop fronts along Victoria Street, the addition of modern commercial/hospitality accommodation to establish a viable hotel on the site, the addition of new facilities including

the art gallery, theatre with associated bar and conferencing and commercial spaces and the retention of two notable trees.

- 30 The overall conclusion in the HIA was that when the positive effects of the development were weighed against the (at the most) minor adverse effects, the proposal is appropriate in terms of its effects on historic heritage.

#### **S92 RESPONSES - ARCHIFACT**

- 31 In response to Query 1 of a Section 92 request, Archifact undertook an assessment of the heritage fabric of what the former Hamilton Hotel is comprised. While I do not fundamentally disagree with the Archifact ratings, there are notable omissions such as the fireplaces and the leadlight windows within the main stairwell. In addition to the original entry doors being in place on the Victoria Street facade there appears to be at least one original shop window. I also note that the s 92 request was to “provide a heritage significance rating for the various features and structures”. However, in the response from Archifact, only the hotel has been assessed and not the other buildings on the site including, in particular, the Spanish Mission styled house which is included in the Heritage New Zealand listing.
- 32 Query 2 with reference to the varied shop front treatment along Victoria Street requested further details on how heritage elements will be managed and incorporated into the design of the ground floor frontages. The response from Archifact was that Jasmax Ltd have yet to complete their preliminary design of this building element. Archifact suggested that this could be covered by a consent condition that required the design to be developed in collaboration with an appropriately skilled and qualified Conservation Architect. In my opinion, the restoration of the hotel should be a fundamental part of the proposal and additional information should have been provided as part of the application.
- 33 Query 3 asked for confirmation that a Conservation Plan would be prepared to inform the exterior work to the building, and if not, please explain how the ICOMOS standards will be followed. The response from Archifact was that following discussions with Dr Alexy Simmons they came to the conclusion that “In this instance the preparation of a Conservation Plan would be inappropriate, as this document is typically prepared in advance of design works being developed”. The Archifact response to the s92 request included an email from Dr Simmons where she recommended that a Heritage Assessment be prepared to inform a **Conservation Implementation Plan**. The s92 Schedule of Responses compiled by the Applicant then makes reference to a **Heritage Implementation Plan**. However, in contrast to a **Conservation Plan**, neither of these two documents has a recognised format and their proposed content remains unknown.
- 34 The Archifact response, however, only made reference to a Heritage Construction Management Plan, stating “A Heritage Construction Management Plan (HCMP) will be a

more appropriate document for this process, as its primary purpose is to guide designers and contractors to suitable workflows and methodologies with regard to working on recognised heritage fabric and managing heritage values”.

35 Further, it is noted that the Applicant did not include this HCMP recommendation from Archifact in their proposed conditions of consent (item 11 of the s92 Schedule of Responses); only proposing a Heritage Implementation Plan condition as follows: “A Heritage Implementation Plan be prepared in accordance with ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value: 2010 to identify the methodologies to recognise and manage historic heritage values of the former Hamilton Hotel building.”

36 I agree that a Conservation plan should ideally be prepared prior to design work commencing. However, to quote John Semple Kerr, the original instigator of the Conservation Plan, “At its simplest, a conservation plan is a document which sets out what is significant in a place and, consequently, what policies are appropriate to enable that significance to be retained in its future use and development”. I suggest that it would be entirely appropriate for a Conservation Plan to be prepared to develop policies aimed at ensuring that the heritage values of the sections of the building that are proposed to be retained are adequately protected. The conservation plan could incorporate the heritage assessment already prepared by Archifact but with a series of conservation policies added to guide design work on the section of the building to be retained.

37 A Heritage Construction Management Plan as proposed by Archifact should also be prepared. However, the primary purpose of a HCMP is not to guide designers and it should not take the place of a Conservation Plan. The purpose of a Heritage Construction Management Plan is to manage the construction process and is usually prepared by the contractor while the Conservation Plan is the document that should inform the designer prior to work commencing on site. The HCMP should also be accompanied by a Heritage Protection Plan (HPP) which sets out specific ways of ensuring that heritage fabric is protected from potential damage caused by construction activities.

## **ASSESSMENT OF PROPOSAL**

### **New Building**

38 The proposed new building will contain a theatre as well as retail and commercial facilities. It will also provide an elevated promenade overlooking the Waikato River. It is a much-needed facility for the people of Hamilton since the closure of the Founders Theatre. The building has a contemporary style which will clearly differentiate it from the existing heritage building. Viewed from Sapper Moore-Jones Place a glazed link separates the new building from the heritage building which enables the extent of the heritage building to be determined. A smaller break has also been indicated between the heritage building and

the proposed art gallery along Victoria Street. The break separates the two structures but is small enough to maintain the continuation of built structures along the street.

- 39 The development is, however, large in scale compared with the existing building. In particular the proposed fly tower will reach a height of some 25 metres, more than twice the height of the existing heritage building. Although the fly tower will not be visible from close to the Victoria Street facade, it will be visible from the opposite side of the road and also from further away as the site is approached from both directions along Victoria Street as seen in the renders provided with the Resource Consent report. The fly tower will also be very visible from Sapper Moore-Jones Place, while from the Embassy Plaza, the auditorium is likely to be the dominant element.

At present two renders which aim to show the proposed development are included in the Resource Consent report, one from directly opposite the former hotel in Victoria Street and the other from the other side of the river. The Resource Consent Report also includes a series of black and white massing diagrams, however, these are labelled indicative only. However, as noted, the fly tower is twice the height of the existing heritage building and combined with its proposed red stained concrete colour, potentially could dominate the heritage building. Additional accurately set up renders from vantage points as one approaches the proposed development from each direction along Victoria Street would provide a more accurate representation of the impact of the proposed fly tower on the heritage building

### **Existing Buildings**

- 40 In general, the reuse of existing buildings and their integration into a new development is to be encouraged as it assists in ensuring their future survival. In this particular case, the retention of the front section of the 1929 building and its incorporation into the new development should ensure its survival.
- 41 However, there are very few specifics in the proposal as to how the retained section will be conserved, other than a comment that parts of the rear wall of the hotel may be exposed and some existing internal elements including the main stair, timber arches and some joinery from the Queen's Suite are proposed to be relocated. However, without a definitive proposal as to how the items that are proposed to be reused will be incorporated into the final design, there is no guarantee that this will occur. It is acknowledged that the interiors of the hotel are not protected under the District Plan, however, as the recovery and relocation of these items has been offered as mitigation, further information should be provided as to how and where these items will be reused to ensure that they continue to make a meaningful contribution to the building's heritage values.

42 Similarly, there is no detail given as to how the ground floor Victoria Street façade might be reinstated. The upper levels of the Victoria Street and Sapper Moore-Jones Place façades also require remedial work, although again no details as to how this might be achieved are provided. It is considered that any reconstruction of the ground floor should accurately reflect the original layout and style if the reinstatement of the facade is to be considered as mitigation for the loss of heritage values elsewhere.

**Buildings to be Demolished**

43 In addition to the removal of the rear sections of the 1923 and 1929 parts of the hotel including the Queen’s Suite and main stairwell, the entire 1924 wing will be demolished. While the 1924 wing is relatively plain in style and may not have the architectural exuberance of the other parts of the building, it is still considered to be part of the A ranked Hamilton Hotel. It is noted that the other buildings on the site are not protected including the former staff quarters which is considered, externally at least, to be a reasonably competent rendition of the Spanish Mission style.

**Trees to be Removed**

44 There are currently five protected trees on the site, being two mature magnolias, a Bunya tree and two Norfolk Pines, one of which appears to be in decline. Three of the trees will be removed, namely the two Magnolias and the less healthy of the two Norfolk Pines. The entire landscaped area to the rear of the hotel will be removed. It appears that the timber deck overlooking the river will be constructed around the two remaining trees.

45 Although not protected, the landscaped area behind the hotel is considered part of the heritage value of the place and it should be recorded by a landscape architect before it is destroyed. The walkway overlooking the river will obviously be a significant attraction and will partly mitigate the loss of the existing landscape. An opinion should also be sought from an arborist to ensure that the two retained trees will not be affected by the proposal to extend the deck around them.

**HAMILTON DISTRICT PLAN**

46 In the following section, the proposed development is assessed against the relevant sections of the Hamilton District Plan.

**Objectives and Policies – Chapter 2: Strategic Framework**

<i>Hamilton’s Identity, Character and Heritage</i>		
<i>Objective</i>		<i>Comment</i>
2.2.11	<i>Hamilton’s unique character, heritage and identity are reflected in its built environment.</i>	

<b>Policies</b>		
2.2.11a	<i>Development is sensitive to and enhances Hamilton's identity and character.</i>	The development makes provision for the restoration of the Victoria Street façade of the former Hamilton Hotel which will enhance Hamilton's identity and character.
2.2.11c	<i>Development is sensitive to and protects Hamilton's archaeological and cultural heritage sites, structures, areas, landscapes and places.</i>	The development will impact on the archaeological and cultural heritage site, structures, and landscape and there will be some loss of heritage values.
2.2.11d	<i>Development provides for the protection of historic and cultural heritage from inappropriate subdivision, use and development.</i>	While the development will have some impact on historical and cultural heritage the use of the proposed site is considered to be appropriate.

### Objectives and Policies – Chapter 7: Central City Zone

<b>Objective</b>		<b>Comment</b>
7.2.2	<i>The form, scale and diversity of activities support and facilitate the role of the Central City as the Regional Centre.</i>	The proposed development will provide facilities and encourage activities that will facilitate the role of the Central City as a Regional Centre.
7.2.2d	<i>Heritage resources are recognised and managed to contribute to local amenity values and anchor investment within the Central City.</i>	The proposal recognises the Hamilton Hotel as a heritage resource that is able to contribute to local amenity values. It is likely to encourage investment within the Central City.
7.2.2e	<i>The revitalisation of the Central City is promoted and links facilitated with sporting and entertainment facilities and environmental features close to the central area by establishing precincts of key activities.</i>	The proposed development will contribute to the revitalisation of the Central City by providing entertainment facilities close to the central area and will establish a precinct of key activities.
7.2.2h	<i>Future development will be undertaken in a manner that protects and appropriately integrates heritage values into the Central City to enhance social and cultural values and the overall attractiveness of the city.</i>	The development seeks to integrate the heritage values of the former hotel into the Central City and to enhance social and cultural values.

### Objectives and Policies – Chapter 19: Historic Heritage

<b>All Historic Heritage</b>		
<b>Objective</b>		<b>Comment</b>
19.2.1	<i>Significant buildings, structures, sites and items that define the City's</i>	The former hotel is a significant item that assists in defining the City's historic

	<i>historic heritage are identified and protected.</i>	heritage. The proposal will only partly protect the heritage item due to the removal of the rear section of the building, other structures on the site and three of the protected trees.
<b>Policies</b>		
19.2.1a	<i>The City's historic heritage shall be protected from the adverse effects of subdivision, use and development.</i>	The proposed development will have some adverse effects on the former Hamilton Hotel.
19.2.1b	<i>Ensuring that where features have been destroyed or damaged, the historical heritage values of those sites are recorded and recognised to ensure the historical legibility of Hamilton City.</i>	The development will involve the loss of some features including parts of the hotel and the site including three of the protected trees. The buildings and site should be fully recorded to archival standards prior to work commencing, although this is not offered in the AEE.
19.2.1c	<i>Subdivision and development shall adhere to the conservation principles of the International Council on Monuments and Sites (ICOMOS) being the New Zealand Charter (2010) for the conservation of Places of Cultural Heritage Value where applicable.</i>	The ICOMOS NZ Charter is intended to guide all those involved in conservation work. The Charter aims to ensure that the removal of any physical evidence is minimised and that work should involve the least degree of intervention. The Charter acknowledges that the use of a building is integral to its heritage values and that any changes to accommodate a compatible use should be the minimum necessary. Little detail is given to demonstrate adherence to the ICOMOS NZ Charter.
<b>Objective</b>		
19.2.2	<i>The heritage values of a diverse and representative range of natural, physical and cultural resources are protected.</i>	
<b>Policies</b>		
19.2.2b	<i>The loss of heritage values associated with scheduled items shall be avoided.</i>	The proposed development will involve some loss of heritage values.

<b>Buildings and Structures</b>		
<b>Objective</b>		
19.2.3	<i>The heritage values of significant buildings, structures and their immediate environment are protected.</i>	
<b>Policies</b>		

19.2.3a	<i>Demolition of buildings and structures ranked A in Schedule 8A shall be avoided.</i>	Although the street facades will be retained, the proposed development will still require the substantial demolition of the A ranked Hamilton Hotel with less than half the building being retained and the removal of the entire 1924 wing.
19.2.3c	<i>Subdivision and development shall retain, protect and enhance the heritage values of any building or structure listed within Schedule 8A.</i>	The development proposes to retain the front section of the Hamilton Hotel. Although the remaining section could potentially be protected or enhanced, little detail is provided as to how this might be achieved.
19.2.3e	<i>Heritage buildings and structures shall be used in a manner that ensures essential heritage values are not damaged or destroyed.</i>	The remaining section of the hotel is proposed to be used for hotel accommodation with retail facilities on the street frontages. These uses are appropriate and could potentially ensure that the heritage values are maintained, although again no details are provided to show how this might be achieved.
19.2.3f	<i>The design, materials and finish of any development shall be consistent with heritage values.</i>	Some detail is given of the proposed design, materials and finishes of the new development which differ from those of the existing building. This creates a clear demarcation between the existing and new structures.
19.2.3g	<i>The continued use or adaptive reuse of any building or structure of identified heritage value shall be encouraged.</i>	The Hamilton Hotel was constructed to provide accommodation and this used continued until recently. The AEE suggests that the remaining section of the hotel could be reused for this activity. Reuse of the building for its original purpose could potentially enhance its heritage values, although, again few details are given as to how that might be achieved.
19.2.3h	<i>The site surrounding the heritage building or structure shall be protected to the extent that it contributes to its heritage value.</i>	The site surrounding the heritage building will be significantly altered and this will impact on the building's heritage values.
19.2.3i	<i>Encourage the strengthening of buildings in Schedule 8A to increase their ability to withstand future earthquakes while minimising the significant loss of heritage values.</i>	The Heritage Impact Assessment has a reference to proposed strengthening of the building although the lack of detail makes it difficult to determine the impact on heritage values.

Volume 2 Section 1.3.3

<b>E</b>	<b>Heritage Values and Special Character</b>	
	<b>General</b>	
<b>E1</b>	<i>The extent to which the proposal, development, excavation or subdivision of a historic heritage site or place:</i>	
	a)	<p><i>Is consistent with the identified heritage values, including scale, design, form, style, bulk, height, materials and colour and retains, protects or enhances the historic context.</i></p> <p>Although the front section of the Hamilton Hotel will be retained, the proposal involves the removal of a large part of the hotel, including the historic context, being the garden and other buildings on the site. The new building differs significantly from the existing building in terms of its scale, design, form, bulk, height, materials and colour. While this will ensure that the remaining section of the hotel will retain its identity, the difference in scale could mean that the theatre becomes the dominant structure. A positive effect is that the remnant of the hotel is likely to be protected as part of the new development.</p>
	b)	<p><i>Provides for design, layout or location of the activity including associated building platforms, vehicle access and services on site in a manner that will minimise the disturbance of the site.</i></p> <p>The proposed development requires extensive modification of the site including extensive excavation and the removal of three significant trees.</p>
	c)	<p><i>Provides for the on-going maintenance of the site to ensure that the site is preserved and that damage does not occur.</i></p> <p>The proposed development will involve the whole site and the site as it currently is will be extensively modified.</p>
	d)	<p><i>In Schedule 8A of Appendix 8 maintains the visual linkages between the building or structure and the street.</i></p> <p>The section of the hotel which fronts onto Victoria Street will be retained. The facade is proposed to be restored and the ground floor level returned to an earlier form, although no details are provided to show how this might be achieved.</p>
	e)	<p><i>Is compatible with the reasons for inclusion of the building, structure or site and its significance in Schedules 8A or 8B, of Appendix 8.</i></p> <p>The former hotel has a Plan Rankling A, meaning it has highly significant heritage value. Criteria under which it is listed include Historic, Physical/Aesthetic/Architectural, Context or Group and Cultural qualities. Although the front section of the hotel is being retained, the proposed development will have some impact on its Physical/Aesthetic/Architectural, Context or Group qualities in particular.</p>

	<i>f)</i>	<i>Addresses cumulative effects on heritage values.</i>	Over time, the hotel has lost some of its original character, particularly at the ground floor level facing Victoria Street. While the proposal intends to restore some of the lost character on Victoria Street, the removal of the rear section of the hotel and the loss of the gardens and significant trees will have cumulative effect on heritage values.
	<i>g)</i>	<i>Considers the irreversibility of an effect (eg the loss of unique features).</i>	The proposed development will involve the removal of the rear section of the building and the gardens and this action is clearly irreversible. Some unique internal features will be impacted and although these maybe reused, no details have been provided.
	<i>h)</i>	<i>Considers the opportunities for remediation and the costs and technical feasibility of remediation.</i>	There is a stated intention of carrying out remedial work to the remaining section of the hotel, along with structural upgrading (should it be required). The proposed works have not been detailed.
	<i>i)</i>	<i>Considers the resilience of the heritage feature to change (eg, the ability of the feature to assimilate change, or the vulnerability of the feature to change).</i>	Although the stated intent of restoring the remaining section of the hotel to an earlier form and to its original use of providing accommodation is commendable, the proposal will result in the greatest change to the place since the hotel was constructed.
	<i>j)</i>	<i>Adheres to the conservation principles of the International Council on Monuments and Sites (ICOMOS) New Zealand Charter (2010) for the conservation of places of Cultural Heritage Value, where applicable.</i>	The Articles in the NZ ICOMOS Charter include principles such as Article 6: Minimum Intervention which states that work should involve the least degree of intervention and Article 21: Adaptation which includes the requirement that any change should be reversible. The proposal does not meet these requirements. However, the Charter also notes in Article 8 that the use of a building should be retained where that use is integral to its cultural heritage value and also includes Articles 18: Preservation, 19: Restoration and Article 20: Reconstruction, activities which may be undertaken as part of the proposed development.
	<i>k)</i>	<i>Includes consultation with Heritage New Zealand Pouhere Taonga.</i>	It is understood that Heritage New Zealand Pouhere Taonga has been consulted as the proposal has been developed.
	<i>l)</i>	<i>In the event of relocation, has adequately considered whether the relocation is necessary and whether appropriate measures are proposed to ensure any potential adverse effects on</i>	Not applicable.

		<i>heritage values are avoided, remedied or mitigated.</i>	
	<i>m)</i>	<i>Incorporates proposed planting, fencing and identification (eg signage) sufficient to ensure site recognition.</i>	The HIA refers to site wide architectural and landscaping responses having been appropriately designed to provide interpretive references to the historic heritage values of the site.
<i>E2</i>	<i>The extent to which the heritage values of any buildings or places identified in Schedules 8A or 8B of Appendix 8 would be adversely affected by the proposal.</i>		
		As noted, the hotel is Ranked A in the District Plan which identifies it as having highly significant heritage value. The proposal will have some adverse effects on the heritage values of the place, in particular, its Physical/Aesthetic/Architectural, Context or Group qualities as a result of the loss of a significant part of the hotel building and its surrounds.	
<i>E3</i>	<i>The extent to which the proposal including modification, reuse, renovation or restoration to the building or structure:</i>		
	<i>a)</i>	<i>Contributes positively to the character of the surrounding area and maintains the relationship of the building or structure with its setting.</i>	The proposal will contribute positively to the character of the area and to its setting in Victoria Street if the façade of the hotel is restored as indicated. The relationship of the hotel to its current setting and to the river will be significantly altered.
	<i>b)</i>	<i>Will maintain and enhance environmental, social, or cultural effects for the wider community.</i>	The proposed development will create a much-needed new theatre and other facilities which will have cultural and social benefits for the wider community.
	<i>c)</i>	<i>Considers the extent to which the primary façade of a scheduled building is proposed to be altered, and whether the main determinants of style and character, and the heritage significance of the building are maintained or restored.</i>	The documentation as submitted makes references to restoring and maintaining the upper level of the principal façade facing Victoria Street and recovery of the character of the building at street level. If this work does occur, the character of the Victoria Street façade will be restored, although the proposal contains no details as to how this is proposed to be achieved.
	<i>d)</i>	<i>Ensures new buildings respect the design, scale and materials of any original façade.</i>	Some efforts have been made to relate the scale of the development to the existing building. This is seen with the proposed art gallery, back of house areas and Profilit glazed screen being approximately the same height of the hotel. The stated intention is to make the new building appear as a contemporary structure and to maintain a clear distinction between it and the heritage building and this principle is accepted. Nevertheless, the theatre and the fly tower, in particular are large structures which potentially could

			dominate the heritage building when seen obliquely from Victoria Street.
E4	<i>The extent to which it is practical to provide noise insulation to the required standard without compromising the heritage significance and fabric of the building.</i>		
		The HIA states that compliant noise insulation will be installed as part of the fitout works and that the insulation will have no impact on the heritage values of the existing building. No details have been provided, therefore, there is no means of addressing the impact of any acoustic insulation that may be installed.	
E5	<i>The extent to which the addition of an awning would likely detract from the original character of an identified building in Schedule 8a and 8B of Appendix B.</i>		
		The former hotel already has a verandah along Victoria Street and extending into Sapper Moore Jones Place which as stated in the HIA is proposed to be retained and refurbished. No new verandahs are proposed along Victoria Street.	

### Summary

- 47 The Hamilton District Plan seeks to ensure that the City's heritage values are maintained and enhanced and that historic heritage is protected from adverse effects. Any new development should be sensitive to Hamilton's identity and character and integrate heritage values into the Central City. The District Plan does, however, provide for the continued use or adaptive reuse of heritage buildings.
- 48 The proposed development does allow for the continuing use of the remaining section of the hotel, however, the work that might be required to achieve this is not described. In addition, no details are given to demonstrate how the heritage values of the place will be maintained and enhanced.
- 49 The proposed new building has a different form and uses a different vocabulary of materials and colours which will ensure that the new and existing structures can be readily discerned. The scale of the new building is substantially greater than the existing hotel building and although it is set back from its façade, it has the potential to dominate it. Additional renders should be provided in place of the massing diagrams to fully assess the likely impact of the new development on the historic hotel.

### SUBMISSIONS RECEIVED

- 50 The proposal was publicly notified and a total of 28 submission were received. Of these, 11 submissions were in support, 3 submissions were neutral and 14 submissions opposed the development. Five submissions specifically referred to heritage issues and these are listed below. The issues raised have been abridged.

Submitter	Oppose/ Support	Issues
Franklin Wayne Brown	Support	<ul style="list-style-type: none"> <li>• A building that mixes contemporary and traditional design.</li> <li>• Will rejuvenate the city.</li> </ul>
Rachel Ann Peploe	Support	<ul style="list-style-type: none"> <li>• Will have minimal impact on the heritage of the old hotel.</li> <li>• Will spruce up the façade and revitalise Victoria Street.</li> </ul>
Waikato Heritage Group	Oppose	<ul style="list-style-type: none"> <li>• Concerned at loss of historic heritage.</li> <li>• Considers heritage assessment and consideration of alternatives is inadequate.</li> <li>• Concerned at loss of trees.</li> <li>• Considers AEE has insufficient regard to relevant provisions of the District Plan.</li> <li>• Considers the Queen's Suite is an important part of the hotel.</li> <li>• Considers insufficient consideration to HCC's heritage policy has been given.</li> <li>• Considers that the hotel is a significant anchor in the heritage precinct of the south end.</li> <li>• Considers the site has extensive history as one of only two remaining historic hotels.</li> <li>• Considers little consideration has been given to the historic grounds and interiors.</li> <li>• Considers the degree of demolition of the hotel, gardens and trees will have more than minor effects, maybe significant.</li> <li>• Considers the removal of the river façade and gardens destroys understanding of the historic values of the hotel's river side.</li> <li>• Requests that a full survey of the garden be undertaken, including a full plant inventory.</li> <li>• Considers the removal of the garden may be a significant adverse environmental effect.</li> </ul>
Nicola Hamon	Oppose	<ul style="list-style-type: none"> <li>• Removal of A ranked heritage structure will set a precedence for the removal of other A ranked heritage buildings in Hamilton.</li> <li>• Hamilton's most famous hotel and one of only two remaining.</li> <li>• Historic hotel and rare historic garden and trees should be afforded full protection.</li> <li>• Removal of three historic trees is not supported.</li> <li>• Heritage Landscape Architect's assessment should be provided.</li> </ul>
Heritage NZ	Support/ oppose	<ul style="list-style-type: none"> <li>• Heritage New Zealand Pouhere Taonga is supportive of the proposal in principle, in that it will potentially rejuvenate the CBD.</li> <li>• Considers that the proposal will have adverse effects on historic heritage, being built heritage, archaeology and significant trees and that the matters have not been adequately addressed.</li> <li>• Inadequate information limits the ability to determine whether the proposed mitigation will sufficiently mitigate the adverse effects.</li> <li>• The buildings contain a number of identified important and/or original features.</li> </ul>

		<ul style="list-style-type: none"> <li>• The archaeological assessment is insufficient in terms of detail.</li> <li>• Request greater level of detail on new hotel to ensure demolition of other buildings can be considered mitigated and ensure the historic hotel doesn't face an uncertain future.</li> <li>• Request greater detail on staging of works as it appears the construction of the hotel will occur after the theatre.</li> <li>• No details given re stabilisation of the hotel.</li> <li>• Request that street facing frontages will be faithfully reinstated.</li> <li>• Request greater recess between the hotel and extension to the north.</li> <li>• Request three-dimensional integrity of the heritage fabric is retained and that the hotel; is not blown out at the back. No details provided.</li> <li>• Request HNZPT be involved in design/details of required seismic works.</li> <li>• Request a suitable and meaningful location be found for the stairs and associated leaded glass windows.</li> <li>• Request remaining features of the Queen's Suite be reinstated within the hotel.</li> <li>• Request that interpretation be incorporated into the design which reflects the rich history of the area.</li> <li>• Request details of signage to be provided.</li> <li>• Request certainty from qualified experts that every endeavour will be made to ensure the health and longevity of the remaining trees.</li> <li>• An advice note be included advising of the need to obtain an archaeological authority.</li> </ul>
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### Summary

- 51 The submissions by Franklin Wayne Brown and Rachel Ann Peplow both supported the application on the basis that it mixes traditional and contemporary design, will have minimal effect on the heritage of the hotel and that it will revitalise the city.
- 52 The proposal was opposed by Nicola Hamon, the Waikato Heritage Group and Heritage New Zealand Pouhere Taonga. Nicola Hamon is concerned that the removal of part of the A ranked building may set a precedence. The submitter is also concerned with the loss of the protected trees and would like to see a Heritage Landscaped Architect's assessment of the place.
- 53 The Waikato Heritage Group (WHG) is concerned at the loss of historic heritage, given that the hotel is one of only two historic hotels remaining. The Queen's Suite is considered to be an important part of the hotel. WHG also considers that the AEE has not had regard to the relevant provisions of the District Plan and that little consideration has been given to the gardens and the interiors while acknowledging the that interiors are not protected. WHG requests a survey of the garden including an inventory of the trees be undertaken. WHG seeks that application be declined.

54 Heritage New Zealand Pouhere Taonga (HNZPT) supports the development in principle, considering that it has the potential to rejuvenate the Hamilton CBD. However, NZHPT is concerned that the proposal will have adverse effects on historic heritage, being built heritage, archaeology and significant trees and that these matters have not been adequately addressed. The inadequate information limits the ability to determine whether the proposed mitigation will sufficiently mitigate the adverse effects. HNZPT requests a greater level of detail to ensure that the existing hotel does not face an uncertain future. HNZPT also requests that a meaningful location be found for the main stairs and leadlight windows and that the remaining features of the Queen's Suite be reinstated within the hotel. The shop fronts along Victoria Street should be faithfully reinstated. HNZPT requests that the application as lodged is declined.

### **CONFORMITY WITH THE ICOMOS NEW ZEALAND CHARTER**

55 The ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value followed the spirit of the International Charter for the Conservation and Restoration of Monuments and Sites (the Venice Charter – 1964. Although the Charter appears to never to have envisaged the impacts on heritage buildings caused by events such as the Canterbury earthquakes, it remains as the guide for all those involved in the various aspects of conservation work in New Zealand. In the HIA, little detail is given to demonstrate adherence to the ICOMOS NZ Charter.

56 The following clauses in the Charter are considered to be particularly relevant in this case:

Article 7. Minimum Intervention:

*Work undertaken to a place of cultural heritage value should involve the least degree of intervention consistent with conservation and the principles of this Charter.*

The proposed work involves the removal of heritage fabric at the rear of the hotel. The extensive removal of fabric was clearly not envisaged by the Charter, although it is accepted that the work is required if the theatre is to be constructed.

Article 8. Use:

*The conservation of a place of cultural heritage value is usually facilitated by the place serving a useful purpose. Where the use of a place is integral to its cultural heritage value, that use should be retained.*

If the original use of a heritage building is considered to be integral to its cultural heritage value it should continue to be used for that purpose. In the case of the Hamilton Hotel, the work proposed for the remaining section of the hotel is aimed at ensuring that it can function in the role for which it was originally designed and constructed. Further details should be provided to demonstrate how this can be achieved.

Article 17 of the Charter describes the degrees of intervention for conservation purposes. Following research, recording, assessment and planning, intervention for conservation purposes may include the following:

- (i) *Preservation through stabilisation, maintenance and repair;*
- (ii) *Restoration through reassembly, reinstatement or removal;*
- (iii) *Reconstruction; and*
- (iv) *Adaptation.*

**Restoration** is based on respect for existing fabric. **Reassembly** reuses existing material and through the process of reinstatement, returns it to its former position.

**Reconstruction** is distinguished from restoration by the introduction of new material to replace that which has been lost. Reconstruction is considered appropriate if it is essential to the function, integrity, intangible value or understanding of the place, providing sufficient physical and documentary evidence exists to minimise conjecture and if surviving cultural heritage value is preserved. The reconstruction of the ground floor façade of the Hamilton Hotel would potentially fall into this definition, although any work should be based on documentary and physical evidence.

Under the ICOMOS New Zealand Charter, any work to a heritage building should aim to require the least degree of intervention to ensure the heritage values of the place are maintained. **Preservation** of the building is achieved through a process of **stabilisation** which is defined as slowing processes of decay by providing treatment or support. Work considered to come under the definition of **stabilisation** includes any structural upgrading work that is aimed to protect the building from damage caused by future seismic events. At this stage, few details are given to enable the impact of any structural work on the hotel's heritage values to be assessed.

Work to a heritage building may also involve processes of necessary removal of non-heritage fabric, **preservation**, **restoration** and **reconstruction** to endure that the building survives in good condition for the future. Maintenance and repair of existing fabric should also be undertaken to will in preserving the function, integrity, intangible value and understanding of the place. There is mention of his work being required to the retained section of the hotel, although, again few details are provided.

## **CONCLUSION**

- 57 There is little doubt that a theatre in the centre of Hamilton would make a significant contribution to the city's cultural life. The proposal also includes the restoration of part of one of Hamilton's most significant heritage buildings, the former Hamilton Hotel which is ranked A in the Hamilton Operative District Plan. If a section of the hotel is restored as part of the project, this will assist in ensuring that it survives for the benefit of future generations.

- 58 The proposal does, however, involve the removal of a significant part of the Hamilton Hotel including part of the rear section of the original 1923 section, the entire 1924 wing and the rear section of the 1929 extension along Victoria Street as will three of five protected trees on the site. In my opinion, the effects of the removal of these elements on the heritage values of the place will be significant.
- 59 A Spanish Mission styled building that was constructed as staff quarters will be removed, as will the gardens. While I acknowledge that these elements are not protected, they do form part of the setting for the hotel.
- 60 As a way of reducing the impact of a proposal on the heritage values of a place, mitigation is commonly offered in projects of this nature as a way of balancing potentially negative impacts on heritage values with positive effects. In this case, however, while the development is likely to ensure that the remaining sections of the former Hamilton Hotel will continue to have a viable use, little else is offered in the way of mitigation, other than references to sections of the rear of the hotel potentially being able to be exposed, along with the possible reuse of some of the interior elements and the possible restoration of the ground floor shop fronts along Victoria Street.
- 61 In my opinion, the proposal is lacking in detail as to how these proposed works will be implemented and it offers little comfort that the hotel will be restored. Accordingly, until there is greater clarity regarding the actions proposed to ensure that the heritage values of the remaining section of the Hamilton Hotel are protected, I am not satisfied that the adverse effects on heritage values can be appropriately mitigated.

#### **FURTHER INFORMATION - ARCHIFACT**

- 62 On 30 August 2019, further information was provided by Tattico (the Applicant's agent) in response to previous queries from HCC's processing team. Included with this information was an updated set of proposed built heritage conditions. These proposed conditions are included in a table within Appendix 1 of this report, along with my assessment of these conditions.
- 63 My concerns with the proposed conditions are based on a need to ensure that the restoration of the hotel will become part of the proposed development. My main concerns with the conditions as proposed by the Applicant are summarised as follows:
- The present renders are computer generated images only. Photo montages should be prepared showing the proposed building in context.
  - The Conservation Plan should be prepared by the Appointed Conservation Architect.

- The format of a Conservation Plan is well established. The proposed format includes a number of items that should be in a Restoration Plan or similar document.
- The restoration plan should include additional items.
- There should be a requirement that salvaged items shall be reused, rather than may be reused.
- The Heritage Construction Management Plan should include additional requirements to ensure the remaining sections of the former Hamilton Hotel are protected during the demolition and construction phases,

64 I have accordingly prepared an amended set of recommended conditions (Appendix 2) that take into account the conditions proposed by the applicant but which also address my concerns. If these conditions are accepted, I am satisfied the adverse effects on heritage values will be acceptable.

## APPENDIX 1 – ASSESSMENT OF PROPOSED CONDITIONS

DPAL Proposed Heritage Conditions	Clause	Applicant's Updated Heritage Conditions (Dated 30 August)	Clause	DPAL Comment	Condition satisfied?
<p><b>Reporting and Monitoring</b></p> <p>A Conservation Architect shall be appointed by the Consent Holder and shall monitor all work involving heritage fabric throughout the duration of the contract and provide a series of reports that record the progress of the work at a frequency to be determined by Council's heritage advisor. The reports shall include photographs and shall be in a form designed to provide an archival record of the works carried out to the building throughout the duration of the contract. A photographic record shall also be compiled to record all the buildings and the site including the gardens prior to work commencing.</p>	68	<p>The consent holder shall engage a suitably qualified and experienced Conservation Architect to observe the construction work and ensure that the project is carried out in accordance with the conditions of this consent.</p> <p>Prior to commencement of Construction the appointed Conservation Architect shall undertake (or supervise) a full photographic survey of the former Hamilton Hotel.</p>	15-17	<p>As per recommended condition, the heritage specialist should produce a series of reports to record the progress of the work as an archival record.</p>	Satisfied in part
		<p>The Appointed Conservation Architect shall consult with the design Architect and Engineers to ensure that the historic heritage values and fabric of the Hamilton Hotel building are appropriately managed through the design phase in consultation with HNZPT.</p>	16	<p>Support the inclusion of this condition.</p>	
		<p>Scaffolding design. Applicant proposes to prepare a temporary scaffold design for the exterior of the historic Hamilton Hotel and submitted to Council.</p>	18	<p>Support the inclusion of this condition.</p>	
<p><b>New Building</b></p> <p>The fly tower is a very large structure, more than twice the height of the existing building. Although it is accepted that it will be set back from the heritage facades, it will still be a dominant element. It is unclear as to how dominant the tower will be, approaching the site from both directions along Victoria Street and accurate renders should be prepared showing the proposal</p>	69	<p>The Applicant has provided additional computer renditions showing the new development viewed from both directions along Victoria Street which are simply reiterations of earlier form studies with colour added to the theatre and fly tower. Some indication has been given regarding the texture and colour of the concrete to the new building.</p>		<p>The additional computer renders with the red coloured theatre and tower have the effect of possibly emphasising the new buildings more than reality. Photo montages would be more useful and could give a more</p>	

<p>from these aspects. The final design of the fly tower should have input from a heritage architect and consideration be given to the final design and colour of the tower. Ways should also be explored of reducing its impact by breaking up the scale.</p>				<p>realistic impression on the new building in context. The additional information regarding the colour which is intended to reflect the red clays of the area and texture of the new building is useful, however I physical sample of the finish showing the colour and texture would assist in ascertaining its impact.</p>	
<p><b>Former Hamilton Hotel</b></p> <p>A Conservation Plan, based on the model developed by JS Kerr, shall be prepared by the Appointed Conservation Architect for the place with particular emphasis on the sections of the hotel that are to be retained. The Conservation Plan shall develop clear policies to guide the designers to ensure that the heritage values of the remaining heritage fabric are protected. Policies shall be included that provide a methodology for incorporating any seismic upgrading work and should also outline philosophies for adapting the building for new uses, including the integration of new fabric.</p>	70	<p>Prior to Commencement of Construction, the Consent holder shall, in consultation with the Appointed Conservation Architect, prepare a Conservation Plan (CP) detailing the historic heritage values of the former Hamilton Hotel, its buildings and site and guiding the conservation works for those parts of the hotel being retained. The conservation plan shall include the following (summarised):</p> <ul style="list-style-type: none"> <li>(a) Architectural drawings and description of work to restore the lower level of the building's exterior façade to its 1923/29 form or to a form agreed to by council (Heritage Specialist). This shall include a colour scheme taking into account the building's original colours as determined by paint scrapings.</li> <li>(b) Essentially as per (a) above.</li> <li>(c) Architectural drawings and a description of the work proposed to remove identified accretions.</li> <li>(d) Material to be salvaged and proposed location shown on architectural drawings. Material and/or fabric to be used may include leadlight windows, oak staircase, original fire surrounds, remaining original doors, timber fittings &amp; fixtures from Queen's Suite.</li> </ul>	39-41	<ul style="list-style-type: none"> <li>• The conservation plan should be prepared by the Appointed Conservation Architect. Not by the consent holder.</li> <li>• The format of a Conservation Plan is well established (eg JS Kerr) and this format should be followed. The drawings as listed should not be included in a conservation plan but should be compiled separately under a hotel restoration plan using the Conservation Plan for guidance.</li> </ul>	Satisfied in part

		<ul style="list-style-type: none"> <li>(e) Architectural drawings and description of work proposed to expose original fabric at rear of 1929 building.</li> <li>(f) Inventory of original fabric to remain in place.</li> <li>(g) Inventory of original fabric to be salvaged for reuse as part of interpretive and thematic reference to the Queen's Suite and former hotel.</li> <li>(h) Architectural details of junctions between heritage fabric &amp; new building work.</li> <li>(i) A condition report detailing defects and outlining remedial work.</li> <li>(j) Architectural drawings and a description of structural strengthening work.</li> <li>(k) Architectural drawings detailing mechanical plant and ventilation systems.</li> </ul>			
Work to the remaining section of the building should also be guided by the ICOMOS New Zealand Charter (revised 2010) with respect to preservation, restoration and reconstruction and the heritage specialist shall demonstrate how this is proposed to be achieved.	73			No indication given as to how the work to the remaining area of the building is to be guided by the ICOMOS Charter.	Not satisfied
<p>A plan detailing the proposed restoration of the remaining sections of the Hamilton Hotel shall be developed. The plan shall include details of the work to be undertaken, methodologies proposed, the name of the conservation architect overseeing the work and timeframes to undertake and complete the works. The plan shall include the following:</p> <ul style="list-style-type: none"> <li>• Architectural drawings and a description of the work proposed to restore the lower level of the building's exterior façade to its 1923/29 form or to a form as agreed by Council's heritage advisor. This shall include a colour scheme taking into account the building's original colours as determined by paint scrapings.</li> <li>• Architectural drawings and a description of the work proposed to restore the ground floor facades of the 1923/29 sections of the building.</li> </ul>	74	<p>Applicant has proposed including these items as part of the conservation plan. They need to be included as part of a restoration plan as above. Applicant has prepared a Heritage Salvage Items Report, but other than a reference to a location for the staircase in the design report, no other information is provided regarding the new location of salvaged heritage items.</p> <p>Some indication provided regarding an exposed heritage wall on the back of the hotel but no information provided.</p>		<p>Applicant has included these requirements as part of the conservation plan. However, as no additional information has been provided regarding the reuse of heritage material and/fabric, propose that the wording of condition be changed from <u>may</u> include to: salvaged material and/or fabric shall be reused and their proposed location shall be clearly shown on detailed drawings. Any deviation from this condition shall be specifically agreed to by council (Heritage Specialist). No details provided regarding details of junctions between</p>	Satisfied in part.

<ul style="list-style-type: none"> <li>• Architectural drawings and a description of the work proposed to remove identified accretions that detract from the building's heritage value.</li> <li>• A proposal to reuse any salvaged materials and fabric from the areas of the building that are being demolished. The proposed locations of material and fabric to be reused shall be shown on architectural drawings to be prepared for the project. Material and fabric to be reused may include the following: <ul style="list-style-type: none"> <li>○ Original leadlight windows from the main stairwell and other potentially other steel window joinery.</li> <li>○ The complete central oak panelled staircase.</li> <li>○ Original fire surrounds.</li> <li>○ Remaining original doors and architraves.</li> <li>○ Timber fixtures and fittings from the area known as the Queen's Suite on level 2 of the hotel building.</li> </ul> </li> <li>• Architectural drawings and description of work proposed to expose original fabric at rear of 1929 building.</li> <li>• Inventory of original fabric to remain in place and its location on the architectural drawings. These shall include the original entry doors, complete with hardware and any remnants of original shopfronts.</li> <li>• Architectural details of junctions between heritage fabric &amp; new building work.</li> <li>• A condition report detailing defects and outlining remedial work.</li> </ul>				<p>heritage fabric &amp; new building work. Condition report not provided.</p>	
<p>The proposed structural work shall be fully detailed in conjunction with the Conservation Architect and its impact on heritage fabric carefully considered.</p>	75	<p>Applicant's Proposed Condition 41 proposes that architectural drawings and a description of proposed structural work be included with conservation plan.</p>	41	<p>Details of proposed structural system for new building provided but no details given for structural work to retained building. As above, structural work should not be part of a conservation plan.</p>	Not satisfied
<p>All mechanical plant and ventilation systems on the former hotel shall be fully detailed in</p>	78	<p>Applicant's Proposed Condition 41 proposes that architectural drawings detailing mechanical plant</p>	41	<p>No details given regarding mechanical plant and ventilation</p>	Not satisfied

consultation with the Appointed Conservation Architect to ensure their impact on heritage fabric is minimised.		and ventilation systems be included with conservation plan.		systems. As above, this work should not be part of a conservation plan.	
<p>A detailed Heritage Construction Management Plan shall be prepared by the contractor in association with the Appointed Conservation Architect. The HCMP shall include the following:</p> <ul style="list-style-type: none"> <li>• Description of processes to be put in place to guide the demolition and construction works in relation to heritage, to ensure that the works are undertaken in accordance with good practice conservation principles and methods, so as to avoid, mitigate or remedy adverse effects. The HCMP shall include the following: <ul style="list-style-type: none"> <li>○ Contact details for all stakeholders including the contractor and nominated heritage specialist who will be overseeing all the heritage works on site.</li> <li>○ A construction schedule with approximate timing for each phase of construction.</li> <li>○ A work plan for each construction activity, detailing demolition/construction methods for each component of the building.</li> <li>○ A detailed methodology for the removal of heritage fabric that is proposed to be set aside for reuse. This will include items such as the timber portals in the entry hall, the timber staircase, the timber fixtures and fittings in the Queen's Suite, original timber doors and architraves, leadlight windows and fire surrounds. The methodology shall include measures to ensure the safe retention, transportation and storage of the heritage fabric.</li> <li>○ A Heritage Protection Plan (HPP) outlining measures to be taken to protect existing heritage fabric that is being</li> </ul> </li> </ul>	79	Applicant has proposed a Heritage Construction Management Implementation Plan (HCMIP) which includes a clause relating to accidental damage. A draft Construction Management Plan has been prepared, however it contains no reference to heritage requirements.	42-46	<p>The HCIMP should be prepared in consultation with the Appointed conservation Architect.</p> <p>The HCIMP proposed by the Applicant lacks some detail proposed by DPAL. Missing detail includes</p> <ul style="list-style-type: none"> <li>• Details of processes to be put in place to guide the demolition and construction works in relation to heritage, to ensure that the works are undertaken in accordance with good practice conservation principles and methods, so as to avoid, mitigate or remedy adverse effects.</li> <li>• A detailed methodology for the removal of heritage fabric that is proposed to be set aside for reuse. This will include items such as the timber portals in the entry hall, the timber staircase, the timber fixtures and fittings in the Queen's Suite, original timber doors and architraves, leadlight windows and fire surrounds.</li> </ul> <p>Support clause relating to accidental damage. No reference to preparation of Heritage protection Plan.</p>	Satisfied in part

retained in-situ from damage during construction.					
The Appointed Conservation Architect shall oversee any work involving heritage related work including demolition of the parts of the protected building to ensure that the work is being carried out in accordance with the resource consent conditions.	80	Applicant proposes that the Appointed Conservation Architect shall record and log the on-going compliance with the Built Heritage conditions of this consent.	64		Condition satisfied
A pre-construction meeting shall be held with the Contractor and Appointed Conservation Architect prior to the commencement of any work to ensure that the pre-construction measures required by the HCMP have been implemented and that the correct heritage processes are understood and followed.	81			No reference to pre-construction meeting.	Not satisfied
A heritage interpretation strategy shall be developed outlining the history of the site and the buildings on the site. Interpretive displays shall be located in public spaces where they are readily accessible.	82	Inventory of original fabric to be salvaged for reuse as part of interpretive and thematic reference to the Queen's Suite and former hotel.		Only reference to heritage strategy where salvaged items are proposed to be part of interpretive and thematic reference to the Queen's Suite and former hotel. No other information provided.	Not satisfied
A report shall be commissioned from a recognised and qualified arborist to assess the impact of the proposed works to the two retained protected trees with a view to ensuring that surrounding the trees with a deck will not be detrimental to their health.	83	Applicant proposes to prepare a Tree Protection Management Plan (TPMP).	57-61		Condition satisfied

## APPENDIX 2 – RECOMMENDED HERITAGE CONDITIONS

### **Reporting and Monitoring**

- 65 *HC 1. Prior to Commencement of Construction, the Appointed Conservation Architect shall undertake an initial full photographic survey of all the buildings within the subject site and the former gardens. A digital copy of all photographs shall be provided to the Council (Team Leader Heritage and Team Leader Compliance Monitoring) and a copy shall be held on site for the duration of the Project.*
- 66 *HC 2. The Conservation Architect shall continue to monitor all work involving heritage fabric throughout the duration of the contract and shall prepare a monthly report which will ultimately provide a log and an archival record of the works carried out to the former Hamilton Hotel throughout the duration of the contract. The record which will inform Conditions HC 13 – HC 14 shall also include evidence of earlier finishes, construction techniques, paint colours, floor finishes and the like that may be uncovered during the course of the works.*

### **New Building**

- 67 *HC 3. The fly tower is a very large structure, more than twice the height of the existing building. Although it is accepted that it will be set back from the heritage facades, it will still be a dominant element. It is unclear as to how dominant the tower will be, approaching the site from both directions along Victoria Street and accurate photo montages shall be prepared showing the proposal from these aspects. The final design of the fly tower should have input from the Appointed Conservation Architect and consideration should be given to the final design and colour of the tower. The proposed finish to the theatre and tower is described as “stained concrete”. A sample of the proposed finish shall be provided to Council (Heritage Specialist) for information and comment.*

### **Conservation Plan – Former Hamilton Hotel**

- 68 *HC 4. Prior to the Commencement of Construction, the Appointed Conservation Architect shall prepare a **Conservation Plan**, based on the model developed by JS Kerr, for the former Hamilton Hotel with particular emphasis on the sections of the hotel that are to be retained. The Consent Holder shall submit this separately to HNZPT for comments and submit the **Conservation Plan** to the Council (Team Leader Compliance Monitoring in consultation with Council’s Heritage Advisor) for certification that it gives effect to the objectives of and complies with the requirements in Conditions HC 4 – HC 7.*

- 69 HC 5. The objective of the **Conservation Plan** is to develop clear policies to guide the designers to ensure that the heritage values of the remaining heritage fabric are protected. Policies shall be included that provide a methodology for incorporating any seismic upgrading work and should also outline philosophies for adapting the building for new uses, including the integration of new fabric.
- 70 HC 6. The **Conservation Plan** shall be completed prior to the commencement of the detailed design stage to ensure that it is in place to guide the designers and engineers through the design phases of the project. The completed Conservation Plan should be made available to all personnel working on the site.
- 71 HC 7. Once the **Conservation Plan** has been completed, the Appointed Conservation Architect shall continue to consult with the design architect and Engineers to ensure that the heritage values and fabric of the Hamilton Hotel are appropriately managed through the design phase in consultation with Heritage New Zealand Pouhere Taonga.
- 72 HC 8. Work to the remaining section of the building should also be guided by the ICOMOS New Zealand Charter (revised 2010) with respect to preservation, restoration and reconstruction and the Conservation Architect shall demonstrate how this is proposed to be achieved.

### **Restoration Plan**

- 73 HC 9. Prior to the Commencement of Construction, the Appointed Conservation Architect shall prepare a **Restoration Plan** detailing the proposed restoration of the remaining sections of the former Hamilton Hotel. The Consent Holder shall submit this separately to HNZPT for comments and submit the **Restoration Plan** to the Council (Team Leader Compliance Monitoring in consultation with Council's Heritage Advisor) for certification that it gives effect to the requirements in Condition HC 11. The **Restoration Plan** shall be completed prior to work commencing on any part of the site.
- 74 HC 10. The Council (Team Leader Compliance Monitoring in consultation with Council's Heritage Advisor) shall be advised of any design changes and given the opportunity to comment and advise whether amendments to the resource consent are required.
- 75 HC 11. The **Restoration Plan** shall include details of the work to be undertaken, methodologies proposed, the name of the conservation architect overseeing the work and timeframes to undertake and complete the works. The plan shall include the following:
- Architectural drawings and a description of the work proposed to restore the lower level of the building's exterior façades facing Victoria Street and extending around the corner into Sapper Moore-Jones Place to their 1923/29 forms or as agreed by Council's

heritage advisor. This shall include a colour scheme taking into account the building's original colours as determined by paint scrapings.

- Architectural drawings and a description of the work proposed to remove identified accretions that detract from the building's heritage value.
- A proposal to reuse any salvaged materials and fabric from the areas of the building that are being demolished. The proposed locations of material and fabric to be reused shall be shown on architectural drawings to be prepared for the project. Material and fabric to be reused shall include the following:
  - Original leadlight windows from the main stairwell and other potentially other steel window joinery.
  - The complete central oak panelled staircase.
  - Original fire surrounds.
  - Remaining original doors and architraves.
  - Timber fixtures and fittings from the area known as the Queen's Suite on level 2 of the hotel building.
- Architectural drawings and a description of the work proposed to expose original fabric at the rear of the 1929 building.
- An inventory of original heritage fabric to remain in place and its location on the architectural drawings. This shall include the original entry doors, complete with hardware and any remnants of original shopfronts.
- Architectural details of junctions between heritage fabric and new building work.
- A condition report, detailing all the defects and outlining remedial work proposed to be undertaken on the building.
- Details of proposed structural upgrading work to the former Hamilton Hotel which shall be prepared in consultation with the Appointed Conservation Architect and its impact on heritage fabric carefully considered.
- All mechanical plant and ventilation systems impacting on the former hotel shall be fully detailed in consultation with the heritage architect to ensure their impact on heritage fabric is minimised.
- A protocol for signage on the building shall be developed in accordance with Section 25.10.2.1e of the Hamilton District Plan which states that "Signs on scheduled historic heritage buildings and sites and archaeological and cultural sites shall be compatible with the heritage values being protected". The protocol shall be submitted to the Council (Team Leader Compliance Monitoring in consultation with Council's Heritage Advisor) for consideration and approval.

#### **Heritage Construction Management Plan (HCMP)**

- 76 HC 12. A minimum of ten (10) working days prior to the Commencement of Construction, a **Heritage Construction Management Plan (HCMP)** shall be prepared by the Consent Holder's contractor in association with the Appointed Conservation Architect and submitted

separately to HNZPT for comments and to the Council (Team Leader Compliance Monitoring in consultation with the Council's Heritage Advisor) for certification that it gives effect to the objectives of and complies with the requirements in Conditions 86 and 87.

77 HC 13. The objective of the **HCMP** is to guide the demolition and construction works in relation to heritage, to ensure that the works are undertaken in accordance with good practice conservation principles and methods, so as to avoid, mitigate or remedy adverse effects.

78 HC 14. The **HCMP** shall include the following:

- A statement of significance from the **Conservation Plan** of the recognised historic heritage values of the place that have informed the proposed construction management processes.
- Contract details for all stakeholders including the contractor and nominated heritage specialist who will be overseeing all the heritage works on site.
- A construction schedule with approximate timing for each phase of construction.
- A work plan for each construction activity, detailing demolition/construction methods for each component of the building.
- A **Heritage Protection Plan (HPP)** outlining measures to be taken to protect existing heritage fabric that is being retained in-situ from damage during construction.
- A detailed methodology for the removal of heritage fabric that is proposed to be set aside for reuse. This will include items such as the timber portals in the entry hall, the timber staircase, the timber fixtures and fittings in the Queen's Suite, original timber doors and architraves, leadlight windows and fire surrounds. The methodology shall include measures to ensure the safe retention, transportation and storage of the heritage fabric.
- A methodology describing the proposed demolition and measures to be put in place to ensure that areas of the building that are to be retained will be protected from damage during demolition and construction activities.
- Details of any temporary propping of the former Hamilton Hotel that might be required while demolition work is being carried out and any fixings that might be required to the building fabric.
- With an underground car park adjacent to the former Hamilton Hotel being proposed, details of how the ground beneath the hotel is to be retained and details of any underpinning that might be required shall be provided to Council (Heritage Specialist) for information and comment.
- Measures to be taken to ensure the retained areas of the former Hamilton Hotel building is to be protected from water ingress and unauthorised access during demolition and construction phases.

### **Other Requirements**

- 79 *HC 15. A pre-construction meeting shall be held with the Contractor, Architect and nominated Heritage Specialist prior to the commencement of any work to ensure that the pre-construction measures required by the **HCMP** have been implemented and that the correct heritage processes are understood and followed.*
- 80 *HC 16. Prior to the erection of any scaffold for access to the exterior of the historic Hamilton Hotel building, a temporary scaffold design shall be prepared by the Consent Holder and submitted to the Council. The scaffolding shall be erected once the council has certified in writing that the proposed design is unlikely to damage any heritage fabric of the building. All scaffolding shall be erected in accordance with the certified design.*
- 81 *HC 17. Prior to the commencement of any demolition activity, the Conservation Architect shall be advised and shall oversee any work involving heritage related work including demolition of the parts of the protected building to ensure that the work is being carried out in accordance with the resource consent conditions.*
- 82 *HC 18. If accidental damage occurs to the areas of the building or parts of the building that are to be retained as a result of works associated with the Project, the consent holder shall be responsible for undertaking remediation to a standard at least equivalent to the condition as noted in the pre-works visual condition survey.*
- 83 *HC 19. A report shall be commissioned from a recognised and qualified arborist to assess the impact of the proposed works to the two retained protected trees with a view to ensuring that surrounding the trees with a deck will not be detrimental to their health.*
- 84 *HC 20. The Appointed Conservation Architect shall, in consultation with HNZPT and Council's Heritage Specialist, undertake a programme of interpretation to be displayed in the new theatre, art gallery and hotel complex as a visual and written record of the development of the place (both the site and the buildings) over time. This shall be completed and installed within 12 months of the completion of the construction works associated with the Project.*

### **Final Heritage Monitoring Report**

- 85 *HC 21. At the completion of the project, the Consent Holder shall submit to Council (Team Leader Compliance Monitoring in consultation with Council's Heritage Advisor) a report prepared by the Appointed conservation Architect. This is to enable Council to update its Cultural Heritage Inventory and for HNZPT to update its list entry information. The report shall include the following:*

- *A log required by Condition HC 2 and certification that all works have been completed in accordance with the requirements of this resource consent.*
- *Documentation recording changes or conservation works that have occurred to any built heritage fabric of the former Hamilton Hotel building affected by the project. This will include areas that have been demolished, salvaged fabric and items that have been repositioned and/or repurposed and fabric that has been retained in place.*
- *A photographic record with supporting drawings and notes sufficient to provide context.*

86 *HC 22. The Built Heritage Monitoring Report shall be provided to Council and HNZTP within 12 months of completion of the construction works associated with the project.*

## APPENDIX 3 – QUALIFICATIONS AND EXPERIENCE

### David Alan Pearson B Arch ANZIA

<p>B Arch, University of Auckland</p> <p>Attended the University of York Centre for Conservation Studies</p> <p>Registered Architect</p> <p>Director, Principal, Heritage Architect at DPA Architects, Auckland</p>	<p>Dave Pearson is the Owner/Director of DPA Architects Ltd. Dave is a New Zealand registered architect and an Associate of the New Zealand Institute of Architects. In total, he has over forty years' experience as an architect.</p> <p>After graduating from Auckland University with a Bachelor of Architecture degree, Dave worked firstly for the Auckland Education Board and then for the Ministry of Works. Whilst there, he acted as project architect for the restoration of the Auckland Supreme Court building.</p> <p>In 1996, he founded his own architectural practice, Dave Pearson Architects Ltd, now known as DPA Architects. The practice offered and continues to offer clients a full range of architectural services, combined with an emphasis on the provision of specific heritage architectural services. Dave has undertaken specialist studies at the University of York's Centre for Conservation Studies. He maintains this expertise through attendance at seminars and conferences.</p> <p>Dave has been involved in all aspects of heritage and character evaluation from single buildings to large heritage and character groupings. This has led to the development of District Plan heritage objectives and policies, rules and design guides. He has prepared and presented evidence as an expert witness for various Councils and private clients. He has also presented evidence at Council and Environment Court hearings.</p> <p>Under Dave's direction, the practice has been awarded a significant number of architectural and conservation awards. These have included international UNESCO Asia Pacific awards and awards from the New Zealand Institute of Architects.</p>
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