

Section 22 - Heritage and Archaeology

22.1 Introduction

22.1.1 Historic buildings and sites are highly valued in the District and give the towns, villages and rural areas a distinctive sense of place. Section 6 of the Act - Matters of National Importance, states that:

"In achieving the purpose of this Act , all persons exercising functions and powers under it, in relation to managing the use development and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

(a-d)

(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga

(f) the protection of historic heritage from inappropriate subdivision, use and development

(g)....."

This Plan contains a range of measures to enable the protection of the diverse elements that contribute to historic heritage including but not limited to; built items, archaeological and cultural sites, and sites of significance to Māori.

22.1.2 The history of the Waipā District is well documented. Tainui settled the greater Waikato as early as the fourteenth century. With excellent growing conditions, river access and abundant sources of food the area was a good location for early settlement, and many pā were established throughout what is now known as the Waipā District. Missionaries arrived as early as 1834 and began to establish parishes and later churches. During the time of the New Zealand and Waikato Wars (between 1845 - 1872), a number of significant battles occurred and the redoubts, pā and battle sites are an important reminder of these significant events.

22.1.3 The clearance of native vegetation, the drainage of swamps and the growth and establishment of towns and villages followed the confiscation of land that occurred in the Waikato Wars. Commercial centres, hotels, and community facilities such as schools, halls, and courts were established. These buildings have now become landmarks and are highly regarded by the communities within which they are located.

22.1.4 The Plan promotes the protection, retention and maintenance of listed heritage items. The maintenance and re-use of heritage buildings is supported through a number of measures (for example exemptions from car parking requirements at the time of redevelopment). The overall aim is to retain heritage items and for this reason the demolition or removal of heritage items is not supported unless extenuating circumstances exist. The Plan does not unduly restrict maintenance and seeks to ensure that additions and alterations will not detract from the heritage value of the items.

22.1.5 As well as listed heritage buildings there are a number of archaeological sites identified on the Planning Maps. The sites identified on the Planning Maps are sourced from the New Zealand Archaeological Association (NZAA) records as at 2009. Since that time a number of other sites may have been added to the NZAA records as well as there being undiscovered sites in the District. Activities that damage or destroy any site whether or not the site is listed in the Plan require an authority under the Heritage New Zealand Pouhere Taonga Act 2014. If a proposed activity damages or destroys a site identified in the District Plan and an authority has not been obtained then a resource consent is required. Additionally where an activity requires a resource consent, then effects on the archaeology of the District will be assessed.

- 22.1.6 The Plan provides a framework for the consideration of the cultural heritage of the District. The rules relating to cultural sites are contained in this section, while rules relating to cultural landscapes are contained in Section 25 - Landscapes and Viewshafts. Ultimately the protection and maintenance of heritage is through a multi agency approach including landowners, tāngata whenua, Heritage New Zealand, the Waikato Regional Council, and voluntary organisations. Council's Heritage Strategy works towards this approach by promoting advocacy and education and the development of heritage partnerships for example the bi-annual Heritage Awards. In this respect it is noted that there are buildings other than those listed in Appendix N1 that add to local heritage value.

22.2 Resource Management Issues

Lack of recognition and recording of our built heritage items and features

- 22.2.1 Some valued items of the District's heritage are not being appropriately recognised, recorded and protected. There is a need to identify, assess, protect, and raise the profile of the heritage value that these places, items and sites have.
- 22.2.2 There is a community interest to record buildings that contribute to heritage character but may not be listed heritage items.

Living in and maintaining our heritage buildings

- 22.2.3 The majority of listed heritage items are dwellings in private ownership. Concern has been raised within the community that maintenance, additions and alterations should not impose an undue regulatory burden.

Retaining archaeological heritage

- 22.2.4 The District's archaeological heritage has not been extensively recorded. Earthworks and the location of buildings in the District present an ongoing challenge to the protection and retention of archaeological heritage. This may result in sites being discovered accidentally, and/or damaged as part of a development.

Protecting cultural sites

- 22.2.5 There are sites within the District that are of cultural significance to tāngata whenua, a number of which are on private land and/or located within river catchments. The sites need to be appropriately protected and where appropriate give effect to the Vision and Strategy.

Managing the impacts of activities on heritage items

- 22.2.6 Development and signs adjoining some listed heritage items can have an adverse effect on the heritage item.
- 22.2.7 Signs on and around heritage buildings, archaeological sites and cultural sites can detract significantly from a building or site's heritage value and need to be carefully managed.

Advice Note: An application for an authority from the Heritage New Zealand may be required for an erection of a sign on an archaeological site and/or cultural site.

The cost of retaining heritage

- 22.2.7 The costs of re-using heritage buildings can be high, as sites and buildings are often not set out to accommodate modern day requirements such as car parking and manoeuvring spaces for vehicles.

22.3 Objectives and Policies

Please also refer to the objectives and policies of Parts C, Part D, and Part E as relevant.

Objective - Protection of heritage items

- 22.3.1 To protect the District's heritage items from inappropriate subdivision, use and development.

Policy - Providing protection for listed heritage items

- 22.3.1.1 To protect the heritage values associated with heritage items, (Appendix N1) so that the national, regional or local significance of the item is retained. The basis of the significance of an item is wide ranging and can be its built features or the role that an item has played in the community over time. The categories that apply are:

- (a) Category A: National Significance - Heritage items of national significance that are classed as Category I Historic Places under the Heritage New Zealand Pouhere Taonga Act 2014.
- (b) Category B: Regional and District wide Significance - Significant regional heritage items are items which have importance to the history of the region or district or have a high level of built integrity and are a good example of a type of building, and includes buildings or structures classed as Category II Historic Places under the Heritage New Zealand Pouhere Taonga Act 2014. Buildings considered to be of particular importance are denoted as B+. This also includes the Karāpiro Hydro Electric Village Heritage Item. This is a precinct that provides a significant and unique representative group of twenty-one English revival cottages and six former community buildings that were associated with the construction and operation of Karāpiro Hydroelectric Power Station. The precinct is inclusive of the reserve and a portion of Ariki Street.
- (c) Category C: Community Significance - Local significance heritage items are of local importance, contribute to the community's history and are noteworthy as community heritage places.
- (d) Groups of heritage buildings: To protect the heritage value/s associated with groups of heritage buildings by maintaining the integrity, special character, and features of the group, including the social and historic significance of the group as a whole.

Advice Note: If any of the items are listed with a 'G' beside it, this denotes the building is part of a 'group' of listed historic buildings. Groups of heritage buildings include groups of commercial buildings in town centres or groups of buildings on homesteads such as a house, barn and sheds.

Objective - Maintaining and using heritage items

- 22.3.2 To protect the District's heritage items by ensuring that heritage items are retained within the District, appropriately maintained, and that any additions, alterations, or signs do not compromise the heritage values of the item.

Policy - Maintenance of heritage items

- 22.3.2.1 To encourage owners to maintain their heritage items, maintenance can be undertaken as a permitted activity.

Policies - Additions and alterations to listed heritage buildings

- 22.3.2.2 Alterations to all listed heritage items shall be consistent with the scale, detailing, style, materials and character of the heritage item; and shall retain cultural and heritage values.
- 22.3.2.3 Additions to all listed heritage items shall be designed to be consistent in scale, style, materials and detailing with the heritage item, and shall not detract from the heritage values.
- 22.3.2.4 To maintain the integrity of the appearance of existing buildings within the Karāpiro Hydroelectric Village Heritage Items and all Category C buildings when viewed from the street.

Policy - Conservation Management Plans

- 22.3.2.5 To manage the effects on the heritage values of listed heritage items within the St Peters School Zone through a Conservation Management Plan.

Policies - Signs on listed heritage items and on sites with heritage items

- 22.3.2.6 Signs on listed heritage items shall not detract from the heritage fabric and values of the heritage item.
- 22.3.2.7 Signs on listed heritage item sites shall not detract from the values of the heritage item.

Policy - Demolition, partial demolition and removal of a listed heritage item

- 22.3.2.8 The demolition or removal of a listed heritage item from its site shall be avoided unless in exceptional circumstances. Partial demolition, that is part of works to achieve an addition or alteration to a heritage item, shall be achieved in a manner that results in no more than minor adverse effect on the character and values of the heritage item.

Objective - Development within the surroundings of a heritage item

- 22.3.3 Ensure that any development undertaken within the surroundings a heritage item shall not compromise or detract from the heritage item.

Policies - Ensuring the character and value of the heritage item is retained

- 22.3.3.1 Development shall be undertaken in manner that does not dominate or detract from the heritage item, to ensure that the character and values of the heritage item are retained.
- 22.3.3.2 Development on the same site as the heritage item - Karāpiro Hydroelectric Village - shall not dominate or detract from the character and values, bulk and scale of the item, including the landscape elements of building setback, low front fences, and groupings of two houses with driveways on one boundary.

Policy - Ensuring the structural integrity of the heritage item

- 22.3.3.3 Development on the same site as a heritage item shall be undertaken in manner that ensures that the structural integrity of the heritage item is maintained.

Objective - Protecting archaeological heritage

22.3.4 To maintain the archaeological heritage of the District.

Policy - Management of effects on Archaeological Sites

22.3.4.1 To manage effects on archaeological sites at the time of development and subdivision.

Objective - Protecting cultural sites

22.3.5 To protect the integrity of Waipā's cultural sites from inappropriate subdivision, use and development and give effect to the Vision and Strategy for the Waikato River by identifying and recording cultural items.

Policy - Protection of cultural sites

22.3.5.1 To retain the integrity of cultural sites (Appendix N2) and give effect to the Vision and Strategy for the Waikato River, by requiring all development, in particular earthworks, buildings, access, and wastewater systems and their disposal fields to be set back from cultural sites.

Objective - Encouraging the re-use of Waipā's heritage items

22.3.6 To promote the ongoing use and re-use of heritage items through incentives.

Policies - Incentives for the protection of heritage items

22.3.6.1 Continuing to improve Council's commitment to heritage protection through a range of non-regulatory incentives.

22.3.6.2 To enable the retention and re-use of heritage items, by providing for a reduction in onsite car parking.

22.3.6.3 To encourage the ongoing protection of Waipā's heritage items, through the implementation of incentive rules in the Residential Zone that provide for a wider range of activities providing that there is enhancement of the heritage item.

Advice Note: The incentive rules are located within Section 2 - Residential Zone and Section 16 - Transportation.

Policy - Adaptive re-use of heritage items

22.3.6.4 The adaptive re-use of heritage items is encouraged, providing the values of the listed item are maintained and the activity is permitted within the zone.

22.4 Rules

The rules that apply are contained in:

(a) The activity status tables and the performance standards of this section; and

(b) The activity status tables and the performance standards in Parts D Zone Provisions and Part E District Wide Provisions, and Part F District Wide Natural and Cultural Heritage Provisions, of the Plan.

Advice Note: To assist with the interpretation of these rules, please use the Definitions section of this Plan, at Part B, for defined terms such as maintenance (and minor works), heritage item addition, external alterations heritage item, archaeological site, cultural site, demolition, (and partial demolition) and heritage fabric.

22.4.1 Activity Status Table

Resource consent applications under Rules 22.4.1.1(e), 22.4.1.1(f) and 22.4.1.1(l) in the Karapiro Hydroelectric Village Heritage Items will only require affected persons approval from Heritage New Zealand. The application can be considered on a non-notified basis if written approval from Heritage New Zealand is obtained and the proposal will not have, or is not likely to have more than minor adverse effects on the environment. If Heritage New Zealand does not provide its written approval and the proposal will not have, or is not likely to have more than minor adverse effects on the environment, then the application must be limited notified to Heritage New Zealand alone. If the adverse effects of the proposal on the environment are, or are likely to be, more than minor then the application must be publicly notified.

Resource consent applications under Rule 22.4.1.1(a) Conservation Management Plans will require consultation with Heritage New Zealand and shall be processed on a non-notified basis.

22.4.1.1	Activity	Category				
		Category A Nationally Significant	Category B Regionally Significant	Category C Local Significance	Archaeological Sites	Cultural
(a)	<p>Conservation Management Plans for Ref # 156, 157, 158 and 159 (St Peters School Zone) shall be a Restricted Discretionary Activity.</p> <p>Assessment will be restricted to the following matter:</p> <ul style="list-style-type: none"> Effect on heritage values of buildings and their surrounds. <p>This matter will be considered in accordance with the assessment criteria in Section 21.</p>					
(b)	Notwithstanding any of the activity listings below or the rules in 22.4.2, activities that are in accordance with an approved conservation management plan for Ref # 156, 157, 158 and 159 (St Peters School Zone) shall be a permitted activity.					
(c)	Permitted, controlled, or restricted discretionary activities 22.4.1.1(d) to (m) shall comply with the performance standards at 22.4.2. Failure to comply with the performance standards at 22.4.2 will result in the activity being a restricted discretionary activity, or a discretionary activity as specified in 22.4.2.					
(d)	Maintenance	P	P	P	NA	NA
(e)	Heritage item additions resulting in additional gross floor area.	D	D RD For Category B – Karāpiro Hydroelectric Village Heritage Items not compliant with Rule 22.4.2.4.	NA (Refer to 22.4.1.1(g) below)	NA	NA
	<p>Assessment of restricted discretionary activities will be restricted to the following matters:</p> <ul style="list-style-type: none"> Scale and style of addition in relation to existing building; and Reduction of heritage values. <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>					
(f)	Heritage item alterations.	D	D RD For Category B Karāpiro Hydroelectric Village Heritage Items not compliant with Rule 22.4.2.4.	NA (Refer to 22.4.1.1(g) below).	NA	NA
	<p>Assessment of restricted discretionary activities will be restricted to the following matter:</p> <ul style="list-style-type: none"> Reduction of heritage values <p>This matter will be considered in accordance with the assessment criteria in Section 21</p>					

22.4.1.1	Activity	Category				
		Category A Nationally Significant	Category B Regionally Significant	Category C Local Significance	Archaeological Sites	Cultural
(g)	External Additions or alterations to a Category C Item compliant with Rule 22.4.2.5.	NA	NA	P	NA	NA
(h)	External Additions or alterations to a Category C Item not compliant with Rule 22.4.2.5.	NA	NA	RD	NA	NA
<p>Assessment of the restricted discretionary activity will be restricted to the following matters:</p> <ul style="list-style-type: none"> ▪ Scale and style of the addition in relation to existing building; and ▪ Reduction of heritage values. <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>						
(i)	Demolition (including partial demolition).	NC	D	D	D Provided that: <ul style="list-style-type: none"> ▪ where an authority has been obtained from Heritage New Zealand the activity will be permitted; and ▪ an activity that requires the ground to be disturbed for the purpose of a burial is exempt. 	NA Provided that where a cultural site is also an archaeological site the rules for archaeological sites apply.
(j)	Removal/relocation of a listed heritage item, archaeological or cultural site.	NC	D	D	D Provided that: <ul style="list-style-type: none"> ▪ where an authority has been obtained from Heritage New Zealand the activity will be permitted; and ▪ an activity that requires the ground to be disturbed for the purpose of a burial is exempt. 	NA Provided that where a cultural site is also an archaeological site the rules for archaeological sites apply.
(k)	Signs on heritage items.	RD	RD	RD	D Provided that where an authority has been obtained	NA

22.4.1.1	Activity	Category				
		Category A Nationally Significant	Category B Regionally Significant	Category C Local Significance	Archaeological Sites	Cultural
					from Heritage New Zealand the activity will be permitted.	
<p>Failure to comply with the performance standards listed at Rule 22.4.2.1 will result in the activity being a discretionary activity.</p> <p>Assessment of the restricted discretionary activity will be restricted to the following matters:</p> <ul style="list-style-type: none"> Size, location and materials of sign. <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>						
(l)	Construction of new buildings, and relocated buildings within the surroundings of a listed heritage items and fencing in the Karāpiro Hydroelectric Village Heritage Item. Provided that this rule does not apply to Category C items where the new building is parallel to the rear boundary of the site.	D	D Provided that for the Karapiro Hydroelectric Village Heritage Items the status is RD.	RD	NA	NA (Note: Consultation with Heritage New Zealand is recommended as an authority may be required).
<p>Assessment of the restricted discretionary activity (Group C) will be limited to the following matters:</p> <ul style="list-style-type: none"> Scale of new or relocated building; and Proximity of new or relocated building to heritage item; and Material and finishes of new or relocated building. <p>In addition for relocated buildings only:</p> <ul style="list-style-type: none"> Condition of the exterior of the building; and Repairs and works identified for action in Council approved or certified Building Relocation Inspection Report; and Reinstatement works; and Timing for completing any required works. <p>And additionally for the Karapiro Hydroelectric Village Heritage Items:</p> <ul style="list-style-type: none"> The material and scale of any fence. <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>						
(m)	Development including buildings, earthworks, driveways or wastewater treatment systems within 20m of the boundary of a cultural site.	NA	NA	NA	NA	RD
<p>Assessment of the restricted discretionary activity will be limited to the following matters:</p> <ul style="list-style-type: none"> Location; and Integrity and values of the site. <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>						
<p><i>In this table: P = permitted activity; C = controlled activity; RD = restricted discretionary activity; D = discretionary activity; NC = non-complying activity; NA = not applicable. Refer to Part A How to Use the Plan for an explanation of these terms.</i></p>						

Advice Notes:

1. The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to destroy, damage or modify the whole or any part of an archaeological site without the prior authority of Heritage New Zealand. Sites associated with human activity that occurred before 1900 are protected, whether or not they are recorded with Heritage New Zealand. An authority to destroy or modify any archaeological evidence is required from Heritage New Zealand under the Heritage New Zealand Pouhere Taonga Act 2014 prior to the works commencing. This is the case regardless of whether the land on which the site is located is designated, or a resource or building consent has been granted.
2. Appendix N3 contains the known archaeological sites of the Waipā District based on New Zealand Archaeological Association records as at 2009. Sites are marked with a number and 'X' symbol on the Planning Maps. Additional archaeological sites may have been identified since the notification of this Plan. For this reason people are also referred to the NZAA Database. Consultation with Heritage New Zealand is advisable.
3. In the event of accidental discovery of archaeological features or artefacts, Heritage New Zealand has a procedure that must be followed. Contact Heritage New Zealand for further information.

22.4.2 Performance Standards

The following rules apply to activities listed as permitted, controlled, or restricted discretionary and discretionary activities.

Where rules are not complied with resource consent will be required in accordance with the rules in the activity status table or as identified in the performance standards, and will be assessed against the relevant objectives and policies. In the case of controlled and restricted discretionary activities, the assessment will be restricted to the matters over which control or discretion has been reserved, in accordance with the relevant assessment criteria contained in Section 21. For discretionary activities Council shall have regard to the assessment criteria in Section 21. The criteria in Section 21 are only a guide to the matters that Council will consider and shall not restrict Council's discretionary powers.

Rules - Signs on heritage items and within the site of a heritage item: colour, lighting, materials and size

22.4.2.1 Signs on, and within the site of a heritage item in the Commercial Zone shall be limited to the following:

- (a) One sign, either on the site or heritage item; and
- (b) The sign must not obscure names of building, plaster detailing, or fretwork; and
- (c) The sign must be no greater than 0.25m²; and
- (d) If located on the heritage item, the sign can only be located either; on the front façade, at the ground floor level, or if the building has a verandah, below the verandah, parallel to the road. Signs must not protrude beyond the body of the building; and
- (e) Not internally illuminated or made of reflective materials.

Provided that the relevant zone based or district wide rules apply where they are more restrictive.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

22.4.2.2 Signs on the same site as a listed heritage item that are within 20m of the listed heritage item in the Residential, Rural and Large Lot Residential Zones, shall be limited to the following:

- (a) One sign per site; and
- (b) Signs shall not be placed on the listed heritage item; and
- (c) The maximum total area of signs permitted on the site is 0.25m²; and
- (d) The maximum height of a free standing sign is 2m; and

- (e) Not internally illuminated or made of reflective materials.

Provided that the relevant zone based or district wide rules apply where they are more restrictive.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

22.4.2.3 Signs within the surroundings of heritage items #156, #157, #158 and #159 within the St Peters School Zone shall comply with the following:

- (a) Signs shall only contain the school crest, the name of the buildings, the history of the buildings, or directional signs to assist navigation around the School; and
- (b) No sign shall be illuminated, flashing or moving; and
- (c) All signs, unless required by legislative requirement, shall be of light blue (Pantone 549c), dark blue (Pantone 218c), cream (Paint Plus St Peter's cream), shark (Resene shark N34-007-264), or white coloured lettering with no individual character exceeding 100mm in height.

Provided that no sign is erected that obstructs a window or covers a particular decorative element of the heritage fabric.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

Rule - External Additions or alterations to a Category B - Karāpiro Hydroelectric Village Heritage Items

22.4.2.4 External Additions or alterations to the rear of a Category B - Karāpiro Hydroelectric Village Heritage Item provided that:

- (a) It does not involve additions or alterations to the side or front of the item; and
- (b) The alteration or addition is parallel to and facing the rear boundary of the site; and
- (c) The alteration or addition does not exceed the height of the building.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Scale and style of the addition in relation to existing building; and
- Reduction of heritage values.

These matters will be considered in accordance with the assessment criteria in Section 21.

Rule - External Additions or alterations to a Category C item

22.4.2.5 External Additions or alterations to the rear of a Category C item provided that:

- (a) It does not involve additions or alterations to the side or front of the item; and
- (b) Veranda or other decorative elements such as architraves, balustrades, columns, pilasters, veranda posts, fretwork, dentals, spindles, brackets, ornamental shingles or finials are not removed.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Scale and style of the addition in relation to existing building; and

- Reduction of heritage values.

These matters will be considered in accordance with the assessment criteria in Section 21.

22.5 Assessment Criteria

22.5.1 Controlled activities and Restricted Discretionary activities

For controlled and restricted discretionary activities the assessment will be restricted to the matters over which control or discretion has been reserved, in accordance with the relevant assessment criteria contained in Section 21. Resource consent conditions can only be imposed over the matters which control or discretion has been reserved. These matters will be considered in accordance with the assessment criteria in Section 21.

22.5.2 Discretionary activities

For discretionary activities Council shall have regard to the assessment criteria in Section 21. The criteria in Section 21 are only a guide to the matters that Council will consider and shall not restrict Council's discretionary powers.