



15.0 HERITAGE AND ECOLOGICAL PROTECTION

15.1 Introduction

Cultural, historic, and natural sites and areas within the District, including important ecosystems and vegetation are important resources that need to be managed in a sustainable manner.

The sustainable management of heritage and ecological features is able to be achieved through a range of methods, particularly those that involve and encourage the community to identify and manage features of importance to them. A key element in Council's strategy is to build on the existing community support for the protection of heritage and ecological features by promoting an 'incentive/voluntary' approach to the protection of all features using non regulatory methods outside the District Plan.

In addition to this 'incentive/voluntary' approach, it is noted that due to the lack of protection afforded to built heritage features under the Historic Places Act 1993, the sustainable management of such resources will require protection through the regulatory methods available under the Resource Management Act 1991, the Historic Places Act 1993 and the South Waikato District Plan.

The 'Heritage and Ecological Inventory' prepared by the Royal Forest and Bird Protection Society and the Historic Places Register have provided the base for the identification of features. The Inventory is held by the Council and additional features have been and will continue to be added to it.

15.2 Objectives

- 15.2.1 The protection of cultural, historic, and natural sites, areas, places and structures within the District, including important ecosystems and vegetation.
- 15.2.2 The management of indigenous vegetation and natural habitats in a sustainable manner in order to protect them from any adverse effects of development.

15.3 Policies

- 15.3.1 To maintain and regularly update the Heritage and Ecological Inventory.
- 15.3.2 To identify and include in the Heritage and Ecological Inventory all heritage, historic, cultural, and ecological resources of importance including special natural features and landscapes, areas of important indigenous vegetation, and important habitats of indigenous fauna.
- 15.3.3 To implement a range of voluntary, regulatory and incentive methods to promote, protect and enhance the sites and areas



of heritage and ecological value identified in the Heritage and Ecological Inventory.

- 15.3.4 To undertake on-going consultation with environmental groups, representatives of resource user groups, Historic Places Trust, NZ Archaeological Association, Department of Conservation, Environment Waikato, Queen Elizabeth II National Trust, Federated Farmers of New Zealand and other interested parties regarding the sustainable management of heritage and ecological resources.
- 15.3.5 To undertake on-going consultation with the *tangata whenua* regarding the most appropriate way to manage or protect sites of cultural, traditional, or spiritual importance to Maori.
- 15.3.6 To assess the value of heritage and ecological features and implement protection measures, as part of resource consent applications and to require resource consent applications where modification to built heritage features is proposed.
- 15.3.7 To implement an on-going programme of education to increase knowledge about the existence and importance of the natural, historic, and cultural resources of the District and to develop a pride in the protection and enhancement of those resources.
- 15.3.8 To recognise the intrinsic value of natural and historic resources.
- 15.3.9 To promote the development of a Heritage Trail, which identifies natural and historic features.

15.4 Methods to Achieve Objectives and Policies

The following identifies the methods that are to be used to achieve the objectives and policies contained in this section of the District Plan:

15.4.1 General

- (i) The Heritage and Ecological Inventory will be maintained and regularly up-dated.

Refer to Policy 15.3.1.

- (ii) The Heritage and Ecological Inventory will be made available to the public as general information and by inclusion in Land and Property Information Memorandum.

Refer to Policy 15.3.2



- (iii) Historic sites and features and archaeological sites will be included in the Heritage and Ecological Inventory. It is noted that all recorded and unrecorded archaeological sites are protected under the Historic Places Act 1993. Consent is required from the Historic Places Trust to modify any archaeological site. With respect to built heritage features (historic places and historic areas), protection is afforded by their inclusion on a Register and their subsequent inclusion in the South Waikato District Plan.

Refer to Policies 15.3.1 and 15.3.2.

- (iv) Ongoing liaison regarding heritage and ecological matters within the District will be undertaken with groups and organisations as necessary including:
- a. Tangata whenua
 - b. Historic Places Trust
 - c. Department of Conservation (e.g. Conservation Management Strategy)
 - d. Environment Waikato (e.g. Heritage Trails Foundation)
 - e. Fish and Game Council (e.g. Statutory Management Plan)
 - f. NZ Royal Forest and Bird Protection Society
 - g. Queen Elizabeth II National Trust
 - h. Federated Farmers of New Zealand
 - i. Other interested groups

Refer to Policy 15.3.3.

- (v) A range of non-regulatory and regulatory methods will be used to achieve the objectives and policies in relation to heritage and ecological sites and features including:
- a. QEII National Trust Covenants
 - b. Forest Heritage Fund (provision of funds to acquire land)
 - c. Rates relief including reviewing existing covenants
 - d. Landcare Groups
 - e. Streamcare Groups



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- f. Nga Whenua Rahui
 - g. Conditions on resource consents
 - h. Esplanade reserve/strip provisions of the District Plan
 - i. Environmental protection lot provisions of the District Plan
 - j. Grants and other environmental initiatives through Council's Annual Plan process

It is Council's intention to utilise the above methods to ensure that sites of important indigenous vegetation and important habitats of indigenous fauna are managed to ensure their long-term viability. Management activities to ensure long-term viability of natural ecosystems may include weed control, pest control, stock exclusion via stock proof fencing and, where necessary, planting of appropriate native species (those native to the area and from local genetic stock). It is noted that some of these measures may be undertaken in association with Environment Waikato.

Refer to Policy 15.3.2.

- (vi) Implement an ongoing programme of education to:
 - a. increase knowledge about the existence and importance of the natural, historic, and cultural resources of the District;
 - b. develop a pride in the protection and enhancement of those resources;
 - c. recognise the intrinsic value of natural and historic resources;
 - d. recognition of the factors which can damage sites and features of ecological or heritage importance; and
 - e. foster a respect and cultural sensitivity for the values of people regarding heritage and ecological sites and features.

Education of this nature would be undertaken via discussions with developers prior to undertaking developments or subdivisions, input into school curriculum's, and administrative assistance provided to environmental groups and organisations undertaking such work.

Refer to Policies 15.3.6 and 15.3.7.



- (vii) Where appropriate, Council will allow, and encourage, people within the District to take advantage of the tourist potential afforded by many heritage and ecological features within the District provided that such activities are undertaken in a manner which does not adversely affect those resources or any other aspect of the environment.

Refer to Policy 15.3.2.

- (viii) As part of subdivision and development applications, an evaluation of the feature(s) identified on the site will be required, in order that an assessment can be undertaken as to whether measures to protect the feature(s) should be included as part of Council's approval of the subdivision or development.

Refer to Policies 15.3.3 & 15.3.6

- (ix) Providing for works that are compatible with the values of the built heritage feature as permitted activities, but requiring a detailed assessment of effects on built heritage features and an explanation of how any adverse effects are to be avoided, remedied or mitigated as part of a discretionary activity consent for more than 'minor works'.

Refer to Policies 15.3.3 & 15.3.6

15.4.2 **Specific Rules**

15.4.2.1 **Permitted Activities**

- (i) Minor works on a built heritage feature listed in Appendix B, carried out in a manner and design and with similar materials and appearance to those originally used, and which does not detract from the values for which the item has been scheduled.

(For the purposes of this rule only, 'Minor Works' means:

- Periodic redecoration of previously decorated or painted surfaces;
- Routine maintenance of a site or building; and
- Replacement of minor components such as bricks, tiles, timber section and the like, where the replacement is of the same or similar materials and appearance as the original it replaces.)



- (ii) Any activity listed as a permitted activity for each heritage feature included in the 'Heritage Inventory Record Form' in Appendix B.
- (iii) Any change of activity otherwise permitted on the site which is unrelated to the purpose for which the built heritage feature was scheduled and which does not detract from the values for which it was scheduled.
- (iv) Signage within and upon built heritage features (including advertising signs related to the activity on the site, and education or description signs associated with the feature) providing the signage complies with the rules in Section 16.0.

15.4.2.2 **Discretionary Activities**

- (i) The alteration, destruction, demolition, removal or relocation of a built heritage feature listed in Appendix B, which is not provided for as a permitted activity under Rule 15.4.2.1 (i) & (ii) or specified as a non-complying activity under Rule 15.4.2.3.
- (ii) Any activity which is not provided for as a permitted activity under Rule 15.4.2.1 (iii) & (iv).

Assessment Criteria for Discretionary Activities

In assessing any discretionary activity, Council shall consider the relevant assessment criteria contained under the heading 'Heritage' in Rule 15.4.3.3, in addition to the matters listed after each feature on the relevant 'Heritage Inventory Record Form' in Appendix B.

15.4.2.3 **Non-Complying Activities**

- (i) All works and uses identified on the relevant 'Heritage Inventory Record Form' in Appendix B as being a non-complying activity.

Assessment Criteria for Non-Complying Activities

In assessing any non-complying activity, Council shall consider the relevant assessment criteria contained under the heading 'Heritage' in Rule 15.4.3.3, in addition to the matters listed after each feature on the relevant 'Heritage Inventory Record Form' in Appendix B and the criteria contained in Section 5 (Administration) of the District Plan.



15.4.3 **Assessment Criteria for Heritage & Ecological Features**

Where a proposed subdivision or development application includes a heritage or ecological feature identified on Council's Land Information System, the following assessment criteria will be used to assess whether protection methods (e.g. covenant) should be included as part of the resource consent approval (refer to Section 18.4.2).

Where a discretionary activity resource consent is required under Rule 15.4.2.2(i) & (ii) for a built heritage feature, the assessment criteria under the heading 'Heritage' in addition to the matters listed after each 'Heritage Inventory Record Form' in Appendix B, will be used to assess the application.

a) Landscape Features

1. Physical Characteristics

- Extent to which the feature has physical presence (e.g. that it is separate, distinct, distinctive, prominent)
- Extent to which the feature is exemplary of its type (e.g. best example, largest, most unusual, most rare)
- Degree of naturalness. (This includes both its appearance and natural processes).
- Extent to which human patterns or features (buildings, land use) are consistent with natural patterns and processes.

2. Perception and Experience

- Extent to which the landscape feature is important to people's mental maps: (landmark qualities; edge qualities; viewpoints).
- Significance of landscape as part of a spatial sequence (for instance as part of a sequence along a route).
- Extent to which the landscape meets the specific criteria for picturesque aesthetics.

3. Cultural Meanings and Associations

- Extent to which Maori traditional associations and values or historical associations contribute to the value of the site
- Extent to which the landscape reinforces South Waikato's identity.
- Extent to which the feature or landscape is an icon
- Extent to which recreational use indicates special landscape value.



- Extent to which the landscape may be associated with spiritual meanings (transcendence, ultimate meaning,), with rites of passage, or other recognised cultural values.

b) Trees

1. Physical Characteristics

The extent to which the form, occurrence, vigour, function and age of the tree makes it physically important (refer to the STEMS methodology).

2. Amenity Characteristics

The extent to which the stature, visibility, proximity, role and climate gives it important amenity value (refer to the STEMS methodology).

3. Importance

The ranking of the importance of the tree to the local, district, national and international community.

c) Heritage

(Source: Guidelines for Assessing Cultural Heritage Significance, Auckland Regional Council)

1. Historical: "The extent to which the place reflects importance or is representative of South Waikato or New Zealand's history."

- The extent to which the place is important as a representative example of a type of historic place in terms of age, historical aspects, time periods, patterns or themes (like transport, warfare or women's history).
- The extent to which the place is associated with important persons, groups, individuals, organisations or institutions who have owned, lived in, worked in, or carried out activities in or on the place, or associated with important historic events or actions.
- The extent to which the place is associated with important ideas or beliefs that symbolise or illustrate historic change in South Waikato or New Zealand.
- Does the place date from an early period of South Waikato or New Zealand's settlement.



2. **Tangata Whenua:** "The importance of the place to Tangata Whenua."

This evaluation needs to be made by, or in full consultation with iwi. It includes such matters as the Historical, Traditional (place names, people and events), Cultural, Spiritual, Religious, Symbolic, Commemorative, Social, Educational, Economic and Contextual importance of a place. The importance may be at iwi, hapu, and whanau level.

3. **Community Association:** "The community association with or public esteem for the place."

- The extent to which the place has qualities which make it the a focal point for the spiritual, cultural, customary, religious, social, political, philosophical, or economic, values of an ethnic or the local or wider community.
- The extent to which there is evidence of strong feelings of community association with the place.
- The extent to which the place illustrates the distinctiveness of the community's identity, social history and way of life and has this community association with the place been formally recognised through the planning process.

4. **Commemorative:** "The commemorative value of the place'

Does the place commemorate an important person, event, idea, activity, and is this formalised by a memorial of some specific kind.

5. **Symbolic:** "The symbolic value of the place."

The extent to which the place is of symbolic value to the district, region or nation, by symbolising a feature of the area's past history. (A place such as a sacred mountain can have symbolic importance without being commemorative.)

6. **Educational:** "The potential of the place for public education."

- The extent to which the place provides potential to enhance public understanding and appreciation of the past, and its potential for interpretation for present and future generations.
- The extent to which the place is accessible to the public.



7. **Archaeological:** "The potential of the place to provide knowledge of South Waikato or New Zealand's history."

- The extent to which the place has the potential to define or expand knowledge of earlier human occupation, activities or events through investigation using archaeological methods, and the research potential of the place.
- Whether the place is important as a representative example of a site type, feature or activity, and whether this importance has been recognised as a formally recorded or registered archaeological site?

(Note: When evaluating the significance of an archaeological site all of the other criteria need to be considered.)

8. **Scientific:** "The potential of the place to provide knowledge of South Waikato or New Zealand's history."

- The extent to which the place has the potential in scientific (e.g. geological or biological) terms to provide evidence and knowledge relating to South Waikato or New Zealand's human history.
- The importance of the place in the history of the development of science (e.g. agriculture or horticulture) in South Waikato or New Zealand.

9. **Technological:** "The technical accomplishment or value of the place."

The extent to which the place is or was important in the development of technology, technological innovation or technological processes, and is that technological process still carried out on the site.

10. **Architectural:** "The design of the place."

- Whether the place provide a notable, rare or representative example of an architectural style, type or convention in either interior or exterior layout.
- Whether the place is an important example of architectural innovation.
- The extent to which the place is an important example of a particular method of construction, use of material or design feature, or a particular form of craftsmanship.
- Whether the place is an important example of the work of a notable architect, designer, engineer or builder.



11. **Context:** "The extent to which the place forms part of a wider historical and cultural context or historical and cultural landscape."

- The extent to which the historical context of the place is important in terms of comparative age, being part of a particular time period, or historical or cultural continuity.
- The extent to which the place is an important component of a group of associated historic places, and its value as a component of the wider historical or cultural landscape, or streetscape.
- Whether the place is part of a registered or scheduled historic area.
- The importance of the place in terms of visual amenity, or aesthetic value (past or present beauty), or as a landmark.

12. **Rarity:** "The frequency with which the historic place can be found."

The rarity of that type of historic place.

13. **Integrity:** "What is the integrity of the place?"

- The extent to which the place has integrity in terms of its historical or cultural setting and its relationship with associated structures, and whether the place is located on its original site.
- The extent to which the place has been modified, altered or restored in an important or sensitive way.
- The physical state or condition of the place.
- Whether the place is dangerous or poses a threat to the health and safety of people.
- To what extent is the place vulnerable to modification or destruction?

Please note the following when using these guidelines:

- Any type of historic place can be assessed using the above criteria;
- A place may be assessed as being important under any one of the above criteria;
- All archaeological sites, historic areas, buildings, places, objects, structures, and flora, should be assessed under each of the criteria; and
- Although all these criteria are inter-related, the historical criteria should be assessed first because these values link with all the others.



d) Ecological

1. The extent to which the ecological feature is important in terms of the relevant criteria selected from the Waikato Regional Council's Operative Regional Policy Statement (October 2000).

15.5 Principal Reasons

The principal reasons for including the above objectives, policies and methods in the District Plan are as follows.

Section 6 of the Act, amongst other things, includes as matters of national importance:

- ”(c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.
- (d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers.
- (e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.”

Section 7 of the Act, amongst other things, requires Council to have particular regard to:

- ”(a) Kaitiakitanga:
 - [(aa) The ethic of stewardship]
 - (d) Intrinsic values of ecosystems.
 - (e) Recognition and protection of the heritage values of sites, buildings, places, or areas.
 - (f) Maintenance and enhancement of the quality of the environment.
 - (g) Any finite characteristics of natural and physical resources.
 - (h) The protection of the habitat of trout and salmon.”

The sustainable management of heritage and ecological sites and features is a matter of particular importance to the many groups and individuals within the District that have an interest in environmental and conservation matters. Much progress has been made in the protection of features by a number of individuals and groups in the community. It is the Council's opinion (as a result of community consultation) that the best way for the matters specified in Sections 6 & 7 of the Resource Management Act 1991 to continue to be recognised, provided or had particular regard to, is through the range of voluntary and incentive methods, in combination with targeted regulatory methods.



15.6 Anticipated Environmental Results

The implementation of the above objectives, policies and methods may result in the following outcomes.

Sites, features, areas, structures and buildings included in the Heritage and Ecological Inventory may be:

- (i) protected from any adverse effects of development;
- (ii) protected for the enjoyment of future generations and for their intrinsic value and the tourist potential is taken advantage of in a manner that is consistent with ecological and heritage values of those resources.

15.7 Monitoring

As part of the preparation of Proposed Plan Change No 13, Council has obtained a significant amount of detailed information on heritage and ecological features in the District (e.g. location, property owner, condition of the feature, assistance required in the protection of the feature). This information has been transferred to Council's Geographic Information System (GIS). In this form, the information is readily available to Council to use for monitoring purposes.

There are three main aspects to the monitoring programme with respect to measuring the effectiveness of the objectives, policies and methods for heritage and ecological feature protection.

1. State of the Environment

As part of Council's monitoring of the general state of the environment, the health of heritage and ecological features will be addressed. This is likely to be a summary of the monitoring carried out as part of 2 & 3 below. In addition, Council will source information on indigenous vegetation from Environment Waikato, Ministry for the Environment (National Survey), aerial photos, Carter Holt Harvey, Department of Conservation, Forest and Bird, Queen Elizabeth II National Trust covenant database and from Council's own files.

2. Annual Plan

In adopting the voluntary/incentive approach (supplemented by a regulatory approach with respect to built heritage features) to the protection of heritage and ecological features, Council has committed to using the Annual Plan process as a primary means of providing funding for assistance with protection of features. The Annual Report will include monitoring of factors such as:

- Amount of funding provided by Council
- Amount of funding sought by the community and allocated by Council



- The purpose and success of the projects funded by Council

3. Environmental Monitoring & Education

The Environmental Development Division of Council proposes to monitor and update the detailed information on Council's GIS by the following means:

- A rotating programme of updating heritage and ecological feature information through ongoing and direct consultation with landowners, iwi and interested parties. This updating is to be carried out over a number of years, by either concentrating on a different area of the District each year, or by concentrating on a different type of feature (e.g. historic buildings/areas) throughout the District each year.
- As part of the updating programme, information will be provided to the community (e.g. pamphlets, guides).
- As part of resource consent applications where either identified features are known (more detail on the feature may be included with the application) or where new features are identified.

In the event that:

- (i) The above monitoring shows that the non-regulatory approach is not working (e.g. there is a depletion in the number and/or extent of the sites in the District); or
- (ii) The Council is advised of an intentional incident of serious interference with a feature; or
- (iii) Scientifically credible analyses of indigenous vegetation change shows any one of the following (as assessed against the 2002 aerial photograph baseline):
 - a. a total loss of 200ha or greater;
 - b. a loss of 0.5ha or more from one or more individual sites with an area between 0.5ha and 5.0ha; or
 - c. a loss of 1.0ha or more from one or more individual sites with an area greater than 5.0ha.

Council will notify a plan change to introduce regulatory methods to operate in conjunction with existing non-regulatory methods either in specific geographic areas, throughout the district and/or with respect to specific types of indigenous vegetation that are under threat or a combination of these approaches.

NOTE: There are rules in the Waikato Regional Plan that require the obtaining of resource consent approval from that authority for activities relating to clearance of indigenous vegetation and other activities that may adversely affect ecological features. Environment Waikato has a monitoring programme in place to assess the effectiveness of this approach.