

Part 8 Cultural Heritage

The rich natural resources of Franklin have attracted human settlement for approximately 1,000 years. The successive migrations, occupations, and conquests that have taken place on the land have left Franklin with a rich and unique cultural heritage. This heritage includes many elements and lies in a series of layers over the land and waterways of the district. It is perceived and valued from many different perspectives. At one level it can be viewed as a public resource of the area and wider significance, yet it is also tribal, local and personal in scale.

The cultural heritage resource of Franklin includes: sites, places, areas, waahi tapu, waahi tapu areas, buildings, objects, artefacts, natural features of cultural and historical significance, historical and cultural associations, people, agencies and institutions.

Franklin's cultural heritage is of central importance to the identity of the communities and individuals who occupy the district. It is also of fundamental importance to the hapuu and iwi who have occupied the area for so long. In conjunction with the natural heritage of the district it engenders a sense of belonging and creates the sense of place that is Franklin.

The Resource Management Act 1991 and the Heritage New Zealand Pouhere Taonga Act 2014 both recognise the central importance of cultural heritage resources to people and communities, and the social, cultural, and economic well-being they provide. The legislation also describes new imperatives and obligations to ensure that the cultural heritage resources of Franklin are managed in a sustainable and balanced way. More importantly, they provide opportunities to ensure that the cultural heritage resources of Franklin are preserved, protected and enhanced for the benefit of the present and future generations.

In undertaking its duties under the Resource Management Act the Council is required to recognise and provide for 'the relationship of Maaori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga' as a matter of national importance (section 6(e)). General protection for the heritage value of sites, buildings, places and areas is specifically provided for in section 7(e) of the Act.

The Heritage New Zealand Pouhere Taonga Act 2014 consolidates and revises previous historic places legislation and amendments. The major provisions of this Act require the board of Heritage New Zealand Pouhere Taonga, to identify and protect historic buildings; archaeological sites, historic areas, and traditional sites. The Act requires Heritage New Zealand Pouhere Taonga to establish and maintain a register of these items for the purpose of: informing members of the public and landowners about these sites, and assisting in the protection of these sites through the Resource Management Act 1991.

Clause 6 of the Heritage New Zealand Pouhere Taonga Act 2014 provides for blanket protection of archaeological sites whether or not they are registered or recorded. In this Act, unless the context otherwise requires, archaeological site

- (a) means any place in New Zealand, including any building or structure (or part of a building or structure), that
 - (i) was associated with human activity that occurred before 1900 or is the site of the wreck

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of any vessel where the wreck occurred before 1900; and

- (ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand

(b) includes a site for which a declaration is made under section 41(1) of the Act (see below):

41 Declaration of archaeological site

1. Heritage New Zealand Pouhere Taonga may, on reasonable grounds, declare any place to be an archaeological site if the place—
 - (a) was associated with human activity in or after 1900 or is the site of the wreck of any vessel where that wreck occurred in or after 1900; and
 - (b) provides, or may be able to provide, through investigation by archaeological methods, significant evidence relating to the historical and cultural heritage of New Zealand.
2. A declaration under subsection (1) must be made—
 - (a) by notice in the Gazette; and
 - (b) by public notice.
3. As soon as practicable after a declaration is made, Heritage New Zealand Pouhere Taonga must serve a notice setting out the terms of the declaration—
 - (a) on the affected owner (and the occupier, if different from the owner); and
 - (b) on the relevant local authorities; and
 - (c) on the appropriate iwi or hapū.

Any person wanting to destroy, damage or modify the whole or part of

- any archaeological site; or
- all archaeological sites within a specified area of land; or
- any class of archaeological site within a specified area of land

must apply to Heritage New Zealand Pouhere Taonga for the authority to do so. Consent may be declined or an archaeological investigation may be required before such modification can proceed.

The Cultural Heritage Inventory* provides the most up-to-date and comprehensive assessment of the cultural heritage resources in Franklin. The Council draws upon this document for use in resource management planning. To achieve sustainable and integrated management of natural and physical resources a basic knowledge of their location and type is imperative. To meet the needs of future generations, cultural heritage must be identified and provision made for its preservation and protection. The Cultural Heritage Inventory, when more fully developed, will be an important tool in facilitating such protection.

The Cultural Heritage Inventory is available for public inspection at the Council's main office, service centres and libraries. The Inventory includes a set of cadastral maps with cultural heritage site overlays indicating the presence of an item within 100 metres (approximately) of a symbol. The sites can be more accurately identified at the Council's main office where more detailed descriptions are held.

* CULTURAL HERITAGE INVENTORY: A BASE INVENTORY FOR THE FRANKLIN DISTRICT
September 1993 Auckland Regional Council/Franklin District Council.

8.1 Objectives, Policies and Methods

8.1.1 Objective - Safeguarding Heritage Features

To protect known places, areas, trees and objects having heritage significance in the district from inappropriate subdivision, use, and development.

Policies:

1. All persons shall avoid the modification, damage, or destruction of archaeological sites, heritage items, historic places, trees or objects listed in [Schedule 8A](#), and other resources subject to a heritage covenant or a heritage order whether or not they are identified in this plan, except where consent has been granted by the NZ Historic Places Trust or its successor (Heritage New Zealand Pouhere Taonga) and tangata whenua.
2. That all activities for which a resource consent is required be assessed in terms of any effects on known or significant heritage places, trees or objects in the district, and that where appropriate, conditions be used to avoid or minimise any direct or indirect loss of heritage value, or to ensure that there is sufficient and reasonable compensation to the community for any significant loss.
3. That in general the extent of protection required be limited to the exterior of a building or object and to an area around the "item" which is relative to its size and scale; that in respect of trees the protection extend at least to the drip line and that no activity which would threaten the life or health of the tree, such as building too close or excavating for driveways or foundations, be allowed, unless a resource consent has been granted.
4. Routine repairs and maintenance of the exterior of buildings and other structures listed in Groups A and B of [Schedule 8A](#) should be exempt from the requirement to obtain a resource consent for works affecting the building or structure, provided that works do not alter the form, size, appearance and character of the heritage building or structure. The materials used should be the closest match to the original material, and where this is not possible the repairs and maintenance should seek to avoid introducing inappropriate materials or making alterations that would undermine its heritage value.
5. Repairs of the exterior of heritage features such as signs, carvings, artwork, verandah poles, finials which restore the original visual appearance should be a permitted activity provided that the heritage values of the building or the structure are not undermined.

Methods of Implementation of Policies:

The following methods are to be read together as methods of implementing the policies of Objective 8.1.1:

1. That the plan reminds people of the need to obtain an authority from Heritage New Zealand Pouhere Taonga or the relevant heritage protection authority in respect of any such activity.
2. That notice be served on, or written consent be required from, Heritage New Zealand Pouhere Taonga or other affected heritage protection authority in respect of every resource consent application that relates to or affects a listed or identified place, tree or object.
3. That a resource consent be required for activities that would modify, damage, or destroy any area or item identified in [Schedule 8A](#) of this plan but only where an authority is not required or has not been obtained from Heritage New Zealand Pouhere Taonga or a heritage protection authority.

Reasons and Explanation for Objective, Policies and Methods:

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The Act requires the Council to have particular regard to the recognition and protection of the heritage values of sites, buildings, trees, places or areas.

In the absence of district plan rules, the Resource Management Act 1991 and Heritage New Zealand Pouhere Taonga only offer certainty of protection to archaeological sites and to historic places and areas that are subject to a heritage covenant or a heritage order. Outside of these circumstances even a well-informed landowner may choose not to voluntarily protect or preserve a significant item having heritage value. There will always be situations where, in the landowner's opinion, the benefits of a conflicting land use, which could damage or destroy the 'item', will outweigh any benefits of protection.

A regulatory approach is therefore necessary in addition to any heritage information programmes if the Council is to meet its statutory responsibilities for heritage and if the district's cultural heritage is to be preserved with any certainty.

All buildings and structures require repairs and maintenance. This is particularly important for historic buildings, which require regular upkeep to maintain their character, integrity and weather tightness. Repairs and maintenance should be enabled so as to avoid unnecessary resource consent costs where such works are necessary to preserve the heritage values of the building or structure. There may be cases where materials require replacement because of age or damage. Where this is the case the owner should seek to repair with the closest matching material available, or, where this cannot be achieved to undertake the repairs using similar materials which avoid undermining the character of the heritage building or structure.

Resource consent processes need to be responsive to the availability of replacement materials as many of these were sourced from manufacturers or suppliers who are no longer in business.

A photographic study of the building or structure, completed before any work commences, will provide a valuable record of the visual appearance of the exterior of the building or structure. Even if a resource consent is not required for the remedial work, owners of the building or structure are encouraged to provide this information to Council as this will provide a comprehensive and valuable historic record for generations to come which indicate changes made to the building or structure over time.

Anticipated Results:

- Significant 'items' having heritage value are protected with certainty.

8.1.2 Objective - Information

To record historic places and areas and other resources having heritage value within the district, monitor the condition of the most significant or most vulnerable ones, and inform landowners and the general community as to the significance, vulnerability, and the methods and incentives available to protect these resources.

Policies:

1. That a joint monitoring programme be implemented with tangata whenua, Heritage New Zealand Pouhere Taonga, the Department of Conservation, regional Councils and other relevant public agencies and interest groups, to assess the condition of those heritage items

listed in [Schedule 8A](#) during the term of this plan.

2. That further items be added to Schedule 8A where the criteria specified in [Part 8.2](#) of this plan are satisfied in response to the work of any agency, including the Council, with the Council's priority being those areas which are considered most under threat.
3. That an ongoing liaison programme be established whereby current and prospective owners of scheduled items are informed of the nature and significance of them, the methods and incentives available for protection and the implications of the policies and rules of the plan.
4. That a range of 'alternative' methods be used to disseminate information to the community to raise the public's awareness of heritage issues and values of the district.
5. That landowners be encouraged to protect heritage features through incentives to offset any penalty incurred for owning a heritage resource.

Methods of Implementation of Policies:

1. Requesting funds during the term of this plan via the district Council's annual plan process; liaison with these agencies at a staff level.
2. Refer to [Section 8.2](#). These new 'items' will be included in [Schedule 8A](#) by plan change as and when appropriate.
3. This will be subject to funds being made available via the annual plan. Methods include advice notices accompanying Land (Project) Information Memoranda, and special notices accompanying rates demands or in response to notification from other agencies of changes of property ownership.
4. This will also be subject to funds being made available via the annual plan. Methods include the use of community newspapers and newsletters, public displays and information leaflets, and 'heritage kits' for landowners, local schools and interest groups. Awards for excellence in conservation, the construction of further structures commemorating events, features etc. and the introduction of the heritage trails concept are other methods that can be used to raise heritage awareness and develop new attractions of interest to locals and visitors.
5. Where appropriate the Council may consider:
 - waiving resource and building consent fees associated with works on scheduled heritage items by a minimum of 50%.
 - providing technical advice on the maintenance and preservation of scheduled heritage items including arboricultural and design expertise.
 - considering more creative solutions to building consent issues through section 4 of the Building Act 2004.
 - relaxing other provisions of the district plan.

Reasons and Explanation for Objective, Policies and Methods:

Information empowers landowners to make informed choices about the future use of their land. Without information many landowners would be unaware of the existence of, or significance of the heritage values of their property, let alone opportunities to enhance them.

The Act requires the district Council to monitor the state of Franklin's environment, on an ongoing basis, to determine whether heritage objectives and policies are suitable and are, in practice, effective. This implies the need for a comprehensive and regularly updated heritage information base and also requires a good knowledge of the district's significant historic places and areas.

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District Council staff do not have the expertise to identify many features or assess their condition. The Council therefore needs to work in conjunction with agencies that have such expertise.

Landowner apprehension regarding the scheduling of heritage items on their properties is often related to concerns regarding the costs of obtaining resource and building consents. The scheduling of heritage items is of benefit to the community as a whole and therefore any costs should be borne by the community as a whole rather than individual landowners.

Technical advice may be provided on the maintenance and preservation of scheduled items by Council employees subject to the availability of qualified staff and the amount of assistance required.

Section 4 of the Building Act 2004 allows the Council to have due regard, in the case of an existing building, to any special historical or cultural value of that building, when carrying out its responsibilities. This does not mean that building standards should be relaxed - rather creative solutions for existing buildings should be more able to be considered.

Notwithstanding any other provisions in the district plan, Council may relax, waive or reduce any general performance standards when processing a resource consent for the Restricted Discretionary Activities listed in [Rule 8.3.1](#). Such action may be applied when the Council is satisfied that it would assist with the preservation of a scheduled item and would be assessed when processing a resource consent.

If landowners are made aware that the Council is committed to assisting the community in preserving heritage items by providing information and financial assistance, landowners may be more willing to schedule such items. The provision of technical assistance and the flexible use of Building Act and district plan provisions may also foster a protection and preservation ethic in landowners.

Anticipated Results:

- A greater public awareness of the type, location, significance and vulnerability of historic places and areas and other 'items' having heritage value, and of available methods of protection or enhancement.
- Current and comprehensive information on the type, location, significance, vulnerability and condition of places, areas, objects and trees within the district.

8.2 Criteria for scheduling Cultural Heritage Resources

The Council will use the following criteria for inclusion in the district plan ([Schedule 8A](#)) of buildings, places, trees, objects or any other resource having heritage value or potential:

- (a) The extent to which the place or resource reflects important or representative aspects of Franklin's and/or New Zealand's history.
- (b) The community association with, or public esteem for, the place or resource.
- (c) The potential of the place or resource for scientific interest and public education.
- (d) The technical accomplishment or value, or design of the place or resource. Whether a building, structure or object is a notable example of a particular style, designer or period of architecture, or shows special craftsmanship and technology.
- (e) The symbolic or commemorative value of the place or resource.
- (f) The importance of identifying historic places or areas known to date from early periods of Franklin's and/or New Zealand's settlement.
- (g) The importance of identifying rare types of historic places or resources.
- (h) The extent to which the place or resource forms part of a wider historical and cultural complex or historical and cultural landscape. A particular place or resource may not be of such significance in itself that it warrants inclusion in [Schedule 8A](#), but its value may be such that its modification or destruction would diminish the significance of the complex or landscape as a whole.
- (i) The significance of the place or resource to tangata whenua.

8.3 Heritage Protection

8.3.1.

Notwithstanding the controls or standards in any other part of the plan, the following activities are deemed to be Restricted Discretionary activities in respect of any resource or item listed in Schedule 8A of the district plan:

- any external modification, except re-painting, repairs and maintenance, of any building or object;
- any removal, relocation or demolition;
- any work within the drip line of a tree;
- any work (including underground) within 6 metres of the trunk of a tree;
- any work within 6 metres of the exterior surface of any building or object except:
 - where the building or work is on a public road or reserve;
 - where such work is on a different SITE and that SITE was in existence as at 31 May 1994;
- any activity which would offend tangata whenua in terms of the known spiritual or cultural associations;

provided that any person may prune a scheduled tree in accordance with recognised horticultural practices following consultation with the Chief Executive or officer(s) acting under delegated authority and in terms of instructions issued by him/her.

8.3.2.

The Council may process any application under this Rule as a non-notified application and without requiring the written consents of affected persons, subject to those requirements specified in the policies and methods of [Objective 8.1.1](#). The Council may grant or refuse consent. All applications shall include sufficient information to enable an assessment of environmental effects in respect of the matters in Rule 8.3.3 which follows.

8.3.3.

The Council will only assess the application and, if granting consent, impose conditions in respect of the matters set out below, over which it has restricted the exercise of its discretion. Where appropriate, the opinion of an architectural conservator, archaeologist, historian, tangata whenua representative, or other suitably qualified or experienced person will be sought by the Council:

- The criteria for scheduling outlined in [Part 8.2](#) and the extent to which they would be compromised or lost, or could be compensated for if consent were granted whether by conditions or otherwise.
- The nature and extent of any work or proposal, and how conspicuous or significant it would be in the context of the maintenance of the integrity and intrinsic value of the scheduled item.
- The height and the location, design and external appearance of buildings, structures and other objects.
- The Council may require the preparation of a Conservation plan prepared by a suitably qualified or experienced person, where it is considered necessary to ensure the proper management of a heritage item listed in [Schedule 8A](#).
- The use of alternative materials that are similar to those which require repair or replacement, where it can be demonstrated that these are necessary (owing to the unavailability of original materials) and will be in keeping with the associated heritage qualities of the original building or structure.
- Prior to commencement of any proposed work, a detailed photographic study should be

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undertaken of the exterior of the building or structure, clearly showing structural and architectural detailing. This photographic record shall be placed on the Council's file before any repair or replacement work commences.

8.4 Waikato River Site of Significance

The following table lists the parcel of land that has been identified in Part 8 (Subpart A) of the Schedule to the Waikato-Tainui Deed of Settlement as being culturally significant to Waikato-Tainui iwi. This parcel of land is either already in iwi ownership or is the process of being transferred from the Crown to iwi. This site has been notated on the [planning maps](#) with the symbol:  SS01.

Waikato River Site of Significance				
ITEM No	ITEM	LOCATION	LINZ Reference	Significance
SS01	Awamarohi Island	Waikato River	5047141	Awamarohi (formerly known as Island) was once a papakaainga fishing site.

The notation of this site on the planning maps is for information purposes only to alert the public to its location. This notation does not introduce any additional controls over and above the standard district plan rules for the zone in which this site is located.

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Schedule 8A: Historic Buildings, Structures, Trees and Areas

Refer to [Appendix Two](#) of the plan for further details of these listed items:

Group A: Buildings

Group A: BUILDINGS				
ITEM No	ITEM	LOCATION	Map No.	VALUATION No.
A.1 to A.4	Intentionally blank			
A.5	Church - St.Mary's Anglican	26 Avon Road, Pokeno	7, 7.4	03800/154.00
A.6 to A.31	Intentionally blank			
A.32	Miller House	600 Onewhero-Tuakau Bridge Road, Onewhero	6, 6.1	06300/070.15
A.33 to A.38	Intentionally blank			
A.39	Post Office	63 Great South Road, Pokeno	7, 7.4, 7.6	03800/218.01
A.40	Former St Andrew's Presbyterian Church	57 Fraser Road, Pokeno	7, 7.4	03800/076.00
A.41	Residential House	24 Great South Road, Pokeno	7, 7.4, 7.6	03800/262.00
A.42	Former Dean residence	85 Dean Road, Pokeno	7, 7.5	03800/075.03
A.43 to A.44	Intentionally blank			
A.45	Town Hall (War Memorial Hall)	70 George Street, Tuakau	7, 7.1, 7.3	03920/109.00
A.46 to A.55	Intentionally blank			

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Group B: Structures and Objects

Group B: STRUCTURES AND OBJECTS				
ITEM No	ITEM	LOCATION	Map No.	VALUATION No.
B.1 to B.7	Intentionally blank			
B.8	Plaque at Site of Pirrit Sawmill	33 Pirrit Road off Razorback Road, Bombay	7	03800/179.00
B.9	Pokeno Waikato War Soldiers' Memorial	Corner Munro and Helenslee Roads, Pokeno	7, 7.4	03800/192.00
B.10	Intentionally blank			
B.11	Pokeno War Soldiers' Memorial	Corner SH1 & Market Street, Pokeno	7, 7.4, 7.6	Road Reserve
B.12 to B.17	Intentionally blank			
B.18	Rev Maunsell's Wife's Grave and Port Waikato Maraetai Mission Station Site	Cnr Oraeroa Marae Rd & Maunsell Rd, Port Waikato	11, 11.1	06340/235.00
B.19	Intentionally blank			
B.20	Pioneer Gun Turret and Mercer War Memorial	Road Reserve, Cnr Roose Road and Riverbank Road, Mercer	7.7	Road Reserve

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Group C: Trees

Group C: TREES				
ITEM No	ITEM	LOCATION	Map No.	VALUATION No.
C.1 to C.14	Intentionally blank			
C.15	Holly & Camellia	Otaua Church, Maioro Road, Otaua	5, 5.1	03760/416.00
C.16 to C.17	Intentionally blank			
C.18	Norfolk Pines	66 Huarau Way, Maioro	5	03760/329.15
C.19	Norfolk Pines	Forestry Road, Maioro, Waiuku	5	03760/424.00
C.20	Norfolk Pine & Liquidambar Trees	733 Waiuku-Otaua Road, Otaua	5, 5.1	03760/339.00
C.21 to C.24	Intentionally blank			
C.25	Row of 13 Totara	134 and 156 Helenslee Road, Pokeno	7, 7.4	03800/190.02 03800/182.01 03800/040.07 03800/190.00
C.26	Group of 17 Totara	174 Helenslee Road, Pokeno	7, 7.4	03800/040.07
C.27	Group of 7 Totara	174 Helenslee Road, Pokeno	7, 7.4	03800/140.07 03800/190.00
C.28	Stand of Native Trees	174 Helenslee Road and Gully between SH1 & Helenslee Road, Pokeno	7, 7.4	03800/040.07
C.29	Stand of Kahikatea	62 Pokeno Road, 19 Helenslee Road, Pokeno	7, 7.4	03800/092.03 03800/094.00
C.30	Group of Oak Trees	Market Square, Pokeno	7, 7.4, 7.6	Road Reserve
C.31	Oak	66 Hitchen Road, Pokeno	7, 7.4, 7.6	03800/097.11
C.32	Group of 3 Norfolk Pine	116 Hitchen Road, Pokeno	7, 7.4	03800/099.04

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C.33	1 Taraire Tree and 1 Rewarewa Tree and associated native bush	201 Hitchen Road, Pokeno	7, 7.4	03910/510.00 03800/104.00
C.34	Native Bush Gully (Rewarewa, Taraire, Kahikatea, Puriri, Tawa)	201 Hitchen Road, Pokeno	7, 7.4	03800/104.00
C.35 to C.177	Intentionally blank			
C.178	Three Oak Trees	62 Pokeno Road, Munro Road (Recreation Reserve, Pokeno	7, 7.4	03800/092.03 03800/185.05
C.179	Ten Kahikatea Trees	Munro Road (Recreation Reserve), Pokeno	7, 7.4	03800/185.05
C.180 to C.370	Intentionally blank			

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Group D: Areas

Group D: AREAS				
ITEM No	ITEM	LOCATION	Map No.	VALUATION No.
D.1	Intentionally blank			
D.2	Alexandra Redoubt	Alexandra Redoubt Road, Tuakau	7	03790/302.00
D.3 to D.6	Intentionally blank			
D.7	Queen's Redoubt	Part of 22, 24, 26 Great South Road, Pokeno Part of 6, 8, 10, 12 Selby Street, Pokeno	7.6	03800/054.03 03800/262.00 03800/254.00 03800/255.00 03800/256.00 03800/257.00 03800/258.00
D.8 to D.18	Intentionally blank			
D.19	Te Paina Pa	Mercer Recreation Reserve, Riverbank Road, Mercer	7.7	03800/807.00
D.20 to D.23	Intentionally blank			