

PART 10

HERITAGE





PART 10 - HERITAGE

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PART 10 - HERITAGE

10.1 RESOURCE MANAGEMENT ISSUES

Heritage has assumed a greater importance than formerly under resource law. In managing the use and development of the district's natural and physical resources, the Council is required to have particular regard to the recognition and protection of the heritage value of sites, buildings, places or areas. To give effect to this obligation, the Plan must:

- identify those heritage resources worthy of preservation, and
- adopt suitable measures to secure the preservation of identified heritage resources.

Heritage resources are an essential part of the Hauraki Gulf Islands cultural values. They serve to link successive generations. Their retention adds to the body of cultural experience and is part of an essential cultural framework which helps inspire and bind the community. The Hauraki Gulf Islands various heritage resources combine to form a closely knit cultural and physical fabric. They are regarded as a heritage continuum because they will continue to accept, represent and be replenished by newly created heritage contributions which will be enjoyed by future generations.

The Plan must attend to the protection of a number of heritage features; natural, cultural and scientific.

10.1.1 NATURAL RESOURCES

The Hauraki Gulf Islands are appreciated for their unique physical qualities which contribute to their regional, national and international significance. These qualities include rugged landforms, varied coastlines with sweeping bays and prominent headlands; bush covered valleys; areas of ecological significance for both flora and fauna, and remnants of the regions past volcanic activity. In order that these unique natural resources are maintained for the benefit of present and future generations, they must be protected. In doing so a balance must be struck between the need for total protection and the needs of residents and visitors to the Islands.

10.1.2 CULTURAL RESOURCES

Buildings and Objects: A primary consideration in heritage resource management is the need to safeguard the retention of valued heritage buildings and items from the prospect of their unsuitable development and use, their neglect or in the extreme, their eventual destruction. Valued heritage buildings may be scheduled in the Plan or subjected to Heritage Orders. The prime issue here arises from the relative fragility of such heritage resources, their susceptibility to change through renewal or neglect, and the prohibitive cost of public acquisition for preservation of all but a relative few of the privately owned heritage resources. Consequently, an important issue is the need to provide mechanisms in the Plan to encourage and promote the preservation of identified heritage resources, while avoiding the prospect of outright and extravagant public acquisition or, in the alternative, the diminution or loss of the resource. Effective compensatory measures should encourage the maintenance, restoration and refurbishment of valued items and assist the sustainability of these elements of the heritage resource.

Sites: Significant archaeological and heritage features and waahi tapu sites have been identified on the Hauraki Gulf Islands. These generally, but not exclusively relate to items of particular social and cultural heritage value to Maori. Others relate to early settlement and industry by the European. Where preservation of these can be ensured and disclosure will not put the items at risk, these should be scheduled for protection.

10.1.3 SCIENTIFIC RESOURCES

Geological Sites : The Hauraki Gulf Islands abound with a rich variety of geological and geomorphological features. Exceptional examples require identification and scheduling.



10.2 RESOURCE MANAGEMENT OBJECTIVES AND POLICIES

10.2.1 OBJECTIVE

To recognise and protect the heritage values of sites, buildings, trees, places and areas.

Policies

- By identifying, assessing, and protecting important heritage buildings, objects and places including landscapes, trees, landforms, historic places and waahi tapu by scheduling such features in the Plan.
- By encouraging an awareness that the Hauraki Gulf Islands existing heritage is a finite and sensitive resource.
- By increasing public access to heritage features so they can be appreciated, understood and thereby add to the richness of the urban fabric of the Hauraki Gulf Islands.

10.3 RESOURCE MANAGEMENT STRATEGY

The conservation of heritage resources must acknowledge present day needs and circumstances. It must be managed and guided in an appropriate manner to ensure that heritage qualities are not devalued or compromised by development or change. Where feasible, such qualities should be enhanced and restored in the process of development or change. Various forms of conservation incentives will be explored as the Plan develops.

The principal strategy adopted for heritage on the Hauraki Gulf Islands is to identify, protect and enhance heritage features by a range of appropriate statutory mechanisms within the scope of the Plan. The most appropriate measure are applied to achieve the Plan's objectives to conserve the district's natural, cultural and scientific heritage resources.

10.3.1 NATURAL RESOURCES

The natural resources of the Hauraki Gulf Islands combine to create a unique environment which is valued both in New Zealand and overseas. The sustainable management and the protection of these natural resources is therefore a significant factor in the Plan's overall resource management strategy for the Islands. Provisions which seek to ensure sustainability, and where appropriate total protection of these natural

resources pervade the plan, particularly in the land units which identify homogeneous areas displaying similar natural elements, eg wetlands, dune systems. Land unit rules also include specific controls which:

- restrict activities in areas of significant ecological value or sensitive areas to those which will not adversely affect the botanical, ecological or wildlife value of the areas.
- limit the removal of native vegetation to a certain area per site, and require a resource consent for any further removal, or the removal of native trees over a stated height.

In addition, the rules of this Part schedule and protect notable trees of visual amenity, historical or botanical value.

10.3.2 CULTURAL RESOURCES

The Hauraki Gulf Islands have been settled for over a thousand years, and evidence of that settlement, both Maori and European, is preserved in many places and areas of the Islands. The isolation of many of the Islands has made the task of identifying and recording these sites and structures difficult. Consequentially not all significant sites and features are currently protected by the provisions of the Plan. To ensure that those not protected are not lost forever by inadvertent development, the Plan includes a rule which halts development work in the event of such features being uncovered by earthworks. The rule does not prevent the ultimate development of a site but allows a breathing space within which the Historic Places Trust and the Tangata Whenua can be consulted (see Parts 6B and 6C).

Heritage protection measures will protect and conserve some items in totality. For certain other items, sensitive change and redevelopment will be permitted in the process of adapting these heritage resources for appropriate present-day use. Incentives to encourage the retention of privately owned heritage items are under examination. Specific concessions on development have been adopted. In the course of the Plan others will be determined.

- To assist the attainment of this heritage resource objective, the Plan provides for certain development concessions. Cumulatively, they afford assistance in the retention of scheduled heritage buildings.
- Activities which are conducted in a heritage building at the time of its scheduling are deemed to comply with the provisions of the Plan and are exempt from the Plan's standard off-street parking requirements.

Applications for resource consent for a heritage building or heritage property are exempt from Plan fees.



10.3.3 SCIENTIFIC RESOURCES

The Hauraki Gulf Islands contain certain features of special geological or geomorphological significance. These have a particular scientific and educational value. Their unique nature is such that their sites should be protected from unwarranted disturbance. The Plan does not yet schedule any of these features for protection. However, during the life of the Plan, the Council intends to undertake research to identify significant geological and geomorphological features. Once this has occurred the features and rules to ensure their protection will be added to the Plan through the Plan change process.

10.4 IMPLEMENTATION

The following provisions set out the rules and other measures designed to conserve the Hauraki Gulf Islands heritage. They are arranged in heritage topics and are presented in the order which experience shows is most convenient to the reader but which does not necessarily reflect the relative importance of the topic. Reference is made to other supplementary methods by which the Plan's heritage objective can be attained.

Scheduling

Schedules, which list and identify for protection valued heritage items, are the main technique adopted to implement the objectives and policies of this Part. The schedules employed by the Plan include;

- Schedule of Notable Trees and Bush
- Schedule of Buildings, Objects, Areas or Places of Special Value.
- Schedule of Archaeological and Maori Heritage Sites.

The schedules are not a complete inventory of all items which merit protection and items will be added by changes to the Plan as qualifying items become known to the Council. In particular, items in the Outer Islands will be added to the schedules through a Plan change as soon as a thoroughly researched and comprehensive list of Outer Islands items has been compiled.

The Council recognises that the development of the schedules is an ongoing process and that the schedules should never be regarded as complete.

10.4.1 RULES AND ACTIVITIES

Conservation of the Hauraki Gulf Islands heritage values pervades much of the Plan. Matters of heritage importance

are dealt with particularly by policies and provisions in various parts: Part 3 Resource Management Overview; Part 4 Resource Management Issues and Strategy - Inner and Outer Islands; Part 5 Strategic Management Areas and Part 6A Land Units.

The rules applied are specific to the heritage items they seek to protect. The exception is Waahi Tapu Areas. In these areas, the avoidance of unnecessary disturbance or interference to significant and sensitive waahi tapu sites is the main intent. In recognition of the limitations that the heritage provisions may place on the development or use of heritage buildings, the Plan anticipates flexibility in the activities which can occur in these buildings.

10.4.2 OTHER METHODS

The New Zealand Historic Places Trust plays an important role in the protection of heritage items through its power under the Historic Places Act 1993. The Trust's authority must be sought prior to undertaking work affecting any archaeological site (whether scheduled in the Plan or not).

10.5 HERITAGE ITEMS

The specific provisions for each of the heritage types are set out in separate topics as follows:

- Trees
- Buildings, Objects, Areas or Places of Special Value
- Archaeological and Maori Heritage Sites

10.5.1 TREES

10.5.1.1 Objective

To protect trees and groups of trees which significantly contribute to the district's amenity.

Policies

- By identifying and protecting notable trees in public and private ownership.
- By protecting mature native trees as an important character element in maintaining and enhancing the environment of the district.
- By identifying and protecting trees where they are necessary for the purposes of the avoidance of natural hazards.
- By continuing the practice of planting trees in roads and



on public reserves and protecting these from unnecessary interference or destruction.

10.5.1.2 Strategy

Trees have an important ecological, environmental and cultural role. They have an important contribution to make in the sustainable management of natural and physical resources of the Hauraki Gulf Islands. Collectively they endow the landscape with distinctive environmental quality and charm.

The environmental or practical relationship between man and trees is fundamental to existence. Without trees and green plants the earth's ecology would be unbalanced. In the Hauraki Gulf Islands this factor is important, because trees play a role in sustaining the ecological balance between nature and technology, between the organic and the inorganic. Trees therefore contribute to the community's health and well-being.

A. Notable Trees

The Plan recognises the value of notable trees as community assets and has adopted a system of identifying and protecting notable trees, both as individual specimens and as groups. These trees are listed in the "Schedule of Notable Trees and Bush" Appendix B1 and identified on the planning maps.

Three categories of notable trees have been identified as worthy of recognition and protection.

(a) Historic/Cultural Value

- associated with or commemorating an historic event.
- associated with or planted by an historic or notable figure.
- of spiritual or cultural value.

(b) Botanic Value

- any significant tree of species rare in the region or New Zealand;
- any tree or group of trees of ecological significance providing an important habitat for wildlife;
- any tree particularly outstanding for its species in relation to its form, large diameter, height, age or canopy spread.

(c) Visual Amenity Value

- any tree or trees that have significant landmark value due to their location.

- any tree or trees which make a significant contribution to the visual amenity of the immediate neighbourhood.
- any tree or trees which have outstanding value because of screening or beautification functions.

In determining whether trees are worthy of protection the following factors are considered;

Size - the height, girth and canopy spread of the tree.

Form - whether the tree is well shaped with a balanced branch system, and how well the trunk contributes to its visual appearance.

Occurrence of the Species - this category is assessed according to the numbers of the species found in the local area.

Indigenous Status - this category gives particular recognition to New Zealand's unique indigenous trees. Particular recognition is given to those trees that only occur locally or regionally.

Useful Life Expectancy - this factor is assessed from the date of evaluation and takes into consideration any factors which may limit the tree's life span such as its state of health, its position in relation to existing development.

Age - an estimate of the tree's age at the time of evaluation.

Physiological Appropriateness - the appropriateness of the situation is assessed in terms of its physiological suitability for the health of the tree.

Public Accessibility - how physically accessible the tree or group of trees is to the public.

Visual Appropriateness to the Site - the appropriateness of the tree to its setting within the site.

Visual Contribution to the Landscape - the role or contribution of the tree in the wider landscape along with the locations from which the tree is visible. A tree visible from many vantage points would receive a higher rating for this aspect than one visible only from its own site and a neighbouring site.

Viewing Audience - this category examines how many people would notice the loss of the tree.

Presence Of Other Trees - whether the tree is seen visually as a solitary specimen or part of a group.

Contribution of Group Character - the significance of the contribution of the tree to a visual grouping.

Associated with a Historic Event or Figure - the tree may have been planted to commemorate, or may be associated with an historic event, or the tree may



have been planted by or have strong associations with a person(s) of historic importance to the City, or to New Zealand.

Other Factors - factors such as ecological significance, or social/cultural significance are also taken into account.

B. Trees on Roads and Reserves

Throughout the district there are significant plantings of trees and bush both on the roads and on the parks, reserves and open spaces. The Council follows a programme of planting new trees in these areas as part of its capital works programme

10.5.2 RULES: TREES

A. SCHEDULED TREES

(a) Protection of Scheduled Trees

No person shall without a resource consent:

- (i) Cut, damage, alter, injure, destroy or partially destroy any scheduled tree (including its roots); or
- (ii) Within the drip-line of any scheduled tree:
 - Alter the soil levels or water table by addition or excavation;
 - Store materials, vehicles or machinery;
 - Discharge or disperse any toxic substance or emplace any weed control membrane;
 - Undertake any use, excavation, construction work or other activity.

Except that this shall not preclude;

- The regular minor trimming or the maintenance of any tree undertaken by hand operated secateurs or pruning shears, in accordance with accepted arboricultural practice.
- The felling or destruction of any tree by the Council or a statutory authority, when this is required as an emergency work to maintain or restore power and communication links, or to safeguard life or property. In such circumstances the authority concerned shall notify the Council, in writing, within two weeks as to the reason for the felling or destruction.

(b) Trimming or Maintenance of Scheduled Trees

The trimming or the maintenance of any tree in accordance with accepted arboricultural practice not covered in the foregoing clause is deemed to be a controlled activity.

An application for a controlled activity will be assessed as to:

- the necessity for carrying out the works;
- the extent of the trimming and maintenance of the tree; and
- the method to be employed.

Conditions may be imposed to ensure that the tree will not be unduly damaged or its health endangered.

(c) Alteration or Destruction of Scheduled Trees

An application to destroy or substantially trim any scheduled tree, or any substantial part thereof is a discretionary activity, and will also be assessed against the criteria below.

An activity within the dripline of any scheduled tree is a discretionary activity and will be assessed against the criteria below:

- The necessity for carrying out the works.
- Where the removal or destruction of a tree is proposed, the Council must be satisfied that circumstances exist which may include dangerous, diseased or damaged conditions; compliance with any statutory or legal obligation; significant or unusual hardship; or any other cogent reason.
- Any alternative methods and locations available to the applicant for carrying out the work or activities.
- The objective and policies set out in Clause 10.5.1.
- The extent to which the tree or trees contribute to the amenity of the neighbourhood.
- Whether or not the proposed activities within the dripline are in the opinion of the Council likely to damage the tree or endanger its health.

Conditions may be imposed as part of any consent to an application and may include;

- The requirement to pay a bond to ensure that a scheduled tree is not damaged or destroyed during the carrying out of pruning and maintenance or works or activities in the dripline area.



- The requirement to provide a replacement tree where a scheduled tree is removed or destroyed, and where it is appropriate having regard to the amenity of the area.

10.6 BUILDINGS, OBJECTS, AREAS AND PLACES OF SPECIAL VALUE

10.6.1 BUILDINGS, OBJECTS, AREAS AND PLACES OF SPECIAL VALUE

10.6.1.1 Objective

To recognise and protect particular buildings, objects, areas and places valued as part of the district's heritage.

Policies

- By identifying and protecting important heritage buildings, objects, areas and places by scheduling them in the Plan.
- By encouraging the use of protected buildings while ensuring that their valued features are not impaired or destroyed.

10.6.1.2 Strategy

A. Scheduling

As part of its role in the preservation, protection and conservation of valued features of the Hauraki Gulf Islands physical environment, the Plan identifies certain individual buildings, groups of buildings, objects and places as being significant and worthy of protection in the public interest. Such items are listed in the "Schedule of Buildings, Objects, Areas or Places of Special Value" (Appendix B2) and are identified on the planning maps. This schedule reflects those heritage buildings, objects, areas and places which the Council considers warrant protection.

The Plan also lists in Appendix B 2 those items and properties which are subject to a Heritage Order. A heritage order may be imposed by a Heritage

Protection Authority, under Section 189 of the Act, to intervene in a situation where a valuable heritage property is in imminent danger of damage or destruction. A heritage order is independent of the Plan's provisions on heritage protection. Generally items are scheduled in the Plan at the Council's initiative, whereas heritage orders are applied by other authorised agencies.

B. Criteria

To determine whether a building, object, property or place is worthy of protection in the Plan, any proposed heritage item is assessed and evaluated against the following factors.

(a) Architecture

- **Style** - Notable, rare, unique, or an early example of a particular architectural style, type, or convention.
- **Construction** - Notable, rare, unique, or an early example of a particular material or method of construction.
- **Age** - Comparatively old in the context of the Auckland region.
- **Architect** - Designed or built by an architect or builder who has made a significant contribution to the community, region, or nation.
- **Design** - A particularly attractive or unique building because of the excellence, artistic merit, or uniqueness of its design, composition, craftsmanship, or detail.
- **Interior** - Interior arrangement, finish craftsmanship, and/or detail, are particularly attractive or unique.

(b) History

- **Person** - Associated with the life or activities of a person, group, organisation, or institution that has made a significant contribution to the community, region, or nation.
- **Event** - Associated with an event that has made a significant contribution to the community, region, or nation.
- **Context** - Associated with and effectively illustrative of, broad patterns of cultural, social, political, military, economic, or industrial history.



(c) **Environment**

- **Continuity** - Contributes to the continuity or character of the street, group of features or buildings, neighbourhood, or area.
- **Setting** - Setting and/or landscaping contributes to the continuity or character of the street, neighbourhood, or area.
- **Landmark** - A particularly important visual landmark.

(d) **Usefulness**

- **Compatibility** - Present activity is compatible with the current land unit rules of the site, street, or neighbourhood.
- **Adaptability** - Potentially adaptable to compatible re-use without harm to the architectural elements which contribute to its significance.
- **Public** - Capacity for needed public, educational, or museum use.
- **Services** - Adequately serviced and protected for contemporary use.
- **Cost** - Cost of preservation, restoration, maintenance, and/or interpretation is reasonable.

(e) **Integrity**

- **Site** - Occupies its original site.
- **Alterations** - Has suffered little alteration and retains most of its original materials and design features.
- **Condition** - Building is in good structural condition.

originally used which does not detract from those features for which the item has been scheduled;

- any change of use otherwise permitted on the site which is unrelated to the purpose for which the item was scheduled and which does not detract from the features for which it was scheduled.

B. Work on Site

No person shall conduct or execute any use or work, except work described in (A) above, in or on the site of a scheduled item if in the opinion of the Council such action endangers or is likely to endanger, modify, damage, or destroy a scheduled item, or detract from the feature(s) for which the item was listed.

C. Applications for Consent to Alterations and Additions to a Scheduled Item or Destruction of a Scheduled Item

The Council will consider as a discretionary activity any application to restore or make alterations, or additions to all or part of any scheduled item. This includes any application to place, fix, paint or extend a sign, attachment, flag, banner or lighting in association with that item. Applications for discretionary activity consent to demolish all or part of a scheduled item will also be considered. In considering the application the Council will have regard to the following matters:

- The reasons for which the building, object, area or place has been scheduled.
- The nature, form and extent of the development, alteration or change. The effect of these factors on the character of the scheduled item and on the feature or features for which the item was scheduled.
- Evidence presented by the owner as to the consequences to the owner of the scheduling or other compelling reasons indicating why the work is necessary.

When considering the application the Council may invite an opinion from the Institute of Architects, or the Historic Places Trust, except where the body concerned has objected to the application.

The Council, in determining an application for a discretionary activity resource consent may, grant the consent subject to certain conditions. In particular, the following matters will be addressed by conditions imposed on consent:

10.6.2 RULES

A. Scheduled Buildings, Objects, Areas or Places Not to be Destroyed or Altered

No person shall destroy, remove, add to, alter or damage any scheduled building, object, place, area or part thereof without a resource consent, except that;

This provision shall not preclude:

- the redecoration, repair and/or insignificant alteration of any existing fabric, or detailing carried out in a manner and design and with similar materials and appearance to those



- (a) To conserve the original building/object fabric, limitations and/or restrictions will be placed on some or all of the following:
- Cleaning techniques, materials and equipment.
 - Surface preparations, coatings, chemicals and paints.
 - Fixings and methods of fixing.
 - Structural design solutions.
 - Replacement materials, fittings and fixtures.
 - Construction methods and techniques.
- (b) To conserve the heritage significance of the item, limitations and/or restrictions may be placed on the architectural design and appearance of alterations and additions. These may include:
- Controls on signs, banners, flags and exterior lighting.
 - Controls on the location of vehicle access points and parking areas.
 - Controls on landscaping, including paths, fences and gates.
- (c) Indication of commencement of work - any successful application to modify, damage or destroy a scheduled item may be required to give the Council 20 working days notice before work commences in order that if appropriate, records can be made of the item.
- (d) Manner in which a site is left - in the event of a building or object being totally demolished, the Council may impose a condition to ensure that the site is left in an appropriately clear, tidy and safe manner.

10.7 ARCHAEOLOGICAL AND INDIGENOUS HERITAGE ITEMS

10.7.1 ARCHAEOLOGICAL AND MAORI HERITAGE SITES

10.7.1.1 Objective

To protect valuable archaeological sites which contribute to the Hauraki Gulf Islands heritage.

Policy

- By identifying and scheduling archaeological sites significant for their scientific, historic, cultural and educational value.

10.7.1.2 Objective

To protect sites of heritage value to the Maori.

Policy

- By identifying and protecting, in consultation with the iwi who have mana whenua, significant heritage sites of the Maori.

10.7.1.3 Strategy

Archaeological Sites

The Plan provides for the protection of selected archaeological sites because of their scientific, historic, visual or educational value. Archaeological sites are protected from alteration or destruction whilst making provision for professional archaeological excavation. These sites are listed in the Schedule of Archaeological and Maori Heritage Sites (Appendix B3) and are identified on the Planning Maps.

New Zealand Historic Places Trust

Under Section 10 of the Historic Places Act 1993 all archaeological sites associated with human activity that occurred before 1900 are automatically protected whether they are Scheduled in the Plan or not. Authority to modify or destroy unscheduled sites must be sought from the New Zealand Historic Places Trust.

A. Criteria For Scheduling Archaeological And Geological Features

Any feature or material included in the Schedule shall be considered against the following criteria.

(a) Historic and Cultural Value

Whether the feature or material is;

- Associated with the life or activities of a person, group, organisation or institution that has made a significant contribution to the neighbourhood, area or region.
- Associated with an event that has made a significant contribution to the neighbourhood, area or region.



- Associated with and effectively illustrative of broad patterns of cultural, social, political, military, economic or industrial history.
- Of particular significance to the Maori, or other ethnic groups for its religious, mythological, spiritual or other symbolic significance.

(b) Scientific/Educational Value

Whether the feature or material will;

- Increase our understanding of past lifestyles, zoology, or botany or past geological or volcanic activity.
- Provide a scientific reference material for comparative identification purposes (a geological type location).

(c) Visual Amenity

Whether the feature or material will;

- Individually or collectively makes a significant contribution to the character of the neighbourhood, area, or region.
- Forms an important visual landmark, contributing to a sense of identity, location and orientation with the urban area.

B. Register Of Scheduled Items

Particulars of scheduled archaeological and geological features are entered into a register which is available for public inspection at all reasonable times at the Council Corporate Office. The register will also contain details of other archaeological and geological features which in the Council's opinion should be recorded as a matter of public information.

The New Zealand Historic Places Trust also maintains a register of archaeological sites, although under the Historic Places Act 1993, all sites are protected whether or not they are recorded.

Maori Heritage Sites

The recognition and protection of Maori Heritage Sites is considered by the Act as a matter of national importance. The Plan therefore will identify and schedule in consultation with the iwi who have mana whenua significant Maori Heritage Sites. These may include:

Waahi Tapu canoe boarding places, burial grounds (urupa) battlefields, areas of spiritual significance.

Waitapu sacred waters including mudflats, lakes, rivers, streams and swamps.

An important concern in the recognition of Maori Heritage Sites is the need to ensure protection from accidental or

intentional disruptive interference. This is particularly true with some waahi tapu sites where the precise locality of certain features (e.g. burial caves) is carefully guarded information. The Plan therefore will only record and schedule for public information those sites which the iwi who have mana whenua have indicated are not of such a highly sensitive nature. However, in order to protect any significantly sensitive sites, the Council, in consultation with iwi will identify the general area in which these significant waahi tapu are located. Any activity proposed for that defined area will be required to apply for a discretionary activity consent so that the Council may be sure the specific waahi tapu is not disrupted or interfered with.

10.7.2 RULES: ARCHAEOLOGICAL SITES

A. Scheduled Archaeological Sites

- No person shall without a resource consent, excavate, physically investigate, damage or alter any scheduled archaeological site or part thereof. This includes the removal of soil, structures or trees; the reconstruction of any feature; or any other activity, use or work in the vicinity of the scheduled feature which is likely to endanger, damage or destroy, or detract from, the scheduled item.
- No person shall plant any vegetation on or in the vicinity of any scheduled archaeological site, which in the opinion of Council is likely to damage or detract from the feature(s) for which the item has been scheduled.

Except that the foregoing provisions shall not preclude:

- routine maintenance and repair of existing lawns, gardens, structures and signage;
- the carrying out of minor works which in Council's opinion would not modify the site or feature. In assessing the effects of the works proposed Council may consult with other heritage authorities with an interest in the site or feature.

B. Alteration And Destruction Of Scheduled Features

An application for the excavation, damage, alteration, reconstruction or destruction of any scheduled archaeological site will be considered as a discretionary activity. Such an application will be assessed against the following;

- The nature, form and extent of the proposed modification and its effect on the feature or features for which the item was listed.



- The necessity for the modification and any alternative methods and locations available to the applicant for carrying out the work or activities.
- The Plan objectives and policies for heritage.
- The purpose of the proposed modification, and whether there is sufficient time, and expertise to record the features to be modified.
- The provisions of any relevant management plan.
- Any evidence or submission invited by the Council from any person or body having specialist knowledge or interest relevant to the proposal, except where the body or person has objected to the proposal.

In considering an application to modify any archaeological site the Council may impose any condition considered appropriate to the particular application, including conditions relating to a requirement for a formal archaeological excavation and site recording of any feature before the work commences. A condition relating to the provision of time for such activity may also be imposed.

10.7.3 RULES: MAORI HERITAGE SITES

- A. Scheduled Maori Heritage Sites will be subject to the same controls as scheduled Archaeological Sites. Refer Clause 10.7.2.

In making a decision on an application under those provisions, the Council will act in consultation with an appointed iwi representative.

- B. Any activity located within a defined Waahi Tapu Area will be required to apply for a discretionary activity resource consent. Such an application will be subject (in addition to any other resource consent criteria) to the following criteria;

- the effect the activity will have on the significant waahi tapu site located within the area in terms of disruption or interference to the site itself.
- the effect on the requirement that the site remains unidentified to the general public.
- the ability of iwi to access the sites when appropriate.

In considering an application the Council will act in consultation with an appointed iwi representative.

