

Laura Bowman

From: Official Information
Sent: Wednesday, 26 October 2022 8:23 am
To: 7(2)(a)
Cc: Official Information
Subject: Final Response - LGOIMA 286625 - 7(2)(a) - financial, zoning and previous ownership information concerning the proposed development of the Opoia Pa/ Sonning Car Park
Attachments: OIA Request 4.docx; Sonning Carpark - ODP Zoning 2022.docx; Sonning Carpark - Archaeological Report - WSP 20 November 2020.pdf

Kia Ora,

I refer to your **information request attached**, Hamilton City Council is able to provide the following response.

Your Request a:

What year did Hamilton City Council acquire the land at Opoia Pa/ Sonning Car Park , 191 – 197 River Road, Claudelands?

Our Response a:

The land was acquired by the Hamilton City Council in four stages between 1972 and 1992:

- 1972 Allotment 465 Parish of Kirikiriroa “Deferred Payment Licence under the Lands Act 1948” and “Exclusive Licence to Occupy”
- 1975 Lot 2 DP 3201 and Part Allotment 218 Parish of Kirikiriroa
- 1978 Lot 1 DP 3201 and Part Allotment 218 Parish of Kirikiriroa
- 1992 Allotment 465 Parish of Kirikiriroa

Your Request b:

How much did the Hamilton City Council pay to acquire the land at 191-197 River Road, Claudelands?

Our Response b:

Hamilton City Council paid \$128,139 to acquire the land

Your Request c:

What is the current Capital Value of the Opoia Pa/Sonning Car Park site?

Our Response c:

As at 01 September 2021, the Rating Capital Value is \$2,930,000.

Your Request d:

What are the rates?

Our Response d:

Based on the Rating Valuation as at 01 September 2021 the rates are \$23,052.59 including GST for the period 01 July 2022 to 30 June 2023.

Your Request e:

What is the current zoning?

Our Response e:

Central City Zone – Downtown Precinct. Please see the extracts from the District Plan attached

Your Request f:

Are there any specific matters recorded in the District Plan such as notable trees, significant natural regional asset and archaeological sites?

Our Response f:

The information you have requested for this part of your request is readily available to the public via the Hamilton City Council District Plan. Therefore we are refusing this request per [s17\(d\) of LGOIMA](#).

To assist you in locating this information, the Hamilton City Council District Plan is publicly available [here](#). This resource will allow you to search the property you are interested in and identify the zone and any other features or elements relevant to this property.

Your Request g:

In the latest financial year, what total revenue was achieved before costs from the operation of the council car park at Opoia Pa/Sonning Car Park site?

Our Response g:

Total income recorded for the 2022 Financial Year (1 July 2021 to 30 June 2022) for Sonning Carpark is \$205,000. Please note: the 2022 financial year financials have not yet been finalised by audit.

Your Request h:

Who was the first European owner of the site and in what year was the land acquired and the consideration?

Our Response h:

- *Lot 2 Deposited Plan South Auckland 31617 (previously Lot 1 DP 32041 and Lot 2 DP 32041 previously Part Allotment 218 Parish of Kirikiriroa)*. The earliest recorded owner is Edwin Owen (middle name is indistinct) Hooper in 1905. The ownership records are indistinct and earlier owners are unknown. The consideration paid for the land is unknown. A comprehensive Land Status Report would be required to verify the ownership history between 1863 (The New Zealand Settlement Act 1863) and 1905.
- *Allotment 465 Parish of Kirikiriroa*. The earliest recorded owner is William Hill Clarke in 1884. Earlier owners are unknown. The consideration paid for the land is unknown. A comprehensive Land Status Report would be required to verify the ownership history between 1863 (The New Zealand Settlement Act) and 1884.

Please note that the information referenced as 'unknown' was, despite reasonable efforts to locate it, unable to be found. Therefore we are refusing this part of your request per [s17\(e\) of LGOIMA](#).

For further ownership please see the WSP Sonning Car Park Archaeological Risk Assessment date 27 November 2020 attached.

Your Request i:

What use of land has occurred since the time of the first European owner? It is understood the Ministry of Works used the site and later it became the site of the Hamilton Girls' High School boarders hotel. Is this correct and are the years of occupation of both the M.O.W and HGHS available?

Our Response i:

For the history of the land please see the WSP Sonning Car Park Archaeological Risk Assessment date 27 November 2020 attached.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Kind Regards,

Laura | Official Information Coordinator
Governance & Assurance Team | People and Organisational Performance
Email: officialinformation@hcc.govt.nz



Hamilton City Council | Private Bag 3010 | Hamilton 3240 | [Hamilton City Council](https://www.hamiltoncity.govt.nz)

From: 7(2)(a)
Sent: Tuesday, 11 October 2022 1:52 pm
To: CEO <CEO@hcc.govt.nz>
Subject: Official Information Act request

Good afternoon Lance,

Attached is a further Official Information Act request.

Kind regards

7(2)(a)

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OPERATIVE DISTRICT PLAN

CENTRAL CITY ZONE – DOWNTOWN PRECINCT

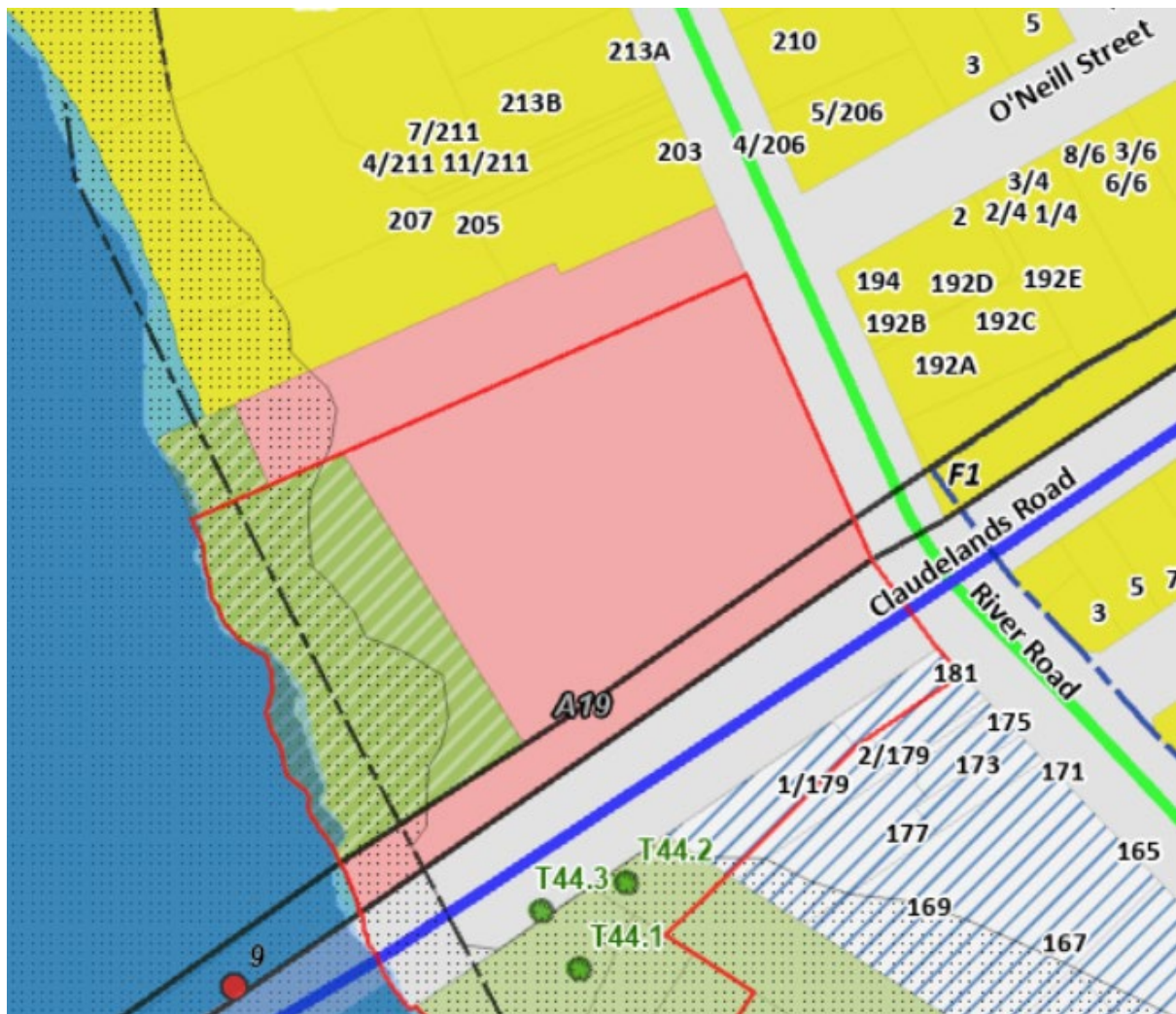
NATURAL OPEN SPACE

WAIKATO RIVER AND GULLY HAZARD

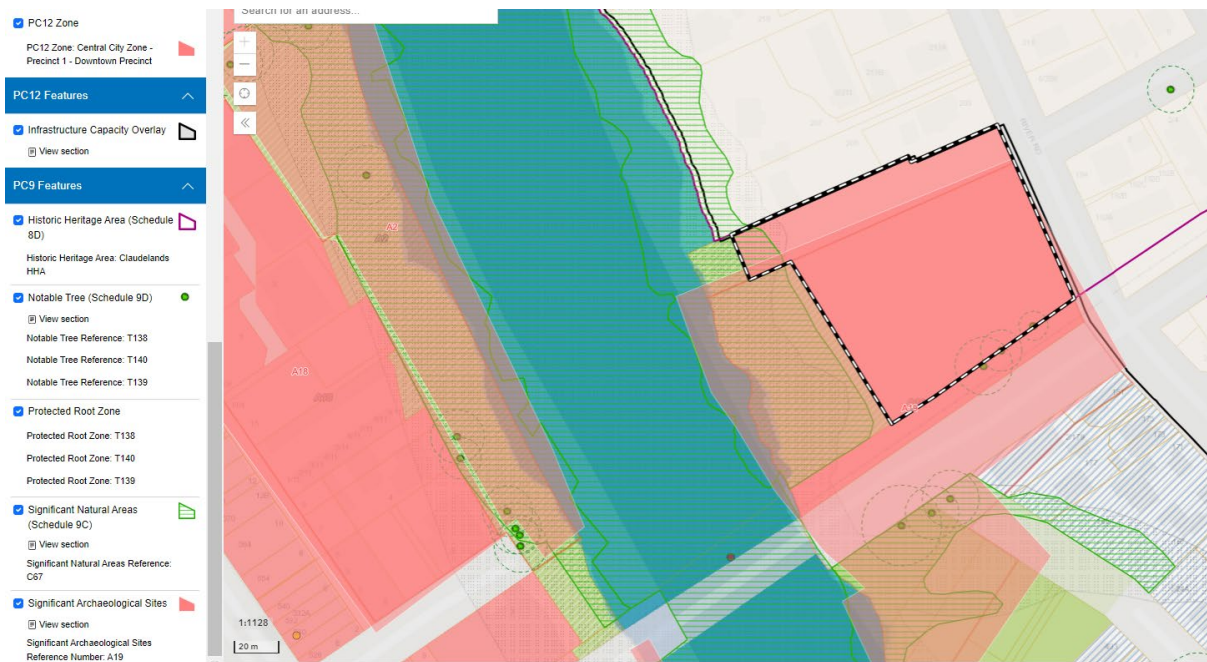
WAIKATO RIVERBANK STABILITY

SIGNIFICANT NATURAL AREA

SIGNIFICANT ARCHAEOLOGICAL AREA



FROM PROPOSED PLAN CHANGE 12





27 November 2020

Wendy O'Neill
Strategic Team Lead
Hamilton City Council

SONNING CAR PARK ARCHAEOLOGICAL RISK ASSESSMENT

2-WLASS.BL

Dear Wendy,

The following assessment advice is provided for the purposes of determining if there are pre-1900 archaeological risks to be addressed in regard to future development options for the Sonning Car Park in Hamilton East. All recommendations are made in accordance with statutory requirements.

Please note, the following information is provided for information purposes and does not constitute a full archaeological assessment for the purposes of applying for an archaeological authority. An Assessment of Archaeological Effects (AAE) specific to actual developments is recommended once proposed development plans are confirmed.

The information contained in this letter is based on a review of publicly available information and the results of a brief site visit and the accuracy of whether there are archaeological remains present on the property cannot be guaranteed. The buried nature of archaeological sites means that they may often only be found once excavation commences, even if documentary research suggests that a property is low risk. WSP accepts no liability if unanticipated remains are found.

An archaeological site is defined under the *Heritage New Zealand Pouhere Taonga Act 2014* as any place in New Zealand, including any building or structure (or part of a building or structure), that was associated with human activity prior to 1900 and may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand.

There are no statements on the cultural values of the project area nor are the view of tangata whenua represented in this assessment.

Disclaimer

This report ('Report') has been prepared by WSP exclusively for Hamilton City Council ('Client') in relation to Sonning Car Park ('Purpose') and in accordance with the IFS signed 9/1/2020. The findings in this Report are based on and are subject to the assumptions specified in the Report and IFS. WSP accepts no liability whatsoever for any reliance on or use of this Report, in whole or in part, for any use or purpose other than the Purpose or any use or reliance on the Report by any third party.

Physical Setting

The Sonning Car Park is located on the eastern bank of the Waikato River, on north side of the Claudelands Bridge in Hamilton. The Waikato River is the major geographical feature of the landscape and, for both Māori and early Europeans, was an important source of fresh water, food, and also provided a transport route. The car park area itself is asphalted and relatively flat with steep banks dropping to the river immediately to the west. The East Coast Main Trunk Railway line runs along the southern border of the project area.

A single soil type is recorded extending across the car park, comprising of Horotiu soils (Bruce 1979). Horotiu soils were often modified by pre-European Māori for gardening purposes (Gumbley and Hutchinson 2013:4-5).

Historic Background

The date of first Māori occupation of the Waikato Basin is not certain and while there is currently limited dating evidence for settlement within the Project area, investigations are beginning to build a picture of occupation for the Waikato region. Recent dates from archaeological investigations at Burns Block, Cambridge, indicate Māori occupied the site from the middle of the 15th century (Gumbley and Laumea 2017:70).

The Kirikiriroa area, in which the Project area is located, was first settled by Ngati Wairere around 1700, on the western side of the river although the boundaries of their rohe fluctuated over the years. The area had many pa including Kirikiriroa (located between London and Bryce Street), Te Rapa, Waitewhiriwhiri, Whatanoa, Te Tahuki and Pukete on the west side; Opoia, Miropiko, Waipahihi, Te Taraahi and Te Parapara on the east side (Gibbons 1977:26).

Fortified settlements (pā) have traditionally dominated the recorded archaeological landscape throughout the region with under-recording of often less visible archaeological sites associated with day-to-day living activities, for example garden areas, undefended settlements and food storage locations (Cable 2012). However, this situation has changed in recent decades with more recent development-led archaeological survey and investigations, including those undertaken as a part of the wider Waikato Expressway development.

Prior to the military settlement of the 1860s, early European settlement in the Waikato was generally confined to flax traders and mission stations. Reports from the early 1800s, particularly from the 1820s onwards, describe European goods entering the Waikato region in the form of muskets; crops such as potatoes, kūmara, maize, melons, pumpkins and marrows; as well as animals such as pigs. Descriptions from European travellers passing through the inland Waikato in the 1850s and 1860s mention crops such as maize, wheat, potatoes and kūmara growing (Gumbley and Higham 2000:6; Keith 2015). Māori became proficient and productive growers, selling their surplus to the Auckland market, transporting goods via canoes along the Waikato and Waipa Rivers (Stowers and Field 2014; O'Malley 2016).

During the 1850s, Māori became increasingly disenfranchised due to the ongoing disregard of the principals of the Treaty of Waitangi by the Government. Consequently, the King Movement (Kingitanga) began within the Waikato to protect Māori interests by Māori. By the late 1850s pressures regarding land were mounting, and disputes over land, law and sovereignty led to a full-scale Crown invasion of the Waikato lands in 1863 (O'Malley 2016).

In 1864 and 1865, Kirikiriroa was occupied by soldiers and the 4th Waikato Military regiment was sent to establish a settlement. Two main redoubts were established on each side of the Waikato River south of the Project area at Bridge Street. In 1867 the military structures were transferred to the Armed Constabulary and by the end of the decade, the administrative centre was on the western side of the river. The two sides of the river, Hamilton East and Hamilton West, were connected by punt and the outside world via government steamer, then by commercial companies. The divide between the developing settlements was eased with the 1879 construction of Union Bridge (Victoria Street) (Gibbons 1977).

From the 1880s growth in the Waikato district was facilitated by the opening of railway lines, including from Auckland to Wellington and the East Main Trunk to Tauranga. The latter of these, the East Main Trunk, first constructed in 1883, crosses the Waikato River and runs along the southern boundary of the car park. Previously reliant on a river steamer service these new transport routes allowed the easier transport of goods to markets in Auckland, Hamilton and Thames (Stowers and Field 2014; Keith 2015).

Site History of the Car Park

The earliest identified survey plan covering the car park is SO 201 (1864). The plan is annotated with "[?] Pah" in the approximate location of the car park, although there is no mention of the pa site in subsequent plans. An 1884 plan (SO 2378) shows the project area in the ownership of "Kennedy Hill". By 1905 (DP 3487), the project area is shown as being owned by E. de. C. Drury. A 1965 plan of railway realignment (SO 42918) indicates the project area as containing a student's hostel owned by H.M. the Queen.

The earliest identified aerial photograph from 1943 shows the project area to be primarily open space with a number of buildings at the river end. This continues to be the case into the 1960s. An aerial photograph from 1961 shows the construction of the new railway bridge and tie in along the southern border of the Project area. It also shows the student's hostel, as well as a couple of additional buildings and what appears to be gardens (Figure 1). Aerial plans indicate little change until the site was razed and a carpark developed between 1971 and 1974.

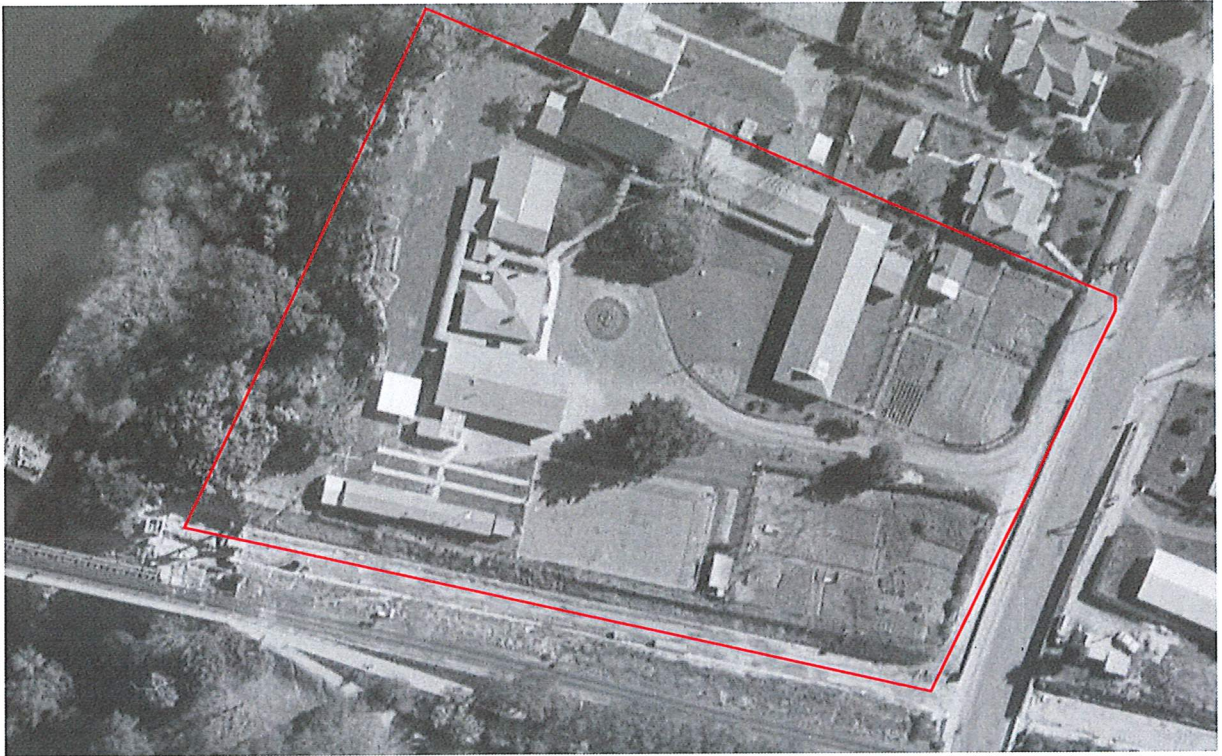


Figure 1: Aerial photograph, dated 1961, of the Project area (red box). Source: Retrolens

Previous Archaeological Work

The car park falls within the recorded extent of archaeological site S14/41, Opoia Pā, a river terrace pā at the eastern end of and bisected by the Claudelands Bridge. The site was recorded in the 1960s and described as once being a large area of Māori cultivations, later used as a Chinese market garden and now almost completely destroyed by modern developments and the construction of Claudelands Road and the railway bridge. "Old residents can remember signs of fortifications which have since disappeared" (NZAA Site Record S14/41). The area is described as that being owned partly by the railway and partly by the Girls High School Hostel.

The pā is also scheduled as a protected heritage site in the Hamilton City Operative District Plan, although the schedule refers to a location further to the south-east of the Claudelands Bridge.

Nga Tapuwae O Hotumauea (2003) identifies that Opoia Pā was settled by Maramatutahi, the eldest son of Wairere from his third wife, Tukapua. They had a son who was named Karaka ki Opoia after a sacred Karaka tree at the pā. The pā was later home to Poukawa, who led Ngati Wairere against Ngati Raukawa in the battle of Hurimoana, near Otorohonga. In this battle, Poukawa captured and killed Te Rerenga, a Ngati Wakatere Chef, and took his famous Patu Onewa.

A 2000 archaeological and cultural assessment of the Central City Riverside area by Opus International Consultants and Cultural Interface Solutions mapped the extent of Opoia Pā on both sides of Claudelands Road (Figure 2).

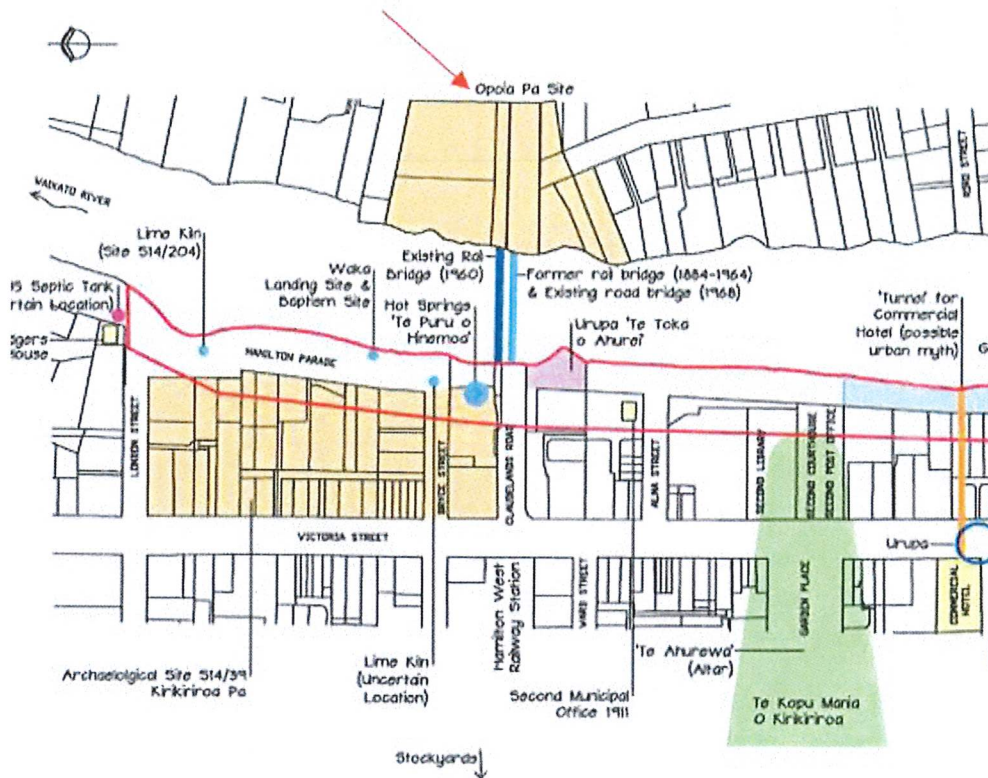


Figure 2. Portion of Summary Plans from Opus & Cultural Interface Solutions (2000) showings sites of archaeological and cultural sites.

Site Visit

A field visit was undertaken on 23rd of November 2020, by WSP Archaeologist Kirsty Potts, to assess the area of proposed work. A visual inspection of the Project area was undertaken. The majority of the Project area was unable to be fully assessed due to it being under the asphalt carpark. Exposed sections included a strip of grass alongside the western side of the property and the various garden areas within the carpark.

It appears that the methodology for the installation of the carpark was to remove 200 – 300 mm of topsoil and overlay at that level with gravel and asphalt. The older trees on the property are visible in the 1940s and 1960s aerial photographs. These trees with grass surrounds and the grass strip to the west appear to be the original ground level. Inclusions of sand, gravel and charcoal were noted within an exposed topsoil across the property. These soils were consistent with culturally modified soils / pre-European Maori gardening soils. A pre-1910 house was also noted next door to the Project area and attests to the historic use of the wider area.

These observations indicate that there is risk of intact archaeological material along the western edge of the project area and in the grassed garden areas (Figure 3). It is likely that the development of the carpark has truncated the site across the remainder of the Project area. However, there remains risk that deeper archaeological features remain intact below the carpark.



Figure 3. Results of site visit 23/11/2020, showing areas of high archaeology risk (red), where intact archaeological remains are highly likely and moderate archaeological risk (yellow), where the archaeology is likely to have been disturbed.

Discussion and Recommendations

Any modification of open ground or below the carpark has risk of modifying archaeology. It will be a legal requirement to have an active Archaeological Authority in place from Heritage New Zealand Pouhere Taonga prior to commencing any ground disturbance. It is recommended that any future development should avoid the more intact high archaeology risk areas identified during the site visit. Heritage New Zealand Pouhere Taonga and the relevant tangata whenua should also be contacted in advance to discuss the impact of any development proposals.

The following recommendations are made in this report:

- An Archaeological Authority should be sought for any proposed ground disturbance in the car park because of the potential for encountering buried archaeological remains.
- Development proposals should take into account avoiding the more intact high risk areas identified in the site visit where there is a high expectation of encountering intact archaeological remains.
- Heritage New Zealand Pouhere Taonga and the relevant tangata whenua groups should be contacted in advance to discuss any development proposals.

References

1961 Aerial Photograph. Accessed via Retrolens.

Bruce, J. G. 1979. "Soils of Hamilton City, North Island, New Zealand." Soil Survey report 31, NZ Soil Bureau, Wellington.

Cable, N. 2012. "Southern Links Scheme Assessment Report: Archaeological Assessment." Report prepared for Waka Kotahi NZ Transport Agency and Hamilton City Council. Opus International Consultants Ltd, Hamilton.

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Whitcoulls Limited, Christchurch Gumbley & Higham 2000

Gumbley, W and M.G. Hutchinson 2013. "Pre-European Māori Garden Sites in Waipa District: An assessment of the state. Hamilton."

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Gumbley, W., and M. Laumea. 2017. Archaeological Report for Sites S15/639, S15/641 and S15/757 Lot 3 DPS 90315. Unpublished report.

Keith, S. 2015. "Hamilton City River Plan: Desktop Archaeological Assessment." Unpublished report for Hamilton City Council

"Nga Tapuwae O Hotumauea - MAORI LANDMARKS ON RIVERSIDE RESERVES Management Plan." 2003. Unpublished report prepared by Hamilton City Council and Nga Mana Toopu O Kirikiriroa Limited (NaMTOK), Hamilton

NZAA Site Record Form S14/41. New Zealand Archaeological Association ArchSite Database.

O'Malley, V. 2016. *The Great War for New Zealand Waikato 1800-2000*. Bridget Williams Books, Hamilton.

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Stowers, R. and K. Field. 2014. *Waipa. Home of Champions. Celebrating 150 Years. Te Awamutu: Waipa Community Charitable Trust*.

Survey Office Plan SO 201. 1864. LINZ Archives.

Survey Office SO 2378. 1884. LINZ Archives.

Survey Office SO 42918. 1965. LINZ Archives.

Regards,

Kirsty Sykes
Archaeologist
021 243 2899

Documentary History and Status

	NAME	DATE	SIGNATURE
Prepared by:	Kirsty Sykes	20/11/2020	<i>K Sykes</i>
Reviewed by:	Nicholas Cable	26/11/2020	<i>N Cable</i>