

BEFORE THE HEARING COMMISSIONER

**IN THE
MATTER OF**

**The Resource Management Act
1991 (the Act)**

AND

**IN THE
MATTER OF**

**Waikato District Council Proposed
District Plan:
Hearing 25-Rezoning Requests-
Matangi.**

**REBUTTLE EVIDENCE OF CAROLYN ANNE MCALLEY FOR AND ON BEHALF OF
HERITAGE NEW ZEALAND POUHERE TAONGA**

1. INTRODUCTION

- 1.1 My name is Carolyn Anne McAlley. I hold the qualification of a Bachelor of Planning degree from Auckland University. I have over 20 years planning experience in local and regional government, in consenting, implementation and policy-based roles.
- 1.2 I authored the HNZPT initial response dated 10 March 2021 to the Rezoning requests- Matangi Dairy factory, and the rebuttal evidence dated 03 May 2021.
- 1.3 I do not repeat the information contained in sections 1.2-1.4 and section 3 of the 10 March response and request this is taken as read.
- 1.4 With regard the revised HNZPT extent of setting diagram attached at Appendix 1 of this statement I rely on the expert advice of HNZPT Senior Conservation Architect Robin Byron who is available today to answer any queries that you have.
- 1.5 With regard the associated rule framework /body of work related to settings from the Historic heritage hearing, I consider that there would be benefit in being appraised of where this piece of work is at and how it relates to this discussion.

2. HNZPT RESPONSE TO THE REBUTTAL REPORT

Scope and Background

- 2.1 The matters I wish to respond to from the Rebuttal Evidence of Betty Connelly dated 10 May 2021 are:
 - Para-31-36 relating to the “extent of setting diagram” that will pertain to the Historic Heritage rules for site development that will become part of the Zone, should it be approved. The reporting planner had developed an “extent of setting” diagram and advises that she *“does not consider that HNZPT have provided any evidence to make me consider the extent of the heritage setting and recommend that the diagram remains the same.”*¹
 - Para 37-42-Policy related to heritage as part of the Mixed-use Zone.
- 2.2 HNZPT continues to acknowledge the heritage significance of the whole Dairy factory site and its unique collection of buildings that captures the progress of the Dairy industry over time in New Zealand. At this time only the Glaxo building is listed with HNZPT, with the **Highland Condenser** building being nominated for listing. This will go some way to recognize the rich history of the site. With regard the owners interest to relocate older buildings to the site, HNZPT wants to ensure that these do not detract from the heritage integrity of the Dairy Factory buildings and that there is a clear

¹ WDC Council rebuttal Evidence-Betty Connelly 10 May 2021

understanding for those administering the plan that the primary and significant heritage values of the site are those of the Dairy Factory buildings. However, HNZPT continues to support *“the change of zoning to mixed use as it will assist in enabling and facilitating the adaptive re-use of the buildings on the site, so that they can be made functional, appreciated, and cared for into the future”*².

Response - *Setting of extent diagram*

- 2.3 HNZPT (Carolyn McAlley and Robin Byron) conducted a site visit in relation to the matter of the extent of setting diagram on Wednesday 26th May 2021. While still preferring the more extensive “extent of setting” diagram submitted by HNZPT in their original evidence, HNZPT are willing to offer a revised version of the extent of setting diagram put forward by Ms. Connelly, that they now consider represents the minimum requirements for a setback from the subject building. Any new building within the setback should be assessed for its impact on heritage values.
- 2.4 This revised proposal is included at Appendix 1 to this statement together with a supporting statement from the HNZPT conservation architect Ms. Byron as to how the revised extent of setting better provides for the protection of the heritage values of the Glaxo building than the diagram put forward by the Ms. Connelly.
- 2.5 Ms. Byron makes the following comments: *“With the Waikato District Council’s proposed extents diagram in mind, and in view of the scale and dominance of the Glaxo Building, Heritage New Zealand considers that a slightly larger extent than that proposed would ensure that the open visual access to the building it needs is maintained and given the scale of the building provide greater ‘breathing space’”*³. In summary, and with the benefit of the site visit, the revised HNZPT extent of setting diagram enlarges the extent of setting proposed by Ms. Connelly, by:
- (on the left-hand side looking from the street) pushing out to the edge of the Evaporator and Spray Drier buildings,
 - includes the green area behind the Spray drier building, and
 - also includes an additional area directly behind the Glaxo building.
- 2.6 Ms. Byron describes the reasons for these extensions as follows: *“The widened area of the extent at the entry end of the site would have the effect of maintaining better physical and visual openness around the significant oblique approach to the Glaxo Building and site. Any potential new construction that might be conceived for the site or relocated structure between the Council proposed boundary and the Evaporator and Spray Dryer Building would crowd and hinder this important aspect. Equally, to the side and rear of the Glaxo building, maintaining ample open space is needed for a building the size of the Glaxo Building to be set off and appreciated. Any potential structure constructed or located along the perimeter of the current proposed boundary would not in my view maintain enough area around the Glaxo Building to set it off and would*

² HNZPT conservation architect Robin Byron, email comms to C McAlley, 27/04/2021

³ HNZPT conservation architect Robin Byron, email comms to C McAlley, 31/05/2021

effectively feel like it was crowding in on it. Moreover, we understand from the owner that the intent in the on-going and future revitalisation of the site is to maintain open areas at the front and the rear of the Glaxo Building which our diagram reflects”.

- 2.7 However, HNZPT continues to reserve any further comments until they can receive guidance from the Panel as to the status of this discussion regarding extent of setting and the pending work being undertaken by the Council, including both the extent of setting diagrams and the associated rule framework. HNZPT is assuming that all new and relocated buildings would be assessed within the extent of setting.

Response-Heritage related text-Introduction and Policies

Heritage related text-Introduction

- 2.8 HNZPT welcomes the recommendations from Ms. Connelly, discussed at para 37-38 of the Rebuttal report, where she recommends supporting the following changes sought by HNZPT (Underline addition and deletion ~~striketrough~~):

“The site includes a HNZPT ~~registered-listed~~ building, no 4935 which is also registered under the Waikato District Plan”

Heritage related Policies - Policy MUZ-P5-High Quality Urban Form

- 2.9 Despite the earlier amendment sought by HNZPT, HNZPT is willing to accept the recommendation from Ms. Connelly (paras 41/42 of the rebuttal report) regarding this policy (Underline addition and deletion ~~striketrough~~):

“d. Development addresses, responds and is sympathetic, while not detracting from the heritage values and integrity of the site.”

Heritage related Policies - Policy MUZM-P1-Range of activities

- 2.10 Previously HNZPT have sought the following changes to this policy (Underline addition and deletion ~~striketrough~~):

“(f) Maintain the heritage values of the buildings and surrounds through the appropriate repurposing and reusing of existing buildings. ~~where possible.~~”

- 2.11 In relation to the changes sought to this policy, HNZPT is supportive of the adaptive reuse of heritage buildings as this ensures the buildings longevity. However, the adaptive reuse needs to be undertaken in a manner that retains heritage values and the changes sought to the policy reflect this interest. For the reasons outlined in the previous evidence HNZPT continues to seek the above changes to the policy.

3. CONCLUSIONS

- 3.1 The RMA requires that the protection of historic heritage as a Matter of National Importance. As subdivision, use and development have the potential to significantly detract from historic heritage, it is important that the Plan limit the potential for adverse effects to occur.
- 3.2 I seek that the amendments as sought by HNZPT in this statement be retained at the time of the decision making.
- 3.3 Both I and Ms. Byron can answer any questions that you have relating to this statement.

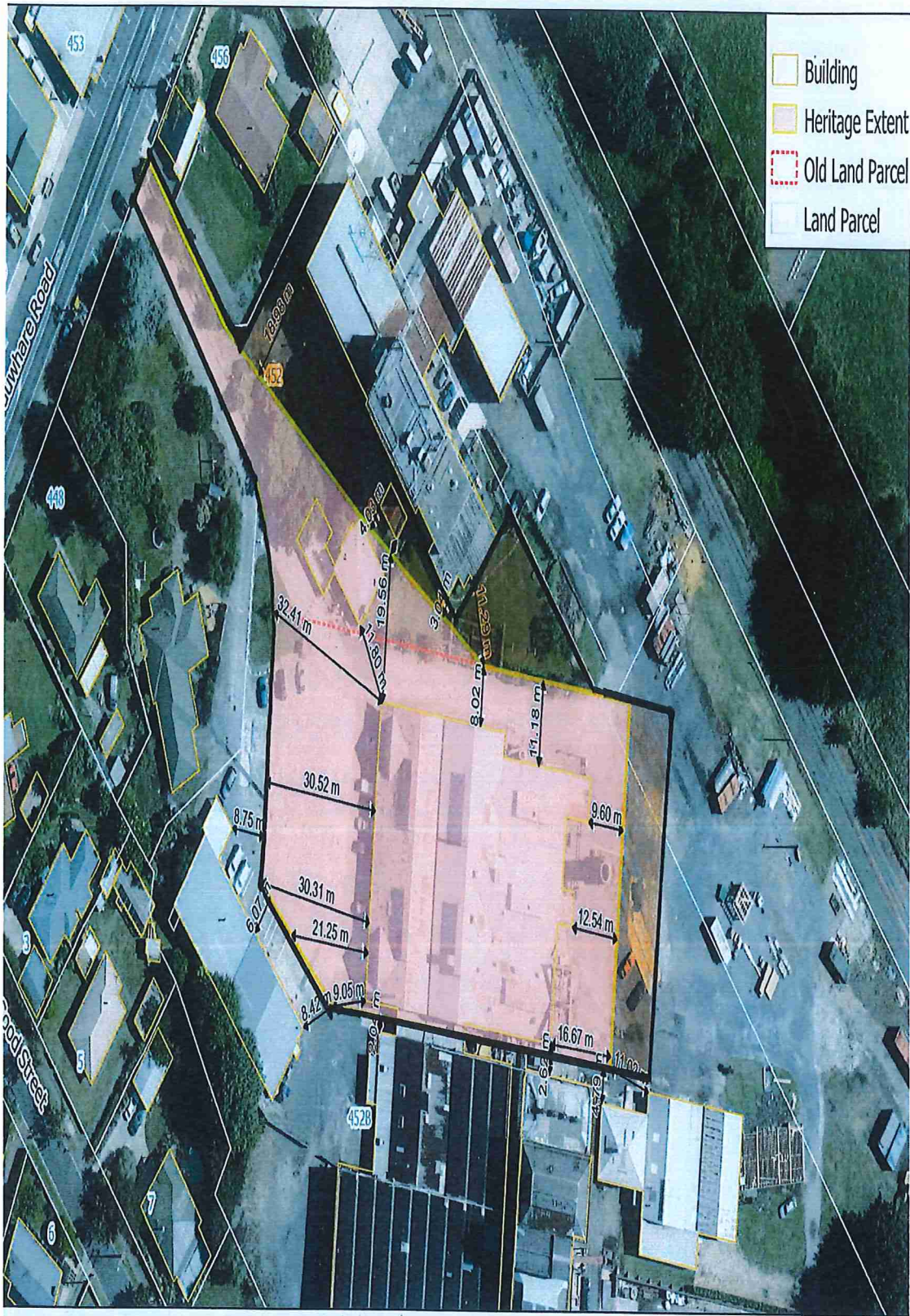


Carolyn McAlley

For Heritage New Zealand Pouhere Taonga

01 June 2021

Appendix 1 – Proposed (revised) extent of setting for Matangi Dairy Factory Building and HNZPT Senior Conservation Architect statement supporting the proposed changes.



HNZPT Senior Conservation Architect statement supporting the proposed changes

“Following a site visit to the Matangi Dairy Factory site on 26 May, it was striking what a large commanding structure the Glaxo Building is at the centre of the site complex. (It appeared much more so than appreciated from photographs and site plans).

With the Waikato District Council’s proposed extents diagram in mind, and in view of the scale and dominance of the Glaxo Building, Heritage New Zealand considers that a slightly larger extent than that proposed would ensure that the open visual access to the building it needs is maintained and given the scale of the building provide greater ‘breathing space’. See amended proposed Matangi Dairy Factory Heritage Site diagram.

The widened area of the extent at the entry end of the site would have the effect of maintaining better physical and visual openness around the significant oblique approach to the Glaxo Building and site. Any potential new construction that might be conceived for the site or relocated structure between the Council proposed boundary and the Evaporator and Spray Dryer Building would crowd and hinder this important aspect. Equally, to the side and rear of the Glaxo building, maintaining ample open space is needed for a building the size of the Glaxo Building to be set off and appreciated. Any potential structure constructed or located along the perimeter of the current proposed boundary would not in my view maintain enough area around the Glaxo Building to set it off and would effectively feel like it was crowding in on it. Moreover, we understand from the owner that the intent in the on-going and future revitalisation of the site is to maintain open areas at the front and the rear of the Glaxo Building which our diagram reflects.

Heritage New Zealand would like to point out that it prefers the diagram which we submitted in evidence which constrains any re-located buildings to the areas as indicated on the site, but in view of considering the setting for the Glaxo Building alone, we propose the revised extent of setting as shown on the modified diagram which was produced by Council.”

Robin Byron, 31/05/2021

