



HERITAGE NEW ZEALAND  
POUHERE TAONGA

29 June 2023

Waikato District Council  
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Tēnā koe,

**HERITAGE NEW ZEALAND POUHERE TAONGA – LETTER TO BE TABLED FOR VARIATION 3 - ENABLING HOUSING SUPPLY HEARING**

**To:** Hearings Panel for Variation 3, Enabling Housing Supply, Waikato District Council Proposed District Plan.

**Name of submitter:** Heritage New Zealand Pouhere Taonga.

1. Heritage New Zealand Pouhere Taonga is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation and conservation of New Zealand's historic heritage.

**This is a letter to be tabled for the hearing on the s42A report on Variation 3, Enabling Housing Supply to the Proposed Waikato District Council District Plan.**

2. Heritage New Zealand Pouhere Taonga (HNZPT) lodged a submission on Variation 3 to the proposed Waikato District Council District Plan (the Plan). Through its submission, HNZPT supported the following provisions being retained as notified: SD-P2, and SUB-P23 and qualifying matters 318-Corner of Eyre Street and Broadway-the Point, Scheduled historic heritage items in the 4 Growth Towns, the Huntly Railway Cottages in Harris Street and Te Ture Whaimana o Te Awa Waikato-the Vision and Strategy for the Waikato River. HNZPT sought the retention and amendments to the following Objective, policies and standards: SUB3-P3, Purpose section of MRZ2, MRZ2-05, MRZ2-P6, MRZ2-S2, MRZ2-S3, MRZ2-S4, and MRZ2-S5.

HNZPT has reviewed and considered the s42A report prepared by Fiona Hill, Karin Lepoutre and Bessie Clarke for this hearing. HNZPT is generally supportive of the recommendations made by the authors and comments further on these provisions below, with additions underlined and deletions ~~struck through~~.

**General Support for Variation 3-MRZ-O2 (Submission point 28.1) & General consideration of qualifying matters (Submission point 28.2)**

3. HNZPT submitted in support of the wording of SD-P2-Medium Density Residential Standards, as notified, given its statement around qualifying matters as a reason to not apply the MDRS.

HNZPT also made a general submission point relating to the Plan needing to provide enhanced consideration of the matter of qualifying matters.

4. The S42A authors have recommended no change to the wording of this policy, and as such HNZPT remains supportive of the policy. With regard the general consideration of qualifying matters this is accepted in part as not all of HNZPT submission points have been accepted as per the below discussion. HNZPT accepts this approach.

#### **Subdivision-SUB-P3 (Submission point 28.4)**

5. HNZPT submitted requesting an amendment to this Policy to include consideration of qualifying matters at the time of subdivision, with the inclusion of the wording "except in the instance of qualifying matters".
6. The S42A authors have recommended accepting this submission point, however, have recommended that the wording is revised to align with similar text elsewhere in the Plan, such that the amendment would read "except where there is a relevant qualifying matter". HNZPT agrees with this wording change.

#### **Subdivision-SUB-P23 (Submission point 28.5)**

7. HNZPT submitted seeking the retention of this policy as it relates to the consideration of qualifying matters at the time of subdivision.
8. The S42A authors agree that this policy should be retained and recommends that the submission point is accepted.

#### **Area Specific matters-MR22-Medium Density Residential Zones-Purpose statement (Submission point 28.6)**

9. HNZPT opposed in part the purpose statement as they considered that it should make reference to qualifying matters and submitted relevant wording.
10. The S42A authors have recommended accepting the submission point, however there is different wording, as this accommodates the submission point/s of both HNZPT and other submitters making a similar request. NZPT agrees with the S42A authors recommended wording, which includes a bullet point list of qualifying matters, which HNZPT considers makes it clear to Plan users the nature and extent of qualifying matters.

#### **District Plan Objectives and Policies-Non-Mandatory Objectives/Policies: Qualifying Matters-MR22-05 (Submission point 28.7) & Qualifying Matters-MR22-P5 (Submission point 28.8)**

11. HNZPT submitted requesting amendments to this Objective and Policy to make references to the retention of the values of qualifying matters at the time of new builds.
12. The s42A authors recommend rejecting these submissions, stating that the purpose of the objective and policy is to advise that the MDRS provisions may not be achievable due to the need to recognise qualifying matters and that other parts of the Plan speak to the retention of these values at the time of development, for example the rules relating to scheduled historic heritage. HNZPT accepts this reasoning.

#### **Matters of Discretion: Retain the Matters of Discretion (Submission point 28.3) and amend MRZ-S2-Height (Submission point 28.9), MRZ-S3-Height in relation to boundary (Submission point 28.10), MRZ-S4-Setbacks (Submission point 28.11), and MRZ-S5-Building Coverage (Submission point 28.12)**

13. HNZPT submitted to retain the existing matters of discretion and include an additional matter of discretion for these development standards related to the infringement detracting from the recognised values of any qualifying matters located on adjacent sites.

14. With the exception of submission point 28.12, the S42A authors have recommended these provisions be retained as notified as they consider that the assessment criteria already provide for the consideration of impacts on adjacent sites with regard privacy, shading and overlooking and this would include assessment of the impacts on heritage values as part of that. HNZPT agrees with this reasoning. With regard submission point 28.12 related to building coverage, HNZPT welcomes the inclusion of an amended matter of discretion: “(c) *Effects on the planned urban built character and any qualifying matter of on the surrounding residential area*”.

**Retention/Continuing recognition of Qualifying matters: Historic Heritage items already scheduled in the Plan: Items within the 4 Growth towns (Submission point 28.13) & the Huntly Railway Cottages in Harris Street, Huntly (Submission point 28.14), and Te Ture Whaimana o Te Awa Waikato-the Vision and Strategy for the Waikato River (Submission point 28.15)**

15. HNZPT submitted that the above items were retained as qualifying matters in the Plan, with the s42A authors advising that this would be the case. HNZPT accepts these recommendations.

### **Conclusion**

16. HNZPT supports the amendments to the above provisions as recommended in the s42A report Variation 3 – Provisions. Given HNZPT is in general support of the planner’s recommendations, HNZPT does not consider it necessary to be heard at the hearing.

17. Should the Hearings Panel require clarification or wish to discuss the above matters further, please contact HNZPT via the address for service below.

Ngā mihi



**Ben Pick**  
**Area Manager, Lower Northern Office**

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