



HERITAGE NEW ZEALAND
POUHERE TAONGA

29/09/2022

File ref: LAO62

Garry Dyet
Chief Executive
Waipa District Council
Private Bag 2402
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Tēnā koe Garry,

**SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA TO WAIPA DISTRICT COUNCIL PLAN
CHANGE 26-RESIDENTIAL ZONE INTENSIFICATION**

To: Waipa District Council

Name of submitter: Heritage New Zealand Pouhere Taonga

1. Heritage New Zealand Pouhere Taonga (HNZPT) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 for the identification, protection, preservation, and conservation of New Zealand's historical and cultural heritage. HNZPT is New Zealand's lead historic heritage agency. The Heritage New Zealand Pouhere Taonga Act 2014 protects both recorded and unrecorded archaeology.
2. The Resource Management Act requires that the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga, and the protection of historic heritage should be *recognised and provided for* as a Matters of National Importance-Section 6(e) & (f). As subdivision, use and development have the potential to significantly detract from these matters, it is important that any changes to the Plan limits the potential for adverse effects to occur.
3. Heritage New Zealand Pouhere Taonga could not gain an advantage in trade competition through this submission.
4. This is a submission to Plan Change 26 by the Waipa District Council. Waipa District Council advises that;
 - *“Proposed Plan Change 26-Residential Zone Intensification is a mandatory Intensification Planning Instrument required to introduce new medium density residential standards (“standards”) into the Operative Waipa District Plan.*
 - *The proposed Plan Change:*
 - (a) *Will enable up to three, three storey residential units to be built in residential zones in Te Awamutu, Kihikihi and Cambridge without the need to obtain resource consent, if all the standards are met.*

- (b) Modifies the standards where qualifying matters apply, such as cultural and heritage sites, and Te Ture Whaimana o Te Awa o Waikato.*
- (c) Updates the character cluster overlays to include new properties.*
- (d) Updates the financial contributions.*
- (e) Includes consequential amendments.”*

5. HNZPT supports in part proposed Plan Change 26. The specific parts of this Plan Change that the HNZPT’s submission relates to are:

- Recognising and supporting the intention to acknowledge qualifying matters that include existing scheduled historic heritage and some new qualifying matters that include extensions to the character clusters and new character clusters, while seeking improved acknowledgement of qualifying matters within the residential zones assessment framework to provide for improved and integrated consideration of historic heritage.

6. HNZPT’s submission is:

As per the submission points within Appendix 1 attached to this submission.

7. The reasons for HNZPT’s position are as follows:

As per the submission points within Appendix 1 attached to this submission.

8. HNZPT seeks the following decision:

As per the submission points within Appendix 1 attached to this submission.

9. HNZPT does wish to be heard in support of our submission.

Nāku noa, nā

pp. 

Sherry Reynolds,
Director Northern

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Attachment: Appendix 1 - Submission points table of HNZPT to PC 26

Appendix 1

Submission points of Heritage New Zealand Pouhere Taonga to Plan Change 26 to the Operative Waipa District Council District Plan

(Strike: ~~abc~~ =delete and underline: abc = addition) WDC = Waipa District Council

Draft Proposed Plan: Part & provision number	Support or Oppose	Reasons for submission	Relief sought
2.2 Section 1- Strategic Policy Framework			
1.2 Resource Management Issues 1.3.2.2 Policy Towns	Support	<p>HNZPT is supportive of the proposed amendment to Policy 1.3.2.2 (b):</p> <p><i>“To provide for a consolidate settlement pattern by ensuring that new urban activities are focused within the urban limited of the towns of the district and in particular:</i></p> <p><i>(a).....</i></p> <p><i><u>(b) To provide for medium density residential development in relevant in relevant residential zones located within the urban environs of Cambridge, Kihikihi and Te Awamutu, except where qualifying matters require modification of the medium density residential standards”</u></i></p> <p>as it contains a direct reference to “qualifying matters,” given that they can be considered as an exemption to the intensity and design requirements of development on certain sites and are included as part of this chapter. The introduction of “qualifying matters” will enable the Plan to provide for the RMA matters of national importance found at s6(e): the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga: and s6(f): the protection of historic heritage from inappropriate subdivision, use, and development.</p>	That 1.3.2.2 is retained.
21.1.2 Residential Zone			
Restricted Discretionary Activities 21.1.2.5 Character Clusters	Support in part	<p>HNZPT supports in part the amended rule and assessment criteria for the character clusters as follows:</p> <p><i>“21.1.2.5-Character Clusters-Construction of new buildings, relocated dwellings and <u>demolition of</u> or alterations or additions to existing buildings.</i></p> <p><i>Assessment criteria (b)</i></p> <p><i>The extent to which the new building, alterations or additions to an existing building or <u>demolition of a building</u> contributes or detracts from the character cluster statements in Appendix DG1”</i></p>	<p>That Rule 21.1.2.5 and associated assessment criteria, including proposed assessment criteria (b) are retained subject to the following amendment to 21.1.2.5:</p> <p><i>“21.1.2.5-Character Clusters-Construction of new buildings, relocated dwellings <u>and removal or</u></i></p>

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Rule and Assessment Criteria		as HNZPT is concerned that the residential policy and associated assessment criteria does not cover “ <i>removal</i> ,” which has been included in the similar policy under the Medium Density Residential Policy Zone. The removal of a recognised character house from a character cluster, which presumes its replacement, has the potential to detract and cause adverse effects on the overall nature and integrity of the cluster. Therefore, HNZPT considers that “ <i>removal</i> ” should be included into this policy to enable it to be considered and assessed as part of a resource consent application.	<u>demolition of or alterations or additions to existing buildings.”</u> and Assessment criteria <i>The extent to which the new building, alterations or additions to an existing building or demolition or removal of a building contributes or detracts from the character cluster statements in Appendix DG1”</i>
21.1.2A Medium Density Residential Zone			
21.1.2A.4 Restricted Discretionary Activities	Support	HNZPT supports the new rule; <u>“21.1.2A.4-Character Clusters-Construction of new buildings, relocated building and, removal or demolition of or alterations or additions to existing buildings.”</u> HNZPT supports the proposed activity to be assessed as part of the Medium Density Residential Zone. This policy covers the full range of matters that should be assessed as they all have the potential to cause adverse effects on the cohesive nature of the character cluster.	That the new activity 21.1.2A.4 is retained.
21.1.2A.4 Restricted Discretionary Activities, Assessment Criteria	Support	HNZPT supports the wide range of assessment criteria for activities related to character clusters in the medium density zones. HNZPT supports the proposed assessment criteria required to assess matters as part of the Medium Density Residential Zone. These assessment criteria appear to cover the full range of matters that should be assessed at the time of proposed works on a character cluster.	That the assessment criteria (a)-(l) are retained.
21.1.2A.5 Activity	Support in part	HNZPT supports the wide range of assessment criteria for sites where there are more than three dwellings within the Medium Density Residential Zone. HNZPT is particularly supportive of the assessment criteria that gives regard to the impacts of the proposed	That the assessment criteria are retained and amended with the addition of a new assessment criteria, as follows:

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More than two dwellings per site within the Infrastructure Constraint Qualifying Matter Overlay or more than three dwellings per site outside the infrastructure Constraint Qualifying Matters Overlay Restricted Discretionary Activities, Assessment Criteria		<p>development on adjacent sites. This is an important consideration as the new levels of more intensive development has the potential to cause a wide range of adverse effects.</p> <p>However, HNZPT considers that the Plan should specifically consider the impacts of the more intensive development on any adjacent sites that may contain the historic heritage-cultural, archaeological, or built, and character clusters. It maybe that the more intensive development results in overlooking of a culturally important site or creates a dominant effect on a built heritage site, character cluster, an archaeological site and so on. The Plan needs a framework to acknowledge this matter, and enable mitigation as required in an integrated manner. Reliance on the historic heritage rules is not sufficient to mitigate these types of effects. This framework would also enable the Plan to better provide for cultural and historic heritage landscape which is often spread across several sites.</p> <p>HNZPT acknowledges the existing controls in the Plan related to the overlooking of Marae and the setback on adjacent sites a required for those sites adjacent to a Category A built heritage, however, acknowledges that a greater consideration should be given to all types of historic heritage.</p>	<u>(u) The extent to which development is compatible and does not detract from the values of adjacent historic heritage or character cluster sites."</u>
21.1.2A.6 Restricted Discretionary Activity, Assessment Criteria; Building Height	Support in part	HNZPT supports the wide range of assessment criteria for sites where there are more than three dwellings within the Medium Density Residential Zone. HNZPT is particularly supportive of the building height assessment criteria that gives regard to the impacts of the proposed development on adjacent sites. This is an important consideration as the new levels of more intensive development has the potential to cause a wide range of adverse effects.	<p>That the building height assessment criteria are retained and that (c) and (d) are amended as follows:</p> <p><i>"(c) Whether consistency has been achieved with respect of the appearance and design of the development with the character <u>and values</u></i></p>

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		However, HNZPT considers that the Plan should specifically consider the impacts of the more intensive development on any adjacent sites that may contain the historic heritage-cultural, archaeological, or built, and character clusters. It maybe that the more intensive development results in overlooking of a culturally important site or creates a dominant effect on a built heritage site, character cluster, an archaeological site and so on. The Plan needs a framework to acknowledge this matter, and enable mitigation as required in an integrated approach. Reliance on the historic heritage rules is not sufficient to mitigate these types of effects. This framework would also enable the Plan to better provide for cultural and historic heritage landscape which is often spread across several sites.	<i>of the area, including existing buildings on site and adjoining sites. (d) the degree to which shading, loss of daylight, amenity values and privacy affect the adjoining properties, <u>including any historic heritage or parts of a character clusters on adjoining properties.</u></i>
21.1.2A.7 Restricted Discretionary Activity, Assessment Criteria; Height in Relation to Boundary	Support in part	<p>HNZPT supports the wide range of assessment criteria for sites where there are more than three dwellings within the Medium Density Residential Zone. HNZPT is particularly supportive of the height in relation to boundary assessment criteria that gives regard to the impacts of the proposed development on adjacent sites. This is an important consideration as the new levels of more intensive development has the potential to cause a wide range of adverse effects.</p> <p>However, HNZPT considers that the Plan should specifically consider the impacts of the more intensive development on any adjacent sites that may contain the historic heritage-cultural, archaeological, or built, and character clusters. It maybe that the more intensive development results in overlooking of a culturally important site or creates a dominant effect on a built heritage site, character cluster, an archaeological site and so on. The Plan needs a framework to acknowledge this matter, and enable mitigation as required in an integrated approach. Reliance on the historic heritage rules is not sufficient to mitigate these types of effects. This framework would also enable the Plan to better provide for cultural and historic heritage landscape which is often spread across several sites.</p>	<p>That the height in relation to boundary assessment criteria are retained and (a) is amended as follows”</p> <p><i>(a) the degree to which shading, loss of daylight, amenity values and privacy affect the adjoining properties, <u>including any historic heritage or character clusters on adjoining properties.</u></i></p>

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21.2.2A.8 Restricted Discretionary Activity, Assessment Criteria; Setbacks	Support in part	<p>HNZPT supports the wide range of assessment criteria for sites where there are more than three dwellings within the Medium Density Residential Zone. HNZPT is particularly supportive of the assessment criteria related to setbacks that gives regard to the impacts of the proposed development on adjacent sites. This is an important consideration as the new levels of more intensive development has the potential to cause a wide range of adverse effects.</p> <p>However, HNZPT considers that the Plan should specifically consider the impacts of the more intensive development on any adjacent sites that may contain the historic heritage-cultural, archaeological, or built, and character clusters. It maybe that the more intensive development results in overlooking of a culturally important site or creates a dominant effect on a built heritage site, character cluster, an archaeological site and so on. The Plan needs a framework to acknowledge this matter, and enable mitigation as required in an integrated manner. Reliance on the historic heritage rules is not sufficient to mitigate these types of effects. This framework would also enable the Plan to better provide for cultural and historic heritage landscape which is often spread across several sites.</p>	<p>That the assessment criteria are retained, and a new assessment criterion (k) is included as follows;</p> <p><u>(k) The extent to which development is compatible and does not detract from the values of adjacent historic heritage or character clusters sites."</u></p>
21.1.2A.9 Restricted Discretionary Activity, Assessment Criteria; Building coverage	Support in part	<p>HNZPT supports the wide range of assessment criteria for sites where there are more than three dwellings within the Medium Density Residential Zone. HNZPT is particularly supportive of the building coverage assessment criteria that gives regard to the impacts of the proposed development on adjacent sites. This is an important consideration as the new level of more intensive development has the potential to cause a wide range of adverse effects.</p> <p>However, HNZPT considers that the Plan should specifically consider the impacts of the more intensive development on any adjacent sites that may contain the historic heritage-cultural, archaeological, or built, and character clusters. It maybe that the more intensive development results in overlooking of a culturally important site or creates a dominant</p>	<p>That the assessment criteria are retained, and assessment criteria (e) is amended as follows:</p> <p>(e) The extent to which increased site coverage would adversely affect adjoining properties, <u>including historic heritage and character cluster sites</u>, in terms of dominance of building, loss of privacy, access to sunlight and daylight</p>

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		effect on a built heritage site, character cluster, an archaeological site and so on. The Plan needs a framework to acknowledge this matter, and enable mitigation as required. This framework would also enable the Plan to better provide for cultural and historic heritage landscape which is often spread across several sites.	
21.1.2A.28 Discretionary Activities within Heritage Items listed in Appendix N1 Assessment Criteria	Support in part	HNZPT supports in part the assessment criteria (a), however considers that wording should be amended to better address the retention of historic heritage values at the time of an activities within heritage items, rather than “ <i>heritage character</i> ” which does not encapsulate the correct matters. HNZPT is also concerned at the use of the word “ <i>enhance</i> ” as this has no meaning in the context of historic heritage and should be deleted.	That the assessment criteria are retained, and assessment criteria (a) is amended as follows; (a) “ <i>The extent to which the historic heritage character values is <u>are</u> maintained and enhanced.</i> ”
21.1.2A.30 Discretionary Activities Dwellings adjoining Marae	Support	HNZPT supports the assessment criteria (a): (a) <i>The extent to which the location, orientation and design of the dwelling provides for the visual, aural, and cultural privacy of the adjoining Marae.</i> As this assessment criteria will assist the Plan to provide for the RMA matters of national importance found at s6(e): the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.	That the assessment criteria (a) for activity 21.1.2A.30 is retained.
21.1.15 Subdivision in the Medium Density Residential Zone, Restricted Discretionary	Support in part	HNZPT supports in part only the assessment criteria that relate to the consideration of historic heritage and character clusters at the time of subdivision in the Medium Density Residential Zone, as follows: “(l) <i>The extent to which the subdivision may affect the surroundings of a listed heritage items.</i> ” and	That assessment criteria (l) and (s) are retained, and (l) amended as follows: “(l) <i>The extent to which the subdivision may affect the surroundings, <u>or values</u> of a listed heritage items.</i> ” and

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Activity Assessment Criteria (l) and (s)		<p><i>(s) The extent to which the development will affect the archaeological resource of the District."</i></p> <p>Heritage items, and the districts archaeological resource are all finite resources. There is considerable potential that their values can be directly affected and detracted from, at the time of subdivision through the installation of additional buildings, driveways, parking, and landscaping. There is also potential that the heritage item may be altered to accommodate revised access arrangements or similar. Therefore, HNZPT considers that there should be a small amendment to ensure that the values of the listed heritage item are also considered at the time of subdivision allowing for an integrated consideration of the impacts.</p>	
Qualifying Matters			
Appendix 2 Assessment of Existing Qualifying Matters	Support	<p>HNZPT supports the retention of the existing qualifying matters and the related controls, as outlined in the Assessment report as follows:</p> <ul style="list-style-type: none"> • The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga-s6(e)-existing items and rules, • Protection of historic heritage-s6(f)-existing items and rules, and • Character Clusters-existing items and a new related rule. <p>as this will assist to give effect to enable the Plan to provide for the RMA matters of national importance found at s6(e): the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga: and s6(f): the protection of historic heritage from inappropriate subdivision, use, and development.</p>	That the Existing Qualifying Matters in Appendix 2 are retained.
Appendix 3 Assessment of New Qualifying Matters	Support	<p>HNZPT supports the retention of the new qualifying matters and the related controls, as outlined in the Assessment report as follows:</p> <ul style="list-style-type: none"> • Te Ture Whaimana o Te Awa Waikato – the Vision and Strategy for the Waikato River, and 	That the New Qualifying Matters in Appendix 3 are retained.

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		<ul style="list-style-type: none"> • Open Space, and • Expanded Character Area Clusters and new rule. <p>as this will assist to give effect to enable the Plan to provide for the RMA matters of national importance found at s6(e): the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga: and s6(f): the protection of historic heritage from inappropriate subdivision, use, and development.</p> <p>HNZPT also notes that the specialist report by Paua Architects not only recognised additional character clusters, but it has also recognised a number of places that are suitable to be included onto the Heritage Schedules of the District Plan. HNZPT suggests that it would be appropriate for the Council to follow up this work with a Plan Change to ensure the permanent protection of these important items into the future.</p>	