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1 Oct 2014

Thames Coromandel District Council
Private Bag 1001
515 Mackay Street
Thames
Via email

Attention: Lisa Madgwick
District Plan Coordinator

Dear Lisa

Re: Thames Coromandel District Council's Proposed District Plan: Hearing Session on Section 31
Historic Heritage (30 Sept – 2 Oct)

I write on behalf of our client, The National Trading Company of New Zealand Limited ("NTC"), in relation to their submissions on the Proposed District Plan, specifically as regards the matters to be addressed at the hearing session scheduled for 30th Sept – 2nd Oct. Of specific relevance to NTC is Section 31 Historic Heritage. Although I will not be attending the hearing on behalf of NTC, I would like to request that this letter be treated as evidence and tabled accordingly.

Having reviewed the section 42A report, and further to NTC's submission, the key points I wish to address are as follows:

1. Original Submission

In the original submission, NTC made the following relevant submission points:

- The proposed restricted discretionary activity status for new buildings or additions and alterations to existing non-heritage buildings in Historic Heritage Areas was too onerous;
- The PDP should instead retain the controlled activity status for these activities, as per the operative provisions;
- The above activities should be provided for as non-notified applications, as per the Draft District Plan provisions; and
- The proposed permitted activity for demolition of non-heritage buildings in a Historic Heritage Area was supported by NTC.

2. Section 42A Report

The hearing report has responded to NTC's submission points and recommended the following:



- Council intends to retain the proposed restricted discretionary activity status for new buildings and additions and alterations to existing non-heritage buildings in Heritage Areas;
- Council has not recommended any changes to the notification provisions for the above applications and in this regard, they are still subject to the standard tests for notification; and
- The permitted activity status for demolition of non-heritage buildings is proposed to be retained.

As regards NTC's submission points, the reporting planner notes (at paragraph 144) that *"an assessment of a new building is critical to ensure the historic heritage of the area is maintained or enhanced and it is appropriate for its streetscape setting. More lenient controls could have adverse effects on historic heritage qualities that contribute to these areas"*

Response to section 42A report

In response to the hearing report, the following comments are made.

NTC is not advocating for a permitted activity status for non-heritage development in Historic Heritage Areas as it is recognised that the overlay is intended to protect against inappropriate development adjacent to heritage items and instead, ensure that development is sensitive to the heritage items of significance within, and character of, the Historic Heritage Area.

Rather, the intention is to retain the operative plan's controlled activity status for new development (new buildings and additions/alterations to existing buildings) in the Historic Heritage Area overlay. This approach ensures that Council retains discretion and can undertake an appropriately limited assessment of effects on adjacent heritage items or general heritage character, but also gives the developer certainty that consent will be granted.

As regards the assessment criteria listed in section 31.8, these are considered appropriate and can equally apply to a controlled activity for new development in the Historic Heritage Area overlay. We note however that rule 31.7 (Rule 17) refers to matter 9 in Table 2 at the end of Section 31. However, there is no matter 9. We consider the matters in clause 7(a) of the table are sufficient to address the key effects arising from a new building in the Historic Heritage Area.

For the above reasons, and those listed in the primary submission, NTC reiterates that the following relief is still sought:

- Provide for new buildings and additions and alterations to existing non-heritage buildings within the Historic Heritage Area overlay as controlled activities;
- Retain assessment criteria 6(a)-(e) and 7 of Table 2 in Section 31 as they relate to the above activities;
- Retain the permitted activity status for demolition of non-heritage buildings in the Historic Heritage Area overlay.

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I ask that you table this letter at the hearing in place of personal attendance on NTC's behalf. Please do not hesitate to contact me should you have any queries regarding the above matters.

Yours faithfully

Barker & Associates Ltd

A handwritten signature in black ink, appearing to read 'Kay Panther Knight', written in a cursive style.

Kay Panther Knight

Senior Planner

DDI: 09 375 0902

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