

23 November 2006

Nicole van Heyst  
Housing New Zealand Corporation

By e-mail: [Nicole.VanHeyst@hnzc.co.nz](mailto:Nicole.VanHeyst@hnzc.co.nz)

Dear Nicole

**Restrictive covenants in subdivisions**

Thank you for your e-mail dated 13 November 2006 attaching a draft copy of the restrictive covenants paper.

The paper provides a comprehensive description of the background issues and the options for addressing the use of restrictive covenants. I agree that education and collaboration with developers, local authorities and the public is the preferred option for addressing these issues.

As noted in previous correspondence, the Commissioner does not have jurisdiction to take direct action on the issues raised in the draft paper. However, section 14(d) of the Health and Disability Commissioner Act allows the Commissioner to speak on any matter affecting health or disability services consumers. The Commissioner could, therefore, encourage district health boards and other providers to make submissions on district plans and resource consent applications where appropriate.

We look forward to receiving the final paper in due course.

Yours sincerely

Tina Mitchell  
**Senior Legal Advisor**