

**BEFORE THE HAMILTON CITY COUNCIL**

**IN THE** of the Resource Management Act 1991  
**MATTER**

**AND**

**IN THE** Proposed Plan Change 12 to the  
**MATTER** Operative Hamilton City District Plan

**EVIDENCE OF MARGARET L. SALE**

**ON BEHALF OF FRANKTON EAST RESIDENT'S GROUP**

DATED 01 FEBRUARY 2023

## EXECUTIVE SUMMARY

1. Frankton East Residents Group is concerned with strategic matters and qualifying matters specifically the model and application of high-density including policies and objectives that do not meet the existing community and ongoing requirements; and retaining the character overlay for Hamilton City.
2. Consultation processes have been rushed and poor. There is significant concern that in progressing Plan Change 12 before Plan Change 9 that there may be unintended consequences, and that there is an absence of reporting on issues in regards sense of place and historic heritage and character.
3. Modelling of proposed area plans is limited and does not address sense of place, character and identity. The scale of areas does not look to enhance existing social and community identity. Major roading systems already disconnect communities. Rapid intensification will not improve this.
4. Section 42A “themes and issues report” discussion on character is very limited despite the topic being raised in several submissions. Additionally, the evidence by Dr Mark Davey has not adequately addressed the submissions which include grave concerns over extremes of high density which are in Hamilton’s low scale housing areas, and the request that Chapter 5-character overlay remains with character used to reduce the impact on density and height etc. under ‘other qualifying matters’.
5. Like many community groups we do not have the resources for lawyers and planners but our concerns are in our view fall under Strategic matters and qualifying matters and we seek these are addressed as city wide issues.
6. Standards/rules need to be applied to all buildings with resource consents required for all dwellings over two storeys which improve the quality of the neighbourhood, not reduce it.
7. The Panel in its recommendations needs to seek better objectives and policies for each residential zone, particularly in high density where there should be good quality specific guidelines. While the high density zone is covered through restricted discretionary resource requirements it needs specific high density guidelines that are comprehensive and integrated with the neighbourhood.
8. It is vital that the proposed District Plan and Area plans have urgent consultation and input from neighbours in high density where extremes of development is occurring on adjacent sites, and is likely to be underway very soon with no transition.
9. The law change that triggered this District Plan Change 12 was developed behind closed doors and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill was rushed through with very little consultation. Our community petition shows the degree of concern on what is proposed and difficulties that excludes residents from the PC12 because it is complex.

## **INTRODUCTION**

10. My name is Margaret Louise Sale and I am representing the Residents of Frankton East Group.
11. The residents of Frankton East are aware of the groups concerns in regards to Plan Change 12.
12. My husband & I, Douglas & Margaret Sale, have presided in Taniwha Street Frankton over 40 years and raised a family, we are now retired.
13. The Residents of Frankton East are a community which is well established and is part of old Frankton. Our neighbourhood has over the last 120 years developed strong ties to our place. There are a mix of owners and tenants, young and old, and families. We are a working-class neighbourhood. We love our homes, gardens and our streets. There are many long terms residents including people who have lived here for over 30-40 years, and a few second-generation families. We also have old flats and tenants. We are a mixed community- and a good neighbourhood to live in.
14. Our membership includes local residents over several Frankton blocks and other areas of Frankton. Two petitions were completed in response to concern over PC9 and then PC12 in a few days with ..135.....signatures from both local and Waikato residents,

## **SCOPE OF EVIDENCE**

15. The Panel have directed this opening hearing session is limited to the presentation of legal submissions and strategic planning evidence.
16. This evidence focuses on the strategic planning approach taken on Plan Change 12 and the approach to qualifying matters. It is intended to be a 'scene setting' to inform the panel of the key issues from our perspective that we would like to address in the next round of hearings on the HCC specific plan change 12.

## **BROAD STRATEGIC MATTERS**

17. Our overall concerns include strategic matters to do with zoning and character and amenity and inclusion of existing communities in plans:
  - a) high density zoning including policies and objectives
  - b) retaining character overlay and reducing the impact of high density
  - c) poor consultation process including on impacts on existing communities where removal of existing communities is not adequately addressed when the reality will be clearance of existing homes by market forces as seen by recent demolitions in our suburbs.

- d) disagree with overall model and approach to making changes and factors such as use of metro centres when Hamilton has mainly small suburban centres like Frankton
- e) disagree with the definition of walkable catchments when some areas are not easily 'walkable' across major roads and without basic facilities discussed in Section 32 A reports especially in high density.
- f) While some of these new rules have been made by government this does not mean that we and council should accept poor quality environments and housing.
- g) Many of us have not been able to understand the proposed district plan changes or realise the impact it will have on us and our neighbourhood.
- h) There are no specific high density design guidelines at either council or national level to support assessment for good quality urban design in this type
- i) a site-by-site developer led, market driven model in pushing through or 'enabling' high density, which is an extreme change for Hamilton, it unlikely to provide good quality neighbourhoods during change and at the end
- j) Amenity should not be ignored if good urban design is the objective in high density, and assumptions that it will be extreme and 'get used to it' [i.e., move out] does not assist or support existing communities who can manage to support others in a time controlled and managed process. Urban renewal and slum clearance are well known urban issues and have known effects that should be managed.
- k) Communication has been very poor and there was only a very short amount of time to consider the impact and consider what it would do to many of our lives in the future.

18. Our group will speak on specific issues in Session 2 including but not limited to:

- a) Frankton as part of the proposed North Central Area as in Section 32 reports
- b) Proposed medium and High-density zoning including policies and objectives and rules and guidelines
- c) existing character and amenities including sense of place e.g., character
- d) Parking on street and off road.
- e) historic heritage recognition
- f) types of housing and neighbourhoods.
- g) Infrastructure must be modern and able to have the capacity for now and in the future.
- h) Retention of more urban trees and vegetation
- i) A neighbourhood plan which will be within the district plan rules, but consulted with partnership being the residents.
- j) Resource consents required and clear assessment criteria that do not allow poor quality housing, reduce overshadowing and the sun all of which doesn't lower the qualities of the neighbourhood.
- k) Consultation with all parties involved i.e., residents who are the most affected by Plan Change 12.
- l) Specifically, an existing use rights rule in the district plan that allows us to continue to own and live in our homes and make changes as planned, while our neighbourhoods are demolished.

## NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT (NPS-UD)

19. The first objective of the NPS-UD is that “*New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural well-being, and for their health and safety, now and into the future*”.

20. Policy 1 explains what “well-functioning urban environments mean” saying

*Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:*

- a) *have or enable a variety of homes that:
  - i) *meet the needs, in terms of type, price, and location, of different households; and*
  - ii) *enable Māori to express their cultural traditions and norms; and**
- b) *have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
- c) *have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
- d) *support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
- e) *support reductions in greenhouse gas emissions; and*
- f) *are resilient to the likely current and future effects of climate change.*

21. The proposed district plan chapter 4.4 for high density removes our community and will have significant impact over our lives as our houses are demolished and high rise apartments are built beside single storey timber homes. There is no transition. It is extreme. It will remove existing communities.

22. Section 32 reports model whether places are suitable for intensification, however the level of facilities are under resourced and on a scale of a town not a city. Inner city should mean a degree of access to community facilities and being walkable or have adequate transport. However there are significant long term issues with lack of community facilities and poor transport options, and in the example of Frankton subdividing the shops from the residential areas by major arterial roads (five lanes).

23. The introduction of six storeys or more in a city of low scale housing is a radical change, when Hamilton is not like Auckland.

24. The modelling in the area plans in Section 32 Appendix 3.7 Areas Plans Report has excluded community consultation, understanding of character and identity and sense of place.

25. In assessing suburbs suitable for intensification it is clear that the service centre or metropolitan centre is not part of Hamilton’s structure, and that small centres when assessed have a lack of facilities, transport and walkability, in the case of North of

City . There are no metropolitan centres as defined in Policy 3 of the NPS-UD, and while you can be close to a city central zone existing major roads seriously hinder walkability, and do not lead to walkable facilities apart from parks. There needs to be extensive development now if these centres are to support greater numbers before major changes take place.

26. The centres assessment report (Appendix 3.6 of the s32 reporting) sets out the following:

Figure 5. Checklist of criteria for intensification of a centre

Checklist for "is the centre suitable for intensification?"

- Presence of a supermarket.
- Presence of a healthcare provider.
- Presence of a community facility such as a library.
- Presence of adjacent residential zoning.
- Degree of amenity provided by nearby parks, schools, and availability of public transport.
- Any other relevant site specific factors.

Where a centre checked off more items from the above checklist, the more suitable it is for intensification, and vice versa. The discussion and results of this task are located in **Appendix 2**, where:

- **Red = not suitable for intensification**
- **Orange = may be suitable for intensification**
- **Green = suitable for intensification.**

Only centres that resulted in an orange or green ranking were carried forward for zoning recommendations. The summarised results are in Table 2 below:

Table 2. Summary results of intensification suitability assessment.

| Not suitable for intensification (at this time) | May be suitable for intensification  | Suitable for intensification                  |
|---|--|---|
| The Base<br>Hillcrest<br>Rotokauri              | Thomas Road Shops<br>Five Cross Roads<br>Clyde Street Shops<br>Hamilton East Village<br>Glenview<br>Frankton<br>Nawton | Chartwell<br>Rototuna Town Centre<br>Dinsdale |

27. For example Frankton as a centre (in Table 2) for intensification does not have:

- a. a supermarket
- b. a library
- c. medical facilities
- d. community centre
- e. good public transport
- f. significant major aerials roads on two sides which are not 'walkable' but unsafe and significant obstacles

28. These facilities, if aligned to being close to the edge of the central city zone, fails on walkability (unless to a park), transport (unless car) and library and civic facilities are kilometres away in the centre of the city and not on the edge.
29. Maeroa which is part of the proposed area grouping does not have supermarket, library, community centre, and is not easily 'walkable' to Frankton or a supermarket yet is planned for intensification. A major gully is a significant characteristic of Maeroa but is a suburb specific element that restricts walkability.
30. There is in my view insufficient existing elements and these need time and money to be improved significantly. This does not seem to be the right time to make extreme changes. This is not Auckland.
31. The baseline Table 3 (below) for Frankton as a centre within 400m for intensifying describes whether the range of services satisfy the checklist sired not green i.e., not suitable. While there are inaccuracies such as Frankton centre is 'mainly speciality stores' and is not highly accessible unless in a car as major aerial roads cut off the residential areas from the centre and while we can walk it is a complex of very dangerous roads. There are no health care providers or community facilities. The preliminary recommendation is rezone to medium density not high density.

Table 3. Zoning baseline summary – gap assessment outcomes

| Centre   | Is a more enabling zoned density required? | Does the range of services satisfy the checklist?  | Preliminary Recommendation (is MDRS enough?)   |
|----------|--|--|--|
| Frankton |  | Mainly speciality stores, light industrial and commercial land uses with high employment. No healthcare providers or community facilities. Highly accessible and good live-work opportunities. | Rezone the residential zone within a 400m walkable catchment and the Frankton sale yards key development site to medium density. |

32. Within the Frankton neighbourhood two walkable models are applied with the result proposed density of 3-5 storeys and 6 storeys or more. While closeness to the city central zone is acknowledged this does not equate to easy walkability and it does not mean that once you reach the edge you are close to central city facilities. This is not the case in Hamilton at the northern end. Walkability is of concern and needs defining and finer detailing.
33. The area model is far from a suburban shopping centre that is also walkable. It will take a lot of resources to improve and this is unlikely to happen until after the developments have made significant and irreversible changes to our neighbourhoods.
34. Walkability ground truthing has not been completed as for instance in North of City area, and is seriously constricted by a significant roading system that is dangerous to even cross. It is not clear what you are walking to. There are insufficient facilities

once you get to the edge of the city zone. Any central city facilities except parks are beyond walkable.

**35.** The NPS-UD also says that loss of amenity are not effects in themselves. We disagree and in fact amenity is essential in good quality urban neighbourhoods and in urban design and especially in high density. This is however the at odds with the RMA under section 7 which requires the “maintenance and enhancement of amenity values”. Section 5 of the RMA sets out the purpose of sustainable management. This requires the mitigation, remedy or avoidance of effects. The high-density zone will face significant effects. Effects will be ongoing, with potentially large effects in scale and quality of life (social wellbeing) in an existing communities will adversely affected, and is in our view is a disaster as a policy with existing established communities.

**36.** We acknowledge that amenity will change over time. However, there is no transition for urban renewal or integration at neighbourhoods’ level and no national guidelines for neighbourhoods as discussed in the NPS-UD, the only guides are for site by site which is not an integrated approach.

**37.** In the Plan Change Chapter 1 the Strategic information doe snot include the two community plans . Both have actions for improvement to the centres and recognition of character and historic heritage, and should be included. These are the only suburb community documents.

## LEGAL BASIS OF DENSITY REQUIREMENTS

| Plan Change 12 zoning rules   | Legal requirement  | Our view   |
|---|--|--|
| <u>General Residential Zone</u> <ul style="list-style-type: none"> <li>• <b>Providing for one to three residential units up to three storeys</b> high as permitted.</li> <li>• Applying the MDRS except where a qualifying matter is relevant.</li> </ul> | MRDS standards under Resource Management (Enabling Housing Supply and Other Matters) Amendment   | Apply appropriate qualifying matters such as character and historic heritage   |
| <u>Medium Density Residential Zone</u> <ul style="list-style-type: none"> <li>• Allowing for up to <b>five-storey developments</b> primarily duplexes, terrace housing and apartments.</li> </ul>   | <p>No specific requirements but assume to be more storeys than General Residential Zone (up to 3) and less than High Density Zone (at least 6).</p> <p>Policy 3 of NPS-UD is also relevant within “within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent)”</p> | <p>See Table 3 gap zoning assessment is red.</p> <p>Need to amend gap assessment to a more accurate description as walkability is challenged. Speciality stores is inadequate.</p> <p>Apply appropriate qualifying matters such as character and</p> |

| Plan Change 12 zoning rules  | Legal requirement   | Our view   |
|--|---|--|
|  |   | historic heritage  |
| <p><u>High Density Residential Zone</u></p> <ul style="list-style-type: none"> <li>• Enabling at <b>least six-storey developments</b>, specifically terrace housing and apartments.</li> <li>• Single residential units are a non-complying activity and two residential units on a site is a discretionary activity.</li> <li>• discretionary resource consent to address urban design requirements.</li> </ul> | <p><u>Policy 3 NPS-UD (relevant parts):</u></p> <p>Building heights of at least 6 storeys within at least a walkable catchment of the following:</p> <ul style="list-style-type: none"> <li>• the edge of city centre zones</li> <li>• within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and densities of urban form commensurate with the level of commercial activity and community services.</li> </ul> | <p>High density is proposed within walking distance of the central city zone. (Edge of).</p> <p>The extent of central city zone should be reduced to 400 metres (currently it extends to Mill St and should be from London Street in the north reflecting a more compact main central city area.</p> <p>The remaining part of the central city zone should be defined as city living zone (e.g., re-zone as city living zone or similar). This would limit the high-density requirement of existing low-rise housing communities such as Frankton East.</p> <p>Walkability should be ground truthed and reviewed. Major roading system that move vehicles from one city edge to the other are contributing factors,</p> <p>Urban design requires specific high density guidelines.</p> <p>Apply appropriate qualifying matters such as character and historic heritage</p> |

### **IMPACT OF HIGH-DENSITY HOUSING ON EXISTING LOW DENSITY RESIDENTIAL & CHARACTER AREAS**

38. High-density housing can have a significant impact on the character of an area. In areas where the existing character is defined by low-density, single-family homes, the introduction of high-density housing can change the scale and style of the built environment, and can alter the overall character of the area.

39. The introduction of high-density housing can also increase traffic, noise, and pollution, include significant mental hardship, which can negatively impact the quality of life for residents. It can also put pressure on old infrastructure and services, such as roads, public transport, and schools.
40. High-density housing can also result in the loss of open spaces and the displacement of existing residents. The construction of high-rise buildings, in particular, can have a significant impact on the character of an area, altering views and altering the skyline including shared view shafts to Hamilton's gullies. Displacement of residents has not been addressed in policy and objectives, yet is well understood internationally.
41. A market driven approach, site by site, is not a good integrated urban design for neighbourhoods. There is no quality integration proposed by the model selected. It does not include community input in the area plans, and there is no policy within the district plan to address how our community will be displaced by the proposals and be within an area that is under demolition.
42. The clearance of inner-city areas has not been addressed within the proposed plan or by government policy. In Hamilton East there have been decades of concerns from residents. Historically in inner Wellington and Auckland there has been urban clearance and displaced communities. Policy at strategic level and for high density is essential.
43. Plan Change 12 needs to balance the needs for housing and the preservation of the character of Hamilton's existing neighbourhoods, by setting guidelines and regulations that ensure that new developments are compatible with the existing built and natural environment, and that the use of the word 'character' and its assessment is backed by council and community understanding and description. There is no evidence that there is any city-wide urban character assessment, no developed policy and rules to address this.

## **MORE THAN EXISTING USE RIGHTS**

44. Existing use rights refer to the legal principle that allows property owners to continue using their property in a way that was lawful at the time they acquired it, even if a change in zoning or land-use regulations would otherwise prohibit that use.
45. For example, in Hamilton's old neighbourhoods such as Hamilton East and Frankton many will have existing use rights for a single-family home [i.e. called a "single residential unit" in the district plan] on a parcel of land that is now being rezoned for high-density housing and does not support providing additional homes in scale to existing within their site. However, it's important to note that existing use rights are not absolute. We want certainty in the district plan that the property owner may be able to continue using the property as a single-family home, and can add additional homes in scale and reduced height, even if the new zoning would otherwise prohibit that use.

46. Chapter 1 Plan Overview under Plan Structure and/or the Chapter 4 - High-Density Residential Zone there should be an explicit recognition of existing use rights particularly in the proposed high-density areas providing certainty, rather than on application as implied in the current proposal, to retain, and allow for extension and development of existing properties at a lower scale including one and two dwellings as permitted. Existing developments in these areas should already be able to be identified by council in existing records.

## QUALIFYING MATTERS

47. Section 77 of the RMA makes provision for “other matters” to be incorporated as qualifying matters where mandatory heights and densities can be modified. Character should be considered a qualifying matter in Hamilton City like Waipa and other cities have addressed.

48. By removing the character overlay chapter 5 this is not available in Plan Change 12 if under Plan Change 9 the proposed historic heritage areas (council and community) do not meet the level of historic heritage. Being a historic heritage area would be the best solution and best protection for a number of old areas however there is no certainty that Plan Change 9 will provide this level of overlay and height reduction, and if the level falls short there is no option to be included as a character area.

49. We note that in doing Plan Change 9 second there is no certainty and no other option as the character overlay will be removed prior to Plan Change 9 being heard, despite residents asking for new character areas to be included. While it is acknowledged by council that there has been no city-wide review of historic heritage for decades, other cities have reviewed historic heritage and also reviewed existing character areas and extents to be included in housing intensification plan changes. Hamilton has not seriously considered our submissions although mentioned briefly in section 42A Issues and Themes report.

50. Heritage refers to the historical and cultural significance of a place, including its built and natural features. Heritage can include tangible elements such as buildings, monuments, and landscapes, and groups of places as well as intangible elements such as cultural practices and traditions. Heritage is often protected and conserved through laws and regulations that control the development and alteration of heritage sites and places.

51. Character, on the other hand, refers to the unique features and qualities of a place, such as its layout, scale, and style of buildings. It also includes the natural environment and the way that people use and experience the area. Character is often used to describe the overall feel or atmosphere of a place, and is often used to assess the compatibility of new developments with the existing built and natural environment.

52. In the Plan Change 12, "character" should be considered a "qualifying matter" which means that it is a key consideration when assessing proposed developments. Plan Change 12 should include policies and objectives along with assessment guidelines and rules that are intended to preserve and enhance the character of an area. These

might include regulations on the design, scale, and materials of new buildings, and character as well as restrictions on land use and the protection of natural and cultural heritage.

53. Plan Change 12 should ensure that new developments are compatible with the existing character of the suburbs of Hamilton and do not negatively impact the unique qualities and features of the area. This includes preserving the character of the built environment such as architecture, urban design, streetscapes, and natural environment like vegetation, landforms, and historic sites. It also needs to include consideration of zoning, zoning changes, subdivision, and other land-use changes that are likely to have an impact on the character of the area.
54. Existing character across the different neighbourhoods of Hamilton has not been analysed yet 'character' is included under assessment criteria. There is no definition of 'character'. The character chapter is to be removed. There is a serious lack of recent qualitative analysis on existing Hamilton urban design and character, with the Vista Design Guide dating to 2007 although still active.
55. In summary, Heritage is more about the historical and cultural significance of a place and Character is about the unique qualities and features of a place. Both are taken into account in New Zealand's district plans to ensure that new developments are compatible with the existing built and natural environment and the preservation of the unique character of the area. In Hamilton's strategy one of the two has been fully excluded and not included as a qualifying matter, which is not in line with other New Zealand cities where character areas have long term status and agreement, with community agreement.
56. Character as a qualifying matter should be consistent across New Zealand, and allow for potential historic heritage in the long term and as part of the supporting characteristics of a city and town. HCC should undertake analysis and provide a more robust consideration within the rs Theme and Issues report which has been requested by a number of submitters across the region and at city level, and is consistent with Waipa.
57. It is important to Special Character zones within the district plan for areas that have unique or distinctive features that need to be protected and conserved. These zones are created to ensure that new developments are compatible with the existing character of the area and do not negatively impact the unique qualities and features of the area. District plans should include specific guidelines and regulations that control the types of development that are allowed within an existing neighbourhood based on analysis and for the special character zones include restrictions on land use and building design, to protect and conserve the special character of the area. There are likely to be a range of different character neighbourhoods, and these characteristics add to the sense of place and a best practice approach when integrating new development into existing.
58. We disagree with the removal of special character provisions from Plan Change 12. This needs to be a qualifying matter under the new RMA Amendments, and also

requires further reporting and analysis including definition at a city wide and incorporation back into Hamilton's strategy level to ensure Hamilton retains its distinctive neighbourhoods.

## CONCLUSION

59. Please consider Section 77 of the RMA that identifies the specific characteristic that makes the level of urban development required within the NPS-UD inappropriate; especially if the area has defined has been established for many years and has been looked after with pride by its residents.
60. We have asked that a good living environment that supports our sense of place is retained in planning policy and objectives, which is about retaining amenity and character values.
61. High density requires a much finer graining due to the extreme effects of the rapid and extreme nature and scale within existing established communities. Especially when in our view 'the cart is before the horse' - PC12 will allow extreme intensification before there is sufficient infrastructure, quality design controls and national level High density guidelines and guidelines that focus on neighbourhood level, not just a site-by-site approach to give quality long term environments. This approach is of grave concern.
62. Scrapping the amenity rules of the operative district plan on most residential zones unless high density including sunlight, parking off road and even lack of privacy to mention a few is a disappointment and does not create a healthy life style in our view and is unlikely to support long term existing living environments while allowing integrated growth.
63. Infrastructure/framework need modernising to cope e.g., storm water and sewer pipes, even before any more buildings are constructed, be that a single or multi storey building. The timing of changes and piecemeal approach will mean poor 100-year-old systems will continue to fail as is our experiences. New suburbs have a far better capacity.
64. Affordability exists in our old neighbourhoods, yet this is pitched against 'more housing'. The issues are much more complex. Would these multi high apartments really be affordable to many, either renting or buying, I think not. It is more likely high-density blocks will force existing communities out and there will be an increase in Air B and Bs and expensive units. That will not be affordability but displacement of existing communities and relocation to outer suburbs with poorer transport systems than exist in the old suburbs of Hamilton.
65. There are no policies within high density that incorporate affordability, existing use rights, and clearance of existing communities that can support more growth in a controlled and well-designed way. A model that is based on leaving developers to site by site develop good urban design is a poor model to use and the current proposals in our view excludes an integrated approach with existing neighbourhoods.

66. The rule framework should be strengthened to support a more appropriate level of best practice urban design for high density with a specific neighbourhood guideline and a high-density guideline of national quality, before demolition of neighbourhoods starts with PC12.

67. Appropriate urban design controls are required for high density. Walkability needs review and ground truthing.

68 We ask the Hearing Panel to seek from Hamilton City Council:

- a. to undertake a framework for character areas as qualifying matter, and
- b. Address the uncertainty of separating historic heritage PC9 and PC12 character and heritage, and integrate the processes
- c. provide for high density neighbourhoods and national level guidelines before the new proposed model, is actioned on our neighbourhoods.
- d. Ensure by amending objectives, policies and rules in High density that **Objective 1 under the NPS- UD:** Hamilton has ‘well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural well-being, and for their health and safety, now and into the future.’ In our view existing communities have not been included in PC12 under this objective particularly in consultation process and in strengthening our existing communities to support increased density without unwanted and intended consequences with long term issues.
- e. Readdress area plans to be inclusive of existing community at a city level that more accurately document and support sense of place and identify, as there are errors in Section 32 reports which clearly show a lack of understanding old neighbourhoods
- f. include the two agreed community plans in Chapter 1
- g. address the Themes and Issues in regards character and historic heritage to be constant with a national and regional approach
- h. include a specific policy for existing use rights in high density areas to give certainty to continued use which meets the Objective 1 of the NPS.
- i. The concerns of many submitters that consultation is insufficient in Hamilton city and requires a public process in order for neighbourhoods to better understand the extreme changes proposed.

69 Thank you for your time and we would appreciate the concerns that were raised herein could be considered by the Hearing Panel as they are directly to high density zoning and character across Hamilton and there is insufficient application to support existing character and existing communities.

Margaret Sale.  
on behalf of the Frankton East Residents Group