

BEFORE THE HEARING PANEL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Proposed Plan Change 9 to the Operative Hamilton
City District Plan

STATEMENT OF REBUTTAL EVIDENCE OF KAI GU

(Historic Heritage Areas)

Dated 12 May 2023

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INTRODUCTION

1. My full name is Dr Kai Gu.
2. My qualifications and experience are as set out in paragraphs 2 and 3 of my primary statement of evidence dated 14 April 2023 (**primary evidence**).
3. I reconfirm that I have read and am familiar with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and I agree to comply with it.

PURPOSE AND SCOPE OF EVIDENCE

4. The purpose of this rebuttal statement of evidence, which is provided on behalf of Hamilton City Council as Plan Change 9 (**PC9**) proponent, is to respond to:
 - a) Criticisms about Historic Heritage Area (**HHA**) methodology and assessment criteria adopted in the Hamilton City Council Addendum - Hamilton City Historic Heritage Area Assessment dated 6 March 2023 by Richard Knott Limited (**updated HHA report**);
 - b) Whether PC9 should be refused (in part concerning historic heritage) as sought in the Kāinga Ora submission;
 - c) Whether the Frankton Commercial Centre should be included in as an HHA; and
 - d) Whether landscape heritage is an item suitable for similar protection to built HHAs.

EXECUTIVE SUMMARY

5. The updated HHA report has applied a place-based and morphological approach to the identification and assessment of the HHAs in Hamilton, and it is generally in line with the principles of international practice. A large part of the criticism about HHA methodology and assessment criteria is related to the submitters' understanding of the proposed HHAs as isolated urban areas as opposed to components of a morphological framework. Reconciliation of the historical and cultural legacies embodied in the urban landscape and the accelerating urban housing and other development demands is a challenging task. Mr Knott's updated HHA report has developed a basis for formulating plan provisions for more adaptable and historically sensitive urban change.

THE IDENTIFICATION OF DEVELOPMENT PERIODS AND THE MORPHOLOGICAL FRAMEWORK

6. Like many particular fields in the larger planning profession, within urban conservation, everything everywhere may be regarded as a component of a system. It is fruitless to consider the action of a thing without considering the system of which it is a component. This fact has particular importance for the proposed HHAs, because professionals tend to think of them separately and to manage them separately. A large part of the submitters' criticism about HHA methodology and assessment criteria is related to their understanding of the proposed HHAs as isolated urban areas as opposed to components of a morphological framework.
7. Because of the pursuit of diverse purposes and variations in required levels of resolution, the recognition of urban development periods of a locality is deemed to be different. The identification of the development periods applied by the updated HHA report leads to the demarcation of four distinctive urban landscape divisions in pre-1980 Hamilton and,

consequently their characterisation.¹ The distinctive urban landscape divisions not only define the spatial structure of Hamilton, but also provide *a morphological framework or a system* within which HHAs are identified, characterised and managed.

8. The HHAs with a quality of ‘consistency’ (integrity or coherence) are expected to be ‘representative’ of particular heritage themes under the development periods. An HHA may also be justified as a heritage structural component of a distinctive urban landscape division.

Kāinga Ora: John Brown

9. I disagree with Mr John Brown’s evidence on behalf of Kāinga Ora at paragraph 5.12 that ‘being ‘representative of a significant development period in the region or nation’ is a broad brush, and in my opinion, the development periods as presented do not strongly connect with the local story of Hamilton or its specific neighbourhood history’. It seems that Mr Brown has not understood the analytical purpose of the identification of development periods. Based on the understanding of development periods, the analytical purpose is to establish a morphological framework that provides the basis for characterising, contextualising and managing individual HHAs.
10. Mr Brown states at paragraph 6.4 that ‘due to the focus on built form the development periods fundamentally ignore pre-European Settlement patterns as evidenced by the archaeological resource and cultural traditions of the place’. The place-based and morphological approach to urban conservation particularly values the archaeological resource and cultural traditions of the place. If the influence of pre-European Settlement patterns on urban landscape forms is evident on the ground, the area needs to be recognised for HHA assessment. The pre-European heritage

¹ Figure 1 and Table 3 in Attachment 1 to my primary evidence: *Peer Review Report: Plan Change 9 – Proposed Historic Heritage Areas (HHAs) by the Hamilton City Council*.

sites are covered by Plan Change 9 – s32 Report - Appendix 10: Archaeological and Cultural Sites Report and Inventories.

11. Concerning my peer review report, I disagree with Mr Brown’s statement at paragraph 4.23 that ‘in my opinion the focus of the report is on the philosophical approach of applying spatial protection for heritage areas, rather than a direct review of the method employed or its output’. My report focuses on, in relation to the proposed HHAs, the critique and assessment of the methods and tools of area-based urban conservation. It purports to evaluate and improve the identification and management of the proposed HHAs. My report has further clarified the morphological approach to urban conservation as evidenced in the updated HHA report.
12. I agree with Mr Brown that the term ‘early post-war period’ needs to be changed to ‘post-war period’.

ASSESSMENT CRITERIA

K’aute Pacifika Trust: Dr Anne McEwan

13. I disagree with Dr Anne McEwan’s evidence on behalf of K’aute Pacifika Trust at paragraph 7 that ‘the fundamental problem, in my opinion, with the identification of any and all of the proposed HHAs in PC9 is that HCC has adopted a new set of assessment criteria that are not in keeping with best practice and do not give effect to the RMA, Waikato RPS or the Hamilton District Plan’. The Resource Management Act 1991 (**RMA**) outlines the principles of historic heritage management. The criteria for assessment of the proposed HHAs adopted by Mr Richard Knott are derived from the Historic and Cultural Heritage Assessment Criteria outlined in 10A of the Waikato Regional Policy Statement.²

² Waikato Regional Policy Statement, 10A; Appendix 9: Historic Heritage Areas Report of Richard Knott dated 21 June 2022, pp. 15-16.²

14. The place-based and morphological approach to significance assessment relies on field- and cartographic-based data collection and synthesis. Supported by survey maps provided by the Hamilton City Council, fieldwork was carried out in the areas containing a predominance of pre-1980 buildings. The assessment of the proposed HHAs was based on detailed information on their street/block layout, street design, lot size, dimensions and density, lot layout, topography and green structure, architecture and building typology and frontage treatments.³ The morphological approach to the historic urban landscape (including site, ground plans, buildings and land use) is applicable to both residential and commercial urban areas. I therefore disagree with Dr McEwan's opinion at paragraph 19 that the assessment criteria are not in fact fit for purpose in the assessment of commercial HHAs.⁴
15. While urban conservation is far more than physical planning, the place-based and morphological approach adopted by the updated HHA report provides evidence relating to heritage values. The actual outcome of decisions in the landscape, though it is an imperfect record, is a detailed testimony to past events and may well be a more reliable guide to heritage values than ostensibly more direct records of the decision involved.
16. Morphological mapping is essential for representing, conceptualising and communicating heritage resources and their characteristics. I agree that the morphological mapping of individual urban landscape divisions, especially their further subdivisions or sub-areas and further clarification of the historical association of the HHAs, especially those of the post-war period, with significant urban activities, people or events are needed to validate the heritage values of the proposed HHAs.

³ Appendix 9: Historic Heritage Areas Report of Richard Knott dated 21 June 2022, pp. 15-16.

⁴ Statement of Evidence of Dr Anne McEwan on behalf of K'aute Pasifika Trust dated 28 April 2023, para 19.

THRESHOLDS FOR HISTORIC HERITAGE AREAS AND SPECIAL CHARACTER AREAS**Kāinga Ora: John Brown, Michael Campbell and Mark Thode**

17. Messrs John Brown, Michael Campbell and Mark Thode on behalf of Kāinga Ora consider that there is an established 'ranking' threshold for inclusion in Appendix 8 as part of the criteria⁵.

18. High threshold of significance needs to be met if scheduling on an HHA list. Internationally, conservation planning has contributed significantly to protecting historical architecture and sites, but many fundamental problems remain unresolved, such as how to delimit the boundaries of HHAs and establish criteria for distinguishing conservation priorities. At an operational level, distinguishing conservation priorities for historic urban areas is frequently influenced by wider planning agendas, the leadership within organisational structures and practitioners' personal knowledge. The recent discussion about the change to special character areas in Auckland illustrates the challenge facing area-based urban conservation.

19. Heritage is defined within the context of the place, not benchmarked against what might or might not constitute heritage in another locality. The exploration of area-based urban conservation in Wellington, Christchurch and Auckland is valuable. However, in the Hamilton context, the adoption of the place-based and morphological approach to the HHAs is based on the paramount interest in the continuity of the evolutionary process of the historic urban landscape of Hamilton, its social-cultural development and the resulting spatial structure that exerts an influence on the geographical organisation of urban life.

⁵ Statement of evidence of Michael Campbell and Mark Thode on behalf of Kāinga Ora dated 28 April 2023, para 5.5; Statement of evidence of John Brown on behalf of Kāinga Ora dated 28 April 2023, para 7.

REJECTION OF PC9

Kāinga Ora: John Brown, Michael Campbell and Mark Thode

20. I disagree with Messrs Brown, Campbell and Thode's statements that PC9 should be refused (in part concerning historic heritage) as sought in the Kāinga Ora submission.⁶ Messrs Campbell and Thode state that Kāinga Ora has substantial landholdings within a number of the HHAs. The proposed HHAs will place a significant constraint on the ability of Kāinga Ora to comprehensively plan for and enable, sustainable land-use efficiency in the ongoing delivery of its housing and urban regeneration program – particularly where neighbourhood-wide master planning is intended to take place (e.g.: in Fairfield-Enderley areas with Council, the community, tangata whenua and stakeholders).⁷
21. Reconciliation of the historical and cultural legacies embodied in the urban landscape with the accelerating housing and other development demands is a challenging task. The value of identifying and improving the distinctiveness of cultural landscapes as a means of reinforcing place identity and supporting economic development has been widely recognised by both academics and professionals. PC9 is a timely and significant planning response to the current rapid urban change. Planning decisions about the proposed HHAs have the potential to deliver benefits to some and losses to others. The adoption of PC9 is expected to support local authorities in pursuing long-term urban socio-economic development goals.

⁶ Statement of evidence of Michael Campbell and Mark Thode on behalf of Kāinga Ora dated 28 April 2023, para 1.7; Statement of evidence of John Brown on behalf of Kāinga Ora dated 28 April 2023, para 1.6.

⁷ Statement of evidence of Michael Campbell and Mark Thode on behalf of Kāinga Ora dated 28 April 2023, para 3.3.

EXCLUSION OF THE FRANKTON COMMERCIAL CENTRE IN THE LIST OF HHAS**K'aute Pacifika Trust: Dr Anne McEwan**

22. I disagree with Dr Anne McEwan that the recommendation to schedule the Frankton Commerce Street HHA should be rejected. Hamilton East, Hamilton West, Frankton and Claudelands represent four urban villages in central Hamilton. Each urban village has a clear boundary and commercial centre facilitating local traditional and sustainable urbanism. The commercial centres within those urban villages are not only the historic structural elements, but also essential for local sustainable urbanism. The request for exclusion of the Frankton Commerce Street HHA suggests ignorance of this HHA as an integral part of the morphological framework.

LANDSCAPE HERITAGE**Waikato Heritage Group and L Kellaway: John Adam**

23. The landscape consists of the varied visible features of a region, ranging from natural (mountains, rivers, sea, and wetland) to cultural landscape elements (human settlements and different forms of land uses). Mr John Adam refers to landscape heritage areas as cultural landscape type areas dominated by natural landscape elements.⁸ I agree that landscape heritage is essential for the sense of place and local public life. I acknowledge that the town belt, a significant part of Hamilton's morphological framework, is not identified in PC9 as an HHA. While landscape heritage matters are not within the scope of PC9, I consider that it should ultimately be included as an HHAs within Hamilton City and the Hamilton Town Belt Management Plan needs to be prepared.

⁸ Statement of evidence of John Adam on behalf of Waikato Heritage Group and L Kellaway dated 25 April 2023, para 22.

CONCLUSION

24. Area-based urban conservation has attracted the interest of researchers and practitioners in a number of disciplines, including history, archaeology, architecture, planning and geography. In recent decades the need for interdisciplinary research has been acknowledged, but the tendency for relevant disciplines to be poorly connected persists. This explains, to some extent, the diverse views and criticism towards HHA methodology and its application.
25. Area-based urban conservation, after all, is to protect and improve the legibility and intelligibility of the established urban environment. The place-based and morphological approach can strengthen the logics connecting visions to outcomes and means to ends in the management of urban landscape changes. It helps the establishment of the relationship between the proposed HHAs and the wider morphological framework and the interpretation of urban heritage within the context of the place.
26. In the pursuit of economic achievement and land-use efficiency practically worldwide, ignorance of the importance of established built forms has resulted in the loss of urban heritage and community character and identity, as reflected by 'patchwork' urban fabric that is more opportunistic than strategic in its creation and forms. Like many historical cities in New Zealand, Hamilton is facing pressures for redevelopment and other changes. Planning decisions about the proposed HHAs will have direct social and economic implications.
27. In his criticism of the modernist planning movement in the 1970s, Allsopp argued that 'We have lost the technique of adding and adapting. We are obsessed by the bulldozer and thinking big. We have lost the art of fitting the new into the old, of maintaining the sense of place and continuity which is so important for people. We need to learn the art of graceful

transition'.⁹ This statement is particularly relevant to the discussion about professional and social responsibilities and responses in the context of rapid change. The updated HHA report has developed a basis for the formulation of plan provisions for more adaptable and historically sensitive urban change.

Dr Kai Gu

12 May 2023

⁹ 1974, pp. 54–5.