

**BEFORE THE HEARINGS PANEL**

**IN THE MATTER**

the Resource Management Act  
1991

**AND**

**IN THE MATTER**

of Proposed Plan Change 9 to  
the Operative Hamilton City  
District Plan

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**SUMMARY OF EVIDENCE BY  
JACOB ROBB ON BEHALF OF  
SUBMITTER 457 - DAVID AND  
BARBARA YZENDOORN**

**Session 1: Historic Heritage Areas, Significant Natural Areas, and Notable Trees  
Monday 22 May to Wednesday 7 June 2023.**

**DATED 25<sup>th</sup> DAY OF MAY 2023**

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1. In determining the extent of the Significant Natural Area (SNA) overlay at 29 Petersburg Drive, I believe the resource consent that is being sought for this property and the easement that bisects the property require consideration.
2. With reference to the easement, it requires that a portion of the site is kept free of vegetation and was established well before the SNA was overlain on the property. This presents a conflict between the SNA rules and the easement instrument. As such, I believe a realignment of the SNA is required in this particular area.
3. Regarding the consent, the maintenance of the overlay on this property would require a different degree of ecological protection through the SNA framework in the District Plan. This could have significant implications on what is an advanced resource consent where there is already agreement between the ecological experts involved that the effects of the removal of this vegetation could be appropriately managed.
4. Whilst no consent has been granted, the consent has been subject to refinement and redesign to better align with the existing environment and with concerns raised through that consent process. With a hearing also imminent, the process is nearing the conclusion of a typical consenting timeline and therefore is well advanced.
5. I believe these factors can warrant a realignment of the SNA outside of the proposed development area.