

**BEFORE HEARING PANEL**

**UNDER**

the Resource Management Act 1991

**IN THE MATTER**

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

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**STATEMENT OF JULIA AROHA MASTERS**

**SUBMITTER No. 166**

**DATED: 25 MAY 2023**

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## **INTRODUCTION**

1. My full name is Julia Aroha Masters. My husband (Dean Joseph Masters) and I own and reside at 60 Nixon Street, Hamilton East. We have owned this property since 2008. The 657m<sup>2</sup> property contains a dwelling and detached garage, both of which are thought to have been originally constructed in the early 1950's. The dwelling and the garage are Huntly brick and concrete tile, with the exception of an extension (circa 1980, with alterations in 2013) to the rear of the dwelling which is weatherboard. The property is located in the Hamilton East Historic Heritage Area (HHA) as per Plan Change 9 (PC9).
2. I am a Planning Consultant at Kinetic Environmental Consulting Limited (Kinetic Environmental) based in Hamilton. This statement is provided in my capacity as a submitter, landowner and resident of Hamilton East. My statement is not provided as expert evidence per the Environment Court Code of Conduct for expert witnesses.
3. However, I consider it important to note that in my professional capacity, I have acted as a "Friend of Submitter" for Waikato and Waipa District Councils and Hamilton City Council who have notified plan changes to give effect to the Enabling Housing Supply amendment to the Resource Management Act 1991. Hamilton City Council also engaged Kinetic Environmental to act as Friend of Submitter for PC9. My role as Friend of Submitter to PC9 was very specific and limited to assisting parties who made further submissions without myself reviewing the primary submission that their further submission related to. In this role I helped further submitters find and identify the primary submission that was relevant to their further submission. I note that prior to taking this role, I advised Jamie Sirl (who was at the time the Team Leader of City Planning at Hamilton City Council) that I had made a personal submission to PC9 to confirm that no conflict of interest existed.

## **STATEMENT**

4. My statement is in accordance with my submission and further submission. My original submission made comment on the following provisions as well as matters related to these (including the information requirements and assessment criteria).
  - Purpose 19.1 j - n
  - Policy 19.2.4 c
  - Policy 19.2.4 d

- Rule 19.3.2 a.
- Rule 19.3.2 b.
- Rule 19.3.2 d.
- Rule 19.3.2 f.
- Rule 19.6 ix to xv

It is of concern to me that my submission is only discussed within the section 42A report in relation to two of the above points. In particular, sections 5.2.4 and 5.2.7 of the s42A report make no reference to my submission despite it being specific to the provisions discussed.

5. Accepting the above, my main concern relates to the Information Requirements and Assessment Criteria outlined for HHA) in PC9. On the whole, these matters are unreasonably broad, requiring large volumes of information and a detailed assessment which is not consistent with potential magnitude of effect that could occur. The matters also result in an inefficient and unnecessary repetition in the supply of information and assessment.
6. With regard to the requirement in section 1.2.2.8 (Volume 2, Appendix 1, Information Requirements) it is unreasonable to require a Heritage impact Assessment for all activities requiring a resource consent in a HHA. Council should have discretion over the provision of such an assessment dependant on the nature and scale of the activity. For example, a small addition to the rear of an existing building will likely have little effect to the heritage value of an HHA. In this scenario, the assessment can be adequately undertaken within a resource consent.
7. I note the proposed changes to clause d of section 1.2.2.8 where the Heritage impact Assessment is required to provide an “assessment of how a proposal will be sympathetic to, and not detract from the heritage values, representativeness and consistency of the HHA” I support the Planner’s recommendation to delete the proposed consistency criteria (the bullet points under 1.2.2.8 d iii).
8. With regard to the Assessment Criteria, the s42A report identifies that the submissions (including my own) have *“highlighted the need to be more specific in the historic heritage values that should be protected within each HHA through the provision of more specific assessment criteria for each HHA.”* In doing this, the recommendation appears to have added yet more assessment criteria to the list. While some of these are specific to particular activities requiring consent, it is not identified

in the table in section 19.6 if assessment is to be limited to these matters. It is unclear in the s42A report if this was the intention. I consider that the new recommended assessment criteria is appropriate for consideration of resource consents for activities with an HHA and that section 19.6 should be updated to limit assessment to these matters only. In particular, this would be as follows:

Requested amendments in **bold** and *italics*.

| Historical Heritage Areas |  |   |
|---------------------------|--|---|
| ix.                       | Alterations and additions to an existing building (excluding heritage buildings in Volume 2, Appendix 8, Schedule 8A: Built Heritage)  | <b>E<u>9</u></b> – Heritage Values and Special Character  |
| xi.                       | Demolition or removal of existing detached accessory buildings on a front, corner or through site within an HHA (excluding heritage buildings listed in Volume 2, Appendix 8, Schedule 8A: Built Heritage) | <b>E<u>10</u></b> - Heritage Values and Special Character |
| xii.                      | Fence and/or walls located forward of the front building line of the dwelling  | <b>E<u>11</u></b> - Heritage Values and Special Character |
| xiii.                     | New buildings  | <b>E<u>12</u></b> - Heritage Values and Special Character |
| xiv.                      | Relocated buildings on the original sites within an HHA (excluding heritage buildings listed in Volume 2, Appendix 8, Schedule 8A: Built Heritage)   | <b>E<u>13</u></b> - Heritage Values and Special Character |
| xv.                       | Relocated buildings onto sites within an HHA   | <b>E<u>12</u></b> - Heritage Values and Special Character |

9. Reference to the other matters outlined in E in section 1.3.3 of Appendix A is unnecessarily duplicative for the assessment of activities within an HHA requiring a resource consent, especially when the matters outlined in the recommended R9 to E 13 are taken into consideration. Further to this, I do not consider points j, k, l, m, n, o, p, and q under E1 are to be reasonable assessment points

for activities within a HHA. For example, the need to provide an assessment by a qualified archaeologist is unreasonable for sites where there are no known archaeological sites present.

## **CONCLUSION**

10. Overall, I generally support the intent of PC9 and the recognition of Historic Heritage, particularly within Hamilton East.
11. Subject to the requested amendments included in my statement, PC9 is consistent with the purpose of the Resource Management Act.

Dated 25 May 2023



Julia Masters