

IN THE MATTER of the Resource Management Act 1991

AND

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

AND

IN THE MATTER Session 1 Historic Heritage Areas

SUMMARY STATEMENT OF LAURA LIANE KELLAWAY

ON BEHALF OF PETER WERE # 96

DATED 26 MAY 2023

INTRODUCTION

1. My name is Laura Liane Kellaway. I hold a Bachelor of Architecture Degree and a Master of Architecture Degree from the University of Auckland. I am a member of ICOMOS New Zealand. I am a registered Architect and a Fellow of the New Zealand Institute of Architects. I have practised for over thirty years specialising in heritage with experience in the building, heritage consultancy and architecture. I am a Waikato based Historian.
2. I am representing Peter Were, submitter #96.
3. I reconfirm my qualifications and experience in my Primary evidence paragraphs 4 to 8 dated 28 April 2023.
4. This summary statement provides an overview of my Primary evidence and response to the rebuttal evidence filed by HCC and other submitter experts.

CODE OF CONDUCT

5. 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.

EXECUTIVE SUMMARY

6. Queens Avenue Frankton was assessed as a street as part of the 'Hamilton City Council – Hamilton City Historic Heritage Area Assessment' ('the original report') dated 21st June 2022 by Mr Knott, where it was found "not to be representative or score sufficiently high in the consistency criteria with a score of 4/7, as the first of two tests".
7. The identification and assessment of HHAs in PC9 have been amended and now includes anchoring around 'development periods'. These are identified as: Pioneer Development (1860s–1880s), late Victorian and Edwardian and during and after inter-war growth (1890s–1940s), and early post-war expansion (1950s–1970s) (Development Periods). However, in visually reviewing the Queens Avenue area in 2023 Mr Knott has advised that "it would not be representative of the Late Victorian and Edwards [sic] and during and after inter-war growth (1890 to 1949) Development Period".
8. Based on the underpinning historic heritage research provided by Ms Williams, assessment and visual assessment, while the full Queens Avenue may have recent infill, a substantial portion of Queens Avenue is representative of the Late Victorian and Edwardian and during and after inter-war growth (1890 to 1949) Development Period, with three groupings of subdivisions and homes that are original. The area proposed is a significant local example of Hamilton City's historic development integral to both Frankton and the industrial and housing history of Hamilton.
9. The historic heritage research, provided in Ms William's *Thematic Review of the History of Hamilton (2020)* and the preliminary history study on Queens Avenue, provides evidence that there is historic heritage value for this area and its associated heritage and histories.

10. The initial scoring of Queens Avenue by Mr Knott does not include historic research and identification of housing or the wider context which form part of the setting and context for historic heritage within this street.
11. A proposed Queens Avenue HHA, as defined in the original evidence extent included parts of Queens Avenue to including the World War One Soldiers Settlement and houses which face both Queens Avenue and Lake Road, that form part of the Jolly subdivision. These extents were based on historic subdivision plans, approximate dating of existing houses from 1910 to 1940s, and was reduced to smaller blocks within the wider block viewed by Mr Knott.

RESPONSE TO RICHARD KNOTT REBUTTAL EVIDENCE DATED 12 MAY 2023

12. In my primary evidence I provided an assessment for the Queens Avenue area. Page 19, para 77 of Mr Knott's rebuttal evidence comments that:

I note Ms Kellaway's assessments of Queens Avenue. Whilst Ms Kellaway's evidence included a complete copy of her assessment against the consistency criteria, I note that she has added one point for representativeness to her overall scores.

This deviates from my original scoring where the overall score was a sum of the consistency scoring only. If Ms Kellaway's scores are added as I did in my assessment the area still falls below the consistency criteria threshold.

13. The Hamilton City Council Historic Heritage Area Assessment, prepared by Mr Knott, dated 21 June 2022 explains how the criteria/scoring was applied. With regards to the 'Consistency Criteria' the areas were scored as follows:

- **green** if the criteria is met **(1 point)**
- **orange** if it is met in part (i.e., the area has never been consistent) or if there has been some change in the area which has affected its consistency – **0.5 points)**
- **red** where the area is not consistent (whether as originally built or currently existing due to change – **zero points)**.

14. Using this system, an overall score is provided for each street based upon the sum of the scores for each consistency criterion. For a street to be recommended for inclusion as an HHA it must have:

- Achieved a full positive (**green**) score against the representativeness criterion.
- Achieved an overall score of **5 to 7** against the consistency criterion.

15. I acknowledge the error made in applying the scoring in my Primary evidence. When the three selected parts are reduced by one point then the summary consistency score for each of the three parts would be 4.5/7, which as noted is under the proposed scoring system of a sum of consistency scoring only of 5/7. However, in review most of the identified houses in terms of lot under this system, at each end of Queens Avenue, are substantially original, and facing the street, and the street layout could be adjusted by 0.5 to 5/7 for the parts.

16. I consider there is a wider issue with regard to the consistency criteria. Dr Ann Mc Ewan's statement of evidence on behalf of the K'aute Pasifika Trust (dated 28 April 2023) (page 3, paragraph 10) includes the following statement:

The assessment criteria that Mr Knott has used to identify and assess the proposed HHAs depart significantly from the criteria in the RPS and ODP, which give effect to the RMA. The key words 'representative' and 'consistency' that appear in Mr Knott's assessment criteria are not heritage qualities as per the RMA and only the former appears in the RPS and ODP in reference to architectural style or potential scientific data (RPS APP7, ODP Appendix 8).

17. In my rebuttal evidence (dated 12 May 2023) I noted the approach taken suggests the proposed HHA criteria are more aligned around qualities of urban character and amenity (e.g. visual consistency of housing types), as opposed to historical significance values such as local, regional, and national significance.
18. I consider the overall method proposed by Hamilton City Council for scoring future HHAs remains an issue where 'consistency' is used as a criteria threshold. Dr McEwan correctly notes the terms 'representative' and 'consistency' that appear in the HHA assessment criteria are not heritage qualities as per the RMA.

PRIMARY EVIDENCE OMISSION

19. In my original submission statement I note an error on page 07 point 31. "Mr Knott's approach has used the WRPS 10A [now APP7] & District Plan 8-1.2 criteria, where they are relevant to HHAs (as opposed to individual historic buildings and structures)." This should include "in regards to HHA under periods"

CONCLUSION

20. I acknowledge my error in the assessment criteria review, and that in terms of Mr Knott's methodology for initial assessment of the wider block selected by Mr Knott, the Queens Avenue area (which includes several side streets) along its one kilometre length, falls below the identified criteria for consideration under the sum of consistency criteria. However in review most of the identified houses and lot layout, at each end of Queens Avenue, are substantially original, and facing the street, and the street layout assessment could be adjusted by 0.5.
21. The criteria of consistency as noted by Mr Knott as a method is not in line with assessment methodology for historic heritage and does not include assessment against the HCC, WRP or Heritage New Zealand criteria.
22. I confirm that, at least groupings or parts of Queens Avenue Frankton, as defined in the proposed Historic Heritage Area, are representative of a period of Hamilton's Edwardians development period, and in addition has specific heritage values that could "contribute to an understanding and appreciation of New Zealand's history and cultures" deriving from

archaeological, architectural, cultural, and historic values. It requires assessment of historic heritage values as an example of early 20th century subdivision, which is representative of the Edwardian period (1910s-1920s) of development of the town of Frankton and Hamilton city.

Dated this 26th day of May 2023.

Laura Liane Kellaway