

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

AND IN THE MATTER Session 1 Historic Heritage Areas

SUMMARY STATEMENT OF EVIDENCE OF LAURA LIANE KELLAWAY

ON BEHALF OF WAIKATO HERITAGE GROUP # 427

DATED 26 MAY 2023

INTRODUCTION

1. My full 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 the Waikato Heritage Group submitter # 427
3. My qualifications and experience are as set out in paragraphs 2 to 7 of my primary statement of evidence dated 28 April 2023 (**primary evidence**).
4. 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 SUMMARY STATEMENT

5. The purpose of this final statement of evidence, provided on behalf of Waikato Heritage Group as Plan Change 9 (**PC9**) submitter, is to be a summary statement and only respond to rebuttal matters regarding Historic Heritage Areas (**HHAs**) raised in the expert evidence lodged for Council and other submitters.
6. The purpose of this evidence is not to restate matters that are already contained in my Primary evidence and Rebuttal evidence dated 14 May 2023.

EXECUTIVE SUMMARY

7. For heritage assets, their value emanates from a shared historic cultural context. The heritage assets are associated with buildings, landscapes and natural features that are embodied within a physical state or property. The property regime within Hamilton is predominately private, individually owned, and because areas which have heritage value commonly also have other values, key issues can emerge at the interface between management or preservation of heritage assets, and the management of those other, non heritage values.
8. Mr Knott in his final evidence notes that considering the historic landscape as part of Hamilton's historic heritage has not been addressed. No historic built landscapes have been considered.
9. In general terms, I consider the proposed HHA identified are appropriate with a range of housing areas and the addition of two commercial areas. But there are some adjustments needed, including that a range of areas should be included, and the supporting rule

framework in the District Plan amended, to ensure robust protection of the historic heritage within the HHAs.

10. The agricultural, industrial and scientific development in Hamilton as the region's centre have not been included as proposed HHAs.
11. There is a need to ensure the history of Hamilton and its development pattern is fully understood in order to underpin the identification, establishment and delineation of the boundaries of HHAs. This would also enhance the efficacy of the implementation of HHAs and identification of future areas.
12. I disagree with some of the histories that have been included, supporting HHAs, and note that any base used for the purpose of historic heritage should be reviewed, and be provided for ongoing applications.
13. The assessment criteria for proposed Historic Heritage Areas should be the same as for historic heritage, as discussed by Dr McEwan. While some modification to include the ODP HCC criteria for historic heritage is seen in the final revised submission by Mr Knott, as noted by Dr Mc Ewan background documentation for the proposed HHAs, which would help inform owners, planners and potentially assessors, remains light. Supporting detailed documentation can be provided and embedded by reference within a district plan to provide a higher level of detail.

REBUTTAL MR KNOTT FOR HCC

Urban Landscape Matters

14. Mr Knott in paragraph 70 (page 18) of his statement (12 May 2023) states under Urban that
“Where landscape features are a significant contributing element they have been identified. However, as outlined above, the intention is that the Statements for each HHA are succinct and focused, and that rules within the District Plan are simple to administer. No changes are recommended to the HHA Statements.”
15. I disagree with Mr Knott that the level of detail provided within the proposed Statements is sufficient to provide guidance to owners, planners and consultants. It is possible to provide a direct reference with each statement to provide a finer level of detail for both understanding and application, rather than requiring additional research and potential cost. In the absence of draft conservation plans or similar guiding documents the Statements for each proposed HHA does not give enough assistance for both historic heritage and historic heritage landscape.
16. An assessment of historic landscape within each proposed HHA by a specialist has not been completed.

Agricultural, Industrial and Scientific Development sites

17. In paragraph 71 of Mr Knott's evidence he states:

"I agree that in time it would be beneficial to seek to identify agricultural, industrial and scientific development sites in Hamilton as the region's centre. However, within the timescales allocated to the plan change this has not been possible."

18. I agree in part with Mr Knott. It is of concern that a citywide approach to include different types, outside of housing and commercial, which have been previously identified by HCC, was not included. There is risk that these areas are likely to be eroded if held over until the next review of Hamilton's historic heritage.

Concerns with the accuracy of the history of Hamilton underpinning the HHAs

19. Mr Knott in paragraph 72 notes that the matter has been considered. And that

"The updated methodology (Appendix 8, 8-3.1) utilises Development Periods which have Historic Heritage Significance to the Development of the City. This change has removed much of the other information regarding the history and development of Hamilton (as a whole) from the Appendix and replaced it with a simple summary of the Development Periods and the main characteristic of each of these. I consider that this is more helpful to future applicants than a longer history of Hamilton (and the role of Frankton). On that basis I do not consider that further time should be spent refining text relating to the history of Hamilton."

20. I disagree as the background documents that support the proposed HHA are the basis for historic heritage valuing, and should be robust, and reviewed. As noted by Ms Williams, it is not about extending the histories but a degree of accuracy and refinement, which could be completed with review by a professional historian. The proposed development periods are too broad, as noted by Ms Williams and Dr McEwan, and should be refined. Background material can be linked to the operative plan but sit outside of it, so that owners, applicants, planners, and consultants have a robust level of detail for understanding and application. Linking to documentation would then assist with reducing the documents within the plan, in the same way future guidance booklets and conservation plans can be linked.

CONCLUSION

21. Inclusion of proposed historic heritage areas within Hamilton city is a positive approach consistent with many other councils, and aligns known existing areas to be appropriately acknowledged as historic heritage. There are currently no historic heritage areas in the Operative District Plan.

22. In conclusion, I agree in principle with Mr Brown and Dr McEwan with the use of historic heritage within the Structure of the WRPS and ODP as it relates to the evaluation of Historic

Heritage Values, and, in part, support concerns regarding the identification of some of the proposed Historic Heritage Areas (“HHAs”) and the methodology utilised to justify their status under s6 RMA. However, a recognition of historic heritage that is national, regional and local is important within the proposed HHA framework and scheduling.

23. The method of identification of historic heritage, and the spatial identification of HHAs in particular, should use the established criteria for historic heritage evaluation within the ODP and the WRPS.
24. Inclusion of the range of heritage values and elements should include an integrated approach of which historic urban landscape should be assessed by specialists in the field, and includes the layers of historic heritage. Historic landscape is part of and integral to this.
25. Agricultural, Industrial and Scientific Development sites which have been identified are important to the development of Hamilton as a service city and the region in a rural environment are absent in the proposed range, will remain unprotected under the RMA, and at risk. An integrated citywide approach to historic heritage would have identified a range of themes and areas to be assessed.
26. Concerns with some of the accuracy of the history of Hamilton underpinning the HHAs has not been addressed at the level of detail which would provide owners, applicants, assessment planners and consultants with a more robust aligned background document, along with comprehensive historic heritage document for each specific HHA. It would also address concerns with providing a finer refinement of the broad periods of time used and issues with some of the historical summaries. These documents could be referenced within the plan as guiding documentation.
27. Comparative analysis at local, regional and national level significance, would provide an improved level of assessment to justify inclusion as an HHA, and potentially allow for some variation in application of degrees of controls to retain heritage values of the specific HHA.
28. A higher level of fine graining and further refinement on periods is still required to support a number of proposed HHAs. Further research and heritage valuing is required for a number of the proposed HHAs.

Dated this day of 26 May 2023.

Laura Liane Kellaway