

BEFORE THE HEARING PANEL

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 EVIDENCE OF LAURA LIANE KELLAWAY
ON BEHALF OF NIALL BAKER # 199
DATED 27 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 built heritage, heritage consultancy and architecture. I am a Waikato based Historian.
- 2.** As a long-term resident of Hamilton, I am familiar with both Hamilton and the greater Waikato region.
- 3.** I am acting on behalf of Niall Baker, submitter #199.
- 4.** My qualifications and experience are as set out in paragraphs 4 to 8 of my primary statement of evidence dated 28 April 2023 (primary evidence).

CODE OF CONDUCT

- 5.** I reconfirm that I am familiar with the Code of Conduct for Expert Witnesses (Environment Court Practice Note 2023).
- 6.** I have relied on evidence provided by Ms Lyn Williams in my assessment.

SCOPE OF EVIDENCE

- 7.** This summary statement is limited to the rebuttal evidence only.
- 8.** This statement provides an overview of the key aspects of my Primary evidence. I also provide a response to the evidence filed by Dr McEwan on behalf of SNR Limited, and Mr Knott on behalf of Hamilton City Council both dated 12 May 2023. These two experts commented on my evidence dated 28 April 2023 in relation to Mr Baker's original submission for parts of Fairview Downs to be scheduled as Historic Heritage Area (HHA)
- 9.** The fact that this summary does not respond to every matter raised in the evidence of Dr McEwan and Mr Knott within my area of expertise should not be taken as acceptance of the matters raised. I have focussed this statement on the key points of difference and agreement.

EXECUTIVE SUMMARY

- 10.** Fairview Downs is located on the eastern side of the city, near Ruakura.
- 11.** The area was first developed in the 1870s as farmland, following confiscation from Ngati Wairere in the 1860s.
- 12.** A Fairview Downs Historic Heritage Area (HHA) was proposed by Mr Baker, a resident, as a Historic Heritage Area, however has not met the initial assessment criteria for inclusion.

- 13.** The initial streets' assessment undertaken by Mr Knott divided up the area into blocks of streets. Under his consistency criteria the scores were from 1.5 to 3/7.
- 14.** A revised assessment based on Mr Knott's original criteria for consistency, based on his blocks, has been undertaken by myself and was included in my Primary evidence along with a proposed extent for a Fairview Downs HHA, which includes a substantial portion of Fairview Downs. An error of 1 point was made in the score and this has been adjusted. In review however, based on subdivision plans, it would appear that some of the streets have higher street layout values and architectural typology than initially assessed by visual survey, without background research, the points, under street layout and architectural typology could be modified to 1 which would bring some re-defined blocks to meet the threshold.
- 15.** While adjustment of the consistency base score for consideration is below Mr Knott's original consistency score, (subject to point 14 above being applied) both the original heritage theme and the revised development period now applied remain problematic. In utilising the original scoring system, it is clearly subjective, and as other expert witnesses, such as Dr Mc Ewan, have stated, the method is not in line with heritage valuing, which was not applied to the proposed HHAs and therefore this proposal.
- 16.** Fairview Downs (1960s-1975) is in my view representative of the initial themes below and has local historic heritage significance to the development of the city including:
- a) of comprehensive state housing schemes and control by the State Advances Corporation – with a small area of unusual Maori Affairs dwellings in Caistor Place designed to blend into the new suburb i.e., not standard State house types)
 - b) The construction company era (1960s-1975); and
 - c) The dominance of the private car and changing suburban form (1960s-1975).

This however was a very broad range of criteria, and has since been revised to broad time (development) periods. Both have been challenged.

- 17.** Fairview Downs (1960s-1975) is in my view representative of the proposed development period of Early Post War Expansion (1950 to 1980), which has local historic heritage significance to the development of the city, based on very limited comparisons within the proposed HHAs of a similar period. Consideration was given to other proposed HHAs (including Jennifer Place, Lamont Street, Springfield Crescent, and Acacia Crescent) but there was insufficient information provided within the Plan Change 9 documentation to complete a robust comparison.

HCC REBUTTAL RICHARD KNOTT

- 18.** Mr Knott on page 7, point 27 of his rebuttal evidence dated 12 May 2023, notes that "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."

- 19.** I acknowledge the error and that this reduces the Fairview Downs sum of consistency results. This does not however mean that there is no merit in looking at streets rather than blocks, based on HCC historic heritage criteria. In review, based on subdivisional plans, it would appear that the street layout and architectural typology in a number of the streets is consistent and original and the points should be modified to 1, which would take some streets to the threshold for consistency under the first test.
- 20.** Other than the consistency scoring issue, Mr Knott did not make any challenge to the primary evidence I provided. No comments were made on the evidence and historical study provided by Ms Williams. His rebuttal statement also makes no challenge to Fairview Downs as being representative of the particular development period, as discussed above.
- 21.** Paragraph 3.4.1.4 of the Joint Witness Statement in relation to Heritage and Planning held on 17 March 2023 records statements by Ms Williams and Mr Knott in relation to the development periods and Fairview Downs:

"Lyn Williams also considers that the development periods be further refined. Lyn considers that the broad nature of the periods adopted has resulted in omission of some important aspects of Hamilton's history such as the rural subdivisions. She considers that additional HHAs should include Fairview Downs.... Richard Knott advised that he had revisited Fairview Downs and by his assessment these areas should not be HHAs".

- 22.** I have been unable to locate any further re-assessment of Fairview Downs by Mr Knott, since the original HHA assessment report dated 21 June 2022. Mr Knott's 'Reconsideration of Previous Assessments in light of Submissions and Revised Methodology' (6 April 2023) does not include Fairview Downs.

REBUTTAL DR MCEWAN FOR SNR LIMITED

- 23.** I agree with Dr McEwan there were no further comments on the Fairview Downs HHA in the s42A report:
- a) It was only briefly mentioned in Part 1 of the S42a 'Themes and Issues report' (dated 3 March 2023) where it was noted as an additional HHA request. (see page 28)
 - b) The subsequent Planning Report and the recommendations (dated 6 April 2023) which effectively formed part 2 of the section 42A reporting for Hearing Session 1, includes no discussion of Fairview Downs.
- 24.** I agree with Dr McEwan (at paragraphs 12, 16 and 74) that a detailed analysis of how the boundaries were developed should have been provided, which was based on the mapping of the subdivisions from the 1960s to 1970s completed by Ms Williams. This was an omission and would assist with both extent and with owners being able to understand the role their

property plays. The historical subdivision map provided by Ms Williams was omitted by error but was described in written form in her Statement.

- 25.** The original extent of the area provided by Mr Baker in his submission initially showed the proposed extent was based on the 7th and 8th of the city, which was detailed in Appendix 6 – Map of Borough/City Boundary Extensions, of the Richard Knott Historic Heritage Assessment report, 21 June 2022.
- 26.** The proposed boundary of the Fairview Downs HHA as set out in my primary evidence, requires further research but is based on the historic survey documents and the surveys map provided by Ms Williams. The end date of 1975 was chosen as this is the period in which Peerless subdivision work is taken over by another company and other developers in the area.
- 27.** I agree with Dr McEwan that further assessment is required, as documentary evidence of each specific site for house types was unable to be obtained in the period of time of the hearing.
- 28.** With regards to concerns about a lack of comparative analysis I would agree with Dr McEwan. In looking at the other proposed HHAs there was very limited quantitative information of any Hamilton suburbs of this period, with only the initial street survey by Mr Knott and information provided by the proposed HHAs. I considered Jennifer Place, Lamont Street, Springfield Crescent and Acacia Crescent of the proposed HHAs to be of a similar period. These were generally a street or smaller part of a suburb and there was very little supporting research. There is very little published research on the history of Hamilton's post-war suburbs, apart from the current Plan Change 9 documentation, which is also limited. Patterns of the survival of original housing areas such as in Dinsdale and St Andrews where Peerless Homes, the largest supplier in Fairview Downs, was also the largest supplier as initially advised by oral sources, would require in-depth research.
- 29.** The definition of the Mr Knott's initial street survey blocks does not appear to have been based on the historical subdivisions and this proved difficult in any review of the associated blocks. This indicates an issue with the initial selection of blocks and that at street level historic subdivisions did not inform the survey. Some areas were surveyed by street and others by blocks.
- 30.** I would agree with Dr McEwan that scores aligned to the Knott based blocks such as Block A were below the required score, however as noted above I acknowledge an error in my scoring. However, in reviewing the survey the lot size under consistency should be revised to 1 where this is evident on the subdivision plans. This would take some of the areas to the threshold level. A finer graining of street rather than block would likely be more aligned if based on historic boundaries.
- 31.** Dr McEwan considers that 400 houses is too large, and I would agree in part. It is probable that the extents would be refined with further documentation particularly of the house types. Assessing private dwellings requires a site-by-site approach, and individual records to be held by council and or the developers. During research it was clear that there are no

comprehensive developers' archives as one of the main companies was closed in the late 1970s and records were not archived. Research was begun to seek these records, and a small sample has been found or provided by owners. Further research is required, which would likely reduce the overall number of houses within the proposed area.

- 32.** I agree in part with Dr McEwan's conclusion that further research is needed to establish the proposed HHA extent robustly. But I would also note that the HCC methodology is problematical. As noted in my primary evidence, the block approach to initial valuing is not an appropriate method; and heritage valuing should be based on HCC criteria for assessment with robust historical research. In undertaking an initial street viewing based on the methodology Mr Knott provided it was clear it was character and visually based, which may be useful as one method with government housing but does not provide enough basis for the initial survey, especially in the case of Fairview Downs which was developed by private development companies.
- 33.** From the initial assessment I consider there are two distinct mass-housing developers, with the northern block above Powells Road, which is mainly Peerless Homes, and the southern block, which is in part Beazley Homes. I would also agree the extents could be reduced, subject to further research. This would then give more robustness to the process. However, to be able to robustly provide a process for progressing to HHA the method of assessment or scoring should be an appropriate method and based on RMA definitions of heritage, HCC Operative District Plan criteria, the WRP or the Assessment criteria of Heritage New Zealand rather than being focused on a character/visual assessment tied to 'consistency' scoring.

CONCLUSION

- 34.** Grouping of streets and blocks, as defined in the proposed HHA, needed to retain sufficient heritage value. The proposed Fairview Downs HHA is representative of a period of Hamilton's development, which has specific heritage values that "contribute to an understanding and appreciation of New Zealand's history and cultures" deriving from architectural, cultural and historic values. It requires more assessment of historic heritage values and reconsideration of the heritage values that the place provides.
- 35.** A different bundling with a street-by-street assessment may have changed the initial assessment scores, and with the use of background research, prior to viewing, to support visual assessment. In my view as defined Fairview Downs has its own distinctive character from its architecture and its setting, and potentially from its social valuing from oral discussion. It is a representative suburb rather than streets or blocks, and the block to the north of Powell's Road is directly related to a Hamilton mass-housing company, Peerless Homes, that did not survive the 1970s, yet remains known. The southern block would appear to be mainly Beazley Homes, with some Maori Affairs houses, and potentially other companies.

- 36.** I reconfirm that there are approximately 400 houses included in the proposed HHA and two parks, however as noted by Dr McEwan, a reduction in the number of houses included may be reduced on further research, and this may be in the southern block (south of Powell's Road) once assessed at a finer level.
- 37.** Noting the error in including an additional one point in the initial summary for consistency, I note this affects the initial score, but under review the consistency of both street layout and architectural typology, would increase some streets by 1, but is now informed by historical knowledge. However as has been discussed by Dr McEwan the methodology and criteria provided have changed during the process of Plan Change 9 and in order to have a robust assessment, it should be based on the methodology and criteria of either HCC, the WRP or the assessment criteria of Heritage New Zealand.
- 38.** The boundaries of the suburb were selected primarily on the 7th and 8th extension for the preliminary extents, but is not an exact tool and therefore the historic subdivisions from 1960 to 1975 were used as a secondary tool for the main growth period of the suburb before 1979. Further refinement is noted as likely.
- 39.** I reconfirm that Fairview Downs HHA should be considered for inclusion as an HHA within Plan Change 9, subject to further refinement and heritage valuing, based on a revised methodology and revised criteria.

Dated this 27 May 2023

Laura Liane Kellaway