

**BEFORE THE HEARING PANEL**

**IN THE MATTER** of 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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**SUPPLEMENTARY EVIDENCE OF RICHARD JOHN KNOTT**

**(Historic Heritage Areas)**

**Dated 2 June 2023**

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## INTRODUCTION

1. My full name is Richard John Knott.
2. My qualifications and experience are as set out in paragraphs 2 to 7 of my primary statement of evidence dated 14 April 2023 (**primary evidence**).
3. 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 EVIDENCE

4. The purpose of this supplementary statement of evidence, provided on behalf of Hamilton City Council (**HCC**) and Plan Change 9 (**PC9**) proponent, is to respond to matters regarding Historic Heritage Areas (**HHAs**) raised at the hearing on the 1 June 2023.

## RESPONSE TO MATTERS RAISED

### The Relationship of Special Character Areas and HHAs

5. A number of submitters who presented evidence, including on prior days of the hearing, have discussed a 'continuum' in which if an area does not qualify as an HHA it then falls to consider whether it should be identified for its special character values.
6. While some areas might fit within such a continuum, that will not always be the case.
7. As covered in detail at the hearing, the historic heritage values of an area require consideration of whether the area contributes to an understanding and appreciation of New Zealand's history and cultures,

deriving from a number of qualities. I agree with Mr Miller's view, that in the case of an HHA those values are most likely to relate to the architectural and historic values of the area, but accept that the archaeological, cultural, scientific and technological values of the area may also contribute.

8. The special character values of an area relate to the amenity values of the area, and in particular the pleasantness and aesthetic coherence of the area. These may be very different to any historic heritage values that an area may exhibit. I do not believe that these values always overlap or provide a continuum from any historic heritage values of an area.
  
9. Using an example that I know the panel has already visited, the Oxford Street (west) and Marshall Street HHA has been identified as being of heritage significance as representing the Late Victorian and Edwardian and during and after inter-war growth (1890 to 1949) development period, with the values of the area including that it illustrates the continued growth of the city, the remaining small dwellings and the relatively unaltered development pattern. However, were the panel to find that the area did not exhibit sufficient historic heritage values to be identified as an HHA, I do not believe that the area exhibits sufficient aesthetic coherence and qualities that it should alternatively be identified as a special character area.
  
10. Accordingly, it cannot be assumed that all identified HHAs will automatically qualify as a special character area if the Panel's assessment concludes that historic heritage values are not present.

#### **Whether 'bespoke' rules should be prepared for each HHA**

11. A number of submitters spoke of the success of the existing rule framework and in particular that for Hayes Paddock.

12. This led to discussion as to whether bespoke rules were needed for individual HHAs to better respond to the values of each. Much of this discussion related to the ability to erect buildings within rear yard areas and to alter the rear of buildings as a permitted activity. There was also discussion regarding the need for Heritage Impact Assessments (**HIAs**).
13. Mr Thode indicated that he had some concerns with the idea of bespoke provisions and that this could result in a lengthy, complex chapter in the District Plan. He considered that the Statements for each HHA could be used as an alternative response to this matter. I agree.
14. Other submitters also discussed the complexity of the Assessment Criteria and, in particular, E1 (which applies to all historic heritage matters).
15. I consider that to progress this matter, consideration could be given to:
  - a) Introducing a rule to allow the maintenance and repair of buildings in HHAs;
  - b) Reconsidering the wording of the rules at 19.3.2 to allow greater scope for sheds and accessory buildings, and alterations and additions to the rear of existing buildings as a permitted activity. This may include considering such matters as the height of accessory buildings and additions to ensure that they are not visible beyond/above the original building;
  - c) Providing further clarity regarding the preparation of HIAs, including who they should be prepared by, their contents and 'size', as already discussed on previous days of the hearing;
  - d) Consideration as to whether the E1 assessment criteria should apply to HHAs; and

- e) Further reviewing the Statement for each HHA to ensure that they better explain the values and key design features of each HHA.
16. Overall, I consider that rather than a set of bespoke rules for each HHA, the better and more efficient approach is a consistent set of rules across all HHAs, but with each HHA having their own bespoke and well-articulated historic heritage values that require protection through application of the rules. More work is being done to these HHA descriptions to ensure a clearly articulated set of values are easily identifiable in the Operative District Plan (**ODP**) and examples of updated Statements have been prepared for Acacia Avenue and Seifert Street (**Attachment 1**).

**Whether PC9 provides a sufficiently high threshold for an area to be identified as an HHA**

17. In section 5 of his evidence, Mr Brown<sup>1</sup> indicates that he considers that the ODP criteria for assessing Historic Heritage Buildings and Structures would be suitable for the assessment/identification of HHAs and that includes an established threshold for inclusions.
18. In the ODP the rankings utilised for buildings are:
- a) Plan Ranking A: Historic places of highly significant heritage value include those assessed as being of outstanding or high value in relation to one or more of the criteria and are considered to be of outstanding or high heritage value locally, regionally or nationally.
  - b) Plan Ranking B: Historic places of significant heritage value include those assessed as being of high or moderate value in relation to

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<sup>1</sup> Evidence of John Brown paragraphs 5.6 and 5.7.

one or more of the heritage criteria and are considered to be of value locally or regionally.

(emphasis added)

19. Originally, I had considered whether to create two 'rankings' of HHAs; Category A and Category B, with the threshold of each of these echoed in the Category A and B thresholds used for the individual Historic Heritage items referred to by Mr Brown<sup>2</sup>. Ultimately, I preferred a single set of HHAs, but retained the Category B threshold of significant historic heritage of 'moderate value'.
20. With this move to a single ranking of HHAs, the Category B threshold was adopted as the baseline threshold for all HHAs.
21. Advice regarding the meaning of Moderate in relation to the various criterion is given in the ODP 8-1.2 Heritage Assessment Criteria. In this context Moderate is used in the context of representing heritage significance, importance, a good representative example, retaining significant features, reinforcing an understanding, conspicuous, recognisable, important, memorable, contributing, locally important.
22. It is clear that the ODP intends Moderate to be something more than 'average'.
23. This is not dissimilar to the identification of places for inclusion on The New Zealand Heritage List/Rārangī Kōrero, where Category 2 places are identified as 'places of historical or cultural heritage significance or value', and it is only Category 1 places which are of special or outstanding significance or value.

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<sup>2</sup> ODP 8-1.1 Rankings of Significance.

24. In view of the above, I consider that Moderate is an appropriate threshold. It is important to emphasise that descriptors like 'high' or 'moderate' are applied only once an area is identified as having historic heritage significance. So even if classified as Moderate we are still dealing with an area of significance.
25. In addition, the adoption of the Moderate threshold is not to say that many of the proposed HHAs do not far exceed this level of significance.

**Is further evidence required as to the Significance and Values of each HHA before the Panel can make a decision**

26. I was pleased to hear Ms Kellaway confirm that she considers that I am not far off the mark for the level of information required to justify each HHA. However, I stand by my opinion that the level of information discussed by Ms Williams and Dr MacEwan is not required, and whilst extremely interesting from a local history or architectural history perspective I do not believe that this would add anything to the assessment process.
27. As verbally confirmed at the hearing on 31 May 2023, I am confident that there is sufficient evidence available for the Panel to make a decision regarding each HHA.

**Is a comparative analysis required**

28. Witnesses for various submitters have suggested that a comparative analysis is required for each HHA. Mr Brown pointed out that this is a part of the methodology used in Auckland, although not a requirement of the Auckland Regional Policy Statement.

29. My understanding is that comparative analysis, that is examining how a place compares with other similar or related places (both scheduled and unscheduled) in the local area, region or wider context to establish its relative significance, only became part of the *'Methodology and guidance for evaluating Auckland's historic heritage'* since its revision in 2020. I further understand that assessments before that date did not include such a comparative analysis – that is the very significant majority of historic heritage items scheduled in the AUP(OP) and that a comparative analysis has not been carried out for any building included in the recent Auckland PC81. It appears that a lack of a comparative analysis cannot therefore be a fatal flaw.
30. In this instance, as set out in my evidence, I have visited every residential street in Hamilton which contains a majority of pre-1980 development. This, seen through the eyes of my 30+ years of experience of historic heritage areas (or equivalent) has provided an appropriate comparative analysis for each proposed HHA, as well as noted by Commissioner Serjeant, dismissed the vast majority of areas which contained some characteristics of an identified Development Period, but which do not display consistency with a majority of the physical and visual qualities of a Development Period.
31. As described in my Evidence, the Stage (2) Detailed Assessment provided that any potential HHAs identified as not being of at least moderate heritage significance to the city, regionally or nationally was dismissed.
32. Mr Brown questioned this process, saying that he saw streets with similar descriptions being scored differently under the consistency criteria. My explanation for this is that I drew upon my experience and training in planning, urban design (with a focus on historic areas) and historic heritage to make these assessments and this may have resulted in a



different score to Mr Brown's which he may have come to from his background in archaeology.

#### **Is a site by site assessment needed as part of an HHA assessment**

33. I consider that with the suggested updates to the Statements for each HHA, as discussed above, a site by site assessment of each HHA (to establish the value of each and every site) would only be required if different rules were to be established for contributing and non-contributing sites.
34. The most likely example of this would be to allow the demolition of a non-contributing building as a permitted activity, whereas the demolition of a contributing building remained a restricted discretionary activity. I consider that the creation of an empty site in an HHA could have significant impact on the values of the HHA and do not support such an approach. Given this I do not consider that a site by site assessment is necessary.

#### **Use of the consistency criteria**

35. Mr Gumbley suggested that matrix are a weak form of justification and Mr Baker considered that the consistency criteria should take account of the fact that items such as fences can change over time, and given this, there needed to be some weighting in how the consistency criteria are scored.
36. I do not agree with Mr Gumbley. As set out in my evidence, the main purpose of the 'consistency criteria' test was to objectively assess and filter out the majority of streets. I consider that is an appropriate method for this.

37. In relation to the potential removal of fences, such improvement may never be achieved as it would not be possible for the Council to force such changes. As such I consider it is more appropriate to 'score' the area as found.

**Whether the Harrowfield area should be identified as an HHA**

38. I have visited the Harrowfield area on two occasions; once whilst undertaking my initial site visits and on the second occasion in response to submissions.
39. It was confirmed by submitters at the hearing that the area was developed in the 1980s through to the 1990s. As such, the area is not illustrative representative of one of the three Development Periods which have Historic Heritage Significance to the development of the city (with the last of these periods ending in 1980).
40. From my visit to the area, I note that the architecture, materials for buildings, setbacks, and frontage treatment of sites vary (although I do recognise that they are all examples of development of the 1980s/90s development). Without visiting other similar age areas across the city, in the same way as I have visited all (predominantly) pre-1980 residential streets in the city, I am not able to make a judgment as to whether the area is one of the best examples of this period of development (ie carry out a comparative analysis).
41. I am not able to support the identification of the Harrowfield area as an HHA. I do accept that Harrowfield could be an example of an area that might sit on this perceived continuum between heritage and character and could be suitable for a character overlay (noting this is not within the scope of PC9).

**Whether Fairview Downs should be identified as an HHA**

42. Notwithstanding the additional evidence presented, and the local history included as part of this, I remain of the opinion that Fairview Downs should not be identified as an HHA due to the inconsistency of the existing environment. As such it would not be one of the best examples of the Early post-war expansion (1950s–1980) Development Period. Again, there may be a case to afford it a character overlay through another plan change process.

**Richard John Knott**  
**2 June 2023**

**Attachment 1**

# Acacia Crescent HHA - Statement

## Development Dates

- Surveyed for subdivision in 1961 with construction on the west side of the street by 1964

## City Extension

- Located within the 8th extension of the city, April 1962

## Summary of Values

Acacia Crescent is one of a series of subdivisions by the Houchen family, who originally operated a farm on the land. The subdivision of Acacia Crescent and surrounding area provides evidence of landowners capitalising on the growth of Hamilton City, which resulted in a collection of loop roads and cul-de-sacs developed in isolation. Acacia Crescent was initially an outlier when formed in the 1960s and later connected to the city by its ongoing growth. It remains at the southern boundary of the city. The street shows a high degree of integrity of lot size and layout from the original survey and formation of the street, with little further subdivision and development from its establishment.

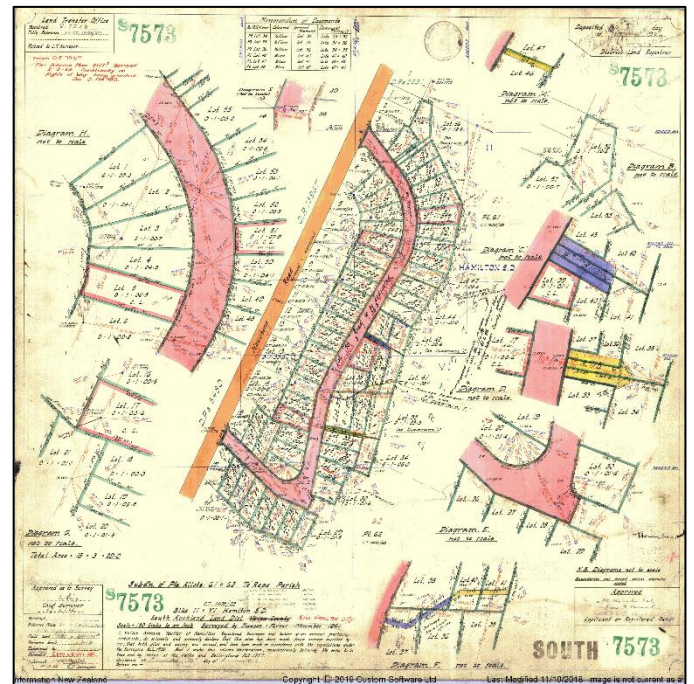


Figure 1. Survey plan for the subdivision of Acacia Crescent, November 1961 (LINZ, DPS7573).

The dwellings in the street are largely 1960s and 1970s builds, dating from the original subdivision of the street, and most appear to be unmodified. Together, these dwellings form a cohesive, yet varied, collection of 1960s buildings.

Maintaining existing open (unfenced) frontages is an important element in maintaining the historic heritage significance of the area.

### Key design features of the area include:

- Typical pattern book type houses
- Building generally perpendicular to the street, although some buildings are positioned at a narrow angle to the street
- Plain, flat wall surfaces with rectangular picture windows
- Timber window frames with opening top lights
- Front doors glazed with small panels
- Linked or integral garages
- Low pitched concrete tiled roofs with gables, hipped and Dutch gable forms
- Gable ends finished with a prominent but plain bargeboard and lightweight cladding on gables, such as fibre cement sheeting with shallow profile

- Red bricks or light brown/grey/dull coloured bricks, with blockwork (often painted) for ground floors areas on two storey buildings
- Some white painted panels between windows.
- Relatively narrow driveway entrance/vehicle crossings (often single width or 1.5 vehicle width)
- Mainly unfenced frontages often with low retaining walls, or in some case low brick walls.
- Planting within front boundaries, and within front yards (including some substantial areas of planting).

The Acacia Crescent subdivision and dwellings brought forward on the land, are typical of the Early Post War Expansions (1950 to 1980) development period, including linked roads and cul-de-sacs and building plan forms which incorporate L, T and shallow V shapes

The HHA is considered to have at least moderate local heritage significance as a little altered example of the Early Post War Expansions (1950 to 1980) development period.

## Background

(Historic, Cultural and Archaeological Qualities)

Acacia Crescent was part of a larger piece of land surveyed into allotments in May 1912. There was a homestead recorded on Lot 62, with a creek running near the eastern end of Lot 61-63. From the 1920s, the land was owned by farmers Edward and Laura Houchen.

Edward Houchen died in 1939 at the family homestead, 'Tirohanga,' on Houchens Road in 1939.

The development of Acacia Crescent was part of a series of subdivisions carried out by the Houchen family. The first subdivision was along the main road (Houchen's Road), which was surveyed in July 1954, and the family also subdivided an adjacent street, Exeter Street, in 1975. Plans for further subdivision were evident in the July 1954 plan, which included a road connection.



*Figure 2. Aerial taken in 1964, with the newly formed Acacia Crescent visible surrounded by agricultural land (www.retrolens.co.nz).*

Acacia Crescent was surveyed in November 1961 (Figure 1). The street was reportedly named after a stand of acacia trees in a nearby gully. All lots were approximately 1/4 acre (1,000m<sup>2</sup>) in size, surveyed in a rectangular shape. The majority of the sections had a short street frontage to the road, with some longer sections surveyed on the east side of the road. Acacia Crescent connected Houchens Road as outlined in the earlier survey plan and curved around behind the existing sections along Houchens Road.

Historic aerials show the newly formed crescent surrounded by agricultural land in the 1960s, located away from the edge of the city (Figure 2). These historic aerials show construction had started on the west side of the street by 1964, with almost all lots occupied by 1971. By 1974, the majority of lots on the eastern side of the road were also occupied.

Houses were constructed in varied building forms, with L-shaped and T-shaped dwellings visible. The dwellings on the western side of the road have a similar setback and well-formed driveways leading up to the house from the street.



*Figure 3. Acacia Crescent and surrounding area in 1988 (www.retrolens.co.nz).*

In April 1962, Acacia Crescent was brought within the city boundaries as part of Hamilton's largest boundary extension which almost doubled the land area of Hamilton City. Hamilton's population growth was occurring much faster than predicted, and there was insufficient land for the low-density suburban life that the growing population demanded. Previously the City's boundaries had been adjusted to respond to existing urban development, but the 8<sup>th</sup> extension planned for population growth, spatial development, and infrastructure. Acacia Crescent was gradually connected to the city with ongoing development and residential construction. Aerials show Acacia Crescent was developed in isolation, likely due to its subdivision from privately owned land. It was developed during a period where many loop roads and cul-de-sacs were formed in isolation as part of a private subdivision from privately owned land. By 1988, residential development connects Acacia Crescent to the city to the north (Figure 3).

There have been no changes to lot size and layout since the establishment of Acacia Crescent. Only one lot has been subdivided with a small, modern unit constructed near the street edge. The overall form of the street and development is typical of the Early Post War Expansions (1950 to 1980) development period.

## **Buildings and Streetscape Elements**

(Qualities)

A new era of suburban housing vernacular was established in the 1960s with the introduction of architecturally designed houses from plan books, that provided some more variation in styles, materials, and layouts, compared to the earlier State housing vernacular. The dwellings along Acacia Crescent appear to have strong similarities with the 1960s plan books, with multiple houses with angled designs, gable windows, large picture windows, and built-in garages. Split level dwellings dominate, taking advantage of the topography of the site.

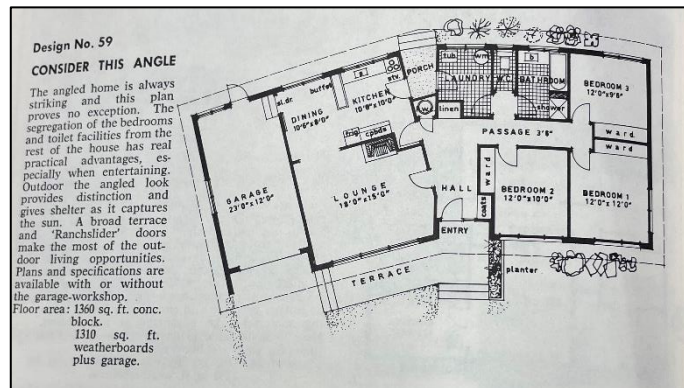


Figure 4. Excerpt from Leighton Carrad, *New Zealand Home Builder* (Auckland: Architectural Design Service, 1966).

The following 1960s architectural elements are present at Acacia Crescent, and are particularly visible along the western side of the road:

- Linked or integral garages,
- Plain, flat wall surfaces with rectangular picture windows,
- Timber window frames with opening top lights,
- Front doors glazed with small panels,
- Low pitched roofs with gable ends finished with a prominent but plain bargeboard,
- Tiled roofs,
- Red bricks or light brown/grey/dull coloured bricks, and
- White painted panels between windows.



There appears to have been little change to the dwellings along Acacia Crescent, since the street's original establishment (Figure 5). The western side of the street has a uniform set back, which is presently enhanced by low to medium height boundary treatments. Properties are generally positioned parallel to the street. The street is raised above the eastern side of the street, which reduces the visibility of properties on this side. They are representative of the Early Post War Expansions (1950 to 1980) development period.



Figure 5. Aerial dated 1971 showing the Acacia Crescent HHA (in red) with current building outlines (in blue), showing little change since the 1970s (Retrolens, SN3470, with overlay).

# Seifert Street HHA - Statement

## Development Dates

- Subdivision granted 11<sup>th</sup> November 1959 and 9<sup>th</sup> December 1964, with dwelling permits showing from 1962 to 1968.

## City Extension

- Within the 5<sup>th</sup> Extension to the city, April 1949

## Summary of Values

Seifert Street HHA is a subdivision by owner A L Seifert, initially for a single house on the Garnett Avenue frontage in 1959, followed by the remainder of the street in 1964.

The street shows a high degree of integrity of lot size and layout from the original survey and formation of the street, with little subdivision or development from its establishment. The dwellings in the street are largely 1960s builds, dating from the original subdivision of the street, and most appear to be relatively unmodified. Together, these dwellings form a cohesive, yet varied, collection of 1960s buildings.

Maintaining existing open (unfenced) frontages, albeit with existing low retaining walls, is an important element in maintaining the historic heritage significance of the area.

### Key design features of the area include:

- Typical pattern book type houses
- Building generally perpendicular to the street, although some buildings are positioned at a narrow angle to the street.
- Single storey or split level 2 storey built into site slopes (with garages only at lower level)
- L, T and shallow V shaped plan forms
- Buildings present a long elevation to the street
- Red or buff coloured brick elevations, with plaster or blockwork plinths or ground floors. Some panels of reconstructed stone or light weight cladding on elevations.
- Concrete tiles or corrugated steel roofs
- Mix of gables and hipped roofs
- Lightweight cladding on gables, such as fibre cement sheeting with shallow profile
- Large picture windows with timber joinery.
- Majority of garages are integral to the main building, and have one or two single width doors.
- Relatively narrow driveway entrance/vehicle crossings (often single width or 1.5 vehicle width)
- Unfenced frontage with low retaining walls, or in some case low brick walls.
- Planting within front boundaries, and within front yards.

The HHA is considered to have at least moderate local heritage significance as a little altered example of the Early Post War Expansions (1950 to 1980) development period.

## Background

(Historic, Cultural and Archaeological Qualities)

Seifert Street was granted subdivision consent to the owner A L Seifert in 1959 (for lot 1 only; now 31 Garnett Avenue) with the remainder of the street gaining subdivision consent in 1964.

The land had come into the city boundaries in 1949; the same year subdivision consent had been granted for the subdivision of land immediately to the south to the south of the site facing Garnett Avenue<sup>1</sup>.

A L Seifert named to road eponymously in 1960<sup>2</sup> (and identified it as such on the approved survey plan).

The street is a cul-de-sac which rises gently westwards from Garnett Avenue, with the original topography of the area clearly understood.

There has been little change to the lot layouts since the original construction of the street and houses.

## Buildings and Streetscape Elements

(Architectural, Scientific and Technical Qualities)



Figure 7: Cropped 1961 aerial photo showing the first dwelling adjacent to Garnett Avenue (retrieved from [www.retrolens.nz](http://www.retrolens.nz))

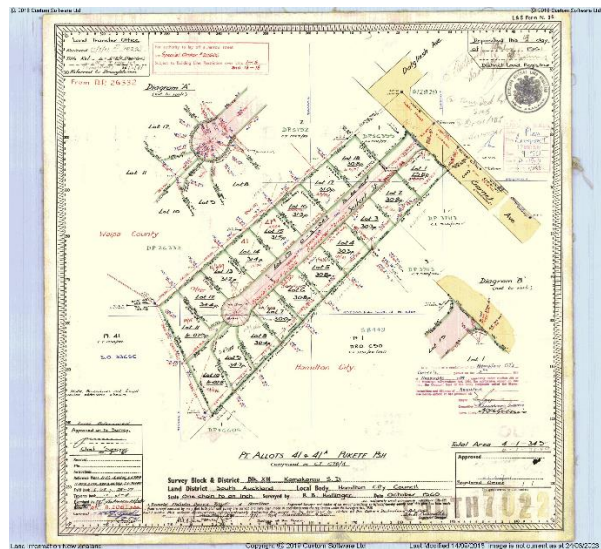


Figure 6: Approved survey plan, 1964 (retrieved from [premise.co.nz](http://premise.co.nz))

The 1960s dwellings are plan book styles, mainly single storey but some two storey dwellings, particularly on the north side of the street at the west end where the ground level rises from the street and buildings are cut into the slope. Building plans vary, and include L, T and shallow V shapes. Lots are reasonably square in shape, leading to buildings presenting long elevations towards the street.

<sup>1</sup> All consulted survey plans show the spelling 'Garnet' rather than the current spelling 'Garnett'

<sup>2</sup> Hamilton City Libraries

Dwellings generally have brick elevations with some having a plaster or blockwork plinth (or ground floors in the case of the two storey buildings). There are a mixture of gabled and



*Figure 8: Cropped 1971 aerial photo showing all lots developed (retrieved from [www.retrolens.nz](http://www.retrolens.nz))*

hipped roofs, with both concrete tiles and corrugated steel used. They have large picture windows with timber joinery.

Most lots have a low fence or wall along the front boundary, often supplemented with planting.

Fully formed driveways lead to off street parking areas and garages (which are generally integral, although some are detached to the rear of the dwelling).

Overall the buildings are typical of pattern book type houses in the Early Post War Expansions (1950 to 1980) development period.

The street has regularly spaced street trees within narrow front berms, on both sides of the street. Lots are generally regular sizes and shaped, with wide frontages to the street (apart from the lots at the west end of the cul-de-sac accessed by driveways).