

BEFORE THE INDEPENDENT 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

AND IN THE MATTER Session 2 - Historic Heritage
Areas

STATEMENT OF EVIDENCE OF NIALL BAKER
DATED 13 OCTOBER 2023

INTRODUCTION

1. My name is Niall Baker. I hold the qualifications of Bachelor of Social Sciences, Bachelor of Social Sciences with Honours (with First Class Honours) in Resources and Environmental Planning, and a Master of Environmental Planning. I have around 14 years' experience in strategic policy planning roles.
2. I have lived in Hamilton City since 2005 and am familiar with its urban environment and surrounds.
3. I made an original submission (submission #199) requesting the inclusion of parts of Fairview Downs as a Historic Heritage Area (HHA). I am a resident of this suburb in Hamilton. I presented to the hearing panel on 1 June 2023 (Day 8 of the Session 1 HHA hearings).
4. I professionally engaged the advice of Ms Laura Kellaway, heritage architect and Ms Williams, a historian, to provide expert evidence to the panel in relation to my submission. During the session 1 hearing proceedings, Ms Kellaway provided evidence on the area's potential to be included as HHA (subject to further research and valuing) and Ms Williams provided a background history of the Fairview Downs area.
5. Ms Kellaway has now provided rebuttal evidence for the Session 2 hearings regarding the supplementary statement of evidence of Richard Knott, (of 22 September 2023) in relation to the proposed Fairview Downs HHA.

EXPERT WITNESS CODE OF CONDUCT

6. Although I have qualifications and experience detailed above, this statement is provided in my personal capacity as a submitter and landowner within Hamilton. This statement is not provided as expert evidence per the Environment Court Code of Conduct for expert witnesses.

SCOPE OF EVIDENCE

7. This statement concerns my submission that parts of Fairview Downs be scheduled as an HHA. This statement discusses the issues concerning the assessment of Fairview Downs by Mr Richard Knott in his supplementary statement.
8. I will not repeat the information provided in my statement of 1 June 2023 and presentation to the hearing panel as part of session 1 (Day 8). That statement ran to some 144 pages including attachments with Fairview Downs archaeological site records, house plan samples etc. This statement should be considered alongside this earlier information.

OVERVIEW

9. In my original submission I proposed the area comprising of the 7th and 8th extensions to the city be included as an HHA.
1. In summary, Fairview Downs is a mid-century suburb in eastern Hamilton, and prior to the 1960s was farmland, part of another council. The area south of Powell's Road was developed in 1962 by D.M. McKenzie. Fairview Street was named in 1967 by Alf Steel, the developer of the northern area, who wanted a name that made the area sound more attractive.
2. A developer bought the farm to the north in 1967. Fairview, to the north of Powells Road, was turned into housing between 1970 and 1974 by Peerless Homes Ltd., owned by Ernest (Alf) Steel. Research shows this suburb contains a large collection of standard house design with distinctive single storey houses in a limited material range, mainly from the 1960s and 1970s.

ASSESSMENT OF THE FAIRVIEW DOWNS AREA

3. Mr Knott's supplementary evidence states:
*...I have found that in two cases, Fairview Downs area ..., that if I assessed the areas as a desk-based exercise without reference to their existing physical condition I would have found that they would have **achieved different scores against the 'historic***

qualities' criteria than I have recorded in my assessment. They would each score:

a) Fairview Downs – Moderate

Whilst the area demonstrates some architectural and historic interest, and the subdivision pattern remains true to the original, the ability to appreciate the historic significance of the area has been diluted by the changes which have taken place, in particular the construction of medium and tall height timber fences along the frontage of many lots. This, along with the diversity of the houses within the area, has disrupted the integrity of the area. As such, the area is only of 'low' heritage significance.

[emphasis added]

4. Mr Knott has provided an assessment against the Waikato Regional Policy Statement APP7 Criteria. I consider this assessment provided has not sufficiently taken into account the heritage fabric of the area and the scoring has been erroneously lowered due to the apparent presence of front timber fences.
5. The assessment provided only gives brief and general comments. There is no foundational historical study provided or any mention of information sources relied upon. It is also unclear whether Mr Knott has considered any of the information presented as part of the session 1 hearings. For example, where it is stated there is no archaeological information available, in fact there are identified sites within the proposed Fairview Downs HHA area – which was presented to the panel as part of session 1 hearings.
6. I disagree with the 'dilution' of heritage values due to the construction of medium and tall height timber fences within Fairview Downs. The presence of fences simply does not diminish heritage value because:
 - a) There is no statement in the APP7 criterion that would support considering front fences as to whether a place or area has heritage values;
 - b) There being no identification as to which part of APP7 criteria is relied on for this assessment;
 - c) No evidence being cited to suggest this approach represents established heritage practice;

- d) The absence of any examples of where front yard fencing reduces heritage qualities – I could not identify this being part of Heritage NZ guidelines, Auckland Council methodology nor those used in other centres such as Wellington.
 - e) The reduction of heritage values due to timber fencing, contributes to a confusion between heritage and character in the approach used. Frontage fencing is aspect of streetscape, urban design etc that relates to character. Historic heritage should not be determined merely on the basis of visual attributes, rather than the values/qualities a place has (historic, architectural, social, scientific etc) as per the RMA.
 - f) The fact that frontage fencing in suburbs such as Fairview Downs, varies considerably with many properties having no fencing at all.
 - g) The presence of older and established hedges and plantings within front yards of properties in Fairview Downs – it is unclear what the status of these have within Mr Knott’s assessment as only built timber fences are mentioned.
 - h) Expert evidence provided by Ms Kellaway setting out a preliminary survey of fencing in the area which shows most properties do not have medium or high fencing.
7. The reduction of the “moderate” heritage values assessed by Mr Knott, as a ‘desktop exercise’ due to medium and high timber fences is flawed. It is inconsistent with the APP7 criteria and my understanding of established heritage evaluation practice.
8. Further comments on the assessment are provided in appendix 1.

CONCLUSION

9. The HHA assessment of Fairview Downs provided by Mr Knott has been erroneously lowered due to the apparent presence of front timber fences. This should not diminish the ‘moderate’ historical qualities of the area as assessed.
10. Ms Williams provided evidence in session 1 on the history of Fairview Downs and Ms Kellaway provided a heritage and street assessment in support the area’s inclusion as an HHA.
11. Ms Kellaway has provided expert rebuttal evidence as part of this session 2 hearing.

12. Overall, the area contributes to a clear understanding and appreciation of the development expected in the Early Post War Expansions (1950 to 1980) development period and exhibits heritage significance as it is a relatively unaltered example of 1960-1970s development, which includes retained dwellings, which incorporate features of the 1960-1970s plan book designs, and an unaltered subdivision layout and urban form.

13. The historic streets show a high degree of integrity of lot size and layout from the original survey and formation. The dwellings within the proposed HHA are 1960-1970s builds, dating from the original subdivision, and most appear to be relatively unmodified. Together, these dwellings form a cohesive, yet somewhat varied, collection of buildings.

14. I reconfirm my submission for the inclusion of the identified parts of the suburb of Fairview Downs be added as an HHA. Thank you for your consideration.

Niall Baker

13 October 2023

Appendices

1. My Comments on HHA Assessment by Mr Richard Knott
2. HHA area map
3. Archaeological site record

My Comments on Assessment for HHA: Fairview Downs

APP7 Criteria

- Scientific Qualities – no comments
- Technological Qualities – no comments

Archaeological qualities

- **Information** - *The potential of the place or area to define or expand knowledge of earlier human occupation, activities or events through investigation using archaeological methods.*
- **Research** - *The potential of the place or area to provide evidence to address archaeological research questions*
- **Recognition or Protection** - *The place or area is registered by Heritage New Zealand for its archaeological values, or is recorded by the New Zealand Archaeological Association Site Recording Scheme, or is an 'archaeological site' as defined by the Heritage New Zealand Pouhere Taonga Act 2014.*

My Comments
<p>There are recognised archaeological sites in Fairview Downs, as per the site records and maps appended to my session 1 evidence.</p> <p>Whilst there is one recorded archaeological site, the original Powell homestead between Northolt Road and Hendon Road may also be an archaeological site, as occupied from 1906.</p>

Architectural Qualities

- **Style or type** - *The style of the building or structure is representative of a significant development period in the region or the nation. The building or structure is associated with a significant activity (for example institutional, industrial, commercial or transportation).*

- **Design** - *The building or structure has distinctive or special attributes of an aesthetic or functional nature. These may include massing, proportion, materials, detail, fenestration, ornamentation, artwork, functional layout, landmark status or symbolic value.*
- **Construction** - *The building or structure uses unique or uncommon building materials, or demonstrates an innovative method of construction, or is an early example of the use of a particular building technique.*
- **Designer or Builder** - *The building or structure's architect, designer, engineer or builder was a notable practitioner or made a significant contribution to the region or nation.*

My Comments

In terms of architectural quality; generally dwelling designs are simple and plain. The original housing was typically standard size and plain (approx. 100sqm²), rectangular or boomerang shaped, and built from lower-cost materials. Typically, they were built from standard plans.

The original subdivision pattern with sites having a general proportion of approximately 16 metres wide by 40 metres deep has been retained for most lots. Section sizes are typically around 600-700sqm². Historic subdivision plans show consistency of lot size and a regular pattern of one house per lot exists.

It is evident that dwellings are generally set back from the front boundary by a minimum of five metres due to building line restrictions on many of the titles.

Where garages or carports are present, these are often located to the rear of properties (I accept this is not always the case and some garaging is placed within front yards).

Garages are often clad in cement board to match the main house.

Many of the houses are angled on the site, with one side yard wide enough for vehicle access, and most car parking is off-street. Buildings by the same developer and using very similar plans are often angled differently to the neighbouring property, presumably to create interest and break up having a row of housing all facing the same orientation.

My Comments

The houses are typically characteristically single storey, with brick or fibre cement board cladding, pitched roofs of corrugated iron. Brick chimneys on the front elevation can be seen and prominent when viewed from the street. There is typically a front veranda or concrete patio near the front door to impart a sense of welcome and provide an outdoor space for residents. Some of the houses have enclosed verandas, where there would have once been an open patio.

Overall, Fairview Downs has a reasonably contiguous area of 1960s-1970s suburbia that typifies the development patterns, site and street appearance, and architecture of large scale private residential construction companies from this era.

Cultural qualities

- **Sentiment** - *The place or area is important as a focus of spiritual, political, national or other cultural sentiment.*
- **Identity** - *The place or area is a context for community identity or sense of place, and provides evidence of cultural or historical continuity.*
- **Amenity or Education** *The place or area has symbolic or commemorative significance to people who use or have used it, or to the descendants of such people. The interpretative capacity of the place or area and its potential to increase understanding of past lifestyles or events.*

My comments

Further information on the social and built history of the area was provided by submitters who have presented to panel during the session 1 hearings, including Mr Joe Kee (Hendon Road), Ms Deborah Fischer (Alderson Road), Peter Phillips (Rutland Street) and myself.

A community petition in support of the HHA was provided by Ms Fisher. These matters show that there is a strong sense of community identity in Fairview Downs.

The area provides the opportunity to increase understanding of past lifestyles and events in the development of Hamilton's urban history.

Historic qualities

- **Associative Value** *The place or area has a direct association with, or relationship to, a person, group, institution, event or activity that is of historical significance to Waikato or the nation.*
- **Historical Pattern** *The place or area is associated with broad patterns of local or national history, including development and settlement patterns, early or important transportation routes, social or economic trends and activities*

My Comments

The houses in the area were predominantly constructed by construction companies such as Peerless Homes, Beazley Homes. Fairview Downs has a direct association with developers such as McKenzie, Tudor Homes and Peerless Homes who undertook many such projects in the Waikato and who as such affected the development of the region.

The history of the Fairview Downs development is a sound example of the new suburban form emerging in the late 1960s-early 1970s when social and economic changes allowed

My Comments

for the expansion of regional and national private building companies and growing confidence of prospective house buyers.

In the 1960s, 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. The Fairview Downs land was brought into the city as part of the 7th and 8th Extension to the City.

Historic aerials show the Fairview Downs area surrounded by agricultural land, and the Ruakura Research station - located away from the edge of the city and this has remained a feature up to recent times, with farmland on all three sides. Fairview Downs is part of the settlement pattern of Hamilton in the creation of new suburbs on previous farmland as the city expanded.

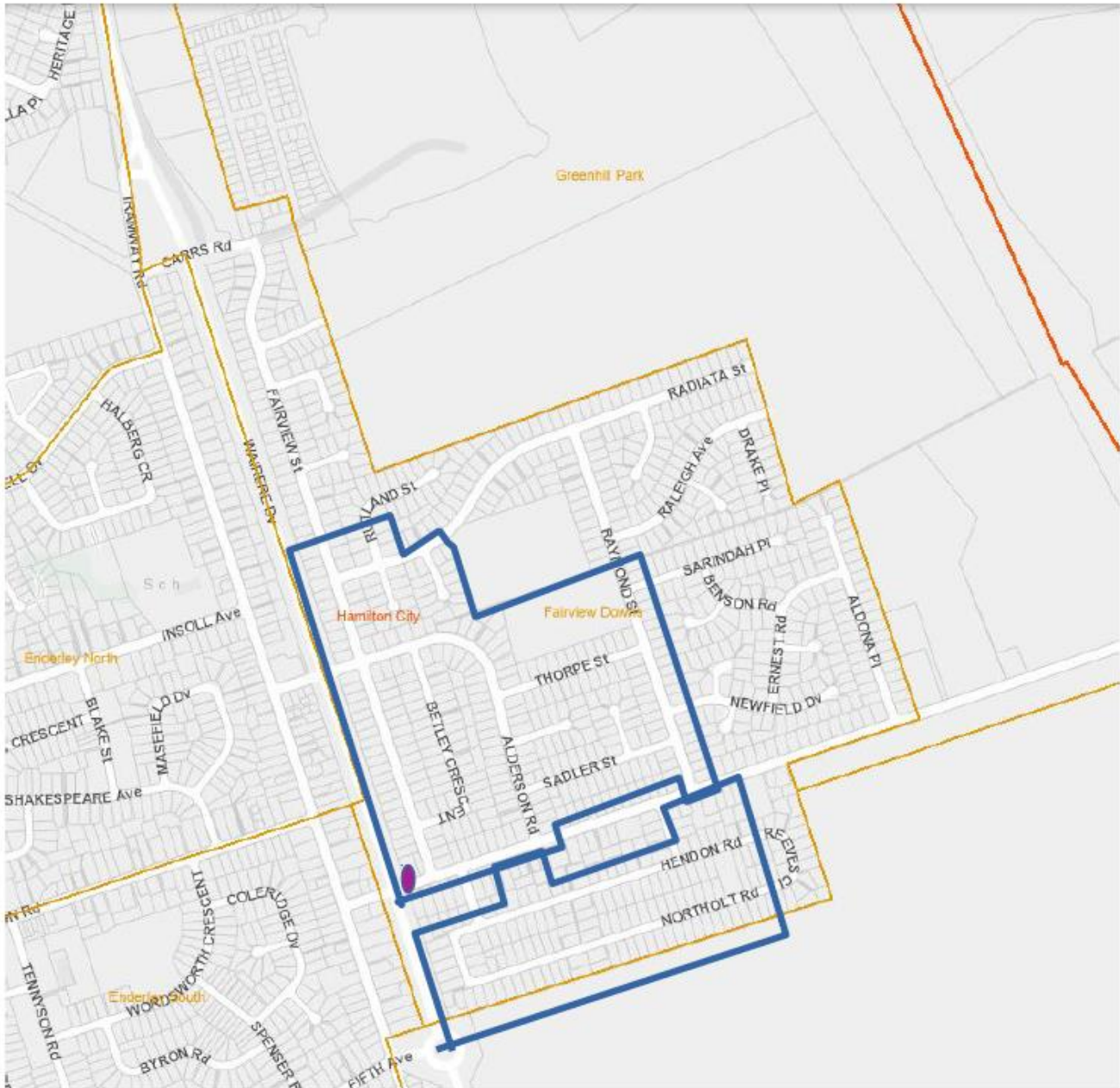
According to the historical evidence of Ms Williams, presented during the session 1 hearing there are two main blocks included in the HHA:

- Southern block -1960s -1970s McKenzie subdivision and associated partes which is south of Powells Road and includes a group of Maori Affairs homes.
- Northern block- 1969-1976 Peerless subdivision and Betley and is north of Powells Road, includes part of Powells Road to the north end of Rutland (as defined by end of 1975 and map).

The initial roads in Fairview Downs were in place by the late 1960s and many houses built by mid-1970s. The historic streets show a high degree of integrity of lot size and layout from the original survey and formation, with no further subdivision or development from its establishment, other than a few instances of newer duplex developments etc.

Proposed Historic Heritage Area Fairview Downs HHA

The following is the proposed extent of the Fairview Downs HHA, based on the historical study provided by Ms Willams and assessment by Ms Kellaway:



Key:



Historic home at 11 Powells road



Extent of Proposed HHA

Note: Archaeological sites included homestead site in Hendon Rd, 19th century drains and pre 1864

Archaeological Site S14/334

West of Raymond St, Fairview Downs
Field drain originally from late 1800s

