

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

AND IN THE MATTER

Session 1 Historic Heritage Areas

**STATEMENT OF REBUTTAL EVIDENCE OF LYNETTE JOYCE WILLIAMS
ON BEHALF OF FRANKTON EAST RESIDENTS' GROUP – submitter 474**

DATED 12 MAY 2023

INTRODUCTION

1. My full name is Lynette Joyce Williams.
2. My qualifications and experience are as set out in paragraphs 1 to 9 of my primary statement of evidence dated 28 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 REBUTTAL EVIDENCE

4. The purpose of this rebuttal statement of evidence, provided on behalf of Frankton East Residents' Group as Plan Change 9 (**PC9**) submitter, is to respond to matters regarding Historic Heritage Areas (**HHAs**) raised in the expert evidence of Dr Ann McEwan on behalf of Kaute Pasifika Trust.
5. The purpose of this evidence is not to restate matters that are already contained in my Primary evidence. The fact that this rebuttal statement does not respond to every matter raised in the evidence, within my area of expertise should not be taken as acceptance of the matters raised. I have focussed this rebuttal statement on the key points of difference and agreement.

KAUTE PASIFIKA TRUST – EVIDENCE OF DR ANN MCEWAN

Frankton Commercial HHA

6. I would like to record my agreement with Dr McEwan's statement (at paragraph 12) "*the paucity of supporting evidence for each of the HHAs is concerning, both from the point of view of defending the decision to schedule and also for an applicant having to navigate the district plan to gain a resource consent*". I consider this is relevant in relation to the proposed Frankton Commercial HHA and I agree with Dr McEwan that the history of the area requires more historical research.
7. In relation to the issues Dr McEwan raised regarding the development periods, and as I noted in my Primary evidence (refer paragraphs 30 and 31), there needs to be further refinement of the development periods to better reflect the histories of the development of Frankton and Hamilton generally; there are also discrepancies in the summary histories of Hamilton provided by Mr Knott.
8. Dr McEwan appended the Draft Frankton Neighbourhood Plan to her evidence (Attachment 7). The Draft Frankton Neighbourhood Plan signalled a Special Heritage Zone character overlay area for Commerce Street in the District Plan to protect the character, amenity, heritage and unique qualities. When this was prepared in 2016, Special Character zoning/overlays was the only applicable planning tool in the District Plan and this continues to be so in the Operative District Plan. It is noted that Special Character Zones (including the Special Heritage Zone) areas are being transitioned to HHAs through PC9 and PC12 processes. Dr McEwan appended the Draft Frankton Neighbourhood Plan to her evidence (Attachment 7). The Draft Frankton Neighbourhood Plan signalled a Special Heritage Zone character overlay area for Commerce Street in the District Plan to protect the character, amenity, heritage and unique qualities. When this was prepared in 2016, Special Character zoning/overlays was the only applicable planning tool in the District Plan and this continues

to be so in the Operative District Plan. It is noted that Special Character Zones (including the Special Heritage Zone) areas are being transitioned to HHAs through PC9 and PC12 processes.

9. The Frankton Neighbourhood Plan provides a basis for consideration of Frankton Commercial area as an HHA. Protection of the history of the Commerce Street area has been signalled to the community through this plan.
10. I consider the Commerce Street (block from High Street to Kent Street) area is of importance to the historical development of Frankton and therefore of Hamilton, and there are sufficient grounds to consider the establishment of a Frankton Commercial HHA.

CONCLUSION

11. I am of the opinion that the proposed Frankton Commercial [Commerce Street] HHA should be considered by the hearing panel, subject to further research, heritage valuing and refinement of the applicable development periods.

Dated this day of 12 May 2023.

Lynette J Williams