

BEFORE THE HEARING PANEL

**IN THE
MATTER OF**

**The Resource Management Act
1991 (the Act)**

AND

**IN THE
MATTER OF**

**Proposed Plan Change 9 to the
Operative Hamilton City Council
District Plan**

**REBUTTAL EVIDENCE OF BORIS BOGDANOVIC ON BEHALF OF
HERITAGE NEW ZEALAND POUHERE TAONGA**

12 May 2023

INTRODUCTION

1. My name is Boris Bogdanovic. I have prepared a Statement of Evidence in this matter dated 28 April 2023 (Statement).
2. I am providing planning rebuttal evidence on behalf of Heritage New Zealand Pouhere Taonga (HNZPT) in relation to the expert evidence of submitters made on Plan Change 9.
3. I confirm that I have the qualifications and expertise previously set out in my Statement of Evidence. I also confirm that I continue to comply with the Code of Conduct for Expert Witnesses Practice Note 2023.

SCOPE OF EVIDENCE

4. My Statement outlined my position on Historic Heritage Areas (HHAs) and methodologies for their assessment, stating my belief that the historic heritage value and therefore significance of HHA's is informed both by their integrity as well as component parts¹.
5. Since preparing that Statement I have reviewed the statements of evidence relevant to my area of expertise. My rebuttal evidence is provided in response to:

- 5.1. 'Statement of Primary Evidence of John Edward Brown on behalf of Kainga Ora-Homes and Communities (#428) (Heritage) 28 April 2023' (Brown evidence)

IDENTIFYING HHAS AND METHODOLOGY

6. Mr Brown states at 5.1 that he considers the existing provision for evaluation of HHAs within the Waikato Regional Policy Statement (WRPS) should be the method employed for assessing HHAs. However, then at 5.2 he acknowledges that the criteria in the WRPS and ODP can be " 'scaled' up" to consider HHAs and he goes on to describe situations when he has applied this approach.² This appears to be both acceptance and endorsement of additional assessment and consideration in the HHA assessment methodology.

¹ Bogdanovic, Boris "Statement of Evidence of Boris Bogdanovic on behalf of Heritage New Zealand Pouhere Taonga – Heritage Statement – 28 April 2023", pg.4

² Brown, John, "Statement of Primary Evidence of John Edward Brown on behalf of Kainga Ora-Homes and Communities (#428) (Heritage) 28 April 2023", at [5.2 – 5.4].

7. I would like to respond to the statement at [5.8] that it is not clear why alternative assessment criteria and thresholds need to be adopted. Whilst I agree that the criteria of the WRPS³ sets out a basis for the assessment of the historic heritage values, in my view Mr Knott's two step methodology drills further into the assessment of historic qualities and cultural qualities, thus ensuring that the HHAs that require protection from inappropriate subdivision, use and development are identified in the District Plan.
8. Once included in the District Plan, those HHAs are subject to the plan provisions. In my opinion, understanding and recognising those heritage values via the Knott methodology will allow for the appropriate level of protection for the HHAs.
9. I would therefore consider Mr Knott's two step methodology to encapsulate the WRPS and ODP criteria; and rather than describe it as alternative, I would describe it as scaling up the WRPS and ODP criteria.
10. With reference to Mr Knott's evidence⁴ the criteria set out in 'Stage 1 – Site Visits and Initial Assessment' address the physical and visual aspects that are the tangible manifestation of heritage values, for example street/block layouts, architectural typologies, street frontage treatments etc. While they align with the ODP and WRPS criteria they are undeniably more specific than the 'qualities' of the existing criteria.
11. Mr Brown, at paragraph 5.12 states he considers that the use of development periods is broad brush and as presented this does not connect strongly with the local story of Hamilton or its specific neighbourhood history.
12. He goes on to state at 5.13, that *the WRPS criteria as a whole could provide the finer grain which established the 'why', particularly through consideration of the assessment of 'Historic Qualities' and 'Associative' value where: '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.'*⁵
13. Again, I agree the WRPS criteria, in respect of the historic qualities and cultural qualities considerations of Table 29, does establish the threshold for 'development

³ Waikato Regional Policy Statement, Table 29; also referred to by others as Section 10A

⁴ Knott, Richard, "Statement of Evidence of Richard John Knott (Historic Heritage Areas) Dated 14 April 2023, Pgs.13-14 and Appendix 4

⁵ Brown, John, "Statement of Primary Evidence of John Edward Brown on behalf of Kainga Ora-Homes and Communities (#428) (Heritage) 28 April 2023", at [5.13].

periods' to provide guidance for consideration of an HHA in the District Plan. Mr Knott then proposes a secondary 'sift' with the criteria set out in 'Stage 2 – Detailed Assessment' to identify specific historic heritage values. It is this second step that I consider necessary to identify the HHAs that require protection, and thus inclusion in the District Plan.

14. At paragraph 5.14, Mr Brown states, in his view, *much of the information provided to justify inclusion of an area as an HHA, including the revised statements of significance, has not provided strong or clear indication of these direct associations. It is therefore not clear as to why alternative methods of assessment were adopted by Mr Knott in the first instance.*"

15. In my view, 'strong or clear indication' is subjective. In my opinion, Mr Knott's revised statements of significance have indeed provided direct associations historic heritage values and therefore significance, strongly and clearly, reflected by detailed descriptions for such complex places as the HHAs as the Victoria Street HHA and the Frankton Railway Village HHA. The significance of both places is recognised by HNZPT through inclusion on Rārangī Kōrero/the List; the latter as a historic area while the former contains many important listed historic heritage places.

16. In my opinion such complex places require equally thorough and specific assessment criteria. Mr Knott's evaluation process is directly informed by and created for Kirikiriroa Hamilton. In my view this is the finest grain possible, particularly when the alternative proposed by Mr Brown, as quoted himself, was designed for "historical significance to Waikato or the nation."⁶ (My emphasis)

HERITAGE IMPACT ASSESSMENTS (HIA)

17. Mr Brown raises concern with costs associated with HIAs were they to be required in the resource consenting process. I do not agree that this will always involve significant cost. I believe that the specificity of Mr Knott's criteria and two-step methodology would result in a clearer and more streamlined consenting process that would in turn allow applicants to scale their response reasonably and accordingly. In my opinion this would potentially reduce cost and time.

⁶ Ibid, at [5.13].

18. Finally, I disagree with Mr Brown’s statement regarding the provision of HIA where the requirement of these documents would be at the discretion of a planning officer, “where it is patently apparent that adverse effects will not arise from a proposal.”⁷. I do not agree with this, because in my view a decision as to whether an HIA may or may not be required, and the extent and type of information a specific document should include, requires specialised knowledge that a planning officer may not have. In my view this includes an understanding of tangible and intangible heritage values, architectural skills pertaining to buildings and structures not to mention a wider understanding the historic heritage environment, in terms of best practice.

Boris Bogdanovic
12 May 2023

⁷ Ibid at [8.15].