BEFORE THE HEARING PANEL

IN THE MATTER	of the Resource Management Act 1991
AND	
IN THE MATTER	Proposed Plan Change 12 to the Operative Hamilton City District Plan
AND	
IN THE MATTER	**Session 2 Plan Change - 12** **Enabling Housing Supply**

EXPERT STATEMENT OF EVIDENCE OF – LAURA LIANE KELLAWAY

ON BEHALF OF WAIKATO HERITAGE GROUP #155

DATED 24 JULY 2024

EXECUTIVE SUMMARY

1. Historic heritage and character are important considerations in planning for intensification, maintaining and protecting sense of place, identity, character and historic heritage within a changing city framework. While some improvement to protecting historic heritage has been undertaken in PC12, the proposed historic heritage framework for subdivision and density has been reduced in Option C.

2. This evidence statement specifically addresses Historic Heritage in regards the revised PC12 and proposed Option C and 'Enabling'. My earlier evidence statement for Hearing 1 Joint Hearing on 1st February 2023 should be read in conjunction with this Statement. My earlier evidence focuses primarily on character as an 'other qualifying matter'.

3. As noted in my Hearing 1 evidence the Chapter 5 Special Character Zone of the OP has been removed, and character as an 'other qualifying matter' has not been progressed in Option B or Option C of PC12.

4. Within the PC9 hearings there are some character areas now as identified proposed Historic Heritage Areas (HHAs) that may fall below the high threshold for Historic Heritage (HH), but may meet the level of character. There is no objective, policy or rule framework within PC12 for character, or further consideration of character as an other qualifying matter in Option C of PC12 although the term 'character' is used frequently in statements and in the framework for sustainable communities and good urban design.

5. Character as an other qualifying matter should be included within PC12.

6. A reduction in development in Option C of Pc12 in General Residential Zones (GRZ) , is noted. And that this zone will underly most of the new proposed HHAs. However the policies and objectives are not integrated sufficiently with robust HHA provisions. If the proposed GRZ is considered in development applications, for HHA, the proposed rules are more enabling.

7. There are still some anomalies in the HH provisions that need to amended in HHA.

8. The revised Option C for PC12 is of some concern in Chapter 19 and 23 historic heritage provisions, as in my view there is limited protection afforded to historic heritage areas which range from national to local significance. The provisions are unlikely to provide ongoing protection from inappropriate subdivision and increased density sufficiently to ensure ongoing long term protection of this finite resource, and the associated objectives, policies and rules needs to be amended to better protect historic heritage.

9. The Option C framework for intensification within historic heritage areas requires further modelling and greater protection to HH than currently proposed, noting that there is no ranking proposed within Chapter 19 for HHA and insufficient specific rules within the new framework , and it includes areas of national significance.

INTRODUCTION

10. 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 building, heritage consultancy and architecture. I am a Waikato based historian.

11. I am acting on behalf of the Waikato Heritage Group Submitter # 155. The Waikato Heritage Group submission includes a further submission.

12. As a long- term resident of Hamilton I am familiar with both Hamilton and the greater Waikato region.

13. Waikato Heritage Group (WHG) is a non-statutory, independent voice for heritage in Hamilton. Their main aim is to help preserve historic places in Hamilton and the greater Waikato region for the benefit of present and future generations and to lift awareness and appreciation of heritage values. The group members have been involved in identifying and protecting the region's limited remaining historic heritage for many years and include historians, conservation architects, and members of the community.

14. My practice involves architecture and assessing and addressing heritage-related and architectural issues in New Zealand and includes submitting to Hamilton City Council District Plans since 1991. I have been engaged as an expert witness. I have worked with a range of councils and was recently a Conservation Architect for Heritage New Zealand Pouhere Taonga for several years. I have been involved in identifying and assessing historic heritage in New Zealand, including the Waikato, assisting heritage owners, and have provided advice on character areas and historic areas.

15. I have written and reviewed statements about physical heritage as a means of establishing heritage values, reviewed building developments, participated in heritage studies, written conservation plans and been involved in historic and character areas in New Zealand. I was directly involved in the Waikato Heritage Study 1999, the only

Waikato regional based heritage study, which looked at the Waikato region, including themes and potential heritage areas.

CODE OF CONDUCT

16. My evidence statement is within my area of expertise and is my best knowledgeabout this matter. I have not omitted any material facts that might change this opinion. I have read and will comply with the Code of Conduct for Expert Witnesses (Environment Court Consolidated Practice Note 2011).

17. My evidence for Plan Change 12 is as a heritage consultant and architect in this statement, who is familiar with Hamilton City and the Waikato.

18. I live in Hamilton, in one of the areas affected by PC12, and have made a written submission in a private capacity on PC12. I have been a member of the Waikato Heritage Group.

SCOPE OF EVIDENCE

19. My scope of evidence for Hearing 2 focuses on Option C and includes:

    a. Strategic matters in regards historic heritage;
    b. Integration of PC12 and PC9 in regards historic heritage
    c. Expert Evidence of Council
    d. Chapter 19 and 23 in regards subdivision and density.

20. My evidence on character is included in my previous statement February 2023.

21. The original Waikato Heritage Group submission on PC12 (2022) included:

    i. Retain character as an overlay zone and associated rules.

    ii. Include Special Character Overlay Zones and retain rules and appendix.

    iii. The removal of Special Character Zones does not leave the options for historic heritage areas that may not meet the threshold to be considered under SCZ and associated amenity values. This can also provide a

transition between the main zone and historic heritage.

iv. Concerns about historic heritage in PC9 and PC12, and amendments to Chapter 19.

22. My additional evidence for Hearing 2 focuses on the revised 2024 plan changes for HH and the new Option C (2024) and changes to associated chapters.

23. In preparing this evidence I have considered:

a. The proposed Plan Change 12, submissions and associated Section 42a and Section 32 reports (2022).

b. Section 32 and appendices, and Section 42A (2022 and 2024)

c. The New Zealand Urban Design Protocol (2021)

d. Expert Witness Statement Mark Davey

e. Lifescapes Existing Character Review Final 2021

f. ICOMOS New Zealand Charter (2010)

g. Policy for Government Management of Cultural Heritage Places (November2021)

h. The revised Plan Change 12 (2024), amended chapters and the expert statements of 2024 by :

Dr Davey

Ms Laura Galt

Ms Laura Thomson

SUSTAINABLE MANAGEMENT AND RMA

24. The purpose of the Resource Management Act is 'to promote the sustainable management of natural and physical resources'. Sustainable management means 'managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while, among other things avoiding, remedying, or mitigating any adverse effects of activities on the environment.

25. The degree of intensification proposed across the city as stated previously by Dr Davey will have a significant and irreversible impact on character and the setting and context of historic heritage.

26. In the sustainable management of historic heritage, consideration includes the place, (not just the building or area), its setting or context. The controls on setting and context are in the current OPD, under SCZ Chapter 5, however the protection framework for setting, surround and landscape is undeveloped in PC9, although the extents of proposed HHA have been described in PC9. A reliance on PC9 to protect setting and surrounds may not be sufficient for HH under the proposed PC12.

27. My expert evidence statement for the Joint Opening Hearing dated 1st February 2023 discussed that Qualifying Matters provided for under the NPS-UD Policy 4 allow for alternate building heights and densities in certain areas – to...*'modify the relevant building height or density requirements under Policy 3 only to the extent necessary (as specified in sub part 61 to accommodate a qualifying matter in that area.'*

28. In my view PC 12 Option C fails to take full advantage of this opportunity, and the more flexible approach considered under Option C, with specific regards to the proposed HHAs, particularly with at least two nationally significant HHAs. Reporting on the impact of increasing density and subdivision is at variance to protection at this level and has not been sufficiently addressed within HCC expert evidence. If there is no proposed ranking for HHA as indicated in the PC9 hearings, then the risk of inappropriate subdivision within these based on enabling will be potentially high.

COUNCIL EVIDENCE /EXPERT EVIDENCE (Option C)

Evidence of Dr Davey

29. Dr Davey notes on his evidence dated 26 June 2024 that under point 14 that :

    "*The proposed changes to PC12 will result in a plan enabled capacity of 189,447 residential units. This quantum of supply remains 3.8 times greater than the total projected demand for residential units over the long term at 49,000*." Therefore a careful approach to HHAs should be able to be achieved in Option C that does not increase subdivision and density in HHA and particularly within the nationally significant HHAs. There is however no HHA ranking proposed in PC9 and so it is equally important to consider the degree of impact of enabling the proposed Option C HHA provisions

30. In discussing Option C and the spatial distribution of medium density zoning in point 15, Dr Davey notes that "*The changes to the spatial layout of the medium density residential zoning are the most significant change from that which was notified*." There are both existing and proposed Historic Heritage Items within these new MDR that will be impacted on.

31. Dr Davey also notes that to date in PC9 in point 32 that:

    "*Out of the five PC9 topics, HHAs had the most impact on PC12 as a QM. The PC9 Hearing Panel has determined that the following HHAs notified under PC9 be removed from Schedule 8D: a) Augusta, Casper and Roseburg Streets; b) Casey Avenue; c) Hooker Avenue; d) Jennifer Place; e) Lamont, Freemont, and Egmont Streets; f) Oxford Street (East) and Marshall Street; g) Seifert Street; h) Springfield Crescent; and i) Sunnyhills Avenue*." As discussed in my original evidence there have been HHA have been identified but cannot be covered by PC9 and will be likely omitted from out of both PC9 and PC12. Some may be considered be incorporated within the new PC12 framework under in a Character Overlay[i]. In my view it is a mistake to consider that only having HHA will provide sufficient retention of character and HH.

32. The potential impact on historic heritage over the city under PC12 Option B and C is unknown and the reporting has been limited within PC12 evidence. Dr Davey in point 43 and 44 notes " *As stated in my primary evidence, it is also important to note that the Hamilton market is unique regarding its size, characteristics, and demand profile. Hamilton is a compact city compared to other Tier 1 urban environments. For example, in 2018 Hamilton had a population density of 1,458 people per sq km compared to Tauranga at 1,013 people per sq km 10. By total land area, Hamilton is the most densely populated territorial area in the country. Further, Hamilton has the smallest land area among all Tier 1 territorial authorities."* This indicates retaining character and historic heritage is already important as a finite resource. Yet as recognised in PC9 has had a low priority until recently. Other major cities have much advanced character and historic heritage provisions and a much finer graining on provisions.

33. Dr Davey also notes that "*Hamilton is relatively flat*" and it is this physical attribute that means intensification is difficult within HHAs in regards adding new building, including in bulk (form) and heights. For example adding 8-metre-high buildings on rear areas and sites in proposed HHA (Rule 19.4.6b) is likely to erode heritage qualities where single storey dwellings are, along with significantly changing heritage values of lot sizes and layouts.

34. In Dr Davey's original 2022 evidence point 117 he states "*The approach taken in the notified version of PC12 where a residential HHA exists is to keep the general residential zoning underneath it. Therefore, if the HHA falls within an area covered by Policy 3, then the general residential zoning would remain, with the addition of the HHA overlay. This is instead of changing the underlying zone to medium density residential."* This approach is retained in Option C however if the objectives and policies are applied particularly in subdivision and density this will not provide, in my view, suitable protection within a HHA. Specific objective, policy and rule framework should be included within Chapter 19 and in Chapter 23. It is also noted that within some of the proposed HHA may include no residential activities and include larger- scale buildings that may led to the height to boundary rules leading to even higher heights of developments etc. This should be reconsidered based on the latest proposed updated HHA extent maps of PC9.

Evidence of Ms Galt

35. Ms Galt discusses the following issues in her recent evidence:

a) Amendments to Rule 19.4.1 n. to w. to align with the typologies used

b) Addressing duplex dwellings on rear sites and addressing the issue of the duplexes on rear sites other than Hamilton East and Hayes Paddock.

c) Deletion of all except one maximum site area for HHAs in Rule 19.4.3 Density Requirements to align with the amendments recommended by Ms Laura Thomson in her evidence.

d) Reintroduction of specific building height provisions for Frankton Railway Village and Hayes Paddock.

36. I support addressing b) the duplex dwellings on rear sites, however do not support c) the deletion of all except one minimum site area for HHAs (19.4.3), and the associated statement of Ms Thomson.

37. Maximum site areas are important in the existing SCZ Areas. At the higher level threshold of HHA it is more important to retain HHA heritage qualities. Controls on maximum and minimum site areas needs both a stronger objective, policy and rules that are based on protection rather than enabling. A table can be added that looks at the finer grain of the proposed HHA and provides a higher level of control. The underlying proposed GZR

framework in Option C is not in my view likely to retain heritage qualities and therefore I do not support a reliance on the proposed GRZ for HHAs.

38. As noted in 11.d) reintroduction of specific building heights for Frankton Railway Village (FRV) and Hayes Paddock (HP) are important in principle, and I agree in part, but these were based under SCZ provisions and have already impacted on the SCZ areas with the FRV including an increasing number of ancillary units and subdivision. In my view the original pattern has been eroded by the current provisions under a lesser level of control. Along with the framework for the proposed inclusion of ancillary units there will be a tipping level where the qualities identified are further diminished. In my view specific building heights should be specified in the provisions (19.4.6) for each HHA.

39. In point 11 e) Ms Galt addresses the concern regarding how the average building heights and setbacks average measurement could be interpreted and result in both measurements being determined by properties outside of the HHA. I would agree this is much improved, however note that not all proposed HHAs are just residential and there should be further consideration of a rule that addresses this mix such as in the FVR where for example the factory site is proposed to be included within the HHA to in part match the HNZ historic area.

40. In noting that the operative district plan has both Special Heritage Areas and Special Residential Areas it is noted that these were progressed in part or full towards HHA in PC9, however if there is to be a variation specific in provisions to each HHA this should be applied across the whole rather than two.

41. I agree with Ms Galt in part (point 24) that PC12 will allow for more intensification in Hamilton's residential zones which could have adverse effects on the unique heritage values of the HHAs. It therefore makes consideration of the impact of density, site coverage, height and setbacks etc are applied, and a need for finer graining, not a reliance on the proposed amended GZR provisions.

42. I support the alignment of typologies as noted in Ms Galt's point 27, and support that the existing form and style of housing is recognised if a replacement is necessary. However, there are no statutory guidelines to support this in PC9 HHAs . Guidelines should be included in PC12 along with other design guides.

43. I agree with Ms Galt on point 31 on duplexes.

44. I disagree under Ms Galt's point 32 Rule 19.4.3 density requirements that minimum net site areas are recommended to be deleted, and associated evidence of Ms Thomson on this point. Density requirements are one of the critical elements to help retain heritage qualities from inappropriate density and subdivision and need careful consideration and an associated rule framework for each HHA.

45. Building height controls are also important in all HHA and the impact of new two storey housing heights for new buildings in HHA. I support that the height restrictions are amended in 19.4.6b in part. But if heights are relevant for two of the proposed HHA this should be applied consistently to the others based on the information.

46. I support the amendment to Rule 19.4.6 on building height and setback but note my previous comment that this needs further attention where there is a mixed use HHA and an associated rule, as documented by Mr Knott in PC9.

47. It is unclear why Hamilton East and Claudelands have separate side and rear setbacks under Rule 19.4.8. There should be a similarity to all if developed under older rules, or a specific table for each, based on heritage values.

Evidence of Ms Thomson

48. I note that the provisions for allotment size and shape have been modified and improved for the some of the proposed GZR, which in terms of HH will help with retaining HH item values with a number of HHI within the GZR. It is however unclear how HHI within the proposed MDZR and their setting and surrounds will be impacted on. Modelling would assist with this for this current process. Reliance on Chapter 23 on the underlying zone policies and frame is insufficient protection.

49. In point 47 Ms Thomson notes Rule 23.7.2 p will be deleted on allotment size and shape. It is important to retain existing allotment size particularly if part of the descriptor of the HHA. I do not support that '*where subdivision may be appropriate for a particular site, the allotment size and shape are more appropriately determined on a case-by-case basis*.' This

is far too loose and unlikely to retain HH qualities long term, with the risk of incremental change that diminishes the overall values of the HHA. Without statutory guidelines for the HHA there is the potential for further erosion of values, noting that there are no guidelines in PC9 or PC12 yet the FVR guidelines were recommended as an important tool and further use of guidelines, a standard practice with DPs in New Zealand.

50. I disagree under point Ms Thomson's point 49 that "*Should an application for subdivision in an HHA be considered appropriate, the standards within 23.7.3 would serve as a guide for requirements such as access width."*. This may be appropriate for the GRZ but is not robust enough for HHA. It gives too much discretion without guide documents and may generate a range of different responses to applications. There should be a specific rule framework for HHA and not a reliance on 23.7.3. A reliance on the proposed GRZ is not appropriate as default heritage provisions for HH.

51. While Chapter 23 provisions are not fully discussed in Ms Thomson's evidence in regards HH, Chapter 23-Subdivision- is a critical chapter for protecting HH. Enabling needs to be considered carefully within HH and may on a case by case retain heritage values, however the level of detail for each HHA in guidance is minimal, and there is a level of concern that incremental change will happen more rapidly way than under the ODP and its SC Zones.

52. Under Ms Thomson's Appendix B on subdivision she notes *"Protection of historic heritage from inappropriate subdivision, use and development as well as the protection of areas of significant indigenous vegetation and habitats of indigenous fauna is a key consideration where intensification is being enabled, and are qualifying matters as part of PC12. Overall, the submissions do not contest the importance of the protection of historic heritage or SNA's; with the exception of Kainga Ora who submit in opposition of the inclusion of historic heritage areas. The key issue regards the appropriate method for achieving this and in particular, the elevated activity status for subdivision of these sites*." And that the *activity status for subdivision is discretionary*". However there remains in the policy and rule framework an absence of providing a HH framework that also controls setting and surrounds and a focus on an item rather than place. When this is translated to the PC9 and not improved or modernised there are risks that the spaces 'inbetween' buildings are not addressed as part of the heritage values.

53. I would agree the range of types of HH make this challenging but equally important to refine and finesse for clearer guidance. A reliance on case by case within HHA is not

appropriate and that this approach be rejected, but not that discretionary status is better than restricted with HH.

54. The changes to Chapter 23 that delete or are silent on subdivision in HH should be amended to provide a suitable level of protection.

PC9 and PC12

55. As previously noted in my evidence in Hearing 1 there has been a split of the new planning provisions for the proposed HHAs between PC9 and PC12.

56. The following is provided in PC9:

    a. The proposed framework for HHA – including the number of HHAs, their proposed extent and location, and boundaries, and threshold for inclusion
    b. Objectives and Policies for Historic Heritage
    c. Rules such as alterations and additions, demolition, fences, repairs and maintenance, relocation of dwellings.

57. The following rules are provided in PC12:

    a. Accessory building, Apartments, Ancillary residential unit, duplex dwellings etc
    b. Historic Heritage Areas rules including subdivision and density
    c. Historic Heritage Areas – specifically Site Coverage
    d. Historic Heritage Areas – for Permeable Surface and Planting
    e. Historic Heritage Areas – on Building Height
    f. Historic Heritage Areas – on Height in Relation to Boundary
    g. Historic Heritage Areas – on Building Setbacks

58. Each of the above in PC12 impacts individually and collectively on whether the proposed developments will retain heritage values or qualities, diminish or enhance heritage values of the HH.

59. It is noted that there has been a change from Option B (2022) to Option C (2024), and that the proposed objectives, policies and rules have been progressed separately in PC9.

60. Of importance to retaining heritage values in a historic area are rules for subdivision and density, site coverage, building heights, and building setbacks particularly where lot size, settlement pattern are important element of the proposed HHA, as noted in Ms Hill and Mr Knott's PC9 reports and evidence.

61. The definition and location of ancillary residential units in HHA is particularly a concern in regards HH and whether this could equate to a second dwelling.

62. Ancillary residential units: The inclusion of ancillary units as restricted discretionary within proposed HHA is not supported. Accessory buildings are commonly needed and have been included along with a partial living space, however the definitions and controls proposed enable the equivalent of what could be close or similar to a second residential unit when also considering 19.4.3, Chapter 23 and GZR vacant lot of 300sqm. This is likely to impact on heritage values. There may be cases where there is more potential while still retaining heritage values of setting, surround and other notated values however there is insufficient documentation on this in reporting and analysis on existing SCZ in my view.

63. As there is no ranking between HHA of national significance and local within the proposed PC9 this does not mean that a case-by-case basis will suffice. Equally any guidance has not been included in PC9 for proposed HHAs with statutory guidelines or conservation plans to assist both owners and planners in assessing changes.

64. If there is no proposed ranking under the PC9 of HHAs, the best practice would be to look to the higher level of protection particularly with at least two HHA already previously acknowledged and now reconfirmed at a national level.

65. At least under the Character Chapter (ODP) there is emphasis on retaining lot sizes and settlement patterns which were identified as key elements of each SCA. Ms Hill (Appendix 1 Opening Evidence PC12) and Mr Knott in PC9 reports and evidence, and Ms Galt all note the importance of lot consistency and its heritage values. It would therefore in my view be a mistake to reduce and leave this to a case-by-case basis which is more likely to incrementally damage the overall values of the HHA. It should be more than possible to provide a table of what would be suitable for each HHA or grouping to retain these values.

MODELLING

66. PC12 modelling in 3D for graphic understanding of the existing and proposed forms and new zones is very limited yet is a common tool. Hamilton is a significant city, primarily still low rise residential in nature and this tool would help to better understand the proposed forms and impacts. It is therefore problematical to assess if Hamilton would retain sufficient sense of place and continuity of a well-designed urban environment that supports a range of communities. Equally the modelling of the proposed impact of increased development within the proposed HHAs is not clearly illustrated for owners and the community, either in PC9 or Pc12.

67. 'Enabling' development with the proposed HHA has not been tested, modelled or reported on. And it is of extreme concern that the critical test within the RMA will be compromised by this approach.

QUALIFYING MATTERS

68. Character as an other qualifying matter has been previously discussed in my earlier evidence.

CONCLUSION

69. Historic Heritage proposed provisions in 2024 Option C are very different from the notified version in 2022. Of concern is the removal of density and subdivision objectives and policies framework and rules that will protect the proposed HHAs from inappropriate subdivision and use, which range from of national significance to local significance. There needs to be finer graining which is currently limited in PC9 documentation and within PC12 should be a specific table for either each of the HHA or in groupings if there are like qualities.

70. The lack of specific and appropriate subdivision and density rules for the proposed HHAs is in my view less than the operative special character zone where heritage was identified. Without a robust set of rules for density and subdivision specific to HHA there is extreme risk to retaining historic heritage values long term particularly in the proposed HHA, which defeats the purpose of the proposed HHAS.

71. If design guidelines can be incorporated within the existing Operative District Plan and within PC12 for specific areas, there is no reason why the same can not be provided as statutory guidance for the HHAs, noting that there is already an existing guide for the Railway Village (which was recommended to be revised.) This standard illustrated would provide guidance for owners, consultants and planners, reduce potential costs and provide the finer graining available within the ODP and PC12 for other specific areas. It is good urban design practice.

72. While PC9 has progressed the original premise of risk of splitting historic heritage over two plan changes and removing the Special Chapter 5 in PC12, highlights there is no option for character overlays, which should be part of any good district plan. There are now potentially a number of HH areas identified in the background reports and Expert Evidence that may likely fall below the new threshold for historic heritage in PC9.

73. Equally the development of Waipa District Council to include character clusters in their enabling plan change is a positive contribution made within the blunt instruments of current acts, which supports community in their recognition that with development existing character and historic heritage is important to retain. There should be a regional focus to

support the ongoing understanding of good urban design – of which character is an acknowledged part, which incorporates the past, the present and the future regionally.

74. I reiterate my earlier view, with the additional evidence from PC9 with HHAS that there are now proposed HHAs that are likely to fall outside of the HH chapter but align with character, that character as an other qualifying matter and a framework for character overlay should be incorporated into PC12.

75. Objectives and Policies for Historic Heritage when specific to enabling, and need to be more robust than proposed in Option C and be stronger than existing Special Character provisions- and particularly to support the new HHAs. The higher level should be taken as the basis of the development controls, noting HHA of national significance, until such time as the provisions are imbedded and tested, the alternative is to put at risk the HHAs. Enabling within HHA will potentially erode the reason they are in the DP and may if additional buildings are added into these sensitive sites and areas quickly through incremental change diminish overall heritage qualities and integrity and ethnicity.

76. The framework and rules in regards subdivision for HHA have been significantly changed in Option C and are of concern.

    a. I disagree with the removal of Rule 23.7.2 p. This should be retained and improved on to be specific to the HHAS. And include within Chapter 23 Tables a column for HH distinctive from GRZ. Amend Rule 23.7.1 Subdivision Suitability to give greater value to the overlay of HH.
    b. I disagree with Ms Thompson's view that *"… subdivision on a site within an HHA is a Discretionary Activity where specific standards are not applicable and typically only a guide"*. Councils may specify conditions within PC 12 but only if the conditions relate to the matters described in s108 or s220. Under s2, 'conditions' in relation to plans and resource consents, includes terms, standards, restrictions and prohibitions. Guidelines and standards have been recommended in PC9 and PC12, and can be used to describe thresholds of acceptability. Inappropriate subdivision will be a significant challenge in HH and with the new HHAs, a better objective, policy and rule should be considered that is worded on conservation philosophy is needed and statutory guidelines provided, and guidelines.

77. While there have been some improvements with Option C in regards HHA there are equally concerns particularly when the HHAs are just being established and the understandings of Pc9 and PC12 are not yet understood sufficient, especially with HHAs. There is also some difficulty in analysing and modelling the new proposed the objectives and policy mainly in PC9, yet not currently protecting setting and surrounds robustly, with many of the development rules in PC12 in Option C. Reporting on the impacts of intensification on Hamilton's HH has not been sufficiently addressed to date within PC12.

Laura Liane Kellaway
Architect and Heritage Consultant

Dated this day of 24 July 2024.

[i] PC9 processes are not yet complete. Listing of these proposed areas does not automatically mean the area has character values.