BEFORE THE HEARING PANEL

IN THE MATTER   of the Resource Management Act 1991

AND

IN THE MATTER   of Proposed Plan Change 26 to the Operative Waipā
                          District Plan

STATEMENT OF EVIDENCE OF CAROLYN JOY HILL

Dated: 24 March 2023

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1. INTRODUCTION

1.1 My full name is Carolyn Joy Hill and I am a heritage consultant at Lifescapes.

1.2 I hold a Master of Architecture from the University of Auckland and a Bachelor of Architecture from Victoria University. I am a registered architect (NZRAB 4892).

1.3 I have 16 years of experience in heritage architecture, as a built heritage specialist in the public sector and as a practicing architect specialising in historical buildings and places.

1.4 I am a member of ICOMOS New Zealand (International Council on Monuments and Sites) and of ICOMOS-IFLA ISCCL (the International Scientific Committee on Cultural Landscapes).

1.5 I am the director of Lifescapes (a consultancy firm offering architectural services and heritage advice) and have held that position since 2016. I am also a lecturer at the University of Waikato where I teach environmental planning.

1.6 Prior to establishing Lifescapes I held the position of Principal Specialist Built Heritage, Auckland Council (2012); Associate and Heritage Architect, Lovell Chen, Melbourne (2009-2012); Heritage architecture, Donald Insall Associates, Cambridge UK (2008); and Specialist Built Heritage, Auckland City Council (2004-2007).

1.7 My previous experience in the public sector includes cross-council policy development in Auckland Council regarding special character areas, development of assessment criteria and rules for historic heritage places and assessment of scheduled heritage buildings in the isthmus. I have also prepared character studies for Hamilton City Council (2020, 2021).

1.8   Waipā District Council ("Council") contracted Lifescapes to provide technical advice on heritage and character for Council's Intensification Planning Instrument ("IPI", Proposed Plan Change 26 – "PC26").

1.9   I prepared a report entitled '*Waipā District Council Heritage / Character Report 2023'* ("Lifescapes Report") which is attached to the Section 42A Report as Appendix D.

1.10   The study area of the report is defined as the residential areas within the Waipā district, including Cambridge, Leamington, Te Awamutu and Kihikihi ("Study Area").

2.   CODE OF CONDUCT

2.1   I have read the Environment Court Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023 and agree to comply with it. I confirm that the opinions expressed in this statement are within my area of expertise except where I state that I have relied on the evidence of other persons. I have not omitted to consider materials or facts known to me that might alter or detract from the opinions I have expressed.

3.   SCOPE OF EVIDENCE

3.1   My evidence provides the following:

(a)   a brief summary of Waipā's heritage and character;

(b)   an overview of the approach taken by the Operative Waipā District Plan ("District Plan") and by PC26 to protect heritage and character within the district;

(c)   reasons why intensification enabled by the medium density residential standards ("MDRS") is incompatible with heritage and character; and

(d)   analysis of key submissions points related to heritage and character and my recommended amendments to PC26.

4.   EXECUTIVE SUMMARY

4.1   Research undertaken for the preparation of the Lifescapes Report and this evidence confirms that the Study Area contains streets and areas of historically-derived character that make important contributions to the stories of Waipā's development, and are important to people who live there.

4.2   Three planning instruments are established in the District Plan to manage Waipā's distinctive built environments: historic heritage, character areas / clusters, and character streets. It is noted that these tools do not preclude intensification on places covered by these provisions; rather, site modifications and development are managed under the relevant objectives, policies and rules of the District Plan.

4.3   Each tool is discussed below in terms of how they are addressed in PC26, why intensification to the level enabled by the MDRS is inappropriate, and what modifications are recommended to the PC26 approach.

Historic heritage

4.4   PC26 proposes no change to the District Plan Section 22 provisions for listed heritage items, nor to the list itself (Appendix N1). Listed heritage items are noted as an exception to the MDRS as set out in Section 2A of PC26.

4.5   It is considered that this approach to historic heritage is appropriate and consistent with the new requirements of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (the "Amendment Act"), which identifies "matters of national importance" (of which historic heritage is one) as a qualifying matter to the MDRS (section 77I(a)).

4.6   It is recommended that the historic heritage list remains unchanged, and that the provisions relating to historic heritage also remain largely unchanged, with some minor modifications for clarity.

Character areas / clusters

4.7   PC26 proposes to delete the "Cambridge Residential Character Area" but retain and add to "character clusters."

4.8   It is considered that deletion of the Cambridge Residential Character Area is appropriate, as this planning instrument is not adequately justifiable as a qualifying matter due to its "blanket protection" approach rather than site-specific analysis required by section 77L of the Resource Management Act 1991 ("RMA").

4.9   It is considered that the character cluster approach is, in principle, an appropriate qualifying matter under section 77I(j) of the RMA, as correctly-identified character clusters have site-specific characteristics that make intensification to the level enabled by the MDRS inappropriate. In particular, they have historically-derived physical and visual qualities that collectively contribute to their town's identity and place-specific distinctiveness that is easily lost by unregulated change.

4.10   However, it is considered that character clusters identified in PC26 as notified do not adequately identify legible collective clusters, and are not adequately supported by site-specific analysis required to meet the test in section 77L of the RMA.

4.11   Following a clear methodology, assessment criteria and site-specific analysis, it is recommended that the extent and coverage of character clusters be modified, resulting in six areas in Cambridge (at Hall Street / Hamilton Road, Victoria Street, Thornton Road / Princes Street, Grey Street, Queen Street and Grosvenor), and two in Te Awamutu (at Rewi

Street and Bank Street). These are shown on Planning Maps 58A and 59A and are described in new character cluster statements in Appendix DG1.

4.12   It is recommended that planning provisions for character clusters largely remain as proposed in PC26, with some modifications as noted in this evidence and detailed in the Lifescapes Report.

Character streets

4.13   PC26 proposes no change to the identification of ten streets as "character streets" in the District Plan planning maps.

4.14   It is considered that the character street approach is, in principle, an appropriate qualifying matter under section 77I(j) of the RMA, as correctly-identified character streets have site-specific characteristics that make intensification to the level enabled by the MDRS inappropriate. This is due to their historically-derived physical and visual characteristics that collectively illustrate part of their town's story and identity and that are easily compromised by incremental change.

4.15   However, it is considered that existing identified character streets are not adequately supported by site-specific analysis required to meet the test in section 77L of the RMA.

4.16   Following a clear methodology, assessment criteria and site-specific analysis, it is recommended that the extent of character streets be reduced from 10 to 4, with three retained in Cambridge (Hall Street, Hamilton Road and Victoria Street) and one retained in Te Awamutu (College Street). These are shown on Planning Maps 58A and 59A.

4.17   It is recommended that the PC26 provisions for character streets be retained, being a 6m set back rule only.

Submissions

4.18 Submissions on PC26 indicate that there continues to be public interest in maintaining heritage and historically-derived character in the towns of Waipā. This supports the retention of listed historic heritage items, character clusters and character streets as qualifying matters to the MDRS.

4.19 However, a notable theme was that PC26 does not provide adequate justification for the inclusion of character-related matters as required by the RMA. These submissions have led to the assessment work undertaken by Lifescapes, and are addressed in full in the Lifescapes Report.

5.   THE WAIPĀ CONTEXT

5.1 A brief overview of the history of Waipā's towns is provided in the Lifescapes Report (Section 4). I provide a summary below.

5.2 The area comprising Cambridge and Leamington is a part of the rohe of Ngāti Hauā. Horotiu Pā once covered what is today the Cambridge central business district.

5.3 The area of Te Awamutu and Kihikihi encompassed a convergence of long-established iwi and hapū of the Tainui waka. Kihikihi was a Ngāti Maniapoto settlement, and the area that would form Te Awamutu contained two important pā, Otawhao and Kaipaka.

5.4 The land of these towns was part of that confiscated from iwi and hapū under the 1863 New Zealand Settlements Act, following the invasion of the Waikato by British troops in 1863.

5.5 The establishment and development of the Waipā towns of Cambridge, Leamington, Te Awamutu and Kihikihi is therefore directly related to Māori land dispossession and processes of colonial settlement in Aotearoa.

5.6   Town plans for "Cambridge East" (now Cambridge) and "Cambridge West" (now Leamington) were laid out in 1864, following the raupatu. The design of a geometric grid layout set by avenues intersecting at right angles followed the then-current British style of planning and public health principles, and included a green belt surrounding the town and Te Koutu Lake set aside as a reserve. The historic street layouts of both Cambridge and Leamington date from this period.

5.7   Cambridge's large avenues of trees date back to municipal decisions from the late 19th century to establish the town as a place of scenic recreation and tourism, forming the basis for its continued claim as being "the town of trees."

5.8   The former soldier settlements of Te Awamutu and Kihikihi were smaller than those of Cambridge East and West and were slower to develop, resulting in less orthogonal street patterns and sporadic residential settlement.

5.9   The towns of Waipā never contained continuous rows of late 19th / early 20th century housing, as is the case in some New Zealand urban environments, due to dispersed patterns of early settlement on large lots that continued well into the 20th century. As such, the diversity of house styles along streets generally does not reflect demolition and replacement over time, but rather progressive layers of development as the towns grew and consolidated.

5.10   Following these processes of incremental change, late 19th / early 20th century villas sit among bungalows and Art Deco houses built in the 1920s and 30s; mid-century state houses were developed on previously unused sites; and 1960s and 70s plan book-style homes were built on subdivided lots which were themselves further subdivided in the later 20th century. This history and its visual legacy is itself important to the towns of Waipā.

5.11   The people and communities of the Study Area have been cognisant of, and keen to maintain and enhance, their distinctive built environments and reputations as "small towns" for several decades – a desire that has been managed through town planning instruments in progressive district schemes and plans.

6.   HISTORIC HERITAGE

6.1   One instrument that has been utilised by Council to manage its distinctive built environments has been to identify and protect particular historic places as historic heritage items in the District Plan.

6.2   In particular, historic heritage is addressed at Section 22 and Appendix N1. Key objectives are to protect the district's heritage items by ensuring that they are retained and maintained, and that development or modifications do not compromise their heritage values (Objectives 22.3.2 and 22.3.3).

6.3   Places identified as historic heritage items are listed in Appendix N1, and include over 200 sites. These items were identified via the New Zealand Heritage Pouhere Taonga ("NZHPT") list for the Waipā district, the places included in the previous District Plan, places identified in a 1997 heritage report by Dinah Holman, and via two rounds of consultation with the Waipā Heritage Committee, museum staff, and the public.

6.4   The items were also individually assessed as part of preparation of the District Plan, with each assessed against a set of assessment criteria contained in the District Plan's Section 32 Report.

6.5   The criteria is in line with those included in the RMA (section 2 Interpretation) and includes historical, tangata whenua, community, commemorative, symbolic, educational, archaeological, scientific, technological, architectural, context, rarity and integrity values.

6.6   PC26 proposes no change to the District Plan Section 22 provisions for listed heritage items, nor to the list itself (Appendix N1). Listed heritage items are noted as an exception to the permitted activity status of demolition / relocation in the new Section 2A: Medium Density Residential Zone ("MDRZ"); see Activity Table 2A.4.1.1.

6.7   The Lifescapes Report (Section 2.1) contains detailed discussion of the PC26 approach to historic heritage and considers a range of alternatives.

6.8   In summary, it is considered that PC26's approach to historic heritage is appropriate and consistent both with the objectives of the District Plan and the new requirements of the Amendment Act. This includes:

   (a)   PC26's clear identification of listed heritage items as a qualifying matter to the MDRS – an approach that aligns with the RMA "matters of national importance" qualifying matter (section 77I(a)).

   (b)   Its retention of the District Plan's existing provisions relating to the ongoing protection of historic heritage from inappropriate subdivision, use and development.

6.9   It is considered that the historic heritage items listed in Appendix N1 of the District Plan have site-specific characteristics that make intensification to the level enabled by the MDRS inappropriate. Historic heritage buildings, objects and places are identified as such due in large part to historically-derived characteristics that reflect important stories and associations from the past. These values can be degraded and lost when historic heritage places are subject to unregulated change.

6.10   It is noted that the District Plan and PC26 do not prevent intensification from occurring on sites that contain listed heritage items. Rather, site modifications and development is managed as a discretionary / restricted discretionary activity per the provisions of Section 22.4.1.

7. CHARACTER CLUSTERS

7.1 In addition to its listed historic heritage items, the District Plan contains provisions related to historically-derived urban character. These character qualities are managed via a "Cambridge Residential Character Area" and by identified "character clusters."

7.2 Under PC26, the Cambridge Residential Character Area is deleted in its entirety, while character clusters are retained and added to.

7.3 Identified character clusters all sit within the new MDRZ (which replaces the former Residential Zone). As such, character cluster provisions are included in the new Section 2A.

7.4 The relevant objective is to maintain and enhance the existing elements of the zone that give each town its own character (2A.3.3), with related policies that seek to maintain the towns' character qualities by retaining long street vistas, encouraging space for mature trees and maintaining historically-derived housing types in identified character clusters (2A.3.3.1 – 3).

7.5 The Lifescapes Report (Section 2.2) contains detailed discussion of the PC26 approach to character clusters and considers a range of alternatives.

7.6 In summary, it is considered that PC26's deletion of the Cambridge Residential Character Area is appropriate. This is due to the following:

(a) This planning instrument is not adequately justifiable as a qualifying matter due to its "blanket protection" approach rather than site-specific analysis required by section 77L.

(b) Fieldwork undertaken as part of this report indicates that the broad area covered by the Cambridge Residential Character Area

contains a wide range of building types, development eras etc. that do not collectively represent coherent historical themes.

(c) As such, retention of blanket character protection across Cambridge West would undermine the defensibility of the robust provisions provided by the District Plan / PC26 for remaining character clusters.

7.7 It is considered that the character cluster approach is, in principle, an appropriate qualifying matter under section 77I(j) of the RMA, as correctly-identified character clusters have site-specific characteristics that make intensification to the level enabled by the MDRS inappropriate.

7.8 In particular, they have coherent physical and visual qualities that together represent historical themes of their town's development, with a concentration of natural and constructed features and characteristics that collectively establish the identity of an area and contribute to a distinctive "sense of place."

7.9 These collective character qualities are easily compromised by unregulated change, and intensification to the level enabled by the MDRS in a piecemeal way would degrade this collective character such that values of place-specific distinctiveness and history are lost.

7.10 However, it is considered that character clusters in PC26 as notified do not adequately identify legible collective clusters, and are not adequately supported by site-specific analysis required to meet the test in section 77L of the RMA.

7.11 The Lifescapes Report therefore establishes a clear methodology and assessment criteria for character clusters, and recommends modifications to their extents and boundaries based on historical analysis and site-specific survey fieldwork. These changes are summarised at paragraphs 10.2 – 10.7 below.

7.12   It is noted that the District Plan and PC26 do not prevent intensification from occurring on character cluster sites. Rather, site modifications and development are managed under the provisions of Section 2A.4.1.

8.   CHARACTER STREETS

8.1   The District Plan also contains provisions related to urban street character. Ten streets are identified in the planning maps as "character streets."

8.2   Under PC26 the identification of, and provisions related to, character streets remain unchanged. Identified character streets all sit within the new MDRZ (which replaces the former Residential Zone). As such, character street provisions are included in the new Section 2A.

8.3   A single policy and rule apply to character streets, being policy 2A.3.4.2, "to maintain the existing character of character streets by having a consistent building setback," and rule 2A.4.2.6(b), which requires a minimum building setback of 6m from road boundaries along character streets.

8.4   The Lifescapes Report (Section 2.2) contains detailed discussion of the PC26 approach to character streets and considers a range of alternatives. In summary, it is considered that the character street approach is, in principle, an appropriate qualifying matter under section 77((j) of the RMA, as correctly-identified character streets have site-specific characteristics that make intensification to the level enabled by the MDRS inappropriate.

8.5   In particular, character streets display historically-derived physical and visual characteristics that collectively illustrate part of a town's story and identity, including long vistas, mature tree avenues, and a regular rhythm of housing setback allowing for landscaped gardens in front yards. These collective character qualities are easily compromised by incremental

change, particularly at front boundaries and to the scale enabled by the MDRS.

8.6   However, it is considered that character streets as identified in the District Plan and carried over by PC26 are not adequately supported by site-specific analysis required to meet the test in section 77L of the RMA.

8.7   It is noted that the District Plan and PC26 do not prevent intensification from occurring on character street sites. Rather, rules relating to character streets are limited to a 6m minimum setback. As such, all other standards of the MDRS apply, meaning that 3 residential units per site up to 11m in height may be built on sites as a permitted activity. However, the 6m front yard setback is significant when compared to the MDRS 1.5m minimum.

8.8   The Lifescapes Report therefore establishes a clear methodology and assessment criteria for character streets, and recommends a reduction in their extent and coverage based on historical analysis and site-specific survey fieldwork. It also recommends that affected sites are clearly identified in the planning maps. These changes are summarised at paragraphs 10.8 – 10.13 below.

9.   ANALYSIS OF SUBMISSIONS

9.1   79 submissions were received on PC26, with 17 addressing matters of heritage and character. Over 90 points were made as part of these submissions.

9.2   Appendix A of the Lifescapes Report provides a full tabulated response to all points raised by submitters related to heritage or character matters, as identified in the Summary of Submissions.

9.3   In summary, submissions indicate that there continues to be public interest in maintaining heritage and historically-derived character in the towns of Waipā which supports the retention of listed heritage items,

character clusters and character streets as qualifying matters to the MDRS.

9.4   However, a notable theme was that PC26 does not provide adequate justification for the inclusion of character-related matters as required by the RMA, and that they should therefore be deleted in part or in full. I respond to this as follows:

(a)   As discussed above, it is considered that character clusters and character streets (where adequately justified in accordance with section 77L of the RMA) have site-specific values that make intensification to the level enabled by the MDRS inappropriate.

(b)   The character clusters and character streets provide an important tool for managing development in these areas in ways that maintain identified values.

(c)   As such, it is considered that wholesale deletion of these tools would be inappropriate, as areas identified as character clusters have site-specific characteristics that make intensification to the level enabled by the MDRS inappropriate.

(d)   However, it is agreed that further assessment of character clusters and streets is required to adequately address submitters' concerns and to satisfy the requirements of section 77L of the RMA.

(e)   This further assessment, and consequent recommended modifications to the extent and boundaries of character clusters and character streets, is therefore included in the Lifescapes Report (Sections 5 – 7), and summarised below. It is considered that the recommended changes will ensure that character matters are accurately and effectively accommodated as a qualifying matter.

9.5   Various submitters proposed amendments to specific provisions related to heritage / character matters. Submitters' proposed amendments are generally supported, as they address gaps or areas of ambiguity in PC26 provisions. Recommended PC26 text changes are made in the Lifescapes Report (Section 8.4) accordingly.

10.   RECOMMENDED AMENDMENTS TO PC26

10.1   This section of my evidence provides a brief summary of the assessment methodology, findings and recommendations made in the Lifescapes Report regarding character clusters and character streets, followed by a summary of recommended modifications to PC26 planning provisions and mapping.

Character clusters

10.2   The following criteria were developed and applied when assessing character clusters identified in PC26:

(a)   A cluster should have historical values related to the town's establishment and development.

(b)   A cluster should demonstrate visual and physical characteristics that make intensification to the level enabled by the MDRS inappropriate.

(c)   A cluster is more than an individual building or very small group of buildings; the appropriate assessment tool for such cases is a historic heritage assessment. Rather, a cluster should include a larger collection of sites at a block-type scale and is reasonably expected to contain 10+ sites.

(d)   A cluster should encompass both sides of the street unless there is sound historical or visual justification otherwise. This enables

the area to be understood holistically and to be maintained as a coherent group and streetscape.

(e)   It is expected that a cluster will contain modern developments as well as historically-derived houses. This is particularly so in Waipā towns where growth has occurred incrementally over time and streets therefore display a range of housing typologies across a spectrum of eras. It is important for these sites to be included such that subsequent development within the identified area is managed taking into account the character values of the cluster as a whole. However, the values basis for the cluster is a particular era of housing or historical theme; as such, it is reasonably expected that 60%+ sites within an identified cluster are "character defining," i.e. directly relatable to the identified theme.

10.3   The subsequent assessment process and full findings are contained in the Lifescapes Report (Section 7). The scope of site-by-site survey was generally limited to character clusters identified in PC26, but was extended to surrounding sites when historically-derived character qualities were observed in the vicinity. It also included the full length of identified character streets as noted above.

10.4   This fieldwork and analysis identified consistent and coherent character clusters that met the above assessment criteria in the following parts of the Study Area:

(a)   Cambridge:

(i)   The intersection of Hall Street / Hamilton Road;

(ii)   Grey Street, between Clare Street and Hamilton Road;

(iii)   Queen Street, between Grey and Bryce Streets;

(iv) Victoria Street, between Williams Street and Thornton Road;

(v) Grosvenor Street, between Williams Street and Princes Street; and

(vi) The eastern end of Thornton Road / Princes Street, beyond Bowen Road.

(b) Te Awamutu:

(i) Bank Street, between Armstrong Avenue and Puniu Road; and

(ii) Rewi Street, between the College Street / Downes Street junction and to Princess Street.

10.5 It is therefore recommended that the above areas form the modified extent and boundaries for character clusters included in PC26. The proposed modified character clusters are shown on Planning Maps 58A and 59A of Appendix A to the Section 42A Report.

10.6 It is noted that each recommended character cluster contains some non-character defining sites, as well as the dominant character defining sites. This is anticipated by the assessment criteria developed by Lifescapes (summarised at paragraph 10.2 above), and is an important aspect of managing collective character.

10.7 It is also noted that the modified character clusters corroborate, and in some instances merge, clusters previously identified in PC26. However, they do not contain all sites identified as "character clusters" in PC26. The excluded sites were found to not satisfy the conditions of the assessment criteria; in particular, the need to be a collective of 10+ sites with 60%+ sites being character defining.

Character streets

10.8 The following criteria were developed and applied when assessing character streets identified in the District Plan and carried over by PC26:

(a) Streets should have a historical significance to the establishment and development of the town;

(b) Streets should display historically-derived physical and visual characteristics that collectively illustrate part of the town's story and identity, including a majority of the following elements:

(i) Long vistas that relate to the early town plan grid layout;

(ii) Large-specimen mature trees that form generally continuous avenues down the length of the street;

(iii) Historically-derived features of berms and footpaths;

(iv) A housing stock that contains late 19th – mid-20th century houses that are appreciable from the public realm and give historical context to the street;

(v) A regular rhythm of housing setback from the street, with a minimum setback of approximately 6m, allowing for mature gardens in front yards;

(vi) Unusual examples in their urban context; and

(vii) The above characteristics are generally continuous the full length of the street.

(c) MDRS-level developments within 1.5m of the front boundary (as enabled by the MDRS) would have a detrimental effect on identified collective qualities.

10.9   The subsequent assessment process and full findings are contained in the Lifescapes Report (Section 6) and is summarised below.

10.10   A preliminary site visit and assessment of the District Plan's identified character streets against the above criteria led to exclusion of Moore Street and Burns Street in Leamington and Turere Lane in Te Awamutu.

10.11   For the remainder of the streets, site-by-site survey and streetscape photography was undertaken and a historical overview was prepared. The question of whether the 6m setback rule was necessary to retain identified character qualities was also assessed.

10.12   As a result of this analysis, it is recommended that the 6m setback rule be retained for character streets, but that the extent of character streets be modified as follows:

(a)   Cambridge:

(i)   Retain character street coverage of Hall Street (reduced section), Hamilton Road (unchanged), and Victoria Street (unchanged); and

(ii)   Delete character street coverage of Princes Street, Thornton Road, and Bryce Street.

(b)   Leamington:

(i)   Delete character street coverage of Moore Street and Burns Street.

(c)   Te Awamutu:

(i)   Retain character street coverage of College Street (unchanged); and

(ii)   Delete character street coverage of Turere Lane.

10.13 The proposed modified character streets are listed at Section 2A.1.23 and shown on Planning Maps 58A and 59A in Appendix A to the Section 42A Report. I note paragraphs 11.7 and 11.8 below regarding a text error and a mapping error that should be rectified.

Planning provisions and mapping

10.14 The Lifescapes Report Section 8.4 provides recommended modifications to the proposed planning provisions of PC26, in light of submissions and analysis. Those recommendations are not duplicated here, and that section should be referred to for all detail. However, key changes are briefly summarised below.

10.15 Minor modifications to the MDRZ restricted discretionary assessment criteria to allow consideration of the values of historic heritage / character cluster sites (21.1.2A.5 – 9). The Section 42A Report adopts these changes.

10.16 A minor modification to Section 22 – Heritage and Archaeology, Activity Status Table (22.4.1) to confirm that construction of new or relocated buildings within the site of a listed heritage item is a discretionary activity. The Section 42A Report adopts this change.

10.17 Modifications and additions to the MDRZ Activity Status Table (2A.4.1) to create a distinction between "character defining" and "non-character defining" sites within a character cluster, in terms of applicable rules. This is to enable greater permissiveness on non-character defining sites while maintaining the character values of the cluster as a whole. In particular:

(a) to enable buildings on non-character defining sites to be demolished as a permitted activity; and

(b) to enable new construction on non-character defining sites as a permitted activity, subject to being single storey with a 6m minimum setback.

10.18 These activities would remain restricted discretionary for character defining sites. The Section 42A Report does not adopt this change and this is commented on further at paragraphs 11.2 – 11.5 below.

10.19 It is also recommended that new character cluster statements are included in Appendix DG1 of the District Plan for each character cluster listed at paragraphs 10.4(a) and 10.4(b) above. These statements explain the historical values and visual and physical characteristics that are to be maintained in each character cluster. Reference to the statements is made in the assessment criteria at 21.1.2A.4(b), meaning that they are key to the assessment of applications in character clusters and are considered in decision-making. It is noted that the Section 42A Report adopts this change.

10.20 Finally, it is recommended to modify all PC26 planning maps to reflect the modified extent and boundaries of character streets and clusters as detailed in the Lifescapes Report. The Section 42A Report adopts this change, with some errors to be rectified (see paragraph 11.8 below).

11.   RESPONSE TO THE SECTION 42A REPORT

11.1 The paragraphs below provide points of clarification and final recommendations in response to the Section 42A Report and its recommended tracked changes to the District Plan, contained in Appendix A of that report.

Character clusters

11.2 As noted above, the Lifescapes Report Section 8.4 recommends that differentiation is made between "character defining" and "non-character defining" sites within character clusters via new provisions in the rules (2A.4.1 Activity Status Tables). The Section 42A Report takes a different approach, remaining silent on character defining/non-character defining

matters at the rules level and instead using the assessment criteria at 21.1.2A.4 to enable assessment differentiation.

11.3   While it is considered that differentiation at the rules level (as recommended in the Lifescapes Report) is helpful in creating a permitted / restricted discretionary hierarchy directly related to historically-derived character qualities, it is acknowledged that this approach may add unnecessary complexity.

11.4   It is also noted that the assessment criteria contain the ability to assess proposals in terms of whether they "contribute or detract from the Character Cluster Statements in Appendix DG1" (21.1.2A.4(b)), which creates a clear link to the historical values and visual and physical characteristics that define each cluster, and the defining / non-defining sites within them.

11.5   It is therefore considered that the Section 42A Report approach is an appropriate alternative to managing character defining / non-character defining sites under the rules of 2A.4.1.

11.6   It is noted that this has created a small error at 2A.4.1.3(d), which refers to "2A.4.1.1(q) and (r)" but in fact should refer to "(q)" only, as there is no "(r)" at 2A.4.1.1. It is recommended that the (r) be deleted.

Character streets

11.7   Appendix A to the Section 42A Report lists the character streets at Section 2A.1.23. A transcribing error has caused this list to include the character *clusters*, rather than the character *streets* as intended. Section 2A.1.23 should therefore be modified as below (my text is in bold):

2A.1.23   In addition, streets that have high existing character because of the built form and/or because of the presence of existing mature street trees have been identified. These streets are subject to an existing policy overlay in the Planning Maps, and include ~~Princes Street, Thornton Road (between Victoria Street and Albert Street/Robinson Street), Hall Street,~~

~~Bryce Street, Hamilton Road/Cambridge Road (between the town belt and Victoria Street), Burns Street and Moore Street in Cambridge; and College Street and Turere Lane in Te Awamutu~~ **in Cambridge – Hall Street, Hamilton Road, and Victoria Street; and in Te Awamutu – College Street.** The Medium Density Residential Standard for front boundary setbacks has been varied along these streets in order to maintain this character. Character has been introduced as a new 'other' qualifying matter as provided for by the Act. (32.3)

Mapping

11.8   Appendix A to the Section 42A Report shows the character streets on Planning Maps 58A and 59A. A mapping error has caused Victoria Street to be inadvertently left off Map 58A. This should be redrawn to include Victoria Street as a character street, from William Street to Hamilton Road as shown in the existing District Plan.

11.9   The Lifescapes Report recommends that Planning Maps 58A and 59A are modified to show sites where the character street 6m setback applies, via a new hatch or shading. It is noted that this has not occurred, creating potential ambiguity about where the 6m setback applies (e.g. rear sites, corner sites etc.). It is again recommended that affected sites are clearly shown and included in the maps' key, as per the proposed maps in the Lifescapes Report Appendix D.

11.10   Planning Maps 58A and 59A correctly indicate (via red hatch) character clusters as including the street space between the two sides of the street. However, this is shown incorrectly for the Thornton Road / Princes Street cluster. This should be redrawn to close the hatch correctly, to be consistent with all other clusters.

11.11   It is recommended that each character cluster is labelled ("Grey Street Character Cluster", Queen Street Character Cluster", etc.) on Planning Maps 58A and 59A, as per the Lifescapes maps. This will create a clear link between the mapped clusters and the character statements in Appendix DG 1.

11.12   It is recommended that historic heritage items are shown on Planning Maps 58A and 59A, as per the Lifescapes maps. This will enable historic heritage sites and character clusters to be viewed and understood collectively by planners and property owners.

11.13   It is recommended that Map 60A be deleted entirely, as it no longer includes any character clusters or streets.

Carolyn Hill
Dated 24 March 2023