

RESIDENTIAL PROVISIONS AND RELATED QUALIFYING MATTERS

SUMMARY STATEMENT OF JOHN BROWN

29 NOVEMBER 2023

1. Tēnā koutou katao, my name is John Brown, and I am a Director at Plan.Heritage Limited. Appearing as an expert witness for Kainga Ora, I have prepared a Primary Statement of Evidence dated 20 September 2023. My qualifications and experience are as set out in paragraphs 2.1.to 2.9 of my evidence.
2. In addition to this hearing concerning Residential Heritage Areas and the submission from Kainga Ora, I am also a signatory to a Joint Witness Statement (JWS) on Heritage matters dated 21 September 2023.
3. The JWS sets out matters of agreement and disagreement with the Council Experts in relation to the following Qualifying Matters (QM):
 - a. Residential Heritage Areas (RHA);
 - b. Residential Heritage Areas Interface (RHA Interface); and
 - c. Residential Character Areas (RCA).
4. I also have a couple of corrections and points of clarification in relation to my primary evidence, following the expert conferencing. I will address these briefly and then move to the points that are still of contention.

Residential Heritage Areas (RHA)

5. I support the protection of areas of historic heritage as required by Section 6(f) of the Resource Management Act 1991.
6. I prefer the term heritage area (HA) as this would not be limited by the use of the word 'residential' and avoids potential confusion in the District Plan. Notwithstanding the terminology, I agree with the assessment criteria and methodology for the RHA adopted by the Council Expert.
7. However, I consider that additional peer review of the assessment documents is required, particularly with confirming the spatial extent of the RHA.

8. I agree that where Certificates of Compliance (CoC) providing for the demolition of buildings in RHA exist (for example as mentioned in Mr Tim Joll's statement)¹, that this is a matter that also requires consideration².
9. My consideration of the impact of CoC on the methodology for identifying RHA is that if weight is given to these, then there would be a concurrent reduction in integrity of some of the proposed RHAs.
10. In particular, the proposed Piko/Shands RHA would be substantially impacted by the implementation of the CoC held by Kainga Ora which includes 15 defining buildings and a contributory building. These buildings are shown in Appendix 1 to Mr Tim Joll's summary identifying the properties in Piko/Shands subject to this CoC.
11. As the area currently stands, and if it is retained, I have noted in my evidence at paragraph 4.27 that a smaller area than currently proposed demonstrates sufficient integrity to be retained as an HHA.
12. I also consider that amendments are required to the proposed provisions. These are set out in paragraphs 5.2 to 5.14 of my evidence. I also consider some additional clauses are necessary to recognise situations where change can be accommodated or enabled.

Residential Heritage Areas Interface (RHA Interface QM)

13. I do not consider that the proposed RHA Interface QM is necessary to manage heritage outcomes, as this is the role of the proposed RHA in itself, which spatially defines where such provisions apply. My evidence notes in paragraph 6.2 that, as a general principle, the application of additional controls outside of the spatially defined heritage overlay is not appropriate.

Residential Character Areas

14. I am concerned that, because PC14 limits the definition of Heritage Areas to just one category (i.e. residential), there is the potential to:
 - i. Elevate 'character' areas (amenity values under s 7 RMA) to a level not necessarily justified under s 6 (RMA); and
 - ii. Miss the story" through exclusion of other categories of heritage value.

¹ RMA/2022/3444 held by Kainga Ora approved 21 November 2022

² Expert Conferencing of Heritage – Page 2

15. I also consider that there needs to be some refinement of terminology between RHAs and RCAs to avoid further confusion in the planning provisions.