

Minutes of an Extraordinary Meeting of the City Development Committee — OPEN

Time and date:	9.00am, Wednesday, 23 July 2008.
Venue:	Council Chamber, 1 st Floor, Council Building, Garden Place, Hamilton.
Committee Members:	Councillors G M Saunders (Chairperson) G D Chesterman J R Gower R E Hennebry P M Mahood A R O'Leary
In Attendance:	Councillor Bell Chief Executive, City Planning Manager and Senior Planner.
Committee Advisor:	Ms F M Yates
Apology:	Councillor Westphal
Resolved:	(Crs Saunders/O'Leary) That the apology be accepted.

SECTION B: RECOMMENDATION OF THE COMMITTEE FOR ADOPTION BY THE COUNCIL

1. 124/8/4. Variation No. 11: Hayes Paddock Special Character Area

The Committee to hear submissions and to consider a report and recommendations from the General Manager Strategic concerning the above.

SUBMITTERS BEFORE THE COMMITTEE

The following submitters appeared in support of their submissions and responded to questions from Councillors.

Submission 44: Sue Lane

Expressed concern about the consultation process undertaken to arrive at the planning designation for Hayes Paddock. At an initial workshop, more votes were recorded for the area to have the freedom to develop and low density development. Concerned that the Consultants report does not reflect this. Believes that there is an absence of historical validity for the claim of a special character area. It is largely too late to preserve the state housing nature of Hayes Paddock. Estimates that fewer than half the houses currently comply with the provisions included in the variation and the guidelines. Concerned about the restrictions that will apply in the event of the variation succeeding. Does not believe New Zealanders should be denied the opportunity from doing what their want to make their homes safe, healthy and suitable to their way of life. People will be denied the opportunity to do what their neighbours have already done.

n requested that Hayes Paddock be recognised as a Heritage
a Character area and that a stronger regulatory framework
be developed to protect its heritage and character values. Now wholeheartedly supports the
modified Variation 11 to identify Hayes Paddock as a Heritage Precinct — particularly in view
of the weight now being given to the original housing stock as a vital component of this
nationally significant heritage source. Does not agree that development proposals entirely to
the rear of existing dwelling will have little impact on the heritage values of the area. Believes
that scrutiny of resource consent applications must be carried out in a transparent manner
with input from qualified design and heritage professionals. Supports making the Design
Guide educational rather than an instrument of the Variation given that adherence to design
guides can undermine heritage values and engender poor quality design solutions. Recommends
that the heritage values of the commercial building at the junction of Jellicoe Drive and Plunket Terrace be explicitly addressed in the Objectives, Policies and Rules of the Variation. Recommends that the heritage values of the rear of those properties that overlook the river reserve be acknowledged and protected within Variation 11. Recommends that information must be conveyed to residents and the wider community via interpretive panels, web site resources and/or print material.

The meeting adjourned 10.40am-2.30pm.

Minute Note: A site visit to Hayes Paddock for members of the Committee was undertaken at 11.00am.

Hayes Paddock Hearing — Summation

The Consultant, Mr Ian Johnson, advised that the hearing had provided the opportunity for submitters to describe their case in more detail. A wide variety of views and opinions had been expressed, some with a degree of expertise. The only area of consensus seems to be that the area is a pleasant and attractive place to live in.

Community opinion should not be the sole determinant of plan proposals, particularly if the Resource Management Act imposes a particular obligation on Council.

It is claimed the area is of historic heritage value. If it is, then Council has a legal responsibility to recognise it and provide protection for it. Whilst Council has heard expert opinion that the area does constitute Historic Heritage, none of the submitters in opposition produced any expert evidence to the contrary.

Mr Ian Bowman, Heritage Architect, was invited to explain the significance of the area and covered the following points:

- One of the earliest and largest remaining examples of the first Labour Government's initiative to provide quality worker housing through the development of new suburbs laid out according to the Garden Suburb design principals (that layout is still unique in Hamilton).
- Representative of the social, economic and political philosophies and circumstances of the day.
- Those philosophies and circumstances are an important part of New Zealand's history.
- The design and construction of a distinct neighbourhood using a limited palette of building designs and materials.

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- High degree of intactness and representation of original design philosophy.

Mr Johnson reiterated that a requirement for a resource consent is not an indication that an activity is inappropriate only that it requires a degree of scrutiny to ensure that it will produce the desired outcome; in this case, the protection of the historic heritage resource.

The scope of the variation is intended to provide protection of the heritage values which are essentially based on the relationship between the original dwellings and the street scene. As such, its focus is on the streetscape elevations, ie. the front and the side. At the rear, it is recommended the reliance on the residential zone rules subject to an additional control regarding height. At the front the provisions still enable repair and maintenance as a permitted activity. Subject to ordinary District Plan rules, low level decks would not be controlled.

It should be noted that the proposals are designed to enable development to occur but they aim to ensure that change is not at the expense of the Heritage resource. Heritage is non renewable.

Official Information and Meetings Act 1987

Motion: (Crs Gower/Mahood)

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter.	Ground(s) under section 48 (1) for the passing of this resolution
1. Variation No. 11 Hayes Paddock Special Character Area) Good reason to withhold) information exists under) Section 7 Local Government) Official Information and) Meetings Act 1987)	Section 48 (1) (a)

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

Item 1.	On the grounds of right of appeal lies to any Court or Tribunal against the final decision of the Local Authority in this matter.	Section 7 (2)(a)(i)
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The Motion was declared carried on the casting vote of the Chairperson.

The above minutes of an Extraordinary meeting of the City Development Committee before the Council.

Resolved: (Crs Saunders/Chesterman)
That the decisions be noted.