

**CITY OF LOWER HUTT DISTRICT PLAN CHANGE 56**  
**STATEMENT OF EVIDENCE OF SYLVIA JEAN ALLAN**  
**on behalf of Petone Historical Society**

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**Background**

1. My name is Sylvia Jean Allan. I have a Bachelor of Science (Honours) Degree in physical geography and geology and a post-graduate Diploma in Town Planning. I am a Fellow of the New Zealand Planning Institute (NZPI) and a former President of that professional body. I have more than 50 years' experience as a planner in New Zealand and in the United Kingdom. I have been awarded both the first Nancy Northcroft Planning Practice Award by NZPI, and an NZPI Distinguished Service Award.
2. I am experienced in most aspects of environmental planning including urban growth planning. In particular, I have always worked in the area of heritage identification and protection, from initial research work at Auckland City Council in the early 1970s which resulted in a legislative change to retain and protect the Princess Street houses in Albert Park, to preparation of the first Guidance manual for heritage protection through district plans for the Historic Places Trust in the early 1990s, to providing expert evidence for the Trust and subsequently Heritage NZ on a number of district plans and also at the Environment Court.
3. I have also assisted councils with their heritage provisions and businesses, organisations or individuals either seeking or opposing heritage listings and commenting on rules. This included assisting the former Petone Borough Council with establishing the Patrick Street Heritage Precinct (on an unpaid basis as a resident), and Lower Hutt City Council in the early 1990s with investigations, consultation and design guide development relating to Jackson Street, which led to the identification of the Jackson Street heritage precinct and the special rating area which formed the basis for the Jackson Street Programme.
4. I am currently an independent planning consultant with my own firm, Allan Planning and Research Ltd, largely retired. I have a consulting contract with MfE on the development of the National Planning Framework as part of the current reviews of the Resource Management Act (RMA), but all other planning work I now do is on a pro bono basis.

5. I have been a Petone resident for 45 years, most of that time living in one of the Patrick Street Workers' Dwelling Act houses. For Wellington Heritage Week, I normally lead well-attended walks of Patrick Street. I have also owned or part-owned listed historic buildings in Auckland and Wellington over a long period. I now live in Bay Street, Petone.
6. I have been a member of the Petone Historical Society (PHS) for approximately 15 years, and a Committee Member for about 5 years. There is no difference or conflict between the submissions of that group on Plan Change 56 and my expert opinion.
7. I have read, and agree to comply with, the Code of Conduct for Expert Witnesses of the Environment Court set out in section 9 of that note (January 2023).
8. The PHS has a particular interest in retaining protection for the existing heritage precincts in Petone, but also has a wider interest in the intensification enabled by proposed Plan Change 56 and how it might modify our community, which, as the first part of the Hutt valley to be settled, has long been identified as a "historic village". My evidence addresses aspects of major interest to the PHS. The order of evidence generally follows the order of matters in the Section 42A report. Because that report is somewhat disjointed and repetitive, I apologise in advance for the less-than-desirable structure of this evidence.

#### **PHS General Approach to Intensification in Petone**

9. Because of the way the original Plan Change 56 was publicly notified – as a series of over 450 specific district plan change "Amendments" plus plan maps with no straight-forward reference system<sup>1</sup> - it was difficult to pull a coherent submission together. It is equally concerning that the S42A report is now written on the basis of overall comments with no reference to the specific amendment numbers. I note that there has been no mention of or response to many of the specific submission points in the PHS's submission.
10. The PHS's submission does not oppose intensification. In summary, it has considered Petone as a whole (that is, the area south of the railway line) and tried to envisage an appropriate intensity of development and match this overall vision to the specific Plan Change 56 amendments<sup>2</sup>. The approach that we feel would be most suitable acknowledges:

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<sup>1</sup> Despite requests, the Council was not able to provide a tracked change version of the Plan, meaning that submitters had to work out for themselves the location and implication of each Amendment in the plan.

<sup>2</sup> Petone community organisations have been extensively involved in earlier changes to the district plan which have provided considerable residential development capacity in Petone – including PC43 and PC29.

- the existing development and subdivision pattern.
  - the existing transport pattern, including road and rail (and the waterfront cycleway under construction).
  - the vulnerability of the area to natural hazards, particularly sea level rise (and rising groundwater levels).
  - the presence of Jackson Street as a well-established, vibrant but very carefully planned and managed component of the area.
  - existing zoning patterns and their historic and recent development, including the very low uptake by residential development of the extensive mixed use zone at the west end of Jackson Street.
  - the generally poor foundation conditions and current requirements to raise floor levels in new development.
  - the pattern over the last 40+ years of across-the-board sporadic renewal, intensification and diversity of housing types which has resulted in steady population growth since a low point in the late 1970s.
11. The plan change is of course driven by the NPS-UD and the Median Density Housing Change to the RMA in 2022 (the MDRAA). The NPS-UD does provide for various circumstances and some nuancing its approach to intensification. The main variation possible is around the definition of the type of transport system, and the ‘ranking’ of a commercial centre. We accept that the rail corridor comprises a rapid transit service. However, to pull together Petone’s commercial and industrial service component into a metropolitan centre is quite another matter.
12. Looking at the definitions of the various types of centres in the National Planning Standards (s8, Zone Framework Standard) there are very simple definitions of these zones. While Lower Hutt Commercial Centre has been described in the s32 Analysis as a “City Centre” based on the zone description, for interpretation and application of the intensification provisions the City Centre could equally be Central Wellington. The Planning Standards state that this zone can be *“the main centre for the district or region”* (my emphasis). Central Wellington is of course many times larger than Central Lower Hutt, and is the region’s city centre. The region’s transport systems have supported this primacy. If Central Wellington is seen as the region’s City Centre, then Central Lower Hutt can be seen as a Metropolitan Centre – *“a focal point for*

*sub-regional urban catchments*". Then Petone Commercial Centre could be seen as a Town Centre – containing *"in larger urban areas, a range of commercial, community, recreational and residential activities that service the needs of the immediate and neighbouring suburbs"*. That is exactly what Petone does. In my opinion, it makes no sense to have a City Centre and a Metropolitan Centre within 2km of each other, and to overlook the primacy of Central Wellington in a rational planning framework for the region.

13. In my opinion, the early decision to identify Central Lower Hutt as City Centre was based on an incomplete consideration of the options and a reluctance on behalf of officers to suggest that Central Lower Hutt might indeed be subservient to central Wellington in a commercial hierarchy. I have seen no analysis of these options in any of the documentation for this Plan Change.
14. The consequence of the decision to label Petone's Commercial area a Metropolitan Centre is that a 6-storey intensification framework in and around the whole of Petone's Commercial centre became inevitable. Despite submissions from Petone Historical Society and others on the draft proposals in April 2022 seeking less intensification in and around the Jackson Street historic precinct, this option has not received adequate consideration in my opinion.
15. I have also checked Proposed Change 1 to the Wellington Regional Policy Statement which deals with urban growth. This does not conflict with PHS's alternative proposal. In fact, it identifies "Petone North" as an area for urban renewal, rather than southern Petone.
16. The PHS's strong preference (which I agree with) is that development enabled by this Plan change should:
  - apply the 6-storey height limit to a walking catchment (800 m) from the railway line/transit stations.
  - enable development of any height in the Petone Commercial 2 area (as proposed) except for the Jackson Street frontage, as covered later.
  - from the edge of the transit-based walking catchment south to the sea, enable intensification of development at a height of 4-storeys, except where natural hazard limitations apply. This would apply in the high-density residential zone, and the Petone Commercial 1 Zone.
  - retain the current height limits throughout the Jackson Street heritage precinct.

17. The intensification provided for by this proposal would be compatible with the heritage character of Jackson Street. It would also be more socially responsible in terms of future generations when inevitably sea level rise affects areas inland of the current identified hazard zones. It would accommodate a very significantly larger number of people than now, and probably not many less than under the 6-storey scenario, given consenting requirements<sup>3</sup>.
18. Considering the practicality and market appetite for 6-storey residential development in Petone, I am aware of only one new 4-storeyed residential development ever proposed for Jackson Street (on the Cuba Street corner). This was reduced to 3-storeys in the Council's decision. A 10-storey residential building was granted consent in Jackson Street outside the heritage precinct by the Environment Court. Due to foundation and other structural requirements it was not built, and now a 4-storeyed residential building occupies the site. There has been one conversion of a historic building to 4 floors in Jackson Street<sup>4</sup>.
19. In my opinion, 4-storeyed intensification in the area south of the walking catchment of the transit corridor would meet the requirements of the NPS-UD, and provide a better fit with the Petone area than the Council's proposal.
20. Should the Hearing Panel accept my opinion, the detailed submission points in the PHS submission, not reported in the S42A report, would assist in making appropriate adjustments to the provision of Plan Change 56.

### **Retaining Existing Heritage Precincts**

21. A major concern of PHS is that Plan Change 56 seeks to reduce in extent two of Petone's existing three heritage precincts. Submissions about this are noted in paragraphs 489 and 490 of the S42A report. Paragraph 490 dismisses the concern of PHS by saying:

*“As these changes sought above do not directly relate to protecting qualifying matters from increased height and density, it is considered that these are addressed as part of the full District Plan review.”*

22. With respect, that is exactly what the proposed remapping of the two existing precincts do – they would remove a number of properties from the precincts (i.e. taking them out of their present “qualifying matter” status) and therefore from the protection of increased height and

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<sup>3</sup> I am not aware of Council estimates of the capacity of the addition intensification, but, if other urban areas' experience is anything to go by, it will be far in excess of 30 years growth.

<sup>4</sup> The Grande building – a former cinema on the corner of Bay Street.

density. I cannot understand the basis on which the S42A report claims the opposite – clearly the impact of the remapping has not been understood by the proponents of the changes in area.

23. Before providing more detail on the changes (see Attachment 1 to this evidence for the mapped changes), I note that the two precincts of Patrick Street and Jackson Street have been included in plan documents for a very long time – Patrick Street, originally in the Petone Borough District Scheme (Change 47, operative 12<sup>th</sup> April 1989) and Jackson Street Heritage Precinct in the Lower Hutt District Plan (notified 1995). The contents should be regarded as “settled” recognised heritage of Petone and not arbitrarily reduced in extent without any explanation or justification<sup>5</sup>. The arbitrary reduction provides a striking contrast to the way it is now proposed to introduce extensive new “precinct” areas into the plan on the basis of much more dubious heritage values.
24. Plan Change 56 has also made some other substantial changes to the rules which apply to these two precincts. Having notified these changes, I do not think it is acceptable to say, as the S42A report does, that the submissions are not relevant and the matters would be better dealt with later. Should the PHS’s submissions not be accepted now, the group will have to go through another plan change process from a different starting point (the provisions of concern having been included in Plan Change 56, and the submissions dismissed, on the advice of Council officers and advisors) sometime in the future. In the meantime, the provisions will not be as workable as they could be, and some of the heritage value could be lost.

### **Patrick Street/Heretaunga Precinct**

25. Firstly it is proposed to remove four properties from the northern end of the (now renamed) Heretaunga Precinct, and one at the southern end.
26. The recognition and protection of the Patrick Street precinct was carefully developed through a process initiated by research undertaken by the Historic Places Trust, and was progressed by Petone Borough Council working collaboratively with property owners and residents of the full precinct area. The precinct has at least national and possibly international value. It is the

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<sup>5</sup> Only now in evidence prepared for the hearing is there any suggestion as to why the changes were made. These were not mentioned in the heritage report as part of the S32 analysis. There has been no consultation on the changes made and notified – unlike the careful analysis and consultation in the late 1980s and early 1990s when the precincts were introduced.

last remaining street of houses<sup>6</sup> built in New Zealand under the Workers' Dwelling Act 1906, the first state housing in the world, built for workers by the Government (not a local authority or benefactor). The houses' chosen designs were the result of an architectural competition and were the earlier work of a number of the country's foremost 20<sup>th</sup> Century architects<sup>7</sup>.

27. When Patrick Street precinct was established it included a number of dwellings which are not original 1906 or 1908 buildings. It was considered that these houses were part of the historic setting, and both sides of the two blocks between Jackson Street and The Esplanade should be included as part of the historic precinct. This is in line with international good practice, the definition of historic heritage in the RMA<sup>8</sup> and the approach in the Regional Policy Statement<sup>9</sup>.
28. The planning approach changed between the Petone District Scheme, where the precinct could be described as an overlay with additional rules and a design guide, to incorporation in the Lower Hutt District Plan as its own Historic Residential zone, with specific rules and a design guide. The current proposal returns these to an overlay approach within the high density residential zone.
29. In terms of the five properties proposed to be excised from the precinct (and therefore open to intensive redevelopment), two predate the Workers' Dwelling Act buildings. One is a 1950s dwelling which occupies the "sand pit" which was the playground for successive decades of local children including those who grew up in the Workers Dwellings. Another is a dwelling from a slightly earlier infill stage. The final one occupies the Esplanade corner and was designed and built in compliance with the Patrick Street Precinct Design Guide about 15 years ago.
30. I should also point out that while there was some initial opposition to the establishment of the precinct, there has been no difficulty in consenting improvements that follow the design guide, the Council has provided some limited financial assistance, owners have restored

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<sup>6</sup> Similar projects were undertaken in Onehunga, Sydenham in Christchurch and Dunedin but all others were close to industrial areas and the streets have been overtaken and demolished as part of industrial expansion.

<sup>7</sup> For example, later works of various Patrick Street architects include the Hunter Building, St Gerards Monastery, St Paul's Cathedral, Wellington and Christchurch Railway Stations (Christchurch's now demolished) and numerous less prominent bank and public buildings in many parts of the country.

<sup>8</sup> Which includes *"surroundings associated with the natural and physical resources"*.

<sup>9</sup> I note that the original street development was opened by Sir Joseph Ward, Prime Minister following the death of Richard John Seddon. The precinct itself was formally opened by the Governor General (Sir Paul Reeves) in 1989 with considerable ceremony and the support of the Borough Council, the Mayor and the Local MP. Plaques were unveiled at both ends of the precinct. The street's centenary celebrations in 2006 were attended by the Prime Minister and Minister of Conservation. This adds to the living history of the place. A view of the Precinct from the edge of the precinct on Jackson St is included in Attachment 2 to this evidence.

heritage values<sup>10</sup> and the whole street and buildings are in much better condition than when the precinct was established<sup>11</sup>. Houses have readily change hands at good values, including all but one of the five dwellings proposed to be removed from the precinct<sup>12</sup>.

31. I have looked for some justification in the S32 report, the Officer's S42A report or the Technical reports for some explanation of the removal of the five sites and buildings which have always been included in the precinct. There is none. There is only a brief and belated comment in the evidence of Ms Stevens. The authors of the Technical report appear to have taken a "from scratch" approach and have not recognised community history or values, or properly researched the buildings or how the precinct came into being. Of particular concern is the omission of comment on the three very interesting Workers' Dwellings that date from 1908 in the precinct. Also of considerable concern is that the one completely new dwelling, built under the design guidance and within the precinct, is now not proposed to be included. In terms of heritage protection this is capricious at best, and undermining of the usual approach to heritage protection at worst. I have no doubt that the design requirements for the consent added cost and difficulty for the owners. To arbitrarily remove the site from the precinct some 15 years down the track is unacceptable.
32. I have now further reviewed the assessment criteria in RPS Policy 21. These provide a comprehensive basis for heritage evaluation based on the RMA S2 definition, which has been used for the Council's assessment. Unfortunately the assessment for the Heretaunga Precinct has been undertaken entirely omitting one key criterion – criterion (e) *"surroundings: the setting or context of the place contributes to an appreciation and understanding of its character, history and/or development"*. When the Patrick Street precinct was established, it was seen as important that additional properties north and south which frame the Workers' Dwelling Act houses were included, and that the non-Workers Act Dwellings on the west side of the southern block, which provided part of the setting and context at the time the precinct was established were also included. I find it curious that this logic as part of more recent history has not been understood in the recent studies. I do not understand why the "surroundings" criterion from the RPS was not taken into account.

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<sup>10</sup> E.g. by reinstating original windows and cladding, and removing unsympathetic materials.

<sup>11</sup> This is obvious from looking at the 1989 film that was made of the precinct during the opening ceremony.

<sup>12</sup> That one is still in its original family ownership.



## Jackson Street Heritage Precinct

33. The Jackson Street historic precinct was included in the proposed Lower Hutt City District Plan in 1995. That followed extensive consultation led by HCC, research and reporting<sup>13</sup>, and the involvement of the then Historic Places Trust<sup>14</sup>. The latter declared the street, from Victoria Street in the west to Cuba Street in the east, a Historic Area. The buildings in the street at the time the precinct was established were of a diverse range of ages and styles. Some were original on their sites – others were the second or third building to occupy the site.
34. The original analysis identified particular buildings which had landmark qualities or other particular values. Notably, in 1995 there was only one 3-storeyed building in the street. The characteristic form of the ‘grander’ commercial buildings was an elevated street facade on a 2-storeyed building, sloping back to a more modest height away from the street frontage. This height (a maximum of approximately 10m), translated into a height rule, has allowed modification or redevelopment of some buildings as 3-storeyed. The provisions in the District Plan include a design guide which has been applied to conservation, restoration and redevelopment projects. The Council has over the years supported structural investigations to address earthquake vulnerability of individual buildings, as well as assisting and advising building owners. There is also in place a special rating area which provides funding for the work of the Jackson Street programme, set up under the international “Main Street” concept, which helps with the ongoing commercial vitality of the precinct. There have also been a carefully-crafted set of plan rules relating to retailing activity which has assisted to maintain the character and vitality of this historic precinct.
35. As with Patrick Street, Plan Change 56 proposes to drop a whole street block from the eastern end. As with Patrick Street, no reason or explanation is given for this. Severing the eastern block from the precinct will significantly damage its integrity. While a number of completely new buildings (since the precinct was established) are found in the area proposed to be dropped, most were in the precinct when it was created, and voluntary restoration or changes made have been in line with the precinct design guide (such as the facade on the existing Buddah Stix Restaurant). There are three quite large new 3-storey residential/commercial buildings contained in this area. The first, on the north corner of Cuba Street was subject to a consent but the Council at the time was not administering the precinct with design advice so

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<sup>13</sup> Of which I was part.

<sup>14</sup> This work predates later work by Warwick Johnstone and Ian Bowman, mentioned in the report commissioned for the S32 analysis.

the design is not so sympathetic. The two other major buildings, opposite Tory Street and on the southern Cuba Street corner, were subject to conditions relating to design and have fitted well into the street pattern<sup>15</sup>. I acknowledge a recommendation to reinstate a small number of buildings in this area into the precinct, however this is not enough<sup>16</sup>.

36. Should this part of the street be removed from the precinct, this opens the opportunity for 6-storeyed development which, in my opinion, would potentially have a significant adverse effect on the integrity of the heritage precinct. As with Patrick Street, where new buildings or changes to buildings have had to meet design guide requirements, or are original, it makes no sense to remove them from the precinct. The suggestion also undermines Heritage New Zealand's recognition of the whole street as a Historic Area, which is national recognition and not to be modified on a whim. The integrity and history of Jackson Street is at risk if the full length of the traditional precinct is not reinstated.

### **Rationale for Change in Precincts**

37. I have been trying to work out what brief the heritage consultants were given, or why they have decided to recommend a reduction in extent of these two "settled" protected areas. There has been no consultation on either area with PHS<sup>17</sup>.
38. The proposals are particularly surprising when the Council's consultants themselves have proposed large new areas for heritage protection which contain many less worthwhile buildings and much less history of interest to the national community. I had wondered if this was a mistaken reading of the provisions of cl. 3.32 and 3.33 of the NPS-UD. In particular, I understand that some Councils have misinterpreted the provisions of cl. 3.33(3). This applies **only** to qualifying matters that are not covered in cl. 3.32(1)(a) to (g) – that is "other matters" and certainly not RMA S6 matters. "Other matters" require a site-specific analysis and a justification of spatial extent under 3.33(3). I understand these provisions were included to address character or amenity areas which are RMA S7, rather than S6, matters. I am not aware of Hutt City having considered such other matters. No such detailed examination or justification is required for historic heritage identified and already protected under the Act and District Plan.

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<sup>15</sup> One replaced a single-storey shop and motor repair garage: the other was built on a site cleared of an old masonry public house due to earthquake risk.

<sup>16</sup> There are two original buildings on the north side of the street, both single-storeyed, one lovingly restored by an architect owner some years ago, which have still not been recognised even from this further review.

<sup>17</sup> Including when the Council approached PHS for input into new listings several years ago.

## Detailed Provisions for Heritage Protection

39. PHS made some specific wording suggestions to correct 4G5.3 and to make minor changes (such as a reference to the applicable design guide). These submissions appear to have been overlooked – they are not included in the tracked change version – but the changes requested should be made. I cannot see any reason why the small changes suggested, including to incorporate front fences into the newly-incorporated provisions, should not be progressed now. The accidental lack of control has already damaged historic integrity in Patrick Street – see Attachment 2 – and the longer that this risk remains the more likely further damage is to occur. Specific wording has been proposed in the PHS submission.
40. I do not understand the last bullet-point of the recommendation in paragraph 636, especially as this does not seem to be shown in the tracked-change version provided amongst the Council’s reports. This needs to be clarified by the report authors<sup>18</sup>.
41. Turning to the parts of the Jackson Street Commercial Area 1 provisions outside the heritage precinct. PHS has requested that this area should be subject to a 14m height. As the S42A report concedes (paragraph 720), there are few properties involved<sup>19</sup>. The S42A report refers later to “heritage risks” nor having been assessed (paragraph 736) but I have not seen an assessment of the risks of the 22m approach. In my opinion, considering the heritage importance of Jackson Street and that virtually all such properties are to the north of the precinct, a lower height than 6-storeys is appropriate.
42. Within the precinct, the change has introduced two new rules, intended to be complementary to existing rules. PHS has proposed minor changes to clarify and make these rules more workable and has provided explanation and reasons. In paragraph 732, of the S42A report, it is commented that *“it is beyond the scope.... to introduce new heritage protections”*. I consider this an unacceptable response to a helpful submission. Given that this is a change to the Plan, the Hearing Panel should be able to consider the minor wording change proposed and include them favourably in a decision. I note that other changes have been made to the precinct rules in the plan changes and these have been recommended for acceptance (e.g. the 100% coverage rule).

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<sup>18</sup> Several street residents reported the loss of an original fence (structure) shown in Attachment 2 but Council officers advised they were (reluctantly) unable to enforce the intention of the Design Guide in relation to fences. They undertook to address it as part of the District Plan review.

<sup>19</sup> Although there will be more, and in more prominent locations, if the full heritage precinct is not reinstated. I also note that if the 14m height was agreed, this would relate better to the 10m in Jackson Street and new guidance would not be needed.

43. I cannot find a response to PHS's submission on Amendment 261, and its request that the existing setbacks that apply above 12m on the Jackson Street frontage in the Petone Commercial 2 Zone are maintained. These small changes were incorporated in the Plan as part of the heritage investigations of the early 1990s, to maintain the vista of the western hills from along Jackson Street heritage precinct – a vista that previous generations have been able to enjoy. Retaining the provisions will assist retaining some of Petone's historic character, while having a very small impact upon possible bulk of development in the mixed use zone. The details are set out in the PHS submission and can readily be incorporated in the plan<sup>20</sup>.
44. I support the positive recommendation in relation to PHS's submission relating to subdivision of existing heritage items (paragraph 876). I note that a slight correction is needed to refer to precincts in the suggested rewording to refer to the Patrick Street and Riddles Crescent **Precincts** (my emphasis) in the second bullet-point.

### **Heritage Recognition and Protection and this Plan Change**

45. PHS also provided further submissions in opposition to the general approach of the Hutt Voluntary Heritage Group. This was so PHS could be heard in relation to matters raised. Other members of the PHS Committee will speak at the hearing, but I would like to record my professional agreement with the legal opinion provided to the Council and the views of Ms Stevens. Hutt City Council has provided both advice and some limited financing for listed heritage items, or buildings within heritage precincts, for well over two decades. Heritage recognition is important to the community and elected representatives understand this.
46. There is also a Cultural Heritage Policy – Taonga Tuku Iho (developed with public input) which provides context for Hutt Valley heritage recognition. In part, this has underpinned PHS's approach to this Plan Change. It demonstrates that there is wider community support for cultural heritage than the approach espoused by the Hutt Voluntary Heritage Group.
47. I am concerned, in relation to various comments in response to submissions on heritage in section 6.3 of the Section 42A report, qualifying matters, that the report dismisses suggestions for changes in submission out-of-hand. In my opinion, having sought submissions, it is quite within scope for a decision-maker to make decisions wherever the matter in the submission is relevant. That includes where either the suggestion clarifies notified provisions or makes them more workable. Otherwise the process is brought into disrepute, and people who have

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<sup>20</sup> I do not agree with Ms Stevens' comments on this aspect.

spent time and effort in good faith trying to understand the implications and effectiveness of the proposed changes will be dissuaded from further involvement in some future plan change. In particular, some of the proposals make quite profound changes to existing provisions which (it appears) are not able to be assessed or challenged for workability by affected parties. I do note that as far as I have been able to ascertain, there have been no individual submissions that relate to the existing Patrick Street and Riddlers Crescent Precincts, or from building owners in Jackson Street.

48. I am concerned at the approach that has been taken in the evidence of Ms Stevens. This has resulted in a number of new proposed precincts containing many non-historic properties, yet existing precincts containing new buildings which have been through processes and constructed under heritage design guidance as part of an established “settled” precinct are regarded as having no heritage values or benefits, and are proposed to be removed. Similarly existing buildings which have been unchanged since the establishment of the precinct but which are unfortunate enough to be at the ends of precincts are also proposed to be removed. The approach seems to apply different standards in different parts of Petone, and does no favours to the concept of heritage recognition and protection.
49. PHS has not taken a view in relation to the other historic precincts which are proposed. With the exception of the Mill Road area, which PHS did suggest during the Council’s consultation some years ago and now supports, it is fair to say the community through PHS has not participated in them.

### **Conclusion**

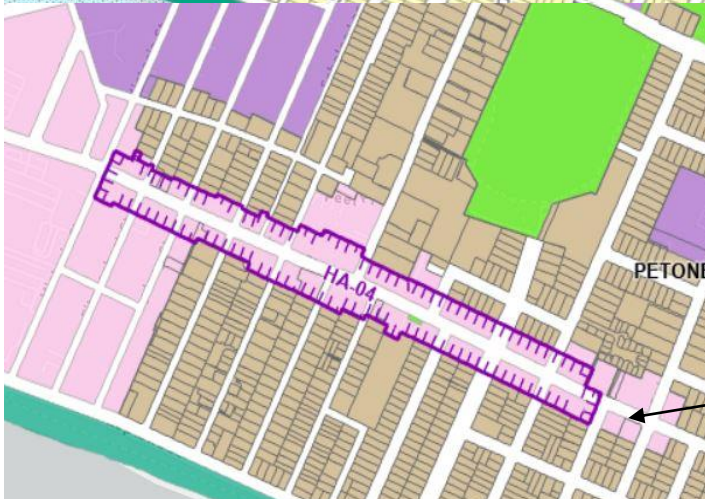
50. Plan Change 56 is undertaken on the basis of national direction and a change to the RMA. In my opinion, the height set across the whole of Petone is inappropriate, based on an inappropriate assessment of the centres hierarchy in the National Planning Standards, and therefore the potential for development is more intensive than it needs to be.
51. The detailed wording changes sought in the PHS’s submission deserve a much more careful analysis, and many more positive recommendations, from the officers. They were designed to achieve better outcomes particularly for heritage and in terms of plan administration. I don’t accept that many were out-of-scope and ask that the Hearing Panel gives them careful consideration.

52. The two precincts which have been protected in the plan for decades should be respected and fully reinstated for the benefit of future generations.

**Sylvia Allan**

5<sup>th</sup> April 2023

Attachment 1 – Heritage Precincts of concern



Buildings proposed to be added from Ms Stevens' evidence

**Attachment 2 – Impact of no control over fences**



**PATRICK STREET – THEN AND NOW**

