

IN THE MATTER OF PROPOSED PLAN CHANGE 9, ARCHAEOLOGICAL SITES

SUBMITTER: Shane & Susan Housley

STATEMENT OF EVIDENCE OF SHANE & SUSAN
HOUSLEY

BACKGROUND

We are the owners of a large riverside property at 11 River Elm Flagstaff, Hamilton, lot 6 DPS 71459. The property has a land size of 2,460 m² and house size of 400m², fully renovated in 1997. Shane, my husband has lived here for over 60 years. This property forms part of the Te Owhanga Pa and is classified as a Group 1 archaeological site.

When we did the River Elm subdivision in 1996 we vested a large portion of the Te Owhanga Pa to Council, this being lot 15 4,875m². It was named Te Hikuwai Reserve. At the time, we were told by Council we would receive market value for the land, however this did not happen. Council lawyers considered the land to have very little financial value as it could only ever be a public reserve with no future development potential. We argued our grievance with the help of lawyers and a JP for over six years but eventually had to accept Council's pay out which was a fraction of the reserves true value. In recent times, the Te Hikuwai Reserve has been neglected by Council and has turned into a wild paddock with noxious weeds. We have complained to Council and have had no action. It is now becoming a serious fire risk. Very few people visit the reserve.

A further huge grievance we have is when we accepted Councils reserve pay out they told us our house site, lot 6 DPS 71459 would remain unencumbered, with no restrictions apart from the protective covenant on the shallow ditch. This was evidenced with a group 3 classification. However, in 2012 our house site, Lot 6 DPS 71459 was reclassified as a Group1 archaeological site. We did not receive notification of this change by registered mail, receive a phone call or see the notification in the local newspaper, hence we did not get an opportunity to object to this change in classification. We were advised by Alice Morris at Hamilton City Council to present our case at the next district plan review. So here we are.

IMPACT OF PC9

We are now looking to place our property on the market and are realising how difficult it is for prospective buyers to purchase this property with so many uncertainties around what can or cannot be done with this property.

Rule 19.4.2b should be amended to provide further clarification/direction. We are concerned the wording 'adverse effects' is unclear and give Mana Whenua the potential to deny all future alterations/improvements on group 1 and group2 archaeological sites.

DECISION WE ARE SEEKING

Change the Group 1 classification of lot 6 DPS 71459 to "Group 3, schedule 8CA" so as to remove restrictions while keeping in place the protective covenant over the shallow ditch. Group 3 would show that lot 6 DPS 71459 is part of the Te Owhanga Pa, for information purposes only.

The justification for change to classification is a significant portion of the Te Owhanga Pa is already protected as a reserve - Te Hikuwai Reserve. Furthermore, there has been significant human modification and ground disturbance within Lot 6 DPS 71459 which includes extensive ground excavations to form the large house site, garaging for 5 vehicles, plus form the wide driveway which runs the length of the property.