

November 18, 2022

SUBMISSION TO SUBMISSIONS

Hamilton District Plan Change 9

From: Gordon and Rita Chesterman

Property owners at:

243 River Road Claudelands

Valuation Number 049090 296 01

Legal Description Lot 1 DPS 63607, Lot 4 DPS 2758. Lot 5 DPS 2756, part Lot 11 DPS 11634

241 River Road, Claudelands

Valuation number 04090 296 00

Legal Description Lot 1 DPS 2756 , Lot 2 DPS 2756, Lot 3 DPS 2756

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SUMMARY

1. We wish to support all those submitters who do not want their homes categorised as either A or B Heritage.
2. We wish to support all those submitters who wish to have their homes categorised as either A or B Heritage.
3. We wish to support the submission of Ngaati Wairere/Wiremu Puke No 269 in its entirety.
4. We wish to support the submission of Chow Hill Architects/Brian Squair.
5. We wish to support our own submission relating to incentives.
6. We wish to speak to our submission to submissions.

1. SUPPORT FOR THOSE SUBMITTERS WHO DO NOT WANT THEIR HOMES CATEGORISED AS A OR B HERITAGE LISTED

- 1.1 Director of Hamilton City Council planning, Dr Mark Davey is quoted as saying: **“Fundamentally, we’re impacting private property rights through this process... and we’re very, very mindful of that.” – Waikato Times, June 3, 2022.**
- 1.2 Commissioners need to be aware of the Hamilton Heritage Plan of March 2016 and adopted by HCC.
- 1.3 The Heritage Advisory Panel comprised 10 individuals: Cr Gordon Chesterman, chair; Cr Martin Gallagher; the late Cr Lois Livingston, Waikato Regional Council; Robyn Byron, Heritage New Zealand; Brian Squair, architect, Waikato Property Council; Tom Roa, Waikato Tainui; Wendy Turvey, heritage planner; Laura Kellaway, heritage architect; Dave Pearson, heritage architect.
- 1.4 It was the consensus of the expert panel that those owning heritage properties should not have their properties classified without their prior approval.
- 1.5 It was acknowledged by the expert panel, in its work over 18 months, that in some areas a number of heritage homes throughout the city were protected from inappropriate developments through existing rules (West Claudelands Character Zone since 1992, Frankton Railway Cottages and Hayes Paddock as examples).
- 1.6 It was considered that incentives could motivate people to want to have their homes listed. Subsequently HCC provided, in its budgeting, \$100,000, later cut to \$80,000.
- 1.7 Apart from the \$80,000 available on annual application to heritage home owners for external repairs and maintenance, HCC, through its Plan Change 9, will be available to 150 percent more properties should PC 9 be fully adopted.
- 1.8 We strongly believe that with the right incentives, many more property owners would be supportive of having their homes classified.
- 1.9 We strongly believe that heritage property owners can only see frustrations and high resource consent costs from HCC in dealing with additions, replacements, fences etc.
- 1.10 We **do not** now want our home we have owned for 35 years at 243 River Road, Claudelands conditionally classified as B Heritage as it is already protected under the West Claudelands Character Zone.

- 1.11 We do not want to handcuff a future owner who might have a different vision for the double site (241 and 243 River Road) of almost 4000sm.
- 1.12 We had previously indicated conditional support based on HCC introducing a range of incentives.
- 1.13 We do not trust the political wing of HCC to retain incentives as annual plans/budgets are notoriously on the need to cut budgets to reduce rate impacts. An example of this is the lack of commitment to heritage by cutting the existing heritage fund from \$100,000 to \$80,000.
- 1.14 The proposed HHA rules for Claudelands will largely ensure that the character of Claudelands is retained.

2. WE SUPPORT ALL THOSE SUBMITTERS WHO WANT THEIR HOMES CLASSIFIED HERITAGE A OR B, OR LISTED WITHIN HHA

- 2.1 This is a fundamental property right.
- 2.2 For those who own, enjoy and support heritage/character homes, and provided they meet the criteria for listing, should have the right to be considered for heritage designation.
- 2.3 This was the very principle reached by consensus by the Hamilton Heritage Advisory Panel in March, 2016.
- 2.4 Even if a property is outside an HHA, it should be considered for heritage classification if it meets the criteria.

3. WE WISH TO SUPPORT PART OF THE SUBMISSION OF NGAATI WAIRERE/WIREMU PUKE 169

- 3.1 Wiremu Puke specifically alerts Commissioners to Opoia Pā (16).
- 3.2 Commissioners should note that since the Ngaati Wairere's September 1 submission, it was subsequently revealed publicly that a 262 apartment project, in one 6 storey block and 2 three storey blocks, with no car parks and part-funded by Kāinga Ora, have been proposed for the one hectare Opoia Pā site. While the site is zoned CBD, it is on the boundary of the significant heritage area of Claudelands. No consultation has taken place with mana whenua. A subsequent Official Information Act request indicates that no iwi or hāpu consultation was undertaken. Ngāti Wairere has placed a contemporary claim on the Opoia Pā site under the Treaty of Waitangi as part of an existing hāpu claim already before the Tribunal. Mr Puke makes a number of suggestions to ensure significant sites are not overlooked in the planning process, and we urge the Commissioners to acknowledge this and support those suggestions.

4. SUPPORT THE SUBMISSION OF CHOW HILL ARCHITECTS/BRIAN SQUAIR

- 4.1 Brian Squair was a representative of the Waikato Property Council on the Hamilton City Council's Heritage Advisory Panel that produced the Hamilton Heritage Plan, adopted by council in March 2016.
- 4.2 On this basis, he is well qualified to comment on all aspects of heritage in Hamilton.
- 4.3 While Chow Hill does not support PC9 in its current form, it does provide solutions and comments on how Commissioners might achieve better outcomes.
- 4.4 We urge the Commissioners to take particular note of the Chow Hill submissions.

5. INCENTIVES PROPOSED BY THE CHESTERMANS

- 5.1 A brief summary by HCC of our submission on incentives does not provide anywhere near a comprehensive understanding of what is proposed.
- 5.2 A very quick read of the brief summary does not do justice to our submission.
- 5.3 We wish to reiterate our point of view as follows:
 - a) Without realistic incentives there is NO motivation for property owners to agree to, or seek Category A or B Classification.
 - b) HCC has signalled that it has NO commitment to heritage by reducing the \$100,000 annual heritage fund to \$80,000, yet trebling the number of property owners who can access the fund.
 - c) A small city such as Whanganui has a fund of \$250,000 per year.
 - d) HCC should increase its Heritage Fund to \$500,000 per year with a commitment to retain it at this level for a minimum of 3 years to link with budget rounds and surety in future years.
 - e) The fund should be available for access on an application basis for owners of all residential A and B category heritage listings.
 - f) There should be a maximum of up to \$25,000 to any individual owner for an external project.
 - g) HCC to provide interest free funding for external heritage work on A and B category heritage residential properties with individual loans of up to \$50,000 to be repaid over 5 or 10 years and secured against the property and to be repaid on sale. The interest free loan scheme should be \$1 million per year, reviewed in 3 years.

- h) HCC should provide a 2.5 percent rates rebate on all A and B heritage listed properties to recognise the contribution heritage makes to the amenity of Hamilton.

6. WE WISH TO SPEAK TO OUR SUBMISSION ON SUBMISSIONS

- 6.1 Please advise of a day and allocation of time.