

May 29, 2023.

VERBAL SUBMISSIONS

HAMILTON CITY COUNCIL
DISTRICT PLAN CHANGE 9.

From: Gordon Chesterman/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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COMMISSIONERS....

I'm afraid today we are likely to be wasting each other's time.

As a former elected local government politician... six years as a Hamilton City Councillor ... and a further six years as deputy Mayor... I make no apologies for saying that.

Staff have made their recommendations.

Significantly ... there are over 460 submitters... and more than 300 submitters on submissions... and I'm advised over 2700 submission sub points.

At best guess... it appears over 75 percent of these submission points have been rejected by planning staff... many for being out of scope.

Which raises the point: why should any of us have bothered?

As deputy Mayor... I chaired the Heritage Advisory Panel that spent two years developing the city's first Heritage Plan.

1. The 10-person advisory panel was a high-level panel of experts including Heritage New Zealand, heritage planners, consultants and architects... and Waikato Tainui.
2. Council voted unanimously in March 2016 to adopt the plan... and allocated \$100,000 for restoration grants a year for owners of heritage properties.
3. The funding provided property owners with an opportunity to apply for part-funding of projects to enhance and protect properties of historic value to the city.
4. Council's worrying new world view on heritage took a disastrous turn in 2021... when councillors slashed \$20,000 off the budget.
5. Even more curious is the current intention in Plan Change 9 to triple the number of applicants who could potentially apply for a reducing funding pool. It becomes somewhat pointless.
6. What does this signal on the value of a heritage fund... given that a small council like Whanganui has a fund of \$250,000.
7. There are no guarantees that this cash strapped council won't reduce the fund further... or in a brain snap... remove it entirely.

8. Government... I might add, has dealt another blow to ordinary New Zealanders allowing three storey blocks down most streets... destroying the very fabric of our neighbourhoods
9. And this is bringing with it the new regime of ugly buildings.
10. But back to the heritage advisory panel. One of the major discussions was around property rights... and how the home of an individual owner might be classified as a heritage home.
11. It was the panel's view that owners had the right to put forward their properties for consideration for heritage classification... or not.
12. This removed the opportunity for an individual to nominate a home... or a tree... for a heritage listing not owned by them... possibly with malicious intent.
13. Erosion of property rights has even been cited in public comments by council's own director of planning Dr Mark Davey... who said in the Waikato Times: **fundamentally we are impacting private property rights through this process and we're very, very mindful of that.**

14. But I would like to now talk specifically about my own home at 243 River Road, in which my wife and I have lived for 37 years.
15. For most of this time our home has been protected under the unique West Claudelands Special Character Area which has kept developers out of Hamilton's largest heritage area.
16. My wife and I have no objection to the special West Claudelands character zone becoming an HHA.
17. However... we object to council effectively confiscating our private property rights... **a modern day raupatu**... by declaring... without our consent... that our home is to be classified Heritage B... bringing with it even more controls and associated cost penalties.
18. The first we knew of this devious move was a letter from a senior council executive... Blair Bowcott... who wrote in August, 2021... saying our home was under investigation for a heritage designation.
19. And we wonder to this day... nominated by whom and why?

20. My response... emailed to planner Alice Morris a couple of weeks later ... reminded her of the Heritage Advisory Panel's view on the property rights of individuals.
21. Part of my detailed submission to Plan Change 9 was to advocate for a range of incentives for heritage property owners.
22. But as expected, the culture of local government prevailed. Those are the rules. It's not council's responsibility to seek innovative ways to make things happen. Besides, it's out of scope.
23. My wife and I do not want our home classified Heritage B... Council has offered nothing in return.
24. No recognition of the high cost of maintaining an old home and the value it adds to the city ...Only restrictions and costs.
25. An HHA delivers all of the protections we ... and Claudelands ... needs.
26. Our home has been secretly nominated... can't be seen from River Road... and is down a long driveway.
27. Incidentally... photographs of our home were taken by planning staff from the other side of the river without our knowledge.

28. My wife and I want to make it perfectly clear. Our home at 243 River Road is not available to be classified as Heritage B.

29. We will pursue our legal rights to ensure it does not happen.

Are there any questions?