

## **Oral Submission: Jean Dorrell: Common-Sense Review of HHAs**

### **Introduction**

**1. Tēnā koutou nā Commissioners**

2. The Council and Mr Knott and Mr Miller have indicated that they have 100% confidence that Schedule 8D is correct.
3. The fact that four HHAs were removed has been cited as an example of their strong quality assurance process and the accuracy of the HHAs.
4. What they have not mentioned is that two of the HHAs now deleted were highlighted in Mr Wild's peer review, prior to public notification, which Mr Knott chose to ignore. Mr Wild recommended Jamieson be deleted and that further research be performed for Angelsea. The Council also have not mentioned that demolition of two properties had already occurred in Marama Street. Unlike Oxford Street (West), it was not just a matter of it having been approved. There were two vacant adjacent sites<sup>1</sup>. So, prior to public notification, three of the four HHAs which have now been removed as part of a supposedly robust process, already had red flags which were ignored by the Council and their expert.

77. HCC has confidence in its team of heritage experts. It readily acknowledges that the process has been iterative and has resulted in re-evaluation and changes to the recommended list of HHAs. From this the Panel can conclude that HCC has not taken an immovable position, it has listened to submitter feedback, sought out high calibre peer review, and when appropriate, refined its approach. The end result is a robust and reliable body of evidence to support the evaluation methodology for each of the proposed HHAs.

5. I do not share this confidence in the Council's experts at all.

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<sup>1</sup> Submitter Kenal. Also my own knowledge as the Marama Street hill is often used for run training.

6. How did an expert misidentify two lots of houses in Hamilton<sup>2</sup> as firstly Railway housing, and then secondly as Ellis & Burnand prefabricated houses and then say he meant the "other" Ellis & Burnand housing? **How can his expertise in NZ housing typologies have any credibility?**
7. We actually became the Railways Cottage HHA because Mr Knott referenced the typology of railway cottages to a 2020 report by Ms Hill, which the Council had commissioned earlier. **The report Mr Knott referenced did not contain the description of this typology.** In fact, there was a glaring error in that the description of "**transitional villas**" was recorded next to the picture of a Frankton railway cottage. It took four months and the intervention of the Mayor's office to get the report updated to include the description for a railway cottage (being houses made in the Frankton Railway Housing factory by NZ Railways for Railways employees). But, due to this "error" we became the "Railway Cottage" HHA.
8. The Council legal submissions reference Mr Miller's "detailed research".
  45. Mr Miller then reviewed a sample of eight proposed HHAs and, overall, agreed in principle with the recommendation that these areas be included in PC9 as HHAs. His peer review included detailed research into the development of each of the eight HHAs and concluded that each have local significance with the exception of one, Hayes Paddock, which has regional (and potentially national) significance.<sup>12</sup>
9. In addition to the very questionable research on the Oxford street historical titles, Mr Miller references the Morris & Caunter report in regard to the following statement about the **Sare Crescent HHA**.
10. Mr Miller states that: *"The area was developed after the end of World War II, during a period where houses were being built to accommodate homecoming servicemen and their families."*
11. The Morris and Caunter report which Mr Miller references for this statement about Sare Crescent covers four selected areas of Hamilton. **None of these include Sare Crescent.**

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<sup>2</sup> Wye St (Frankton East), Oxford St, Marshall St

12. [Slide of Churchill Ave]
13. The only reference to accommodation for servicemen in the Morris and Caunter report is on page 35 in regard to Denz St and Churchill Avenue which are on the other side of the river and contain a number of **very** large two storey state houses, which have no resemblance to the housing on Sare Crescent which has the very common style of state houses found in most of Fairfield.
14. Mr Knott ranked the four distinctive Denz St houses as 3/7 and so they are not HHAs.
15. Like the Oxford Street land title, this is another example of fabricated research.
16. Do I actually need to point out that I should not need to check references cited by historical heritage experts? I'm not referring to typos like Mr Miller having a digit wrong for a land title, I am talking about complete fabrications by experts.
17. For an HHA to be an HHA it needs to have proven heritage values. It needs unequivocal and documented evidence. The evidence needs to show heritage value, not just state background such as who subdivided the area.
18. It needs to contain facts, not subjective opinions or guesses. And obviously, it needs to be accurate and any research referenced, needs to relate to the properties in question.

### Research

19. After Mr Miller's peer review stated the Oxford Street houses in our HHA were "likely" Ellis & Burnand prefabricated houses, but provided no reference to any research to tell us what these were, my husband and I each approached our research in different ways but we both found the same thing without too much effort.
20. David searched PapersPast and found items about the prefabricated houses, including one which said that the Waikato Times had printed the first catalogue in 1928. David contacted the Waikato Times to see if they

had a copy. They did not, but they sent him a link to an online version of the later 1933 catalogue.

21. I typed "Ellis and Burnand" in search box of the Hamilton Library app. The listing for the 1933 catalogue held in the heritage collection was the fourth item displayed.
22. We visited the Frankton East HHA several times trying to find some similarity between the supposed Ellis & Burnand prefabricated houses there, the description and images in the Ellis & Burnand catalogue and the Oxford Street houses. There is none.
23. Aside from the three distinctive features my husband has already described about Ellis & Burnand houses, there is a fourth issue which means it is not possible that there are any Ellis & Burnand prefabricated houses in Frankton East.
24. A Waikato Times article at the end of 1930 states that Hamilton Borough would not permit the Ellis & Burnand houses to be erected in the Borough. Page 114 of Ms Williams's 2021 report on the Thematic History of Hamilton confirms that they were not permitted to be erected until much later.
25. Ms Williams report is included in the list of reference materials used by (I think, all) the experts. There is no need to read the entire 351-page report (and I haven't) but a simple search for "Ellis" brings up the fact that the Borough did not initially permit the houses to be erected, which by default proves that the Frankton 1920s and 1930s houses in the then Hamilton Borough, can't be Ellis & Burnand prefabricated houses.
26. I question why neither Mr Miller nor Mr Knott checked what an Ellis and Burnand prefabricated house **is**, despite updating the Frankton East HHA from local significance to regional significance when the supposed Ellis & Burnand prefabricated houses were added into the Frankton East HHA and then supposedly seeing them in Oxford Street.
27. We are not planners or lawyers but I do not believe historic heritage values are something which you should need a lawyer or planner to interpret for you.

28. So, in the absence of a peer review which we could rely on, David and I decided to perform a common-sense review of Schedule 8D for the residential HHAs which were not previously special character areas or zones. We looked at the documentation and visited the HHAs. Most of this is contained in our 9 May submission.
29. From this work, I do not believe the Council and its experts has provided **sufficient**, or in some cases, **any**, evidence of heritage values for **all** of the new residential HHAs.

#### Adam Wild Peer Review

30. In 2022, we asked the Council about the quality assurance process for HHAs via official information requests. We obtained a peer review written in June 2022 by Adam Wild.
31. The report clearly shows that Mr Wild had considerable concerns.
32. The Council have glossed over this but of the **32** HHAs, Mr Wild recommended either further research or deletion for **17** of them. He also noted that a desktop peer review (as he was doing) was not really adequate. As such he had to assume that Mr Knott's report was researched and accurate as he was not given an opportunity to field check the accuracy himself. But **even without performing any research, he still had issues with over half of the HHAs. Red flag, anyone?**

#### The Later Peer Reviews: Re Wild

33. The two peer reviews performed in 2023 identified a large number of the same points that were previously raised by Mr Wild, and previously ignored by the Council in 2022. Some were finally actioned in full (such as deleting Jamison and deeming Angelsea not a proven HHA) and some in part. However, others have still been ignored.
34. Mr Wild recommended more research be completed for the Casey, Chamberlain, Oxford (East), Riro and Sare HHAs. Apart from adding some background about the subdivision to the others, the only "research" has been the addition of new incorrect heritage values to Oxford East and Sare Crescent, and the addition of nonsensical text to the Riro HHA.

35. Mr Wild recommended the removal of, among others, all of the ten 1960s/1970s HHAs<sup>3</sup> which he believed “did not warrant inclusion in the District Plan”.

**Gu Peer review: 1960s & 1970s**

36. Dr Gu also raised concerns about the 1960s & 1970s HHAs. On page 7 of his 2023 peer review report, Dr Gu stated that “*The narrative of their associated heritage value needs to be strengthened*”.
37. And he noted that a “*heritage place or area needs to have a direct association with or relationship to a person, group, institution, event or activity that is of historical significance to Waikato or the nation*”.
38. And that if “*a historical association is difficult to establish or is repetitive, HHA status may be removed*”.

A total of 13 HHAs are classified under the construction company era and the dominance of the private car and changing suburban form (1960s–1970s). The narrative of their associated heritage value needs to be strengthened. Under the heading Historic Qualities in the Historic and Cultural Heritage Assessment Criteria set by the Waikato Regional Policy Statement (10A, 2016, updated 2018), the heritage place or area needs to have a direct association with, or relationship to, a person, group, institution, event or activity that is of historical significance to Waikato or the nation. Moreover, the building or structure of heritage value should be associated with a significant activity (for example institutional, industrial, commercial or transportation). In cases in which a historical association is difficult to establish or is repetitive, HHA status may be removed.

**1960s & 1970s**

39. The ten HHAs which contain 1960s and/or 1970s houses include a total of around 350 mostly brick houses on around 15 streets.
40. The described heritage values are all very generic. When HCC revised the HHA descriptions in 2023, they have added details of the subdivision and the street shape but none of these are heritage values that meet the criteria stated by Dr Gu or the Waikato Regional Policy Statement.
41. For example, in Seifert Street, the HHA talks about Mr Seifert and his house on the corner of Seifert and Garnett, but the HHA **excludes** this property, despite it being adjacent to the HHA. This means there is no direct association for the HHA with a person.

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<sup>3</sup> Acacia, Ashbury, Augusta, Cattnach, Hooker, Jennifer, Lamont, Seifert, Springfield and Sunnyhills

42. In the latest version of Schedule 8D the summary of values for the Lamont etc HHA states that the "grid street network is **not typical**" of the development period. However, in Mr Knott's June 2022 report, he described the exact same "grid of streets" as being "**typical** of the period". This is a clear example of how subjective Mr Knott's views are as he has contradicted his own earlier view.
43. The Cattnach HHA contains one street of thirteen houses (making it, I believe, the second smallest HHA) which is described as part of a subdivision of over 200 acres. There is no explanation as to why this small group of houses is more important than the rest of the 200-acre subdivision.
44. The descriptions of most of the 1960s and 1970s HHAs include the supposedly distinctive features of either linked roads or cul-de-sacs. What this means is there are roads that go somewhere and roads that are dead-end. I am not aware of a **third** alternative for roads and so this is another meaningless supposed value.

#### No 1940s or 1950s

45. Some of the earlier HHAs (which were "pre-1930 early settlement" under the previous themes) contain 1930s houses. But oddly, there are no HHAs with privately owned 1940s or 1950s housing.
46. Did Hamilton really go for two decades after the 1930s with nothing happening other than state housing?
47. The 351-page Thematic Review report by Lynn Williams has 76 references to the 1940s and 1950s, including references to the "population and building boom."
48. And then we suddenly have **350** 1960s and 1970s brick houses in random streets which need to be **protected**?
49. I do not believe the Council and its experts have provided adequate evidence of heritage values for **any** of the 1960s and 1970s HHAs.

## **Research Overview & Miller Peer Review**

50. In his 2023 Addendum, Mr Knott stated (in relation to his 2022 work) that:  
Time constraints meant that there was not the opportunity for research to be carried out for individual HHAs.
51. Reading that the heritage expert who has resulted in tying up my plans for my house had not bothered to do any research upset me somewhat.
52. In February 2023, Mr Knott and Mr Miller visited 8 HHAs. They visited them together. We can see this caused a problem when they both “saw” either 7 or 12 houses with a central front door and symmetrical windows on either side of the front door” in my HHA. If it had been a true peer review, one of them would have seen the right houses and disagreed with the description of the other. Also, one of them may have thought to perform some research on Ellis & Burnand prefabricated houses before declaring us as such.

## **Other Generic Values**

53. The updated Schedule 8D has a lot more “information” **and pages** than the 2022 publicly notified version but it does not appear to have any more evidence of heritage values. All the details of who did the subdivisions has now been researched and recorded. That’s nice background information but I don’t believe the fact that a retired builder and his builder son subdivided Oxford Street in 1921 is evidence of a heritage value.
54. There are a lot of descriptions of the street shapes which Mr Knott seems to think are heritage features, rather than limitations due to geography or neighbouring streets and parks. Mr Knott clearly finds curving streets “interesting” which is completely subjective. My husband finds Rugby League interesting. I don’t. Subjective opinions should not be included in the District Plan.
55. The HHA descriptions include a lot of different ways to say the new street or area was developed because of growth. Hamilton from its earliest days has continued to grow and expand. This is well-documented with twelve expansions of the city since the Borough was formed in 1877. **Growth is**



**not a heritage value in itself.** Or if it is, then the entire city has that value.

### State Houses

56. The Hayes Paddock HHA is a large area with around 200 similar houses. I agree with Mr Miller and Mr Knott **[!]** when they say that Hayes Paddock is a significant example of relatively intact and architecturally coherent area of State housing.
57. But now the council want to preserve a number of other streets with state houses which have nothing like the integrity of Hayes Paddock. The selection seems to be somewhat random. Why Chamberlain but not Snell which has similar houses? Why Sare Crescent but not Holland Road or any street in Poets Corner?
58. And, what is the value of protecting small groups of state or ex-state houses? Many of the proposed State housing HHAs are quite run down with properties with multiple vehicles on the front lawn, rather than trees or garden, unmown lawns and other things which are common in low-cost rentals.
59. Are these really the heritage values we want our city to reflect and be proud of?

### District Plan Language

60. Heritage values should never be described using qualifiers such as "likely" or "reportedly" or "appears".
61. For example: it is "likely" that the Oxford Street houses are Ellis & Burnand prefabricated houses seems to mean that the heritage experts did not do any research to confirm or deny this.
62. It is "likely" that Sare Crescent has the same history as described for the two storey houses on Denz and Churchill seems to mean that Mr Knott identified that Mr Miller's Morris and Caunter reference was an **error** and did not relate to Sare Crescent but he did not have any other information so he left it unchanged in Schedule 8D, apart from adding the qualifier.

63. **Either HCC and its heritage experts are certain of something or, if not, it should not be listed as a heritage value or reported as an element relevant to the decision to make an area an HHA.**
64. There are also quite a few unclear descriptions:
- a. The Riro Street HHA makes no sense whatsoever and I gave up trying to translate it.
  - b. In the Oxford East HHA, sometimes "all" means all 12 houses, but sometimes it seems to mean the seven houses in Oxford Street or possibly the five houses in Marshall Street.
65. In both of these examples, it would be very difficult for any required heritage impact assessments to be performed due to the lack of clarity.
66. Even putting aside the many typos (which make my head hurt) there are quite a few examples of unsubstantiated subjective views and, at the worst, what appears to be a creative writing exercise gone wrong. Many of these have been documented in my 9 May submission.
67. This is a legal and binding document and yet Victoria Street is described in Schedule 8D as:
- “At ground level the narrow shop fronts provide **rhythm** in the frontages and **contribute to the creation of a human scale**. They **provide interest** to pedestrians by bringing the opportunity for a diversity of ownership and uses.”
68. If there is an application for a consent for an alteration to the front of a building, how will the historic impact assessment identify whether the alteration will impact on the “rhythm” or “human scale”?
69. Given that Schedule 8D is part of the draft district plan, it should read like one.

### **Conclusion**

70. The Council should have provided clear evidence of heritage values prior to public notification. This evidence should have been documented and verifiable.
71. The fact that I am saying this in my submission is an indication of a seriously flawed process.

72. The Council's second attempt in 2023 to find heritage values has also failed to provide anything other than information about the subdivisions, more errors and less clarity.
73. I did not expect to have to provide proof that I don't have a central front door, that my house was never owned by Railways, that my house was not built in the early 1920s, or that it is not a little Ellis & Burnand prefabricated house.
74. In addition to removing the Oxford Street (East) and Marshall Street Railway Cottages HHA from the district plan, I request that you also remove **all** the other HHAs where the Council have not provided adequate evidence of heritage values. Specifically:
- a. I request the removal of all state house HHAs other than Hayes Paddock: being Casey, Chamberlain, Fairfield Road, Sare Crescent **and** the removal of Marire Avenue from the Frankton East HHA.
  - b. I request the removal of the incorrectly named "**Marire**<sup>4</sup>, Hinau and Rata" HHA and the incomprehensible Riro Street HHA.
  - c. I request the removal of all of the 1960s and 1970s HHAs<sup>5</sup> which Mr Wild's peer review also recommended.
  - d. I also request that the Council and its experts either research and accurately document the Frankton East HHA heritage values or remove the HHA.

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<sup>4</sup> This is meant to be Matai, not Marire. Marire is in the Frankton East HHA.

<sup>5</sup> Acacia, Ashbury, Augusta, Cattnach, Hooker, Jennifer, Lamont, Seifert, Springfield and Sunnyhills