TO: Hamilton City Council

SUBMISSION ON: Proposed Plan Change 9 – Historic Heritage and Natural Environments

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DO YOU WANT TO BE HEARD IN SUPPORT OF YOUR SUBMISSION?

☒ **YES** ☐ ~~**NO**~~

IF OTHERS MAKE A SIMILAR SUBMISSION, WOULD BE PREPARED TO CONSIDER PRESENTING A JOINT CASE WITH THEM AT ANY HEARING YOU WANT TO BE HEARD IN SUPPORT OF YOUR SUBMISSION?

☐ ~~**YES**~~ ☒ **NO**

COULD YOU GAIN AN ADVANTAGE IN TRADE COMPETITION THROUGH THIS SUBMISSION?

☐ ~~**YES**~~ ☒ **NO**

Signature: _____ Date: 19 August 2022

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THE SPECIFIC ELEMENTS OF THE PROPOSED PLAN CHANGE OUR SUBMISSION RELATES TO ARE:

☐ Archaeological sites	☐ Built Heritage	☒ Historical Heritage Areas
☐ Significant Natural Areas	☐ Notable Trees	☐ Plan Change 9 in its entirety

THE SPECIFIC PROVISIONS OF THE PROPOSED PLAN CHANGE OUR SUBMISSION RELATES TO ARE:

Chapter 19: Historic Heritage Zone in particular the proposed creation of Oxford Street (East) and Marshall Street "Railway Cottages" HHA and listing in Schedule 8D.

Appendix 3 Proposed Change 9 Provisions Appendix 1.1 Definitions and Terms
Appendix 3 Proposed Change 9 Provisions Appendix 1.2 – Information Requirements
Appendix 3 Proposed Change 9 Provisions Appendix 8 – Historic Heritage

Placement of Oxford Street (East) and Marshall Street "Railway Cottages" HHA in Schedule 8D.

MY SUBMISSION IS THAT:

My home in Oxford Street has been included in the Historic Heritage Area (HHA). This has major implications for the freedom of use and development of 33 Oxford St. I will outline below under Architecture and Alterations; Patchwork Zoning; Physical Barrier; Energy Efficiency; Garage/Self Contained Unit; Lost Investment Potential; and Personal Wellbeing what being included in the HHA means to myself as the homeowner with this new proposal and the restrictions that accompany this.

1. **<u>Architecture and Alterations</u>**

I purchased No 33 off my son around 6 years ago. He had plans drawn up to alter the house so we could use it as a whanau home. To date the alterations are on hold while I live in it. But we may at some stage wish to extend the home so it can be enjoyed by all.

My home is 82 square metres and was built around 1925. It is ideal for one or two people but not a family – 3 plus- and it does not meet "the healthy homes standard" for the following reasons:

- It is cold, damp and has had black mould.
- It is too low to the ground to have underfloor insulation installed and the roof area is not fully insulated as it is difficult to get into.
- Not all the windows open and there are gaps in both the windows and doors.

As I mature in years, I have looked at building a tiny home on the side of my section and my whanau altering the house to accommodate their family. The alterations needed to comfortably accommodate my family are:

- Bigger kitchen –presently there is a small galley cooking area
- A second bathroom as the existing bathroom has a combined toilet, shower, and laundry.
- A bigger living area is needed to accommodate the family and to have space so we can join together as whanau for celebration's and enjoy the extended family.

- Alterations to No 33 lends itself to an architecturally designed home combining the historic features of the home with a contemporary style bringing my home up to the standard of a 21st Century home and utilising the section to the fullest.

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1. **Patchwork Zoning.**

- There are eight homes on seven residential lots in the HHA zone and the rest of the street can be redeveloped with 2-3 storey apartments. If this were to happen this street would be 8 houses of HHA and the rest in modern homes. Certainly not a heritage area of any quality and would have the appearance of a patchwork zone. It will not be a heritage area that will give a feeling of "back in time".
- The patchwork zoning in Oxford Street is also further illustrated by the fact that this short street has two separate HHAs proposed, one at each end of the street. The Oxford Street (West) consists of six residential lots and one commercial lot, with four residential lots on the northern side and two on the southern side of the street. The Oxford Street (East) HHA consists of seven residential lots on the northern side of the street but joined with five residential lots in the neighbouring street (Marshall Street).
- Its interesting to note that many of the HHA are in lower socio-economic areas- residents least able to afford the greater costs imposed on HHA's to cover the extra layers of resource consents required by the council to apply for any change to their homes. Not being able to develop their section/home means they are also not able to utilise their asset.
- There also seems to be a total lack of financial equality in this HHA application to streets. In Oxford St all but 8 houses can be developed with considerable financial gain. The 8 HH homes are stuck in a time warp of incredibly old, not healthy homes that will decrease in value not only due to their age but not being able to develop the larger sections those homes sit on. *Are you as a Council going to compensate for the "public good "of those homes being put into the HHA.?*

2. **Physical Barrier**

- My understanding is the proposed plan change states fences are to be a maximum of 1.2m in height. I have fences ranging from 1.2 to 1.6m to keep myself and my property safe and for privacy. The higher fence also adds value to the property.
- Oxford St is a busy street with croquet, Te Whanau Putahi Community Centre and many pedestrians walking through Pountney Park to the Heaphy Tce shops. My whare has been burgled 3 times and there have been at least 2 attempted break ins in the past few years. Since putting up my new fence and a solid gate I have not any problems.

3. **Energy Efficient**

- With Climate Change high on the Kirikiriroa City Council agenda I imagine **e**ncouraging homes to install solar panels would be a high priority. However, it is my understanding that with the proposed plan in place I will not be able to install solar panels on the front roof section of my home This would mean I cannot get the full benefit of solar energy from my whare. Not only is solar energy good for the environment it also adds value to a property. and with the new regulations the Council is not allowing me to get the full financial potential value of my property.

4. Garage / Self Contained Unit

- My home does not have a garage or carport at this stage so lacks storage and cover for my car. To get the most from having a garage I want it close to my home, so the ideal place is on the side of my whare utilising the existing driveway and allowing internal assess to the interior of my home for safety. The garage could also be part of the 'tiny home' I am considering putting on to my section. My understanding with the proposed plan change my garage would have to go around the back of the house or further down the section – neither practical – this is so the garage cannot be seen from the front of the section. This increases the cost – for the extra driveway and takes up the back section.

5. Lost Investment Potential

- No 25 Oxford St was placed on the open market a few days after the HHA was publicly notified at a price of $770,000. There have been several poorly attended open homes and the price has been twice reduced by the owner in their attempt to sell this property.
- The price now being sought is "offers over $695". So, this is a perfect example of the affect that being in a newly made HHA has on the property investment value when you attempt to sell a historic heritage house. An immediate loss in investment of at least $75,000 or a direct measurable loss of approximately 10%.

6. Personal Wellbeing

- Since being notified by the Council that my home is now in the HHA this has had a considerable impact on my personal wellbeing. To be told that you no longer have the freedom to develop or change your home/section and that the price of your home will probably drop has given me a lot of anxiety. My whare is my only asset and the financial stress with this new proposal is very worrying.
- I am also concerned about the extra costs that will come with the plan change if I wish to do any alterations to my home. If the HHA goes ahead I feel the Council should cover those costs not the individual homeowner. The owner should not be penalised for having their home put into the HHA for the 'Common Good/Kaitiakitanga' of the city and incur extra costs for doing that. *So, I want the Council to pay the costs of any consents that are incurred with the HHA should it go ahead in Oxford St.*
- The Council requires that any changes to the front façade of the house in an HHA requires an independent historic heritage expert to undertake an assessment on the affect these alterations will have on not only the historical heritage of the individual house but also a "group" impact. The Council has not indicated what likely range in costs this is likely to be, and this only affects homeowners within HHAs, not their immediate neighbours who can still develop their properties without the need to obtain a historic heritage assessment.

I SEEK THE FOLLOWING DECISION FROM THE COMMISSIONERS:

The proposed Oxford Street (East) and Marshall Street "Railway Cottages" HHA not be created and be removed in its entirety from Schedule 8D in the HCC ODP due to it not being representative of the two historical heritage themes as stated.

I (also) support the submission made by David Whyte and Jean Dorrell which is summarised below:

We generally support the plan to protect "*those parts of Hamilton City which are of such heritage value locally, regionally or nationally that they should be identified as Historical Heritage Area (HHA) in the Hamilton District Plan.*" as the stated objective of the HCC.

We do not believe the methodology has been as robust as it should be and that it has not been applied consistently. A lack of due diligence is shown by the fact that HCC did not bother to check the LINZ titles of the Oxford Street (East) and Marshall Street "Railway Cottages" HHA. This simple check would have shown the properties were never owned by Railways or the Crown and that most of them were built after 1930 and thus could not meet the two historical heritage themes designated for this proposed HHA.

We oppose the establishment of the Oxford Street (East) and Marshall Street Railway Cottage HHA and its listing in Schedule 8D. Our reasons are summarised below with further details, discussion, and photographs in this document:

1. The houses in Oxford Street (East) and Marshall Street "Railway Cottages" HHA do not represent the historic heritage themes of "railway workers suburbs (1930s-1950s)" and "establishment of an early service town (pre-1930s)" as claimed in Mr Knotts report for Plan Change 9.

2. The houses in Oxford Street (East) and Marshall Street "Railway Cottages" HHA are not and never have been railway workers' cottages and so cannot be representative of the "railway workers suburbs" (1930s-1950s) heritage theme. This is proven by the following:

   a. The property titles prove all of the properties were privately owned and always have been. This means that they were never owned by the Railways or another Crown entity.

   b. The houses in both streets do not fit with the definition of Railway Houses in the HCC Operative District Plan (ODP).

   c. The houses do not fit with the housing typology of a "Railway House" as cited by Mr Knott from Ms Hill's two reports on Special Character Areas in Hamilton.

   d. There is no proof in the public realm, that the houses were pre-cut in the Frankton Railway Factory (1923 to 1928).

   e. There is no documented proof of any association with railway workers available in the public realm, so it is impossible for the houses to be "*representative of railway workers suburbs*".

   f. The area (12 properties on two streets) is too small to be classified as a "suburb".

3. The houses in Oxford Street (East) and Marshall Street “Railway Cottages” HHA are not representative of a pre-1930 service town.

   a. By 1930, evidence (provided later in this document) suggests that there were only four houses (one in Marshall Street and three in Oxford Street). Two of those houses were owned by farmers. The other 9 houses (8 properties) or 69% in the proposed HHA did not exist pre-1930, let alone represent the establishment of a service town.

   b. Both Oxford Street and Marshall Street (at least until the mid-1950s) were short no exit roads that terminated in a rural setting (peach orchard, hence name of Peachgrove Road). A service town would not be established on two short no-exit roads, with no commercial buildings within it, but would be created on a main thoroughfare, such as is the case in Morrinsville, Matamata, Huntly etc. The main street in all those service towns is the main highway leading to the areas they service.

   c. The two streets did not become incorporated into Hamilton City until the fifth boundary enlargement in 1949.

4. The houses in Oxford Street (East) and Marshall Street “Railway Cottages” HHA do not meet the consistency criteria. The consistency criteria have not been applied consistently or accurately to the proposed HHA.

   a. After Mr Knott assessed the consistency of “Oxford Street” (being two small groups at either end of a street with around 40 properties) as 6/7, he suggested that Oxford Street could be divided into two HHAs (based upon different heritage themes) but **did not assess and score each subset separately.** He scored every other street in every other HHA as separate entities, before combining the total scores. This fact alone should exclude the HHAs identified from being imposed and placed in Schedule 8D as Mr Knott has failed to follow his own methodology.

   b. Oxford Street (East) and Marshall Street “Railway Cottages” HHA was not scored together. If the two small groups of houses areas are deemed to be one HHA, they need to be consistent with each other. As the Council states “***if an area is assessed as being not consistent it cannot be considered to be representative***”.

5. When the consistency of the HHA is scored accurately and in its entirety, it does not meet the required 5 or more out of 7 points.

WE SEEK THE FOLLOWING ACTION FROM THE COMMISSIONERS

6. The commissioners make a site visit to the proposed Oxford Street (East) and Marshall Street “Railway Cottages” HHA to see the housing types, variations and inconsistencies for themselves. This is requested since on the 9 August 2022 visit to the area by the City Planning Manager, Mark Davey, he was unable to explain why the area met the two heritage themes.

7. When reviewing other submissions, consider that the other proposed HHAs' may also be fabricated or erroneous and/or based on an inconsistent methodology but the submitters may not have the resources or skills to prove this.

WE SEEK THE FOLLOWING DECISION FROM THE COMMISSIONERS:

The proposed Oxford Street (East) and Marshall Street "Railway Cottages" HHA not be created and be removed in its entirety from Schedule 8D in the HCC ODP due to it not being representative of the two historical heritage themes as stated.