

Voluntary Heritage Group

Presentation to Independent Panel Hearing on Plan Change 56

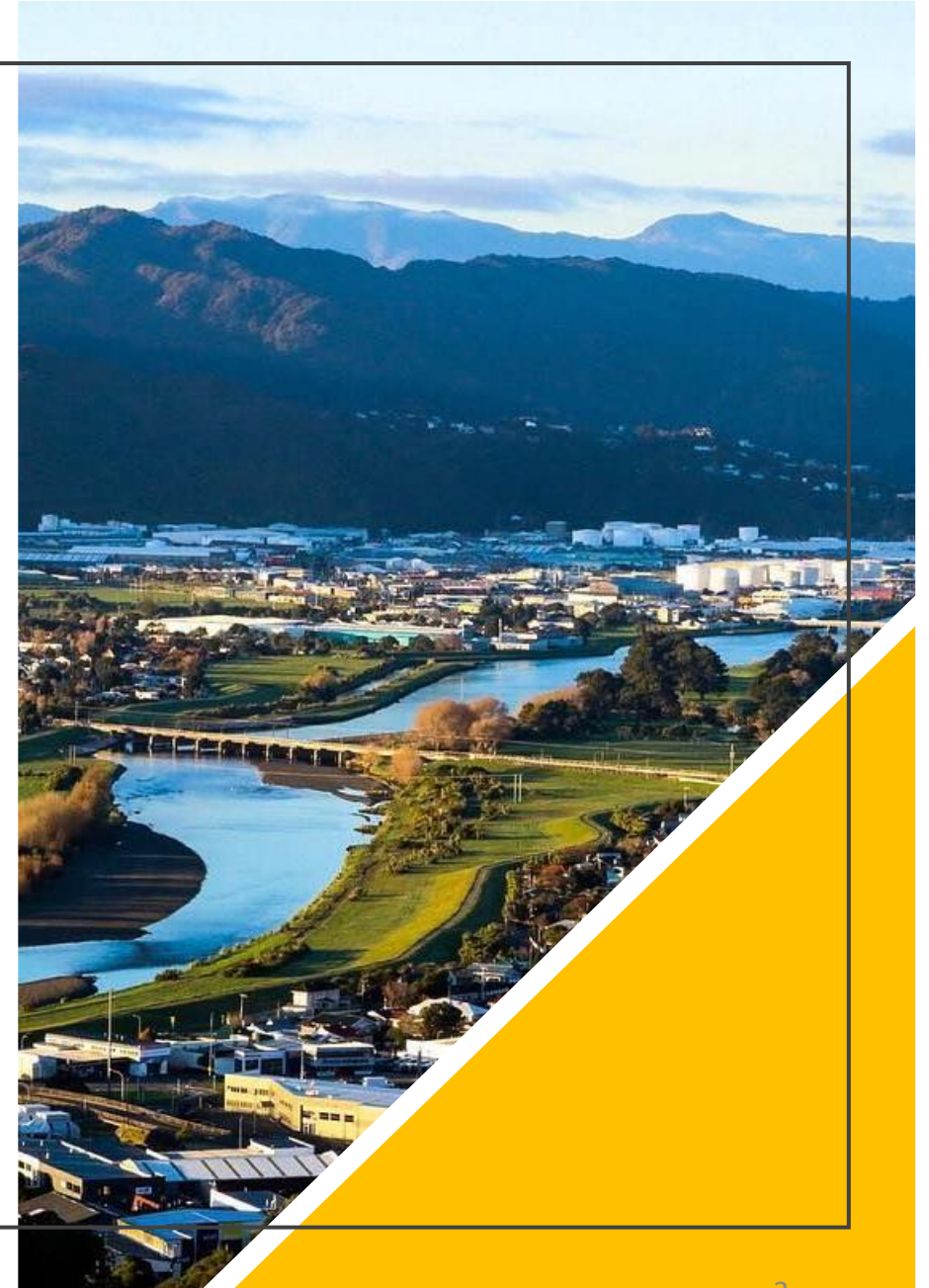
20 April, 2023

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1. Who is VHG

- Group of concerned residents.
- Over 200 members – residents and ratepayers of Hutt City.
- We love our homes and the character they have.
- We support heritage designation where the property owner agrees.



2. Background – the current situation

- House prices are unaffordable – NZ's one of the highest in OECD.
- That hurts the young and the poor the most.
- Prices especially rising in Hutt – prices rose more than 40% above national average.
- Government (bipartisan) response – Housing Supply Act: allowing intensification.

2. Background – the current situation

- Qualifying matters allowed – including heritage.
- But must be genuine heritage - not to be used as way getting around the Act.
- Environment Minister David Parker was clear in his third reading speech –

*“I just want to dwell very quickly on that term, "historic heritage", because this is defined in the RMA. The definition includes a contribution to the understanding of New Zealand's history and culture. That's quite a high bar to reach—**a nationally important historic heritage measure.**”*

2. Background – the current situation

- Housing Minister Megan Woods was equally clear in calling out Hamilton Council when it attempted to include a number of extra heritage areas in its Intensification Instrument (like Hutt City Council is now).
- Megan Woods said:
 - "I share your concerns about the approach Hamilton has taken with heritage areas."
 - "I expect the use of historic heritage as a qualifying matter to be used appropriately, and not excessively."
 - "The statutory test for heritage protection is high – **it must meet the standard of relevant rules around "historic heritage" of "national significance"**."
- Parliament will not be pleased if Hutt City is allowed to do what Hamilton attempted, and bypass the intent of the Act.

3. What the Council has proposed

Currently in the Hutt:



four heritage areas



covering around 90 private residential properties.

Under Plan Change 56:



increase to ten heritage areas



covering around 440 private homes.

- If the **extra 350 homes** are genuine heritage why weren't they protected before?
- The Council has conducted multiple reviews of heritage in past – in 2005, 2010 and 2018 - why were these 350 homes not listed previously? What has changed?
- Or are the new heritage designations simply a way to get around the Act's intensification requirements?

3. What the Council has proposed

Notably, the Plan allows demolition of the properties in the heritage areas

However, new builds must be properties of a similar footprint and height

This demonstrates clearly that PC56 is not about protecting heritage. It is about preventing intensification.

4. Why we are opposed to PC56

The Council's process has been inadequate

The houses are not heritage

The costs of heritage designation are significant

4.1 Poor Process



There has been inadequate consultation with affected parties.



The process required engagement over and above what could be reasonably expected of residents.



In the case of the additional areas proposed in the Officers report – Beach and Bay St – there has not been any notification to residents or consultation.



What opportunity have the 80+ newly-affected property owners had to submit their views to this Panel?

4.2 The houses are not heritage

Independent expert Neil Kemp – a registered architect with over 40 years professional experience



Mr Kemp examined the properties in HA08 and concluded:

“Hutt City Council cannot rely on the evidence provided by Chessa Stevens as it has not demonstrated the areas have significant heritage value.”

“The great majority of the homes in the proposed new areas have been significantly modified over time and are devoid of heritage value.”

Pick the “heritage property”

- Let’s have a look at the houses in the proposed “heritage areas”, to see if they meet the RPS test of being of “significant heritage value.”
- I will show you some houses in the Hutt and ask you identify which ones the Council is proposing be heritage zoned, and which ones it is not.













- It's the same story wherever you look - these houses are simply not heritage.
- They are run of the mill, dime a dozen family homes.
- They certainly don't possess "***significant heritage value***" as required by RPS21, or meet the test as defined by Ministers Parker and Woods as needing to be of "***national significance.***"
- Panel members - you have a statutory duty to call out the Hutt, to require them to follow the law - both in letter and intent.

These
houses
are not
heritage.

COST OF HERITAGE :

Maintenance and repair.

Specialised maintenance and repair work to preserve historic features and materials.

Resource consent.

Changes/alterations require a more expensive, uncertain, and time consuming consent process.

Insurance costs.

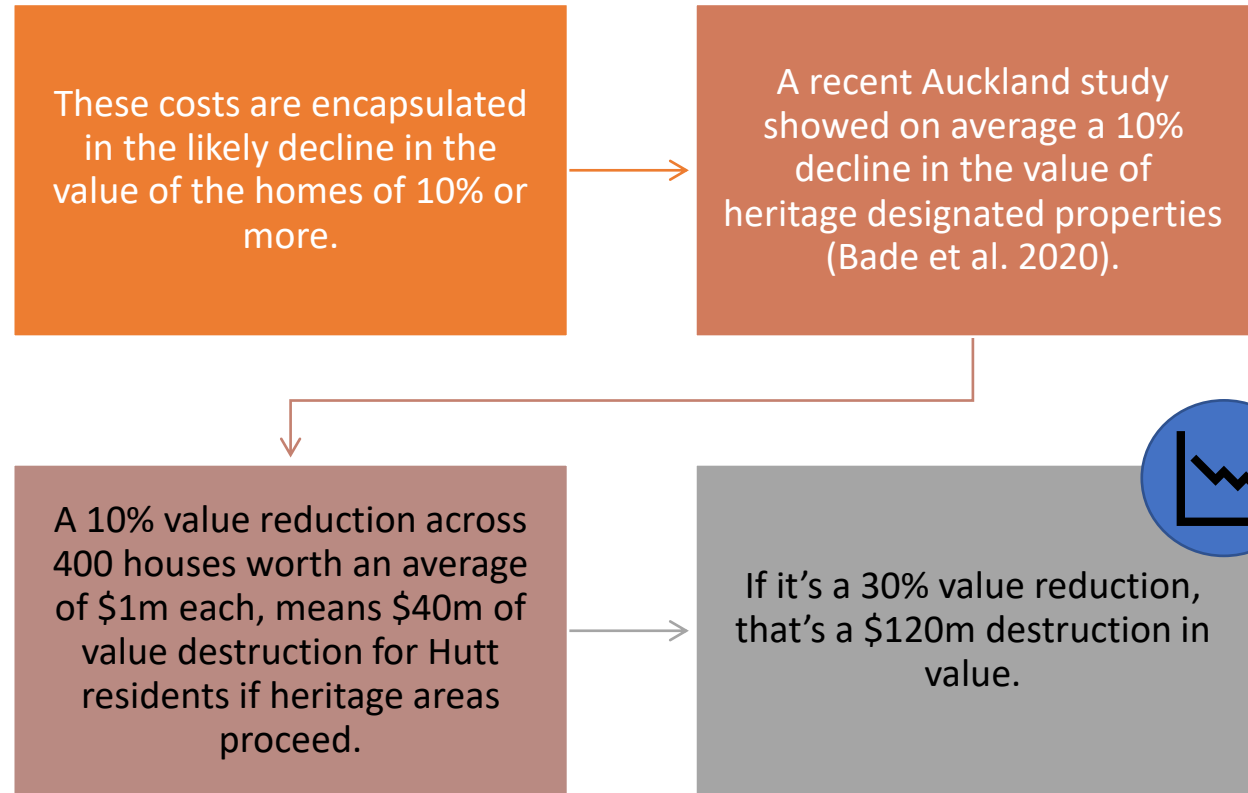
Increased cost of insurance due to age and historical features.

Lost opportunity.

Heritage restrictions limit ability to develop or modify the property.

Why are
we so
concerned?

Costs of Heritage Designation



Costs of Heritage Designation



Some of the proposed heritage areas are in flood-risk zones. Heritage restrictions may prevent residents from future-proofing their properties.



Heritage designation will almost certainly increase insurance premiums, if cover can even be obtained.



Heritage architect Chessa Stevens claims not. But, by her own admission, she has no qualifications or expertise on insurance matters.



We have provided written evidence to the Council that there will be an adverse impact and that premiums are likely to increase (see Appendix Two). We welcome any questions you have about that evidence.

Why are we so concerned?

- The proposed heritage areas single out and penalise 350 homeowners unfairly.
- Unlike their neighbours, the affected homeowners will not be able to build up or build out and will eventually become surrounded by intensified housing.
- There is a high probability the Council will use future plan changes to bring restrictions for the new heritage area properties in line with those on the existing areas.
- This means the properties would be subject to all the rules and restrictions, bureaucracy and hurdles that other heritage designated properties are subject to, including demolition.

A better way

- There is a better way – and it is simple:
- To require the Council to go back to its pre-proposed Plan Change 56 situation in respect of heritage protections.
- To retain the existing four heritage areas and the existing heritage restrictions on the other 114 individual properties listed in Chapter 14F Appendices 1, 2 and 3 of the Council's operative District Plan.
- And to require the Council - if it thinks there is a good case for more heritage areas or individual properties – to address that in the course of its normal Plan reviews – with the next one scheduled for later this year.

Conclusions

- The Council's plan change in respect of heritage must be rejected by the Panel for three reasons:
 - Poor process
 - The houses are not significant heritage
 - The costs heritage designation impose on property owners are large
- The bar for heritage exemption under the Act is extremely high.
- The rules restrict development but allow demolition, which shows the primary intent is to mitigate the effects of the intensification law, not to preserve heritage houses.
- There is a better way.
- You have the power and indeed the duty to make sure the Council's plan follows the intent as well as the substance of the Act.
- It would be ironic and wrong if a government Act intended to free up land supply ended up resulting in more constraints and restrictions – but that is up to you Panel Members.

Appendix One: Current and Proposed Heritage Areas

Plan Change 56 Additional Heritage Properties

		Name	Current Plan	Additions	Removals	Net Additions	Total New Plan
Existing areas							
Heretaunga Settlement Heritage Precinct	Residential	HA02	40	0	5	-5	35
Jackson Street Heritage Precinct	Commercial	HA04	125	10	14	-4	121
Lower Hutt Civic Centre Heritage Precinct	Civic	HA05	12	0	1	-1	11
Riddlers Crescent Heritage Precinct	Residential	HA06	50	1	3	-2	48
New Residential Heritage Precincts							
Hardham Crescent State Housing Heritage Area	Residential	HA01	0	1	0	1	1
Hutt Road Railway Heritage Area	Residential	HA03	0	102	0	102	102
Moera Railway Heritage Area	Residential	HA07	0	16	0	16	16
Petone Foreshore Heritage Area	Residential	HA08	0	209	0	209	209
Petone State Flats Housing Area	Residential	HA09	0	23	0	23	23
Wainuiomata Terracrete Houses Heritage Area	Residential	HA11	0	6	0	6	6
Total Properties			227	368	23	345	572
Total Residential Properties			90	358	8	350	440

Appendix Two: Insurance Impacts of Heritage Designation

Ando

Each property is taken on a case by case basis & would largely depend on what the class 2 designation entails. Please advise what the implications are on the client as part of the class 2 designation. What are the requirements of the council with regard to the property, it's appearance etc?

NZI

There are commonly three types of classification they may be given if Heritage/Council NZ designated – list can be found [Search the List | Heritage New Zealand](#);

- HNZ or council designated Category 1 & 2 – for places of special or outstanding historical or cultural significance or value
- We require a satisfactory builders report and also a valuation taking into account the cost to re-build to council spec.
- If accepted, higher excess will be imposed and minimum 25% loading
- Historic Area/precinct – groups of related historic places such as a geographical area with several properties or sites, or a cultural landscape. Emphasis is on the significance of the group. An example of this is the Oriental Parade Historic Area in Wellington.
- We require a satisfactory builders report and also recommend a valuation taking into account the cost to re-build to council spec.
- If accepted, higher excess will be imposed and minimum 25% loading
- Council Character Area
- If within the Wellington region and meets pre-1935 criteria then;
 - Satisfactory builders report and valuation required.
- If within the Wellington region and does not meet pre-1935 criteria then declined.
- Anywhere else in NZ requires referral to us and provided it is a normally acceptable risk, the character area would generally not play into our underwriting decision.

Vero

In regards to the heritage Question If the home is pre 45 rewired , Re- gibboned and Heritage it would be rated as such no increase in the premiums but the following terms would apply
“Where the home is registered with the New Zealand Historic Places Trust, we will not pay for any additional costs or fees required to comply with any heritage covenant(s) that apply to the home”.