

My name is Brian Boyer. I am a trustee of the Sienna Trust and the Tuatoru Trust. The trusts own residential properties in Buick Street and Nelson Street, Petone.

I made submissions for the trusts in respect of the proposed new residential heritage precincts, particularly those in the streets off The Esplanade. I support their establishment.

The "protection of historic heritage from inappropriate subdivision, use and development" is a matter of national importance under the Resource Management Act. It is extremely important for the city that the new heritage areas be put in place. Over many years, development and demolition have taken place in relation to houses with very strong heritage character. In 1991, when the RMA came into effect, many streets of the Hutt Valley probably came within the criteria now intended to be applied by Hutt City council for this plan change. But, very little has been done and, steadily, year by year, the heritage has reduced.

The fact that the establishment of heritage areas has not been effected over the years is no reason to not do it now. Council must consider and apply appropriate designations where there is a need, and failure to do it has shown that the situation for posterity deteriorates year-by-year. The need must be dealt with. Section 5 of the RMA imposes the obligation to do it. These are all we've got left. I doubt there will be another opportunity.

The Voluntary Heritage Group has submitted that, among other things, houses should be given "heritage" status only if the owners consent to that, and that it is unreasonable to have a heritage area where houses have been altered or neglected to such an extent that they have no remaining "heritage" value.

DLA Piper has dealt with both of those points in a letter to Council officers. There is no legal basis for the first one. That accords with common sense. The second point is dealt with in para 14 of the DLA Piper letter: "The introduction of places into the heritage list in the District Plan must be undertaken by Council on the basis of a robust assessment against the relevant criteria and the mandatory considerations relevant for a plan change." The expert opinion and the work of the Council officers means you have that in the material in front of you.

It is essential to protect the heritage areas from the effects of high, large or inappropriate development within or adjacent to them. The Council officers have proposed requirements to achieve that. They have also put forward methodology, and there are criteria in statutory and regulatory law, and in case law, to ensure that house owners will be dealt with fairly when they wish or need to demolish, modify or renovate.

For a final comment, and I have no expert knowledge on this subject, I am aware that Ponsonby contains a large heritage area, with strict limitations on height, scale and design. What has happened there is that the quality of the housing, and the pride in it, has increased year by year, and house values have risen dramatically across the suburb. Street after street of single storey one-per-section family homes. Everyone wants to live in Ponsonby, and enjoy the benefits and protections of the "restrictions". In my view, the opposite result of the concerns of the VHG will very likely happen in Petone too.

We support what is proposed by Hutt City Council, and the details in it.