

**Councillor Brady Dyer**  
 Chair  
 District Plan Review Committee  
 Hutt Council

By email: [district.plan@huttcity.govt.nz](mailto:district.plan@huttcity.govt.nz)

28 April 2025

## **SUBMISSION TO REMOVE 38 TYNDALL ST (WAIWHETU) AS A 'HERITAGE LISTING' (H140) IN THE PROPOSED DISTRICT PLAN**

This is a submission from the owners of 38 Tyndall St, Waiwhetu. We are expressing our anger and concern regarding the potential heritage designation of our home in the Hutt City Council's proposed District Plan.

There are numerous reasons why we believe our property should not be listed as heritage:

1. **Alternations.** The property has been largely altered since it was first built in 1907. We have been told that it is an 'excellent fake' (heritage home) as almost every part of the home is recently constructed, added to, or altered since it first came back into private ownership in the 1980/90s. Additions to the home include a large two-storied sunroom extension (over 100sqm) to the left side of the house, the large attached double garaging (approx. 100sqm), and various decks attached to the home. Inside, the home has been gutted and renovated numerous times. The council team that came to inspect the home exclaimed about many features – the woodwork, the sweeping staircase, and the flooring. All of these are new, having been added in the early 2000's.
2. **Subdivision and loss of land.** Any prominence or historic value that the home once had has been lost by the subdivision of the property and the development of 'Rāto Rise', 28 town houses, tucked closely behind the house (on the homes former land). The council should never have signed off on subdividing such a large home (650sqm) and leaving it with such a small section (the only lawn area is astro turf). Not to mention it is now surrounded by cheap 'in-fill' homes, diminishing the current homes prestige and worth. This is especially shortsighted if the council was planning to later designate it a historic home or place of significance. As the owners, we are left with a feeling that the council planned to subdivide the property as far as possible, for maximum rates returns. Now that it cannot be subdivided any further – it is seeking for our home to be made a historic listing. All of this is in benefit to the council, with no benefit to us, the owners who bare all costs associated with the dwelling.
3. **Previous submissions.** We understand that the owners in the 1990's, The Bell family, tried tirelessly to have the home listed as 'Heritage' and the council declined their submissions. The council declined their submissions because it did not see the home as having heritage value and had been altered too significantly. Of note, is that at this time, the home and its surrounding gardens were far more worthy of being listed as heritage, than it is now.
4. **Prominent Owners.** The council have noted prominent people such as Harry Hayward, Michael Pangrazio and the Church (former owners) as having 'high' significance for the home and area. In rebuttal to this, we do not see the church as being anything 'special' there are numerous churches around, and what the church did here (with pregnant teenagers) is not particularly noteworthy, more of a dark cloud on the house. We also understand that Harry Hayward was an avid conservationist and gifted much of the home's original and surrounding land to the council to be preserved. We believe Mr Hayward would be rolling in his grave with how the lands around his former home have been treated. Particularly that his own home and grounds have been lost to high-density/low-quality housing, again, reducing the historic value of the home. Finally, while Michael Pangrazio may have accolades in the film industry, he is not well known in New Zealand and his name would not



'ring any bells' with local community. We are sure there are many contemporary 'famous' people who have lived in New Zealand for short periods, and are unaware that any of these properties have since been listed as historic.

5. Other areas noted as 'high' in the DP assessment relate to this (Lower Hutt) being a notable place in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries where people would build large houses on spacious sections. We believe a key component of this theme is lost through the words 'spacious sections'. As we have mentioned above, the home is no longer on a large section. Therefore, this significance is reduced.
6. The architectural aspects of the home as a large a 'Edwardian Villa' is correct. It is a large, beautiful home. However, it has become this way through the numerous private owners over the years and been enhanced by the alterations. There are many Edwardian Villas in New Zealand and this type of architecture is not unusual around Wellington. Again, reducing this significance.

Finally, we would like to discuss the very real consequences of listing our home as heritage:

1. **Insurance.** We have already struggled to insure this property. When we purchased the home in 2022, insurance costs were \$6k PA with VERO. We thought this was relatively steep, but understood it is a large house. We then moved to NZI and fees increased to \$8k PA in 2023. In 2024, we received a letter to say it would be increasing to \$22k PA. After much fighting and working with insurance brokers for over 6months (while paying the higher rate), we managed to negotiate to \$12,739.00 PA with ANDO. However, they have told us directly that they are not willing to insure us if we become a historic home. We have also been refused insurance (due to the size and age of the home) by Tower, State, and AA. Already these insurance costs have nearly financially sunk our family. If we cannot secure insurance, then we could be in jeopardy with our bank and could lose our home.
2. **Property Value.** A Heritage listing on our home imposes significant issues for on-sell of our home. Research indicates that a heritage listing reduces the value of a property by 10 to 30 percent.<sup>1</sup> The empirical evidence of reduced values for heritage-designated properties is reinforced by evidence provided by real-estate agents who have reported that many potential buyers lose interest when they learn that a property is heritage listed. This reflects the lack of development prospects and restrictions on your privately own home, as heritage rules mean the owner cannot make many changes to their house without permission. It is also because heritage properties require considerable and regular maintenance and will be subject to strict rules which can act as a deterrent for potential buyers once they factor in cost and time.
3. **Resource Management Act.** We feel that designating our property as heritage is particularly inappropriate at this current time, when the central government is reviewing the RMA and has announced it will be introducing a new proposal to parliament before the end of this current year. We understand that a fundamental reform of the RMA will be based on the protection of property rights, which is very clear and important in our case.
4. **Other Properties.** The Hutt City Council already maintains a substantial list of heritage properties relative to other councils. On a per capita basis, Hutt City is in the top third of councils for the number of residential properties it heritage designates in its Plan.<sup>2</sup> With this in mind, and noting our arguments, again, we implore the council to not list our home as heritage.

<sup>1</sup> <https://www.sciencedirect.com/science/article/abs/pii/S0264837719317016> and <https://onlinelibrary.wiley.com/doi/full/10.1111/j.1540-6229.2010.00293.x>

<sup>2</sup> Refer <https://www.tdb.co.nz/wp-content/uploads/2022/09/TDB-Advisory-Voluntary-Heritage-Group-Councils-Heritage-Policies-2022.pdf>

Overall, if we are faced with more interest rate rises, rates increase, and insurance fees, then the costs associated with this property may become unsurmountable for our family. To then be faced with a loss of 10-30% on our house sale, could bankrupt us. We find it unfair that the council would inflict this on our family, when we only purchased the home (heritage-listing-free) only 3years ago. Prior to our purchase, the council had over 100years to list this property as historic, and it has not done so. To do so on our tenure, with no compensation, is unreasonable and unfair.

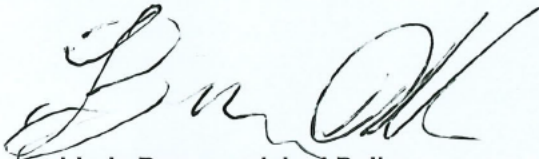
### Request

In these circumstances we request that the Hutt City Council take all our concerns and reasons into consideration and not designate our home, 38 Tyndall St, Waitwhetu as a Historic listing.

If the Lower Hutt Council does choose to list our property as historic, we would like to know what compensation would be on offer to us. Particularly we would be seeking the Council personally insure our home and would expect the removal (or a large reduction) in rates. We may also seek to be compensated for any losses from the sale of our home, if it can be directly correlated with the historic designation. This compensation would be due to the service we are offering the community in preserving a piece of Lower Hutt history at the request of the council.

We look forward to hearing your favourable consideration of our submission.

Sincerely,



**Linda Bruce and Joel Pullen**

Owners

38 Tyndall St, Waiwhetu

Email: [lindamariebruce@gmail.com](mailto:lindamariebruce@gmail.com) / [joel@nme.co.nz](mailto:joel@nme.co.nz)



## Annex One

# The Costs of Heritage Listing

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A Council heritage designation imposes substantial costs on the home-owner.

These costs include:

- 10% to 30% reduction in the value of the home.
- Substantial ongoing costs and problems for property owners.
- Insurers charge increased premiums (25% or more), increased excesses and refuse to provide cover for the additional costs in repairing heritage homes.
- Significant restrictions on what a home-owner can and can't do with their property. Once a property is heritage-listed, the owner has to get the Council's special consent to:
  - make any changes to the exterior of their home
  - change a window frame
  - take a chimney down to remove any risks from earthquakes
  - any other meaningful modifications to their home
- Seeking Council approval to modify a heritage-designated property is costly, grossly time consuming and success is by no means guaranteed.
- Not being able to develop or intensify their property in the way that their neighbours are able to.

Currently the Council can decide unilaterally to list someone's home as a heritage property, whether the home-owner wants it or not.

We, along with The Voluntary Heritage Group, wants the Council to adopt the following policy:

***"That a property should only be added to the District Plan as heritage-designated with the express written consent of the property owner."***

## Annex 2: Impact on insurance premiums

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### 01 Quotation Schedules

#### OWNER OCCUPIED HOUSE

<b>Situation</b>	<b>38 Tyndall Street, Waiwhetu, Lower Hutt</b>
<b>Occupied By</b>	<b>Owners</b>
<b>Interested Party</b>	<b>To be advised</b>
<b>Sum Insured</b>	<b>Sum insured as per latest valuation \$2,381,000 + GST</b>

#### **ANDO**

<b>\$400 standard excess</b>	<b>\$14,444.17 annual premium including levies and GST</b>
<b>\$1,000 voluntary excess</b>	<b>\$13,452.85 annual premium including levies and GST</b>
<b>\$2,500 voluntary excess</b>	<b>\$12,533.75 annual premium including levies and GST</b>
<b>\$5,000 voluntary excess</b>	<b>\$11,308.26 annual premium including levies and GST</b>

#### **VERO**

<b>\$5,000 voluntary excess</b>	<b>\$22,930.15 annual premium including levies and GST</b>
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#### OWNER OCCUPIED CONTENTS

<b>Situation</b>	<b>38 Tyndall Street, Waiwhetu, Lower Hutt</b>
<b>Occupied By</b>	<b>Owners</b>
<b>Sum Insured</b>	<b>Sum insured of \$180,000 + GST</b>
<b>Specified Items</b>	<b>None</b>

#### **ANDO**

<b>\$250 standard excess</b>	<b>\$2,014.25 annual premium including levies and GST</b>
<b>\$500 voluntary excess</b>	<b>\$1,674.07 annual premium including levies and GST</b>
<b>\$1,000 voluntary excess</b>	<b>\$1,431.09 annual premium including levies and GST</b>

#### **VERO**

<b>\$500 voluntary excess</b>	<b>\$2,575.23 annual premium including levies and GST</b>
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#### **ANDO Insurance**

**Total package premium including GST and levies \$12,739.35**

**Total remuneration earned by ICIB Brokerweb \$2,094.41**

*Monthly premium funding options are available if required – please advise us and we will forward a quotation.*