

STATEMENT OF EVIDENCE TO SUPPORT SUBMISSION 101 PC26

[REDACTED]

1) Introduction

My name is [REDACTED]. My husband [REDACTED] I own the property at 1030 Bank Street, Te Awamutu. I am appearing here today to give evidence to support our earlier submission and to **oppose** the inclusion of our property in the proposed Bank Street Character Cluster as outlined in the Lifescapes Heritage Character Report March 2023.

We know the town well despite not being current owner/occupiers of the property. When the property at 1030 Bank Street came up for sale over a decade ago, we jumped at the chance to secure a property we could eventually make a home and move to in our retirement years. We mentioned in our submission the “potential” that we saw in the property. That “potential” will in our view be diminished by the property’s inclusion in the proposed Bank Street Character Cluster.

You have read our submission and I will elaborate on our points made in that submission in more detail.

2) Proposed Character Cluster Reports

Our property was not originally included in the proposed Bank Street Character Cluster as defined in the PAUA Character Area Review April 2022. We have since discovered it was noted as a property “considered as essential to identified clusters”. We were not formally notified by Waipa District Council in 2022 that our property was potentially affected. We do feel disadvantaged in that regard. As we were not aware our property was potentially affected we did not make an earlier submission. Our understanding is that is it the result of the first round of submissions that a further report was commissioned and that following that review by Lifescapes our property was subsequently included in the proposed Bank Street Character Cluster.

In Carolyn Hills Rebuttal Statement of Evidence point 3.4, she notes that the PAUA Character Area review has been superseded by her own Lifescapes Report. We believe it is important to acknowledge the recommendations of the PAUA Report as it demonstrates to us that whether a property should or shouldn’t be included in a Character Cluster is largely subjective given the recommendations in the two reports are quite different, yet both prepared by experts in their field. We note that submission 103 calls for a peer review of the Lifescapes Report which is welcomed by Carolyn Hill.

3) Owners Rights

We do support protecting homes and buildings that are truly historical and original. However we believe the intent of including Character Clusters as a Qualifying Matter goes beyond what it is intended to do and potentially disadvantages those affected property owners. We believe we should be entitled to the same opportunities as those other Bank Street residents not included in the proposed Character Cluster in terms of any alterations to our property (including any items covered under Building Consent Exemptions) without the need for Resource Consent.

We do support a single level restriction but in our view this needs to be “an all in or all out” approach along Bank Street. It is not practical or reasonable that the same criteria is not applied to other properties, some within close proximity and visible from our property. For example there is a property for sale on Bank Street at the moment, sitting just outside the Character Cluster zone whereby the placard on the front lawn promotes ‘subdivision potential’ as a selling point.

4) Definition of a Character Cluster

Our property is not original in its construction. The section was sub-divided many years ago with a townhouse built on the rear of the section. A sunroom and carport were crudely added and the original lounge windows at the front were replaced prior to us purchasing it.

In our submission we noted that by definition in the Lifescapes report, a Character Cluster should encompass “both sides of the street”. All other proposed Character Clusters appear to meet this requirement but the Bank Street cluster does not. We note that in Carolyn Hill’s Rebuttal Evidence she states that “the land slopes in this area meaning that the upper slopes typically were developed ahead of the lower slope; and the slope creates a visual prominence of one side”.

We **reject** Carolyn Hills view that this is a justifiable exception to the ‘both sides of the street criteria’. In her house typology key, it notes the houses opposite ours as being a mixture of mid century, modern electric and bungalows. Is it not also a criteria that a cluster “will contain modern development as well as historically-derived houses” as the houses opposite ours are. Rewi Street not also sloped somewhat to one side but yet both sides of the street are included in that cluster.

The point we want to make is that we believe there are inconsistencies. It seems to us that there is no formal defined criteria for what properties do or don’t warrant being included in a Character Cluster. If inconsistencies already exist then why is it justifiable that our property remains included as precedents have been set further along Bank Street whereby properties have been excluded.

The glaring inconsistency is that those properties opposite those deemed worthy of protecting against medium density housing, will potentially be afforded the right to develop and build three storey dwellings. We have included a photo of the property directly opposite ours, complete with unsightly tiny home on their lawn. Our understanding is that they, and the houses along from them will be entitled to build

three story dwellings. Does this not then take away from the intent of a Character Cluster? Surely it is not within the intent of creating a Character Cluster that the view of some properties would then potentially be right into a three storey dwelling.



5) Neighboring Properties

The proposed Bank Street Cluster does not encompass both sides of the street, nor is it continuous. At a point further down the street from our property, there are a number of properties not included, then two more properties included. Again, this shows inconsistency. It seems to us that our property, the property to the rear of us on our cross leased section and the property to the left of us have been added in to simply “join up” the other more obvious older/character homes to justify it as a Character Cluster. If a precedent has been set showing a cluster does not have to be continuous then we see no reason why our property needs to be included in the proposed Character Cluster. We note that the owners of those properties to the rear of us and to the left of us also **oppose** their inclusion in the Character Cluster.

6) Character Defining vs Non-Character Defining

Following our submission, we note that Carolyn Hill has recommended that our property be reclassified as Non-Character Defining which is some very welcome news given the property to the rear of ours was defined as Non-Character Defining in her report from the outset. The main point of our submission, that our property be removed from the proposed Bank Street Character Cluster remains our desired outcome. We are still disadvantaged by the set back rule which we **oppose** and the onerous requirements which are likely to disadvantage us in terms of additional design, consenting and construction costs.

7) Conclusion and Recommendations

We have read many of the other individual submissions. Each has their own personal perspective and view which is understandable. Bank Street is a very busy road. It is a thoroughfare for traffic from Puniu Road and used frequently for those wanting to by-pass Kihikihi Road. It is not a quaint street in that regard.

We have no objection to those owners of homes who want their properties classed as a Character Property. We would like to put forward that perhaps a more practical and reasonable approach would be to more accurately define a character property by its year of construction (ie those properties constructed prior to 1930). Rather than the decision being taken away from the home owners themselves, based on a report prepared by a third party with no personal or financial investment in the property, those who meet the inclusion criteria could choose to opt their property in or out, empowering the current owner to make their own decision for their properties future.

On behalf of my husband and I, I would like to thank you for the opportunity to speak at the hearing today and to hear our evidence. From a truly personal perspective, I do urge you to take into account the personal and potentially financial burden placed on those of us who have been included in this without prior consultation. I can assure you it is quite a scary position to be in when your largest asset, being property, is at stake. It is one thing to go into a sale and purchase agreement being aware of any limitations on a property but quite another to have these imposed on you at a later date.