

Good Morning Chair & Hearing Panel

I am Julie Hadfield & I own the Opawa Homestead, Albury – I am here to support my submission against having my home listed on the MDC Heritage Items List as part of the District Plan Review, Plan Change 28.

In addition to my Submission, that I know you have read, I have emailed Council on earlier occasions (2 Aug 2024, 16 Sep 2024) – a copy of each of these emails, I have to give you if you would like to see them – I will not read them out now.

I also emailed Council on May 12th 2025, ahead of their Workshop in preparation for today, which I do not think you have seen? I would like to read that to you now & leave this copy with you also -

To MDC Councillors and appropriate Staff

I am aware that you are attending a workshop on the 13th of May in preparation for the upcoming Hearing regarding Plan Change 28, later this month. The purpose of this email is to ask you to take the time to re-discuss my submission and the points I raised.

I write in response to the Section 42A Report for Plan Change 28, regarding the Heritage Item, Opawa Homestead, and the recommendation of that report to reject my submission, which stated that I do not give my permission for this Homestead to be listed on the MDC Heritage Item List.

I am disappointed that the report rejects the very valid points I have raised in my submission and feel that the entire process, including Richard Knotts reports:

1. lacks due diligence and integrity due to the lack of all historic items in the Mackenzie District, not being identified, approached and if appropriate, proposed to be listed (like my Homestead).
2. lacks equitable treatment across all of the items currently listed, proposed to be removed/added to/from the list.

As some of you will be aware, there are many other items of historic value in this District that have not been identified in the proposed list (including other Homesteads, woolsheds, cottages etc). Reasons for this would include that R Knott was not permitted to enter onto private property by some owners, or no response was given to the Council request for him to do so, at all. With this in mind, I believe it is an inequitable process to then forge ahead to treat items that belong to private owners, who gave their permission to enter the property, differently, (such as in the case of Opawa Homestead). If you are not able to assess every historic item in the District, then you can not provide an equitable process.

The many other historic items that are in the District but not visited/assessed will certainly meet some or all of the 6 categories of criteria that assess if an item is indeed historic. So, I believe, that Opawa Homestead has been treated inequitably compared to these other items, as I allowed the

Consultant onto my land to assess, in good faith, and never given any indication that I would not be given a choice if the Homestead would be added to the Heritage List, if deemed appropriate.

MDC seem to have waived any Private Property Owner Rights in the cases where asset owners allowed R Knott to enter their property to assess an item. Private Property Rights are included in the revision currently in process of the RMA – given there is a revision, how can Council implement a list as they are planning to do? Where private asset owners did not permit R Knott onto their land, Council has respected those Private Property Rights and not included those properties on any list – this is a double standard, with my Homestead being treated negatively.

Again, I ask the question, what is Central Government really requiring of Councils, when looking at historic items? R Knott's response to my question in his 42A report states 'I consider that this requires Council to identify historic heritage buildings/items, add these to a schedule and provide appropriate policies and rules to protect them'. This is a subjective interpretation and not the factual requirement from Central Government.

If Central Government are asking Councils just to note the items, and does not mention any requirements for consent restrictions etc, then why is MDC imposing restrictions on private asset owners and not just noting items?

I reiterate that I do not hold any personal issue with Mount Nessing Homestead being removed from the Heritage List due to having a Resource Consent issued to demolish back in 2018, with ~~an~~ ^{an} ~~a~~ ^a QYR extension given after ~~4~~ years. My submissions are based around the unequal treatment between that Homestead and Opawa Homestead, which are brother Homesteads, both similar age, carrying similar heritage values – I am querying the principle of the actions of MDC between the two Homesteads.

Looking at the 6 categories provided to measure the historic nature of an asset, which ones did Mount Nessing meet when it was originally added to the Heritage List? Despite any note that the Homestead may not be entirely the original Homestead, I believe it will still meet most of the 6 categories of value, so wonder why it was actually consented to be demolished? It has been stated that the Homestead received earthquake damage during the Canterbury earthquakes over 14 years ago now and that this may be the reason it has been consented to be demolished – the Homestead is still standing and is being lived in comfortably, it is not a derelict, unsafe building, with the chimney being damaged in the earthquakes, but fixed. If the family are still intending to demolish, then should the Homestead not stay on the List until it is in fact demolished? If the Homestead is not demolished, but renovated over time, removing it from the List then allows the work to be completed without the need for any Consents being applied for. How long do you allow a Consent to stand open without work being actioned? Here is another unequal treatment between the Homesteads obviously – they will not need a Consent to alter their building, but I will with my asset.

R Knott has stated that he has viewed the application to demolish Mount Nessing Homestead, but has not visited the site to give his assessment as he did to Opawa Homestead. He states that from what he has read of the application the current building of Mount Nessing is not the original Homestead, (possibly a younger building) and that this building does not embody the values as Listed. I would argue that the building (not visited) still does embody some of the values of the List

(probably not all, just like Opawa with 4 out of 6), remembering that Opawa is also not the original Homestead it was but has been added to in the 1920's & 30's.

I would deem it important that if you are removing an item from the List, during this process, you should be visiting (if given permission) the site to be assessing it so that all assets are treated in fairness by the same team at the same time. If permission is not given to visit, then in line with your treatment of other assets, they remain status quo – in this case, on the Heritage List.

In Summary –

This entire process, including the reports of Richard Knott, lacks integrity & due diligence, as not all heritage items in this District have been identified and visited to be assessed. You either complete this process fully, encompassing all assets and treating them all equally, or you do not do any of the process – as this leads to inequitable treatment between the assets.

Mayor Munro stated that my Homestead would probably have been put on the List even if I had not given permission for Richard Knott to assess – this is a double standard treatment when compared to other assets he was not given permission to visit, they are remaining off the List. Why this unequal treatment for Opawa Homestead?

With no requirement on the Listed Items to be maintained, I question again what is the point of having a List with rules adding restrictions on asset owners with Consent requirements? This is simply encouraging asset owners to NOT maintain the asset and then the District continues to lose items of Historic value. Just note the items, impose no restricting consent requirements and provide encouragement to have the owners maintain the asset by way of a decent fund available each year (currently only \$5000). Currently this process sets to hinder Heritage Item owners with no help at all.

The problems that lie with the practices and processes undertaken, which I have stated above, to identify items that will or will not be included are duly unfair and inequitable, and according to the recommendations of the Office of the Ombudsman, I have tried multiple times to seek resolution. Should my complaint not be resolved before or at the hearing, I shall seek further help for resolution by forwarding this case to the Office of the Ombudsman.

If listing assets in the Heritage Item list without the express agreement of asset owners, is to proceed, in my view, Council is not providing good pathways for positive relations between historic item owners and the Council – we should all be working together. *(email ends)*

With the delivery of the 2025 Budget, The Deputy Leader of NZ First, Shane Jones spoke to Parliament about several issues, but the one I want to raise is this one & I quote him here, speaking of Regulatory Reform –

“We are repealing the excesses of the RMA.....The new RMA system is based on property rights & based on expanding the liberty of the owners of the assets, to enjoy not only the fruits of their labours, but also the fruits of holding certain rights of ownership. NOT having too many nosy-parkers, NOT having too many people who are NOT directly affected by decisions, hampering the ability of local communities & local businesses to thrive..... practical challenges & practical responses is what the RMA review is looking at”. (end of quote).

Again, I note that the current Government has indicated that the RMA is under review & again I question why then, is this Council forging ahead with rules & regulatory requirements (so called) when it can all be changed within this term? What will happen if all of THIS is then redacted? What will MDC then do? Another expensive Plan Change to reverse what is trying to be pushed through now?

The 'Practical Response' that Mr Jones speaks of, would be to put on Hold all RMA related issues to see what actually is going to come out of the Government review. It may end up that we are all back here again in the future to continue this discussion, or it may be that we all never see each other again & these Plan Changes die a quiet death.

It was not an easy decision to choose to come here today, I don't like how this has all come about – but I have come to speak today because I have spent a lot of time & energy to argue for my freedoms as the owner of Opawa Homestead. It is my private property & means more than you can imagine, for many reasons you will never know. This entire process has already impacted my life, affecting me every day that I walk around the grounds, or in the door of MY home. There are major faults in the transparency, lack of policy & the entire process of this Plan Change 28, that have ended with unfair & inequitable outcomes – this is why I am here today.

This is why the Government employ an Ombudsman, for people like me, finding themselves in situations like this – if sensible thought & common sense does not prevail, that is the next step, with a reaching out to relevant parties of the current Government – who are interested to know when their direction is not being taken into account.

To be absolutely clear – I do not give permission for my private property, my asset, my home, to be added to the MDC Heritage Items List. That should be the end of this discussion.

Thank you for your time today.

Julie Hadfield – Opawa Homestead, Albury.



Outlook

Plan Change 28 - Opawa Homestead

From Julie Hadfield <JulzHadfield@outlook.com>

Date Fri 8/2/2024 7:45 PM

To districtplan@mackenzie.govt.nz <districtplan@mackenzie.govt.nz>
Cc mayor@mackenzie.govt.nz <mayor@mackenzie.govt.nz>; karen.morgan@mackenzie.govt.nz
<karen.morgan@mackenzie.govt.nz>; kerry.bellringer@mackenzie.govt.nz
<kerry.bellringer@mackenzie.govt.nz>; scott.aronsen@mackenzie.govt.nz
<scott.aronsen@mackenzie.govt.nz>; matt.murphy@mackenzie.govt.nz
<matt.murphy@mackenzie.govt.nz>; murray.cox@mackenzie.govt.nz <murray.cox@mackenzie.govt.nz>;
rit.fisher@mackenzie.govt.nz <rit.fisher@mackenzie.govt.nz>; phillipa.guerin@mackenzie.govt.nz
<phillipa.guerin@mackenzie.govt.nz>

To MDC District Plan Team & Councillors

I am writing regarding the proposal to add my home, **Opawa Homestead**, to the Heritage Item List under Plan Change 28.

I do not consent to my home being added to the list and, as the owner of the property, request the removal of the aforementioned homestead from the proposed items on the list, immediately.

The day after the public consultation meeting in Fairlie (Tuesday 23 July 2024), I composed an email to the District Plan team asking for the definitions of the 2 first categories under the Historic Items List:

- Repairs/Maintenance
- Additions/Alterations

I was looking for absolute clarity and definition of these categories - perceptions as to what each of these mean can be different between property owners and MDC representatives. I received a reply that I would have the definitions the following week. Being 7.15pm Friday of the following week now, I am yet to receive anything further from the District Plan team and so my questions are unanswered.

After becoming increasingly anxious that the detail and definition of these categories have not been clarified (whatever they are as of today) and whether they would remain or change in future years, or that the requirements of a resource consent for any work on a listed item, would or would not change, making it incredibly hard for owners to adhere to, gives strong reason why I do not agree to my home being added to the Heritage Item List.

I will ask now, what is the point of having a Heritage Items List of so-called 'treasured' District items when it has become apparent that applying for a resource consent and paying the fee, can allow for that 'treasured' Heritage Item to be demolished? What does an actual resource consent achieve; particularly in the case of allowing a Heritage Item to be demolished? Is the 'treasured' Heritage Item not treasured anymore because a consultant deems it to now not be a 'treasured' Heritage Item? And, if this is the case, why was it ever added to the list in the first place?

This is not protecting the item, as the Heritage Item list is supposedly designed to do. In this case, a resource consent seems likely to be nothing more than a money grab and is an unnecessary step for any work that is to be undertaken on any listed Heritage Item.

I believe that if you are going to have a list of Heritage Items, the items stated in the list should be required to be maintained at their current state or better. If there is no requirement to look after the stated item, then what is the best and successful outcome of having a list of Heritage Items?

For these listed items to be maintained, it costs the owner a lot of their time, energy and money to keep up with set standards, all the while receiving NO incentive from Council to do so. There is no apparent assistance via reduced rates on the property that hosts the item, and the Council's Heritage Items fund is seemingly low to almost non-existent even if owners do apply for monetary assistance to maintain the Heritage Item. If you are going to increase the already substantial list of Heritage Items, then should the Heritage Fund also be substantially increased to match the possible demand from Heritage Items owners?

For Council to offer either or both of those options above, would mean more cost the to ratepayer - even more than they face already, with their ever-increasing rates hikes. How, may I add, is it fair to expect the ratepayers to fund maintenance on privately owned assets? That is unfair. Where does Council seek funding for this work on privately owned assets? As funding from *Heritage NZ* (NHPIF) will only give priority funding to 2 (two) eligible projects at this time:

- Conservation of sites of significance to Maori
- Conservation and preservation of sites that support regional economic development.

Opawa Homestead does not sit in either of these categories, so if council receive funding from the NHPIF, I will not be eligible to receive any of it. So who will fund the work?

I have extensively renovated/changed/maintained Opawa Homestead for approximately 24 years with no assistance in any way, shape or form, from Council. I have kept it in character of the era in which it was originally built and have essentially 'protected' it, from my own private funds, to be able to stand another 160+ years (bar any fire or quake disaster), while the residents are living in it comfortably. Let me point out that the Homestead is not in its original state from the 1860's and has been extensively added to in the 1920's & '30's - so it is far from the small Homestead it once was and was no longer original, before I arrived.

I am completely committed and have the knowledge and funding, to continue to look after my own asset. I do not require either MDC, or a consultant, to 'guide' or 'advise' me on how I can continue to do so! Requiring myself, as the asset owner, to pay a fee and apply for permission through a resource consent to continue what I have been doing since I purchased Opawa Homestead, is borderline arrogant, pointless and verging on ridiculous.

My rates cost approximately \$1900 a year. For this, the direct benefit is that the road bounding my property is graded sporadically through the year. My water supply, sewer and rubbish disposal costs are all non-Council related. The rates expense is less than half of my annual house insurance bill; add to that the money I have spent (and continue to spend) on renovations and maintenance while caring for my Homestead. Council should now understand that I am consciously and presently aware of the costs of protecting my home for my family and for any future owners to enjoy, and do not take lightly the responsibility I have for living where I do.

In the early 1990's, the Glass family, when selling Opawa Homestead and the farm it resided on, considered listing the Homestead with the NZ Historic Places Trust as a Class C to prevent it being demolished, but in not wanting to restrict any future improvements or alterations, they did not end up listing it. I purchased this property in 2000. The relatives of the previous families Rutherford, Hartley, Wills, Glass, Holes and Sutherlands have all been excited and very happy that I am now here, and for all that I have done to protect their family home. None have ever expressed concern that the changes made or treatment of the

Homestead have been anything that has negatively affected its position or style or historic nature.

If, in the future, I would like to protect this Homestead from any future possibilities of demolition or major alterations, I will then choose to do this myself through the NZ Historic Places Trust and not through MDC.

Your intention to add Opawa Homestead to the Heritage Items List is penalising myself as the owner, whilst offering absolutely no assistance to help me continue the careful treatment of it as I have shown since day one. Council should now look at positive ways to encourage and helping local owners of Heritage Items in the District, instead of working against them and essentially making it difficult for them to care for, maintain and enjoy their asset.

As an aside, listing the Opawa Homestead as a Heritage Item, will affect the resale aspect of this property. The market of buyers looking for a very old 8 bedroom farmhouse is limited already without adding the restrictive and potentially costly label of becoming a listed Heritage Item - not only with consent fees (which I understand will always be increasing), but the added expense of using a 'suitable qualified consultant' as stated in the public meeting in Fairlie. We all know the cost of such consultants, but they seem necessary to be able to wade through the paperwork of a consent application form from MDC.

I have been through bureaucratic, non-sensical, penalising control actions of the Regional Council after an 'anonymous discussion' in recent years, which resulted in the decrease in value of my property, by stripping away a very important part of history from the grounds of the Homestead (historic & substantial ponds), with no common sense and complete disregard for historic use and existing wetland and animal habitat.

I understand the Homestead was nominated "anonymously" last year to be added to the Heritage Items List. I am tired of people hiding behind anonymity all the while interfering in the private business of others and their lives. They seem quite content in the 'idea' that they believe they know best about the property of others! These anonymous community members truly have no idea of what I have achieved and protected here, and what I have paid to get the homestead to the standard it is today. It is glaringly obvious to me that the anonymous party are completely unaware and show total disregard of the facts: I love this homestead, I am completely capable and committed to looking after it, and do not require, in any capacity, any assistance from MDC via a Heritage Item List nomination to protect and care for it - especially at the 11th hour after I have been working hard for the past 24 hours on it.

I am deeply concerned that the anonymous nomination could have been made with malicious intent, given my recent experience with the Regional Council and the 'anonymous person's' actions. I have no faith or trust in the process and believe that this could well be a similar situation. I believe this should be considered as another very valid reason to remove the proposed listing of the Homestead.

On one hand, Opawa Homestead is deemed important to preserve and be stated as a Heritage Item. But on the other hand, the historic value was of no importance at all when the ponds were ordered to be removed by Regional Council.

What, I ask, is the point of owning anything in this District, when anyone can seemingly interfere with private lives and decisions regarding private assets; and along with MDC as a government body being one of 'those', believing they can have the right to 'guide' an owner along the 'correct path' to look after their own asset on their own land?

'My home is my castle' as the saying goes, Opawa Homestead is not the property of MDC, nor does it reside on MDC land, and therefore is to remain off the Heritage Items List.

Julie Hadfield – Owner of Opawa Homestead, Albury

Julie Hadfield
Opawa Homestead, RD14 Albury/Cave 7984 South Canterbury NEW ZEALAND
www.opawahomestead.co.nz
Ph 027 685 5999



Outlook

Opawa Homestead - reiteration of no agreement to be added to the MDC Heritage Items List

From Julie Hadfield <JulzHadfield@outlook.com>

Date **Mon 9/16/2024 8:46 PM**

To rit.fisher@mackenzie.govt.nz <rit.fisher@mackenzie.govt.nz>; phillipa.guerin@mackenzie.govt.nz <phillipa.guerin@mackenzie.govt.nz>; Anne Munro - Mackenzie District Mayor <mayor@mackenzie.govt.nz>; matt.murphy@mackenzie.govt.nz <matt.murphy@mackenzie.govt.nz>; karen.morgan@mackenzie.govt.nz <karen.morgan@mackenzie.govt.nz>; scott.aronsen@mackenzie.govt.nz <scott.aronsen@mackenzie.govt.nz>; matt.murphy@mackenzie.govt.nz <matt.murphy@mackenzie.govt.nz>; kerry.bellringer@mackenzie.govt.nz <kerry.bellringer@mackenzie.govt.nz>; District Plan <districtplan@mackenzie.govt.nz>

Cc Julie Hadfield <JulzHadfield@outlook.com>

4 attachments (3 MB)

MDC Heritage Letter 8 July 2024.pdf; Email from Opawa Homestead 2 August 2024.pdf; NZHTrust.jif; RM180069.JPG;

To MDC Councillors & staff

Following on from Plan Change 28 regarding Heritage Items List in this District & my email of 2 August 2024 to you all - note as of 16 September 2024, I have not received any response to that email to say it was received or if/when any further discussion would be held - despite this action being directed at your workshop last Tuesday (a long time after my email was sent).

My original email of 2 August is attached to remind you all of the points I raised at that time.

Cr Fisher has contacted me to discuss the status of my home on the Heritage Items List & from that discussion & lack of response from MDC, I now have further points & questions to raise.

It seems that there is inconsistent treatment of items on the MDC Heritage Items List & I believe this is unfair & needs to be addressed.

To be clear, although I think it is sad to hear that one of the oldest items in the Mackenzie has been approved to be demolished (Mt Nessing Homestead) by MDC, I have nothing against either the family or the decision the family has made for their asset, as it is their private property & they are entitled to make it. This email is not intended to have a go at the Simpson family in any way.

I want to raise some issues around the treatment of that property on the Heritage Item List & my own property - Opawa Homestead.

Both Opawa & Mt Nessing Homesteads, are pretty much the same age, were built & lived in by the same early family that held significant amounts of land in the Mackenzie as very early South Canterbury Runholders in the late 1800's onwards. Both buildings are in above average to good condition - neither of them are rotting, falling down, unable to be lived in or have any condition that would affect their status of a significant heritage item of the district. However, RM180069 resource consent was issued in 2018 for the Mt Nessing Homestead to

be demolished with an extension issued in 2023. This action to demolish has not yet occurred & the Homestead stands in place.

The letter to affected landowners from MDC on 8 July 2024 listed the existing Heritage Items List of the Operative District Plan, #15 being the Mt Nessing Homestead & to the far right, noted that it was to be removed from the list as consent had been issued to demolish. Cr Fisher was told by MDC staff that the Homestead was being removed from the MDC Heritage List due to earthquake damage (which in effect, is saying this damage caused the Homestead to no longer hold a Heritage status, is it?). That Homestead did receive damage to its chimney in the Canterbury earthquakes & I believe that work was undertaken to remove the chimney for safety reasons from the building. However, the removal of the chimney has not affected the ITEM - the Homestead, which still stands today, the historical nature of the building is intact. The decision to demolish the Homestead was made by the family in order to be able to build a more suitable home for their needs, not as a result of the earthquake damage (subsequently fixed).

My question here is - is the Homestead being removed off the MDC list due to earthquake damage (that definitely has not affected the heritage status of the item) or is it being removed due to the consent to demolish for reasons other than damage?

I can also say that the Opawa Homestead fell victim to damage of the Canterbury earthquakes & although no insurance claim was made & the chimney was not removed, the fireplaces are now no longer used as internal bricks are loose & not safe for a fire. Opawa is as Mt Nessing is - still livable & not dangerous. To note, this damage has not affected the historic nature of the ITEM - the Homestead - just like Mt Nessing.

I therefore am questioning the consistency of the treatment of the two brother Homesteads by MDC. One is being removed from the list & the other is being required to go onto the list - what is the reasoning for this inconsistency? Given the age, state, historic nature of both places, being very similar - they should be treated equally. correct? Mt Nessing has not lost any historic value due to earthquake damage or the request to demolish it (which has not yet happened) - it still holds its historic value, which seems to have been waived with a granting of a resource consent.

Page 4 of MDC Minutes - MDC Meeting earlier in September 2024:

It is proposed to roll over all of the scheduled heritage items of the Operative Plan, unless the physical condition of the heritage item is compromised to the extent that it can no longer retain its heritage significance or the item no longer exists, or there is a resource consent provided for its demolition.

Three property owners of the existing scheduled heritage items have sought changes to the schedule.....the third (ie Mt Nessing Homestead) is soon to be demolished in accordance with a resource consent.

Keeping consistency in mind for similar properties in close vicinity of each other, Opawa Homestead should remain off the list just as Mt Nessing has been taken off the list.

My email of August 2nd still stands & my consent as the asset owner, for Opawa Homestead to be listed on the MDC Heritage Items List is not given.

I have attached & asked the following:

- Resource Consent information for RM180069 - publicly available on the MDC website - Mt Nessing Homestead, issued 2018 & granted, extension issued in 2023. Question -

how long does a consent apply for before it ends if the action has not occurred (6 years to date in this case)? The Consent expiring should mean the item goes back onto the Heritage List & a reapplication for consent for the action be required by MDC, at some length of time surely? Once this consent is issued, does the NZHPT need to also be notified & who does that? Mt Nessing is currently listed as Class 2 with the NZHPT.

- MDC Letter dated 8 July 2024 sent to affected landowners - showing # 15, Mt Nessing Homestead on the existing Heritage Item List, noted to remove from Heritage Item List due to Resource Consent to demolish being issued. This statement conflicts with what Cr Fisher being told it is being removed due to earthquake damage. The fact is the earthquake damage has not made the Mt Nessing Homestead unliveable or any less in its historic nature - therefore, there is no real reason to demolish the Homestead due to earthquake issues.
- Screenshot of the NZHPT List - stating items on that list do not protect a place from demolition unless they are also included in a relevant district plan (MDC Heritage Item List). Question - As Mt Nessing Homestead is listed as a Class 2 with the NZHPT, does that mean that the Homestead should automatically be on the MDC Heritage Item List & stay on the MDC list until such time, the Homestead is removed from the NZHPT List? Mt Nessing Homestead has been listed on the NZHPT since 1983 & still currently is listed with the NZHPT.
- My original email of 2 August 2024 to MDC Councillors & staff stating that as the property owner, I do not agree with the Opawa Homestead being added to the Heritage Item List & stating that it is to be removed - As of 16 September 2024, have had no response from MDC that this email was received or any discussion about the points raised within it - even though this action was directed at your workshop last week.

Julie Hadfield

Opawa Homestead, RD14 Albury/Cave 7984 South Canterbury NEW ZEALAND

www.opawahomestead.co.nz

Ph 027 685 5999