

I hereby give notice that a hearing by commissioners will be held on:

Date: Wednesday 1 July 2020
Time: 9.30am
Meeting Room: Reception Lounge
Venue: Level 2, Town Hall
301-303 Queen Street, Auckland

HEARING ADDENDUM REPORT
PLAN MODIFICATION 31 - HISTORIC HERITAGE
ADDITIONS TO SCHEDULE 14
AUCKLAND COUNCIL

COMMISSIONERS

Chairperson David Mead
Commissioners Lisa Whyte
Peter Raeburn

Sidra Khan
HEARINGS ADVISOR

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Note: The reports contained within this document are for consideration and should not be construed as a decision of Council. Should commissioners require further information relating to any reports, please contact the hearings advisor.

WHAT HAPPENS AT A HEARING

At the start of the hearing, the Chairperson will introduce the commissioners and council staff and will briefly outline the procedure. The Chairperson may then call upon the parties present to introduce themselves to the panel. The Chairperson is addressed as Mr Chairman or Madam Chair.

Any party intending to give written or spoken evidence in Māori or speak in sign language should advise the hearings advisor at least five working days before the hearing so that a qualified interpreter can be provided.

Catering is not provided at the hearing. Please note that the hearing may be audio recorded.

Scheduling submitters to be heard

A timetable will be prepared approximately one week before the hearing for all submitters who have returned their hearing appearance form. Please note that during the course of the hearing changing circumstances may mean the proposed timetable is delayed or brought forward. Submitters wishing to be heard are requested to ensure they are available to attend the hearing and present their evidence when required. The hearings advisor will advise submitters of any changes to the timetable at the earliest possible opportunity.

The Hearing Procedure

The usual hearing procedure (as specified in the Resource Management Act) is:

- The reporting officer may be asked to provide a brief overview of the plan change.
- Submitters (for and against the application) are then called upon to speak. Submitters may also be represented by legal counsel or consultants and may call witnesses on their behalf. The hearing panel may then question each speaker. The council officer's report will identify any submissions received outside of the submission period. At the hearing, late submitters may be asked to address the panel on why their submission should be accepted. Late submitters can speak only if the hearing panel accepts the late submission.
- Should you wish to present written information (evidence) in support of your application or your submission please ensure you provide the number of copies indicated in the notification letter.
- Only members of the hearing panel can ask questions about submissions or evidence. Attendees may suggest questions for the panel to ask but it does not have to ask them. No cross-examination - either by the applicant or by those who have lodged submissions – is permitted at the hearing.
- After the applicant and submitters have presented their cases, the chairperson may call upon council officers to comment on any matters of fact or clarification.
- The chairperson then generally closes the hearing and the applicant, submitters and their representatives leave the room. The hearing panel will then deliberate "in committee" and make its decision by way of formal resolution. You will be informed in writing of the decision and the reasons for it.

A NOTIFIED PLAN CHANGE TO THE AUCKLAND COUNCIL UNITARY PLAN BY AUCKLAND COUNCIL

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Reporting officer, Jo Hart

Reporting on proposed Plan Modification 31 - to add six historic heritage places to Schedule 14 Historic Heritage Schedule

APPLICANT: AUCKLAND COUNCIL



Addendum Report to the Section 42A Hearing Report for Proposed Plan Change 31 to the Auckland Unitary Plan (Operative in part)

Report to: Hearing Commissioners

Hearing Date: 1 July 2020

File No: Addendum to Hearing Report – Proposed Plan Change 31 (PC31)

File Reference: U:\CPO\RLP\FC\LUP\UP MODIFICATIONS\PC031-Heritage Additions

Lead Report Author: Jo Hart, Principal Planner, Planning North West and Islands, Plans and Places

Report Approvers: Megan Patrick, Team Leader, Heritage Policy, Plans and Places

Report produced: 26 June 2020

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Appendices

Attachment 1	List of Auckland Council experts and qualifications
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1. Executive summary

- 1.1. Proposed Plan Change 31 (**PC31**) has been initiated by Auckland Council (**Council**) to recognise the values of six historic heritage places (five individual places and one historic heritage area) by adding them to Schedule 14 and the GIS viewer/planning maps, thereby making them subject to the provisions of the Auckland Unitary Plan Operative in Part (15 November 2016) (**AUP**) Historic Heritage Overlay.
- 1.2. On 5 May 2020, the Hearing Commissioners issued a direction in accordance with the Resource Management Act 1991 (**RMA**), setting out a timetable for the circulation of Council's Section 42A report, expert evidence of submitters, and an addendum to the Section 42A report.
- 1.3. Pursuant to section 42A of the RMA, a hearing report has been prepared by Council and was made available on Council's website on 3 June 2020 (**Hearing Report**)¹. The Hearing Report evaluated the issues raised by submissions and provided Council officers' recommendations on the summary of decisions requested to PC31.
- 1.4. Pursuant to section 41B of the RMA, any person who made a submission on PC31 and intends to call expert evidence at the hearing was required to provide that evidence to the Council by 12pm on 9 June 2020.
- 1.5. Council received expert evidence from two submitters.
- 1.6. I have reviewed the expert evidence provided by submitters. The relevant Council experts have also reviewed the expert evidence. This report relates specifically to the following historic heritage place:
 - Glenholm – 37 Portland Road, Remuera (ID02836).
- 1.7. The discussion and recommendations in this report are intended to assist the Hearing Commissioners and those persons or organisations that lodged submissions on PC31. This report is to be read in conjunction with the Hearing Report.
- 1.8. The recommendations contained in the Hearing Report are not the decisions of the Hearing Commissioners. The Hearing Commissioners will consider all the information in submissions together with evidence presented at the hearing.
- 1.9. This report also forms part of Council's ongoing obligations, which include the consideration of the appropriateness of the proposed provisions, as well as the benefits and costs of any policies, rules or other methods, as well as the consideration of issues raised in submissions on PC31 and statutory requirements of section 32 of the RMA.
- 1.10. There are no further amendments recommended beyond those in the Hearing Report.

¹ Section 42A Hearing Report for Proposed Plan change 31 to the Auckland Unitary Plan (Operative in Part), dated 2 June 2020

- 1.11. To assist the Hearing Commissioners and those persons or organisations that lodged submissions on PC31, attached to this addendum a list of the planners and heritage experts that will appear at the hearing for Council (refer to Attachment 1). Details of the qualifications and relevant experience of each of the experts is set out in this attachment.

2. Introduction

2.1. This report has been prepared by the following author(s) and draws on technical advice provided by the following experts:

Jo Hart	Planning	Lead Report Author
Carolyn O'Neil	Heritage	

2.2. This report follows the directions issued by the Hearing Commissioners on 5 May 2020, which directed that Council may respond to any expert evidence provided by submitters by providing an updated set of plan provisions as an addendum report, with supporting commentary as needed. This report addresses a specific matter raised in evidence relating to Glenholm (ID02836).

3. Analysis of submitter's evidence

3.1. Council received pre-circulated evidence from two submitters.

3.2. I have reviewed the pre-circulated evidence from submitters. The evidence has also been reviewed by the relevant Council experts (i.e. the expert(s) responsible for the historic heritage place that is the subject of the evidence).

3.3. This report discusses the following historic heritage place for which evidence was received:

- Glenholm – 37 Portland Road, Remuera

3.4. There are no further recommendations to Schedule 14.1, Schedule 14.2 Historic Heritage Areas – Maps and statements of significance, or to the GIS viewer/planning maps. The most up-to-date versions of these documents are attached to the Hearing Report.

4. Glenholm

Matters raised in submitter's evidence

Analysis

4.1. Expert heritage evidence was received from Adam Wild, on behalf of Mr Matthews and Ms Parkinson (further submission 4), in relation to the scheduling of Glenholm in PC31. I have reviewed the expert evidence. Ms Carolyn O'Neil, author of the 2018 historic heritage evaluation, has also reviewed the evidence.

4.2. The evidence of Mr Wild relates to the following matters, specific to Glenholm:

- the evaluation and the associated methodology for evaluating historic heritage
- the rationale for PC31
- the regulatory framework
- the appropriateness of, and need for, scheduling
- issues raised by other submitters

- Auckland Council's Section 42A report.

- 4.3. This addendum report only addresses the evaluation of Glenholm. I consider the remaining matters to have been adequately addressed within the section 32, 32AA and section 42A reports.
- 4.4. Mr Adams, in paragraphs 2.4 to 2.10 of his evidence, discusses the methodology for evaluating historic heritage. This is in the context of the 'robustness of heritage assessment for Glenholm'.
- 4.5. The historic heritage evaluation of Glenholm, is discussed in paragraphs 17.21 to 17.28 of the Hearing Report. This will not be reiterated in this addendum.
- 4.6. As noted above, Ms O'Neil has reviewed Mr Wild's evidence. In regard to the historic heritage evaluation of Glenholm, Ms O'Neil has provided the following comments:

Information available at the time of evaluation

As noted in the historic heritage evaluation for Glenholm, the report was based on the research undertaken and information available at the time of its preparation and the lack of access onto the site was identified as a constraint.

Information was obtained from historical and photographic records, architectural drawings and those parts of the building visible (from the public realm) at the time of inspection. It is this information that provided the evidence upon which my evaluation and recommendations were based.

The report also documented the many changes undertaken to Glenholm, particularly over the past 100 years, and in taking these into account, the place was still considered to have historic heritage values.

New information

As part of the plan change process, information has come to light about the degree of changes that have occurred to Glenholm beyond those identified in the evaluation.

The further submission by B. S. Parkinson and G. Matthews and the Statement of Evidence prepared by Mr Adam Wild highlight that in 2004 a fire caused damage to, and resulted in the repair of, parts of the building's roof, south elevation and interior. This was not known at the time of writing the evaluation. Taking this new information into account, it is acknowledged that this increased loss of fabric and level of change has the potential to diminish the heritage values currently attributed to the place. However, beyond the statements made in the documentation, no further evidence has been provided to date to verify the full extent of the changes identified.

If the submitter is able to provide further details that reveal the areas of lost historic fabric as a result of the fire or enable a site visit to be carried out to confirm the extent of the changes highlighted, I will be in a more informed position to revisit my view.

- 4.7. I rely on the advice of Ms O'Neil in relation to the historic heritage values of Glenholm.

Response

4.8. As stated, I continue to rely on the advice of Mrs O'Neil. Accordingly, I am not recommending any additional amendments from those of the Hearing Report.

5. Council's experts

5.1 To assist the Hearing Commissioners and those persons or organisations that lodged submissions on PC31, attached to this addendum a list of the planners and heritage experts that will appear at the hearing for Council. Details of the qualifications and relevant experience of each of the experts is set out in this attachment.

6. Conclusions

6.1. Having considered all of the submissions and reviewed all relevant statutory and non-statutory documents, **I recommend that Plan change 31 should be adopted.**

6.2. The adoption of PC31, with its recommended amendments:

- is the most appropriate way to achieve the overall purpose of the Resource Management Act 1991;
- is consistent with the Auckland Unitary Plan (Operative in part) Regional Policy Statement; and
- is consistent with the Auckland Plan.

7. Recommendations

1. That, the Hearing Commissioners accept or reject submissions as outlined in the Hearing Report.
2. That, as a result of the recommendations on the submissions, the AUP is amended by the changes proposed by PC31 as set out in **Attachment 1** and **2** of the Hearing Report.

8. Signatories

	Name and title of signatories
Lead Report Author	Jo Hart, Principal Planner, Planning North West and Islands, Plans and Places
Reviewer / Approver	Megan Patrick, Team Leader Heritage Policy

Attachment 1 – AUCKLAND COUNCIL EXPERTS

The planners and heritage experts listed below are attending the PC31 hearing. Details of the qualifications and relevant experience of each of the experts is set out below.

While acknowledged this is not required, these experts confirm that they have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note and agree to comply with it.

JOANNA HART

CAREER SUMMARY		
PERIOD	ORGANISATION	ROLE
2010 – present	Auckland Council	Principal Planner, Plans and Places
2008 – 2010	North Shore City Council	Environmental Planner, Built Environment
2007 – 2008	North Shore City Council	Environmental Policy Advisor, Strategy and Policy
2000 – 2001	North Shore City Council	Project Support Officer, Project 2020 (City Blueprint for North Shore Growth Strategy)

Qualifications

Bachelor of Science, Auckland University, 1999

Master of Planning Practice (Hons), 2001

Affiliations

New Zealand Planning Institute (Associate Member) 2015 to present – Graduate member, 2000-2015

CAROLYN LOUISE O'NEIL

CAREER SUMMARY		
PERIOD	ORGANISATION	ROLE
April 2012 – present	The Heritage Studio Limited	Director, Heritage consultant
July 2010 – March 2012	Sole trader	Heritage consultant
June 2009 – June 2010 (fixed term contract)	Auckland City Council	Specialist Heritage Officer (Architecture)
July 2003 – May 2009	South Northamptonshire Council (UK)	Conservation officer
July 2001 – April 2003	Bridgend County Borough Council (UK)	Assistant Conservation Officer

Qualifications

Bachelor of Science (Hons) Architectural and Building Conservation (first class honours),
University of Glamorgan (now University of South Wales), 2003

Affiliations

Institute of Historic Building Conservation (IHBC) – full member since 2007

ICOMOS New Zealand – full member since 2012

MEGAN CHRISTINE WALKER

CAREER SUMMARY		
PERIOD	ORGANISATION	ROLE
2015 – present	Auckland Council	Built Heritage Specialist
2009 – 2015	Dave Pearson Architects Ltd	

Qualifications

Bachelor of Architecture (Hons), University of Auckland School of Architecture, 2008

Bachelor of Architectural Studies, University of Auckland School of Architecture, 2005

Affiliations

Member of the New Zealand Institute of Architects

MEGAN MAY PATRICK

CAREER SUMMARY		
PERIOD	ORGANISATION	ROLE
2010 – present	Auckland Council	Team Leader – Heritage Policy and Principal Advisor Special Projects – Heritage
2007 – 2010	Auckland Regional Council	Manager – Northern & Western Policy Implementation and Senior Policy Planner, Policy Implementation
2005 – 2007	New Zealand Historic Places Trust	Heritage Advisor (Planning), Central Northern Area
2004 – 2005	Department of Conservation	Community Relations Officer (Marine), Auckland Conservancy
2002 – 2004	London Boroughs (Brent & Merton)	Planning Officer, Development Control

2000 – 2002	Department of Conservation	Community Relations Officer (Planning), Wanganui Conservancy
1997 – 2000	Taupo District Council	Planning Officer, Policy & Planning Liaison

Qualifications

Bachelor of Resource and Environmental Planning, Massey University, 1997

Affiliations

New Zealand Planning Institute – full member since 2009

ICOMOS New Zealand – full member since 2007

EMMA JANE RUSH

CAREER SUMMARY		
PERIOD	ORGANISATION	ROLE
2014 – present	Auckland Council	Principal Advisor Special Projects - Heritage
2007 – 2009	Auckland Regional Council	Senior Policy Planner
2002 – 2007	Department of Conservation	Community Relations Officer – Marine
2000 – 2001	KPMG Consulting (London)	Training co-ordinator
1997 - 1999	National Parliamentary Research Unit	Research and Communications Officer

Qualifications

Postgraduate Diploma in Planning (awarded with Distinction), Massey University, 2014

Bachelor of Resource Studies (Hons), Lincoln University, 1997

