

## ATTACHMENT 12

### ADDITIONAL INFORMATION REQUEST

#### HERITAGE/ARCHAEOLOGY

This attachment sets out the questions and responses to the clause 23 request (request for additional information) from the Council on the original plan change. This attachment first addresses the matters related to heritage, and then those related to archaeology. Where these matters are covered in other reports, these are cross-referenced. These particularly relate to the visual assessment, between new built form and the former Oakley Hospital building. These visual assessments are addressed in attachment 4.

This attachment sets out the topic, Council's question, the technical expert who prepared the response and the additional information sought by the Council.

#### TOPIC: VISUAL IMPACT ON THE FORMER OAKLEY HOSPITAL BUILDING

**Specific request H1** Boffa Miskell Assessment of Landscape and Visual Effects: Graphic Supplement - Visualisations - Please provide further visual simulation viewpoints that show the (full extent) of the proposed and operative enabled new development within the context of the Oakley Hospital Main Building from:

- the Point Chevalier Town Centre (Figure 1); and
- Carrington Road (south of the motorway bridge) (Figure 2).



*Figure 1: The Oakley Hospital Main Building viewed from the western edge of Point Chevalier Town Centre.*



*Figure 2: The Oakley Hospital Main Building and front garden viewed from Carrington Road.*

**Reasons for request H1**

These are additional key views of the Oakley Hospital Main Building as experienced in the local landscape. The request has also been guided by the following statements in the HIA (p.5):

*"A distant view of the Former Oakley Hospital Building can still be had from the Point Chevalier shops and the building is also visible from Carrington Road. These views of the buildings and the landscaped area in front of the building will not be affected by the Plan Change."*

From the western edge of Point Chevalier Town Centre, the symmetrical frontage of the scheduled building is captured (compared to existing viewpoints VS5 and VS6); and from Carrington Road (heading south), views of the building within its immediate garden setting (EOP) are experienced.

(It is noted that the L5 request notes that that response may be combined with the RFI in H1.)

**Specific request H2**

Boffa Miskell Assessment of Landscape and Visual Effects: Graphic Supplement - Visualisations - Please provide further (or annotated) visual simulations that show the height of new buildings as enabled in the operative precinct plan.

**Reasons for request H2**

To assist in determining the potential visual/dominance impacts generated by the proposed new development relative to that currently enabled in the operative precinct plan.

**Applicant response provided by Applicant response**

Rachel de Lambert of Boffa Miskell

1. Eleven visual simulations have now been prepared to show the development enabled by the operative provisions as well as the proposed heights.
2. Four visual simulations are provided showing views to the Former Oakley Hospital Building from viewpoints in Point Chevalier. They are VS6, VS7, VS8 and VS9. These locations have been selected as they best show clear views to the northern frontage of the building with proposed development adjacent and behind. They include two additional visual simulations at the request of Council's landscape architect peer reviewer, refer to the updated set of visual simulations in the Landscape and Visual Effects Graphic Supplement dated June 2023 (issue date 16 June) and updated Assessment of Landscape and Visual Effects dated 3 July 2023.
3. No further additional visual simulations have been prepared in respect of this request as visual simulations have already been provided from those locations with the clearest available views.

These visual simulations are addressed in the Boffa Miskell analysis at attachment 4

**TOPIC: HERITAGE ASSESSMENT**

**Applicant response provided by** Adam Wild and Veronica Cassin, Archifact and John Duthie, Tattico

**Overview of applicant response**

1. This is a combined response for questions H3, H4 and H5 on the Former Oakley Hospital Building.
2. Mr Wild and Ms Cassin of Archifact have undertaken a full assessment of the Former Oakley Hospital Building in the context of this plan change. Their report is attached as part of this clause 23 response package. Questions H3, 4 and 5 are fully addressed in the Archifact report. This summary is to assist the Council in referencing that report.

**Specific request H3**

Please provide a detailed assessment of effects (including cumulative effects) of the entire PPC on the historic heritage values of the Oakley Hospital Main Building.

Heritage-related AUP RPS objectives and policies, including B2.3.2.(1)(a); B5.2.1.; and B5.2.2.(6-8), are relevant to this assessment. Please also consider within the context of the building's conservation plan<sup>1</sup> and heritage assessment<sup>2</sup>.

### Reasons for request H3

The HIA acknowledges that:

*"...the enabled development will **potentially impact** the heritage values of the former hospital." (p.4) and "...any new buildings, and particularly those of additional height, **will have an impact** on the heritage values of the Former Oakley Hospital." (p.6) (emphasis added).*

However, the level and extent of this impact on the historic heritage values (particularly aesthetic (incl. landmark) and context values) of the Oakley Hospital Main Building and on its overall significance as a Category A historic heritage place, is unclear.

Furthermore, focus is currently placed on the impact generated by development in Height Area 1, with less mention of impacts (including cumulative impacts) of increased building heights across the precinct, particularly in Height Areas 2 and 4, which are in similarly close proximity to the scheduled place.

### Applicant response

1. Mr Wild and Ms Cassin, in their analysis, address the effects of development at length. The report sets out:
  - a. The methodology used (section 6 of the report).
  - b. The identification of the place (section 4 of the report).
  - c. Planning policy (section 5 of the report). This gives an analysis of the heritage aspects of the plan change in terms of the relevant Regional Policy Statement provisions. It compliments clause 23 response P3.
  - d. Site and context and recent history (sections 7 and 8 of the report).
  - e. Review of the extent of place and landscape setting (section 9 of the report).
  - f. Statement of heritage significance (section 10 of the report).
  - g. Assessment of the heritage effects of this plan change, including an assessment under section D17.8 of the Auckland Unitary Plan (Operative in Part) (AUP) (section 11 of the report).
  - h. The conclusions as to the impact of this plan change and the development enabled under the plan change in terms of the heritage values of the building (section 12 of the report).
2. In terms of the heritage values of the building:
  - a. The Former Oakley Hospital Building and extent of place is protected under the Auckland overlay rules relating to heritage protection and the accompanying schedules. There is no change to those provisions through this plan change.
  - b. The northern formal landscape gardens of the Former Oakley Hospital Building have been significantly impacted by the historic development of the North-Western Motorway which has severed a large portion of this land with associated changes to access and layout. The remnant gardens are identified as an open space location within the plan change. If there is an effect, it will be to provide a higher level of protection to these areas than the current extent of place classification of the heritage provisions of the AUP.

- c. The plan change strengthens the policies on adaptive reuse of heritage and character buildings for retail and other activities. Adaptive reuse is identified as an important method to assist in heritage conservation. The retail provisions already provide for the opportunity for retail floor space within the Former Oakley Hospital Building. The introduction of new Policy 30A simply reinforces this opportunity for heritage restoration through adaptive reuse.
3. The plan change introduces a particular height area adjacent to the Former Oakley Hospital Building. This was considered in the original reports provided by Mr Pearson. A second, independent, heritage opinion was sought as part of these clause 23 responses which is provided in the response by Mr Wild and Ms Cassin in their report.
  4. The Archifact report addresses these matters in some detail.
  5. The report's executive summary states:
 

Overall, the proposed change in height in Height Area 1 adjacent to the west of, but beyond the EOP associated with, the former Oakley Hospital is unlikely to have a significant adverse effect on its historic heritage values.

**Specific request H4**                      The HIA states (p.5):

*"...locating buildings of additional height in an area in the north west...will result in the least impact on the heritage values to the scheduled building."*

**Reasons for request H4**                      Please explain why this is considered to be the case.  
 The location of the buildings of additional height in the site's northwest corner (Height Area 1) means that they will be located adjacent to and viewed within the immediate context of the Oakley Hospital Main Building. Given the proximity of Height Area 1 and the considerable increase in building height sought, it would seem that this location has the potential to result in the greatest (rather than the least) visual impact on the scheduled building's historic heritage values.

It is therefore important to understand what has informed this critical statement.

**Applicant response**

1. Mr Wild / Ms Cassin address at length the proposal to create a high rise residential opportunity to the south-west of the Former Oakley Hospital Building. This is referenced throughout the report.

2. The report states:
 

Installing large landmark buildings in this location is an appropriate approach considering effects on historic heritage values that can be achieved without causing any change to how the historic heritage place is understood and appreciated.

3. The report further states:
 

The proposed change to Height Area 1 offers better clarity to the consideration of potential effects of built form (notably height) within the setting of the former Oakley Hospital. The proposed arrangement of the three building sites and their respective maximum heights provides a spatial layering which illustrates how the depth and scale of the development sites, combined with the advantage of the natural and substantial changes in ground level, might allow the historic building to remain appreciable as a prominent feature in the wider townscape context.

The architectural emphasis of the historic former Oakley Hospital Main Building is strongly horizontal and it relies on the open space around it recognised by the defined EOP, specifically to the front as illustrated in view VS6 in commanding its prominent position in the townscape and open space setting. The operative Auckland Unitary Plan

(AUP) allows height in this area that surpasses the ridgeline of the historic building. The proposed additional height changes the backdrop to the former Oakley Hospital Main Building, but it would remain nonetheless appreciable as a prominent building within the wider area. The articulation of the open space in the foreground of the Oakley Hospital Main Building could be enhanced to support the development site as a permeable threshold to the local town centre of Point Chevalier.

Overall, the proposed change in height is unlikely to have a substantial effect on the interior shading of the historic building and, in some cases, the effects appear to lessen. The formerly long views from these wards and corridors will become shorter in some locations, but the proposed height increase will not worsen the effects from shading from those generated by the currently operative controls.

**Specific request H5**

Please clarify what aspects of the PC are considered mitigating factors from a built heritage perspective.

**Reasons for request H5**

The HIA incorporates a section titled 'Mitigating Factors' (p.5), however, it is not entirely clear what these factors are considered to be.

Given the significant changes envisioned by the PPC and the resultant potential for visual dominance effects, it is important to understand what measures are considered to mitigate effects on both the scheduled Oakley Hospital Main Building and the precinct's broader historic landscape.

**Applicant response**

1. Visual effects are also raised in H3 and H4.
2. The Archifact report directly addresses visual effects on the Former Oakley Hospital Building, in particular the report addresses:
  - a. the location of the greater height zone relative to the heritage features and landscaping to the north of the Former Oakley Hospital Building; and
  - b. its visibility from key public spaces including Great North Road, Carrington Road and the Point Chevalier town centre.
3. The conclusions provided in clause 23 response to H4 equally apply to H5.
4. The Archifact report addresses a series of views of the heritage building in the context of new height controls in the precinct with reference to the visual simulations prepared and assessed as part of the Landscape and Visual Effects Assessment, prepared by Boffa Miskell in 2022 and updated in 2023 as provided in this clause 23 response package. The report describes the effects as:

The operative AUP allows for a tall building mass to the rear of the former Oakley Hospital in both Height Area 1 (to the west of the former Oakley Hospital site) and Height Area 4 (to the north and east). The baseline massing breaks the ridgeline of the historic building and changes its backdrop, but maintains its formal relationship to the north and engaged with its Extent of Place.

5. The analysis identifies that the visual simulations that have been prepared demonstrate:

...how the Oakley Hospital Main Building and its space in front remains a primary focus within that viewing context framed behind by the development potential enabled by the operative and Plan Change height and massing provisions. The Plan Change enabled height and massing breaks up and articulates that foil against which the Main Building is read more than the single mass enabled by the operative provisions.

6. The executive summary of the Archifact report states:

The proposed change to Height Area 1 offers better clarity to the consideration of potential effects of built form (notably height) within the setting of the former Oakley Hospital. The proposed arrangement of the three building sites and their respective maximum heights provides a spatial layering which illustrates how the depth and scale

of the development sites, combined with the advantage of the natural and substantial changes in ground level, might allow the historic building to remain appreciable as a prominent feature in the wider townscape context.

7. Visual effects are also assessed in the updated Boffa Miskell Landscape and Visual Effects Assessment and clause 23 response L7.
8. With respect to the reference to "mitigation" in the clause 23 request, the application of the matters of discretion, assessment criteria and policies will ensure a high quality of development. In particular, a new Policy 14AA is introduced (refer clause 23 response H7). With this addition, the precinct provisions and the zone / Overlay Heritage provisions of the AUP provide for appropriate development and management of the effects of such development, including around and adjacent to the Former Oakley Hospital Building.

## TOPIC: HERITAGE POLICY

### Specific request

The HIA states (p4):

*"Detailed assessment criteria are proposed to ensure the buildings attain a design standard of high quality. These are found in section 1334.8 Assessment – Restricted Discretionary Activities."* and

*"Any new buildings within Height Area 1 should be positioned and orientated having regard to their impact on the heritage values of the Former Oakley Hospital Building."*

### Reasons for request

Please clarify which assessment criteria have been relied on and if (or how) the provision sought in the HIA has been met.

Section I334.8.1.(1A)(b) Assessment – RDA, Matters of Discretion – 'Building form and character' provides several assessment criteria, none of which appear to have regard to the effects of the new development on the historic heritage values of the Oakley Hospital Main Building. It is therefore unclear what assessment criteria have been relied upon in the HIA and if they are considered to appropriately safeguard and manage the heritage values of the scheduled building. It is noted that the HIA seeks that new buildings be 'positioned' and 'orientated' to have regard to their impact on the heritage values of the Oakley Hospital Main building, but this does not appear to have been incorporated into the new precinct provisions. It would be beneficial to understand whether this has a bearing on the HIA findings.

### Applicant response provided by

Note: See also issue raised below in relation to the sufficiency of the provisions proposed.

Matt Riley, Boffa Miskell; Dave Pearson, DPA Architects; John Duthie, Tattico; and Adam Wild, Archifact

### Applicant response

1. A new policy I334.3(14AA) is proposed as follows:

*Require proposals for new high rise buildings adjacent to the former Oakley Hospital scheduled historic heritage building to provide sympathetic contemporary and high quality design which enhances the precinct's built form.*
2. It is also proposed to amend assessment criterion I334.8.2(1B), which relates to assessment of taller buildings in Height Area 1, to include reference to the new policy.
3. This change will enable the relationship (and therefore degree of compatibility) between taller new buildings adjacent to the Former Oakley Hospital Building and the scheduled building to be assessed.

4. This matter is also addressed in response to clause 23 requests H3, H4, H5, H7 and L8 and the report by Archifact attached to this clause 23 response package.

#### **TOPIC: HERITAGE POLICY**

**Specific request** Please explain why reference to the scheduled building has been removed altogether from existing provision I334.3.(14).

**Reasons for request** It is not clear why this reference has been deleted.  
Note: See also issue raised below in relation to the sufficiency of the provisions proposed.

**Applicant response provided by** John Duthie of Tattico

#### **Applicant response**

#### **Proposed Changes to Policy 14 and the Introduction of Policies 14A and 14AA**

- 1 Policy 14 was amended as per the set of proposed precinct provisions provided with the application materials to focus this policy on the relationship of development with the significant ecological area.
- 2 The requested private plan change has been further amended following the clause 23 requests from the Council.
- 3 This includes a change to Policy 14 and the introduction of a new Policy 14AA to respond to the refocussing of Policy 14 on the significant ecological area relationship and to provide a policy with a particular reference to heritage.
- 4 Policy 14 continues to refer to landscaping treatment adjacent to Te Auaunga.
- 5 A separate policy 14AA relating to heritage buildings is inserted as follows:

**Require proposals for new high rise buildings adjacent to the former Oakley Hospital scheduled historic heritage building to provide sympathetic contemporary and high quality design which enhances the precinct's built form**

#### *Reasons*

- 6 Policy 14:
  - (a) The changes to Policy 14 are essentially to promote native plants within landscaping adjacent to Te Auaunga / Oakley Creek.
  - (b) This is an important consideration for mana whenua. This plan change seeks to support that by promoting the use of native species in this key landscape and cultural corridor. Te Auaunga / Oakley Creek was an important portage route for Māori. Ensuring that the interface between the precinct and the Te Auaunga valley is appropriately landscaped with native species is reinforced through this policy.
- 7 Heritage:

- (a) The juxtaposition of the Former Oakley Hospital Building and the new development potential for high rise in the north-western corner of the precinct, is addressed in clause 23 responses H4 and H5.
- (b) Mr Wild has undertaken a detailed assessment of this proposal. His report is attached to this clause 23 response package and is referred to in several of the clause 23 responses.
- (c) Mr Wild's analysis carefully examines the appropriateness of locating tall high-rise buildings adjacent to the heritage structure. These responses are also set out in clause 23 response H3, H4 and H5.
- (d) Mr Wild states:

The proposed Height Area 1 is intended to become a marker of the wider northern portion of the site which can be observed from the longer reaches of the western area of the region. The western site edge has dense planting which currently obscures the historic building. The building was not designed to be appreciated from this range and consequently makes only a slight contribution to the area. Installing large landmark buildings in this location is an appropriate approach considering effects on historic heritage values that can be achieved without causing any change to how the historic heritage place is understood and appreciated.

- (e) Mr Wild's report identifies that all the objectives and policies relating to the scheduled heritage building and extent of place as set out in Chapter D17 of the Auckland Unitary Plan (Operative in Part) (AUP) apply to this precinct. These provisions manage the effects on heritage of any modifications, alterations or additions to the heritage building and any new buildings or structures within the extent of place.
- (f) Mr Wild concludes:

Policies that support the Objectives include requirements that new buildings be designed in a manner that respects existing buildings, provides for amenity, protects heritage values and, where appropriate, enhances the streetscape and gateway locations of the campuses. Similarly, new buildings or additions to existing buildings adjoining or adjacent to scheduled historic heritage places should be sympathetic and provide contemporary and high-quality design which enhances the historic built form. That is not a requirement however that relies on the form and scale of the historic heritage assets as a baseline for the establishment of height per se.

- (g) The new Policy 14AA recognises (in association with Policy 14A) that new high rise built form and scale is appropriate in this location, and can occur consistently with protecting historic heritage values. The provisions of Policy 14AA provide for the "sympathetic contemporary and high-quality design" of the new high-rise buildings to enhance the precinct's built form, which includes the Former Oakley Hospital Building.

## **TOPIC: HERITAGE FEATURES**

### **Specific request**

Proposed policy 30A states:



*"Encourage the adaptive re-use of the existing buildings with historic value for retail activity."*

Also relevant is existing Policy 11, which states:

*"Encourage the retention and adaptation of the heritage and character buildings, and elements identified within the precinct."*

Please provide further details about which existing buildings are being referred to here and (in relation to Policy 30A) how their historic value has been/will be determined.

Once identified, please advise what further provisions will be put in place to ensure appropriate outcomes for these buildings (including the Pump House) in the context of the PPC.

**Reasons for request**

There are several existing (late nineteenth and early twentieth century) buildings within the Te Auaunga Precinct that have a strong association with the historical development of the hospital site, contribute to its sense of place, and have potential (or known) historic heritage values. This includes the Pump House (which is understood will be protected via restrictive covenant). These buildings are both broadly and more specifically acknowledged in a number of the PPC supporting and background documentation.

DPA's HIA positively references how "policies are included [in the precinct provisions] to encourage the retention and adaptation of heritage buildings on the site including the Former Oakley Hospital." (p.6)

Boffa Miskell's Assessment of Landscape and Visual Effects goes further by identifying 'key buildings and features' on the site (Figure 4, p.7).

CFG Heritage's Archaeological Assessment (Carrington Backbone Works project) also identifies several historic buildings associated with the early hospital site.

At this stage, the identity of the 'heritage and character buildings' and 'existing buildings with historic value' referred to in the policies are uncertain. To provide greater clarity and avoid confusion in the application of the policies, it would be helpful to have these buildings clearly set out in the precinct plan (in a similar way to trees). There is also the question of whether the objectives, policies and assessment criteria should go further in acknowledging these key features in the precinct's landscape – e.g. Objective I334.2.(6); Policy I334.3(4)(i).

**Applicant response provided by**

John Duthie, Tattico

**Applicant response**

1 The question seeks to:

- (a) identify existing heritage features protected within the precinct; and

(b) address “appropriate outcomes” for these buildings.

### **Heritage Buildings / Features**

- 2 There is only one scheduled heritage building within the precinct and that is the Former Oakley Hospital Building at the northern end of the precinct.
- 3 This is a substantial Category 1 Historic Place listed on the New Zealand Heritage List Rārangī Kōrero.
- 4 The Oakley Hospital Main Building is also scheduled in the Auckland Unitary Plan (Operative in Part) (AUP) Schedule 14: Historic Heritage Schedule (ID1618) and the building and its extent of place are subject to the D17 Historic Heritage Overlay. There is no change to the existing protection of the building afforded through the operative AUP provisions proposed as part of this plan change.
- 5 In addition, in accordance with the resource consent BUN60386270 conditions, the Pumphouse (B33) will be protected by way of covenant. This protection includes the original Pumphouse but excludes the modern annex.
- 6 The Precinct plan could identify the Pumphouse as being subject to a separate covenant if the Council so requests. However, that is not the practice elsewhere in the AUP, and therefore is not proposed.
- 7 The third protected heritage element within the precinct is the stone wall along the southern boundary. This is an archaeological feature protected by covenant with Heritage New Zealand Pouhere Taonga, and also – as with the other archaeological features within the precinct – under the Heritage New Zealand Pouhere Taonga Act 2014. Neither of these features are currently specifically identified and scheduled within the AUP.
- 8 The Precinct plan could identify the stone wall as being subject to a separate covenant, if the Council so requests. However, that is not the practice elsewhere in the AUP, and therefore is not proposed.
- 9 Neither the Pumphouse nor the stone wall warrant protection beyond the standard controls within the Heritage New Zealand Pouhere Taonga Act 2014 or the AUP.
- 10 For completeness, I record that there are no protected or identified heritage buildings within the Unitec campus area. This plan change makes no alteration to that situation, nor would it be appropriate to do so. While the precinct needs to be advanced as one integrated development, effectively the Unitec property is out of scope in terms of any changes promoted as part of this plan change request.
- 11 No changes are proposed to the Precinct plan.
- 12 No other buildings structures, or features are proposed to be protected as part of this plan change request.

### **Heritage provisions**

- 13 With respect to the operative AUP provisions and proposed precinct provisions that address the protection of historic heritage:

- (a) The existing objectives and policies are robust and appropriate for the heritage protection of these features.
- (a) The objectives and policies section of the precinct make it clear that these objectives and policies are in addition to the AUP overlay objectives and policies including part D17: Historic Heritage Overlay.
- (b) Those objectives and policies have been tested during the original AUP process and found to be appropriate to protect heritage across Auckland.
- (c) The specific precinct objectives and policies deal with the particular elements relating to this precinct.
- (d) The adaptive reuse of heritage buildings is a long understood and supported technique. Demonstrably the Former Oakley Hospital Building is not fit for purpose for mental health treatment in New Zealand. In fact, it reflects an era where the knowledge and treatment methods used for mental health are now considered unacceptable. If this heritage building is to be retained, then it requires adaptive reuse.
- (e) The objectives and policies of this precinct signal the support for adaptive reuse including the opportunity for some retail usage within this building.
- (f) Equally, the Pumphouse is no longer required for its original purpose. It does not function as part of the Auckland potable water supply. Its protection relies on its adaptive reuse. The objectives and policies provide for this.
- (g) HUD does not propose any changes to the precinct provisions relating to heritage, as it considers these are fit for purpose.

## **TOPIC: HERITAGE PROVISIONS**

### **Specific request**

It is noted with concern that the proposed plan change provisions give little weight to historic heritage and do not enable greater consideration and assessment to be given to the effects of new development on the historic heritage values of the Oakley Hospital Main Building. – see, for instance I334.3.(14) Policies – Built Form and Character; I334.8.1.(1B) Assessment RDA - Matters of Discretion; I334.8.1.(5)(d)(iv) Assessment RDA - Matters of Discretion; I334.8.2.(1A)(b)(i) Assessment RDA – Assessment criteria and I334.8.2.(1B)(a) Assessment RDA – Assessment criteria.

The Oakley Hospital Main Building is a Category A historic heritage place of outstanding significance well beyond its immediate environs (AUP) and a Category 1 heritage place of special or outstanding historical or cultural significance (HNZPT). It has stood as a distinctive and recognisable landmark in the local landscape for over 150 years. Its landscape qualities are noted in its conservation plan as such:

“The former hospital building is a major local landmark and dominates its immediate setting. It is of regional importance that existing views

and the landmark significance of the building remain unaffected by external changes and internal developments.”

Ensuring that the PPC is considered within the context of this significant heritage place and enabling its heritage values to be appropriately protected and managed (as directed in RPS B5. objectives and policies) is therefore considered to be imperative. This cannot be achieved if the precinct provisions neglect to require proposals to be sympathetic to adjacent historic heritage and fail to enable greater consideration and assessment to be given to the relationship between the new development and the Oakley Hospital Main Building.

It is noted that more targeted historic heritage policies and criteria, together with tailored design guidelines, are included in other precincts that enable/have enabled the large-scale (residential) development of sites with heritage values (e.g. Hobsonville Point, Kingseat).

The applicant is encouraged to propose more appropriate provisions to recognise this issue.

**Applicant response provided by**

John Duthie of Tattico

**Applicant response**

1. This is a non-clause 23 comment.
2. The question suggests the plan change “gives little weight to historic heritage”, and does not give consideration to the effects of new development on the heritage building.
3. The plan change gives full consideration to the scheduled Former Oakley Hospital Building:
  - (a) The Former Oakley Hospital Building is the only historic heritage place within the precinct scheduled within the Auckland Unitary Plan (Operative in Part) (*AUP*). Its scheduling is unchanged through this process, i.e. there is no change to the heritage provisions or schedules; and there is no change to the ‘*extent of place*’ which applies to the site surrounds.
  - (b) This plan change is not seeking to remove any heritage features or amend any heritage identification including this building’s ‘*extent of place*’. The Council has set the schedules for protected features and buildings, and what is the appropriate extent of place.
  - (c) Separately two other features within the precinct are, or will be, protected by covenants, being the southern heritage stone wall and the Pumphouse.
  - (d) The same assessment criteria for heritage buildings in terms of objectives, policies, activity classification, and assessment criteria, apply to the Former Oakley Hospital Building as applies to any other Category 1 building within the region.

The plan change is very careful to adopt and incorporate all these provisions.

- (e) The Auckland Unitary Plan (Operative in Part), through identifying the extent of place, has determined the area in which there should be control of buildings / structures adjacent to the heritage building. This locational extent remains. There is no additional or different development rights sought within the "extent of place".
- (f) If the reason for the non-clause 23 comment is related to new development in the area adjacent to the heritage building, that has been extensively addressed in the report by Mr Adam Wild of Archifact. This work was commissioned to give a second opinion to complement the original report done by Mr Pearson of DPA.

The work of Mr Wild is attached to this clause 23 response package.

- (g) This response should be read in conjunction with response H3, H4, H5 and H7, including reference to a new Policy 14AA included in the updated precinct provisions provided as part of the clause 23 response package addressing the quality of high rise buildings adjacent to the Former Oakley Hospital Building.

## **TOPIC: OAKLEY HOSPITAL BUILDING OCCUPATION**

### **Specific request**

It is noted that the scheduled Oakley Hospital Main Building is currently unoccupied and due to the lengthy timeframes anticipated for the staged redevelopment of the precinct, there is concern that the building is at risk of vandalism and/or falling into a state of disrepair. Whilst it is acknowledged that the PC has the potential to positively enable new opportunities to support adaptive reuse (including earthquake strengthening), there is no clear understanding of when this might occur. From a good practice conservation standpoint, understanding what commitment has been made to utilise this significant heritage place and safeguard its historic fabric in the short to medium term is important.

### **Applicant response provided by**

John Duthie, Tattico

### **Applicant response**

- 1 This is a non-clause 23 comment/question.
- 2 The plan change sets up and encourages a range of adaptive reuses of the Former Oakley Hospital Building. That could include residential offices, retail and/or community facilities within the building itself.
- 3 There are significant interdependencies between the timing of this plan change, and the timing of heritage restoration and adaptive reuse. These matters will be worked through between Heritage New Zealand Pouhere Taonga and the Rōpū.

## TOPIC: ARCHAEOLOGICAL ASSESSMENT

### Specific request

Please provide a historic heritage assessment that addresses the full plan change area and the actual or potential effects of all forms of development, in particular activities involving land disturbance such as building platforms, roads and tracks, utility connections, retaining structures, fencing and planting.

### Reasons for request

The archaeological assessment provided has been prepared in support of previous applications for backbone infrastructure works. This assessment does not assess the full plan change area or proposal.

The assessment should specifically refer to the criteria in the AUP's RPS, part B5 (historic heritage) and identify how any adverse effects on any significant historic heritage place/s identified within the proposed plan change area will be managed in accordance with the B5 objectives and policies.

Recent reporting should also be drawn from in any updated assessment – i.e.:

- Shakles, R., Burnett, Z. and Farley, G. September 2022. Proposed Residential Subdivision, Wairaka Precinct, Carrington Road, Mt Alert, Auckland: Archaeological Assessment. Prepared for Ngāti Whātua Ōrākei – Whai Rawa by Clough and Associates Ltd.
- Usher, E. August 2022. Carrington Stormwater Outfall 06: Final Report (HNZPTA Authority 2021/777). CFG Heritage report to Heritage New Zealand Pouhere Taonga, BECA Ltd, The Ministry of Housing and Urban Development and Marutūāhu and Waiohua-Tāmaki Rōpū.

Further, the 1879 field book supporting cadastral plan SO 1992 may also be of use to determine other heritage buildings, features and areas of archaeological potential associated to the Whau Lunatic Asylum (later Carrington Psychiatric Hospital) and Farm (LINZ Recollect – Field Book 0312 pages 0312-039 to 0312-046).

### Applicant response provided by

John Duthie, Tattico

### Applicant response

- 1 This plan change is subject to the full Auckland Wide provisions of the Auckland Unitary Plan (Operative in Part) (*AUP*). This includes all heritage matters. It is obviously also subject to the Heritage New Zealand Pouhere Taonga Act 2014, and the protections for archaeological features. The plan change does not seek to modify any of these regulatory controls over development.
- 2 The archaeological assessments provided address the majority of the precinct. Additional assessments are able to be prepared in support of any further land disturbance activities, which will require resource consent and, likely, archaeological authorities.
- 3 The plan change does not increase the area that is available for development – the existing precinct is fully enabled for activities with the potential to disturb the land and subsurface environment, as the precinct is – in its entirety – zoned for either Special Purpose – Tertiary Education, Mixed Housing – Urban, Terraced Housing and Apartment Buildings, Special Purpose – Healthcare Facility and Hospital and Business – Mixed Use. All of these zones enable development that may involve land disturbance, building platforms, roads and tracks, utility connections, retaining structures, fencing and planting, including within the open space areas.
- 4 Any material development (excluding minor additions) triggers a resource consent enabling the Council to determine whether to require a further archaeological assessment.
- 5 The GFC archaeological assessment provides a precinct wide assessment of the Heritage NZ and AC databases and the known history of the precinct. The more detailed inspection relates to the backbone consent. It is not practical, necessary or appropriate to do a full precinct survey over approximately 64ha; particularly given the area is already development-enabled and given the ability to require an assessment as part of future development applications.

## **TOPIC: STONE WALL**

**Specific request** Please provide details of how it is proposed to identify / protect the pre-1900 stone wall (NZAA R11/2979) located along the southern boundary of the plan change area.

**Reasons for request** The protection of this feature should be provided for in the plan change.

**Applicant response provided by** John Duthie, Tattico

### **Applicant response**

- 1 The stone wall along the southern boundary (NZAA R11/2979) is protected by a heritage covenant between Heritage New Zealand – Pouhere Taonga and Ngāti Whātua Ōrākei Whai Rawa. No change to that covenant is proposed through this plan change.

## TOPIC: STONE WALL PROTECTION

**Specific request** Please provide a copy of the Memorandum of Understanding between Heritage New Zealand and Wairaka Land Company Limited (as agent for Unitec Institute of Technology) regarding the identification, protection and management of cultural and heritage resources within the Wairaka Precinct

**Reasons for request** A copy of this document should be provided to council and where relevant evidence also provided outlining any effects arising from the plan change.

**Applicant response provided by** John Duthie, Tattico

### Applicant response

- 1 HUD is not a party to the agreement between Heritage New Zealand Pouhere Taonga (*HNZPT*) and the Wairaka Land Company, had never received a copy of this agreement, and is not bound in any way by this agreement.
- 2 On request from HUD, the Council provided a copy of the agreement to HUD on 1 March 2023 for review. Our review of the agreement shows:
  - (a) Neither HUD, nor the Crown are a party to this agreement.
  - (b) The agreement is irrelevant to this private plan change request and proceedings.
- 3 Notwithstanding that the Crown is not a party to the agreement, the Crown understands that the stone wall referenced in the agreement is an archaeological feature under the Heritage New Zealand Pouhere Taonga Act 2014, that there is a protective covenant between Ngāti Whātua Ōrākei and HNZPT in respect of it, and as such it is protected. That protection is afforded through the legislation and the covenant, and does not rely on any private agreement such as the agreement referenced in this clause 23 request.