

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

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**HEARING REPORT**

**PLAN MODIFICATION 31 - HISTORIC HERITAGE  
ADDITIONS TO SCHEDULE 14**

**AUCKLAND COUNCIL**

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**COMMISSIONERS**

**Chairperson** David Mead  
**Commissioners** Shona Myers  
Lisa Whyte

**Sidra Khan**  
**HEARINGS ADVISOR**

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## **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

<b>SUBMITTERS:</b>	
Page 208	Kaye Mills and Anthony Mills
Page 218	Warkworth & District Museum Society Inc c/- Victoria Joule
Page 220	Guardian Retail 551 Limited c/- Craig McGarr
Page 242	GWG Trustee Limited trustee of GWG Family Trust c/-Loo & Koo Solicitors
Page 246	Upland Group Limited c/- Morrison Kent Lawyers c/- Bryce Town
Page 250	Auckland Transport c/-Liam Burkhardt
Page 255	Aotearoa New Zealand Investments Limited c/- Alex Van Son
Page 265	The Theosophical Society in New Zealand Incorporated c/-John Yan
Page 271	Heritage New Zealand Pouhere Taonga c/-Susan Andrews
Page 276	Remuera Heritage Inc. c/- Jennifer Hayman

**Plan Modification 31 - Historic Heritage Additions to Schedule 14**  
**Date: Wednesday 1 July 2020**

Page 279	Anthony Simmons
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**FURTHER SUBMITTERS:**

Page 281	The Theosophical Society in New Zealand Incorporated
Page 288	GWG Trustee Limited
Page 290	Upland Group Limited
Page 293	Sue Parkinson and Graham Matthews
Page 304	Aotearoa New Zealand Investments Limited



## Hearing Report for Proposed Plan Change 31 to the Auckland Unitary Plan (Operative in Part)

Section 42A Hearing Report under the Resource Management Act 1991

**Report to:** Hearing Commissioners  
**Hearing Date:** 1 July 2020  
**File No:** Hearing Report – Proposed Plan Change 31 (PC31)  
**File Reference:** U:\CPO\RLP\FC\LUP\UP MODIFICATIONS\PC031-Heritage Additions  
**Lead Report Author(s):** Jo Hart, Principal Planner, Planning North West and Islands  
**Report Approver:** Megan Patrick, Team Leader Heritage Policy  
**Report produced:** 2 June 2020

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### Instructions for the reader:

This document and its attachments are large in size. To find the relevant evaluation completed on your submission or submission points, it is recommended that you search for these submission points (either by submitter name or submission number) electronically by pressing control + F (CTRL+F) on your keyboard and entering the information you are searching for.

## Summary of Proposed Plan Change 31

<b>Plan subject to change</b>	Auckland Unitary Plan Operative in Part (15 November 2016)
<b>Number and name of change</b>	Proposed Plan Change 31: Historic Heritage Additions
<b>Status of Plan</b>	Operative in part
<b>Type of change</b>	Council-initiated plan change
<b>Committee date of approval (or adoption) for notification</b>	6 August 2019 (Planning Committee)
<b>Parts of the Auckland Unitary Plan affected by the proposed plan change</b>	<ul style="list-style-type: none"> <li>• Schedule 14 Historic Heritage Schedule, Statements and Maps, including: <ul style="list-style-type: none"> <li>○ Schedule 14.1 Schedule of Historic Heritage, and</li> <li>○ Schedule 14.2 Historic Heritage Areas – Maps and statements of significance, and</li> </ul> </li> <li>• GIS viewer/planning maps</li> </ul>
<b>Date draft proposed plan change was sent to iwi for feedback</b>	4 July 2019
<b>Date of notification of the proposed plan change and whether it was publicly notified or limited notified</b>	29 August 2019 – 26 September 2019 Publicly notified
<b>Plan development process used – collaborative, streamlined or normal</b>	Normal
<b>Submissions received</b>	11
<b>Date summary of decisions requested notified</b>	24 October 2019
<b>Number of further submissions received</b>	5
<b>Legal Effect at Notification</b>	Yes
<b>Main issues or topics emerging from all submissions</b>	<ul style="list-style-type: none"> <li>- support for both overall and specific historic heritage places proposed to be added to the Historic Heritage Overlay</li> <li>- support with amendments, particularly relating to the Upland Village Historic Heritage Area, including requesting that the historic heritage area be removed</li> <li>- opposition to specific historic heritage places proposed to be added to the Historic Heritage Overlay</li> <li>- the historic heritage values present for particular places; and</li> <li>- the impact of scheduling on and the ability for future development.</li> </ul>

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## Attachments

<b>Attachment 1</b>	Recommended amendments to Schedule 14.1
<b>Attachment 2</b>	Recommended amendments to GIS viewer/planning maps
<b>Attachment 3</b>	Methodology for Evaluating Historic Heritage Significance, Version 7.5, 18 October 2013
<b>Attachment 4</b>	Methodology and guidance for evaluating Auckland's historic heritage, Version 2, August 2019
<b>Attachment 5</b>	Summary of Decisions Requested and Further Submissions Spreadsheet
<b>Attachment 6</b>	Section 32AA report



## List of abbreviations

Abbreviations in this report include:

<b>Abbreviation</b>	<b>Meaning</b>
AUP	Auckland Unitary Plan Operative in Part (15 November 2016)
COC	Certificate of Compliance
Council	Auckland Council
EOP	Extent of place
HHA	Historic Heritage Area
Heritage NZ	Heritage New Zealand Pouhere Taonga
Methodology	Methodology and guidance for evaluating Auckland's historic heritage. Version 2. August 2019. This was updated in August 2019 (Version 2) and renamed "Methodology and guidance for evaluating Auckland's historic heritage".
PC31	Proposed Plan Change 31
RMA	Resource Management Act 1991
RPS	Regional Policy Statement (within the Auckland Unitary Plan)
SDR	Summary of Decision Requested

## Executive Summary

- 1.1 Proposed Plan Change 31 (**PC31**) has been initiated by Auckland Council (**Council**) to recognise the values of six significant historic heritage places (five individual historic heritage places and one historic heritage area). These historic heritage places are proposed to be added 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 PC31 does not seek to amend any of the objectives and policies of the AUP. Nor does it seek to introduce any new objectives, policies, rules or zoning to the AUP. The AUP policy approach and its purpose and function are not changed by PC31, and this report does not evaluate these unchanged purpose and functions in any more detail.
- 1.3 PC31 was notified by the Council on 29 August 2019. The plan change procedure set out in Schedule 1 to the Resource Management Act 1991 (**RMA**) was followed in developing and notifying PC31.
- 1.4 The closing date for submissions was 26 September 2019. Eleven submissions were received, including one late submission. The Council's Summary of Decisions Requested (**SDR**) was publicly notified on 24 October 2019, with the period for making further submissions closing on 8 November 2019. Five further submissions were received.
- 1.5 In preparation for the hearing on PC31, this report has been prepared in accordance with section 42A of the RMA.
- 1.6 This report considers the issues raised in submissions and further submissions to PC31. The discussion and draft recommendations in this report are intended to assist the Hearing Commissioners, and those parties that lodged submissions on PC31. The recommendations contained within this report are not the decisions of the Hearing Commissioners.
- 1.7 This report also forms part of Council's ongoing obligations under the RMA, 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.
- 1.8 An evaluation report was prepared in accordance with section 32 of the RMA for PC31 (**Section 32 Report**). This report and associated documentation related to PC31 is available on the Council's website. An evaluation under section 32AA of the RMA has been prepared to support the recommended changes to PC31.
- 1.9 I recommend that PC31 be approved with amendments in response to submissions, as outlined in **Attachment 1** and **Attachment 2**, being recommended amendments to Schedule 14.1 and the GIS viewer/planning maps.

## **2 Hearings and decision-making considerations**

- 2.1 Clause 8B of Schedule 1 of the RMA requires that a local authority shall hold hearings into submissions on its proposed plan.
- 2.2 Hearing Commissioners have been delegated by Council's Regulatory Committee. The Regulatory Committee has authority to determine Council's decisions on submissions on PC31 under section 34 of the RMA. Therefore, the Hearing Commissioners will not be recommending a decision to the Council but will be issuing the decision directly.
- 2.3 This report has been prepared under section 42A of the RMA, to assist the Hearing Commissioners in considering the issues raised by submissions on PC31.
- 2.4 This report summarises and discusses submissions received on PC31. It makes recommendations on whether to accept, in full or in part, or reject, in full or in part, each submission. This report also identifies what amendments, if any, can be made to address matters raised in submissions. Any conclusions or recommendations in this report are not binding to the Hearing Commissioners.
- 2.5 The Hearing Commissioners will consider all the information in submissions and further submissions together with evidence presented at the hearing.

## **3 Council witnesses and responsibilities**

- 3.1 This report has been prepared by Jo Hart and draws on technical heritage advice from the following experts:

Megan Walker	Heritage	Technical expert
Carolyn O'Neil	Heritage	Technical expert (consultant)

## **4 Background**

- 4.1 PC31 is a Council-initiated plan change which seeks to recognise the values of six significant historic heritage places (five individual historic heritage places and one historic heritage area). These historic heritage places are proposed to be added to Schedule 14 and the GIS viewer/planning maps, thereby making them subject to the provisions of the Historic Heritage Overlay<sup>1</sup>.

<sup>1</sup> AUP Chapter D17 Historic Heritage Overlay

## Purpose and status of this report

- 4.2 In preparation for the hearing on PC31, this hearing report has been prepared in accordance with section 42A of the RMA.
- 4.3 This report addresses the submissions and further submissions received on PC31. PC31 was notified by Council on 29 August 2019. The plan change process set out in Schedule 1 of the RMA was followed in developing and notifying the plan change.
- 4.4 The purpose of this report is to provide background material and commentary in relation to the submissions and further submissions on PC31, together with recommendations for the Hearing Commissioners' consideration.
- 4.5 In preparing this report, Council's reporting team has had discussions with some submitters. These discussions have been helpful in assisting with the analysis and response to some of the issues raised.
- 4.6 This report contains **recommendations only**. Parties to the hearing should be aware that the final decision on PC31 will be made by the Hearing Commissioners after their consideration of all information, including information raised at the hearing.
- 4.7 This report also forms part of Council's ongoing obligations to consider the appropriateness of the proposed provisions, the benefits and costs of any policies, rules or other methods, as well as consideration of issues raised in submissions on PC31.

## Background to the plan change

- 4.8 The AUP contains objectives, policies and rules to protect significant historic heritage from inappropriate subdivision, use and development. The AUP methods to achieve this protection are primarily within Schedule 14, which identifies and recognises significant historic heritage places, and includes these places in the Historic Heritage Overlay.
- 4.9 The identification and evaluation of historic heritage places, and any subsequent scheduling, being the addition of these places to Schedule 14 and the Historic Heritage Overlay, is an ongoing process. PC31 is the second plan change to be undertaken with the sole purpose of adding historic heritage places to the Historic Heritage Overlay and Schedule 14 since the Auckland Unitary Plan became operative in part in 2016.
- 4.10 The six historic heritage places in PC31 were identified as having potential significant historic heritage values by:
- heritage evaluations funded by the Ōrākei Local Board,
  - recommendations and outcomes from other planning processes (council-led heritage surveys and evaluations),
  - the heritage topic report for the Warkworth Structure Plan.
- 4.11 The six historic heritage places in PC31 were identified primarily for their built heritage values.
- 4.12 Each historic heritage place included in PC31 has been evaluated for its historic heritage significance in accordance with the Council's Methodology for Evaluating Historic Heritage Significance (**Methodology**)<sup>2</sup>. The Methodology has been updated<sup>3</sup>. Both the updated Methodology and the Methodology that was used for PC31 provide guidance on the criteria and thresholds for scheduling that are outlined in the Regional Policy Statement (**RPS**) section of the AUP. The key difference between the two versions is that the updated version

<sup>2</sup> Methodology for Evaluating Historic Heritage Significance, Version 7.5, 18 October 2013.

<sup>3</sup> Methodology and guidance for evaluating Auckland's historic heritage, Version 2, August 2019.

provides more detailed guidance on how to evaluate significant historic heritage places. The Methodology are **Attachment 3** and **Attachment 4**.

4.13 The development of PC31 is outlined in the Section 32 Report, which is available on Council's website. The Section 32 Report outlines that the following alternatives were considered during the preparation of the plan change:

Option 1 – do nothing/retain the status quo

Option 2 – non regulatory methods for the protection and management of historic heritage

Option 3 – other regulatory methods for the protection and management of historic heritage

Option 4 – a plan change to add five historic heritage places to Schedule 14 of the AUP and one special character area to Schedule 15; and

Option 5 – a plan change to add six historic heritage places (five individual places and one historic heritage area).

4.14 An assessment of the appropriateness, efficiency, effectiveness, benefits, costs and risks of adding the historic heritage places to Schedule 14 was undertaken as a whole, rather than at an individual-place level. This approach was taken as each of the six significant historic heritage places had been evaluated against the AUP RPS provisions in B5 (Ngā rawa tuku iho me te āhua - Historic Heritage and special character) and have been determined to meet the criteria for their inclusion in the Historic Heritage Overlay. The Section 32 Report concluded that Option 5:

- is effective, as the inclusion of the historic heritage places in Schedule 14 will help ensure the objectives of the AUP RPS are achieved, as well as the Council's statutory requirements for the AUP to give effect to its RPS section;
- is efficient, as the addition of significant historic heritage places to the Historic Heritage Overlay is a clearly established method to effectively identify and protect the significant values of such places;
- is appropriate, as it ensures the historic heritage places are adequately protected from inappropriate subdivision, use and development while providing for their appropriate use and development.

4.15 A summary of consultation undertaken as part of the preparation of PC31 is outlined in the Section 32 Report.

4.16 Overall, the plan change fulfils the Council's statutory obligation to give effect to the RPS contained in the AUP by identifying significant historic heritage places, protecting them from inappropriate subdivision, use and development, and providing for their appropriate use and development.

## **5 Summary of PC31: as notified**

5.1 The purpose of PC31 is to recognise the values of six significant historic heritage places (five individual historic heritage places and one historic heritage area) by adding them to Schedule 14 and the GIS viewer/GIS viewer/planning maps, thereby making them subject to the provisions of the Historic Heritage Overlay

- 5.2 The notified plan change documents are available on the Council's website, including maps showing the Historic Heritage Overlay extent of place (**EOP**) for each historic heritage place included in PC31. The historic heritage evaluations for each place are also available on the Council's website.
- 5.3 The proposed provisions are to be incorporated into the following sections of the AUP:
- Chapter L – Schedules – Schedule 14.1 Schedule of Historic Heritage,
  - Chapter L – Schedules – Schedule 14.2 Historic Heritage Areas – Maps and statements of significance, and
  - GIS viewer/planning maps.
- 5.4 The key components of the plan change are:
- it adds five historic heritage places to Table 1 Places of Schedule 14.1,
  - it adds one historic heritage area to Table 2 Areas of Schedule 14.1,
  - it amends Schedule 14.2 to add a statement of significance and maps for the historic heritage area, and
  - it amends the GIS viewer/planning maps to show the EOP for each place.
- 5.5 PC31 does not seek to alter the objectives and policies of the AUP. Neither does it seek to introduce any new objectives, policies, rules, zoning or other methods, or new maps or schedules, from that which is already included in the AUP.
- 5.6 PC31 has been given immediate legal effect under section 86(3) of the RMA, as it protects historic heritage.

## **6 Statutory and Policy Framework**

- 6.1 PC31 is a plan change to district-level provisions within the AUP. The statutory and policy considerations have been addressed in the Section 32 Report.
- 6.2 This report forms a further part of the section 32 process that the RMA promotes, where Council continues to consider the appropriateness and effectiveness of the proposed provisions of PC31.
- 6.3 Section 32AA of the RMA requires a further evaluation of any changes that are proposed to PC31 since the Section 32 Report was completed. Section 32AA requires that all changes to a proposal since the original evaluation must be well justified and supported by sound information that demonstrates the change will be appropriate, efficient and effective.
- 6.4 All amendments to PC31 proposed in this report have been assessed in accordance with section 32AA. The section 32AA report is included as **Attachment 6** to this report.

## 7 Notification and Submissions

### Notification details

7.1 The notification period and total number of submissions received is outlined below:

Date of public notification for submissions	29 August 2019
Closing date for submissions	26 September 2019
Number of submissions received	11 (including one late submission)
Date of public notification for further submissions	24 October 2019
Closing date for further submissions	8 November 2019
Number of further submissions received	5

### Summary of Decisions Requested

7.2 Ten submissions were received before the closing date. One late submission was received. The one late submission did not affect the processing of PC31 and a waiver was granted pursuant to section 37A of the RMA. The total number of submissions received is therefore eleven.

7.3 Five further submissions were received. The RMA allows the following persons to make a further submission on a proposed policy statement or plan<sup>4</sup>:

- (a) Any persons representing a relevant aspect of the public interest; and
- (b) Any person that has an interest in the proposed policy statement or plan greater than the interest that the general public has; and
- (c) The local authority itself.

7.4 A further submission must be limited to a matter in support of or in opposition to the relevant primary submission made under clause 6 or 6A of the RMA<sup>5</sup>.

7.5 Four of the five further submitters also made primary submissions on PC31 in relation to the Upland Village Historic Heritage Area.

7.6 One further submission (FS4) was from a directly affected landowner that had not lodged their own primary submission. FS4 is from the landowners of Glenholm. I consider that the further submitter has an interest greater than the general public as a landowner directly affected by the plan change. This further submission is also discussed in the following section on scope and in Section 17 of this report, where Glenholm is considered.

7.7 The Council is required to give public notice of an SDR for all submissions on PC31<sup>6</sup>. This notification was undertaken on 24 October 2019. The SDR spreadsheet for PC31, including further submissions, can be found in **Attachment 3** to this report and can also be viewed on Council's website.

<sup>4</sup> Clause 8, Schedule 1, RMA

<sup>5</sup> Clause 8(2), Schedule 1, RMA

<sup>6</sup> Clause 7, Schedule 1, RMA.

## **8 Jurisdictional issues/the approach to “scope”**

- 8.1 A submission must be within the scope of a plan change to be considered. The concept of scope has its origin in clause 6(1) of Schedule 1 to the RMA, which allows a person, after a proposed plan or variation has been publicly notified, to make a submission “on it” to the relevant local authority. Similarly, with further submissions, as stated above, these must be limited to a matter of support of or in opposition to an issue or point raised in a relevant primary submission.
- 8.2 All of the primary submissions are considered to be within scope, or ‘on the plan change’.
- 8.3 Legal advice was sought on whether further submission FS4 goes beyond supporting or opposing issues or points raised in a relevant primary submission. The legal advice confirmed that the further submission met the legal requirement of Clause 8(2) in that it was limited in its opposition to primary submissions of Heritage New Zealand Pouhere Taonga (**Heritage NZ**) and Remuera Heritage Incorporated (**Remuera Heritage**). Both of these submissions support the inclusion of Glenholm in Schedule 14.1. Heritage NZ’s submission also seeks that the interiors of Glenholm are included (Submission 9.3).
- 8.4 Based on the legal advice, I consider that this further submission meets the legal requirement of Clause 8(2). It is limited in its opposition to the primary submissions of Heritage NZ and Remuera Heritage. In my view, further submission FS4 can be considered in the recommendations and decision on PC31.
- 8.5 I also consider that a response to some of the statements within the further submission is required. This has been discussed further below in Section 17 of this report.

## **9 Local Board views**

- 9.1 Section 12(3) of the Local Government (Auckland Council) Act 2009 (**LGACA**) states that local boards do not have separate legal standing from Council. This prevents a local board from formally submitting through a public process on a Governing Body decision, or the decision of another local board, or commencing legal proceedings/participating in an appeal.
- 9.2 However, the LGACA also requires that before making any regulatory decision, the Governing Body must consider the views and preferences expressed by a local board. This is required if the decision does, or may, affect the responsibilities or operation of the local board, or the well-being of communities within its area.
- 9.3 The plan change includes historic heritage places located in three local board areas: Ōrākei, Rodney and Albert-Eden.
- 9.4 Four of the six places, including the Upland Village Historic Heritage Area, are with the Ōrākei Local Board area. The Ōrākei Local Board funded the evaluations of these places and requested that the landowners be contacted prior to notification.
- 9.5 An information memo was sent to the Ōrākei and Rodney Local Board members and local board advisors on 17 May 2019 to inform them of the plan change. This correspondence provided an explanation of the plan change and included a list of the historic heritage places proposed to be added. A summary of each proposed historic heritage places was also provided.
- 9.6 No response was received from the Rodney Local Board.



- 9.7 Council staff were invited to and attended a workshop at the Ōrākei Local Board on 30 May 2019. This was an omnibus workshop on a number of planning matters occurring with the local board area. This included informing the local board of the responses to landowner letters sent on 17 May 2019. At that time, two responses from landowners had been received. The local board had no comments other than that they were satisfied with the approach taken.
- 9.8 The Albert-Eden Local Board was advised on the plan change on 19 July 2019. No response was received from this local board.
- 9.9 The three local boards had a further opportunity to provide their views on the plan change when it was notified on 29 August 2019. Any views provided by the local boards can be considered as part of the hearing and decision process, as required by the LGACA. Further correspondence with the local board advisors was undertaken to confirm whether the local boards would like to provide their views.
- 9.10 No response was received from the Albert-Eden or Rodney local boards.
- 9.11 The Ōrākei Local Board, at a meeting on 21 May 2020, made a resolution, to provide feedback on PC31. The minutes from this meeting state:

*That the Ōrākei Local Board:*

- a) *Supports the overall intention of Plan Change 31 to the Auckland Unitary Plan and in particular:*
- i. the Upland Village Historic Heritage Area on the basis of the June 2018 Historic Heritage Evaluation undertaken by The Heritage Studio on behalf of the Auckland Council's Heritage Unit*
  - ii. the Remuera Primary School War memorial Gates on the basis of the May 2018 Historic Heritage Evaluation undertaken by The Heritage Studio on behalf of the Auckland Council's Heritage Unit*
  - iii. Glenholm, 37 Portland Road, Remuera, on the basis of the June 2018 Historic Heritage Evaluation undertaken by Auckland Council's Heritage Unit*
  - iv. the former Remuera post office building because of its considerable context value as a conspicuous landmark within the Remuera townscape and is a good representative example of a former post office building.*
- b) *Appoint either Member C Davis, Member D Wong and Member T Churton to speak on behalf of the local board at a hearing on Plan Change 31 to the Auckland Unitary Plan.*

## **10 Analysis of submissions and further submissions**

- 10.1 The following sections address the submissions and further submissions received on PC31. The sections discuss the relief sought in the submissions, and recommendations are made to the Hearing Commissioners in relation to each submission.

- 10.2 Submission that relate to the same historic heritage place and/or same theme or topic are grouped together in this report. Themes common to submissions have been addressed together and discussed in Section 11. The historic heritage place, theme or topic headings are listed in the Contents at the start of this report.
- 10.3 For the majority of submissions received on PC31, the decision requested was that the plan change either be accepted or declined as a whole. However, when the submissions were read in their entirety it was clear in nearly all cases that submitters were seeking that particular parts of PC31 were accepted or declined or, more specifically, that particular historic heritage places were included or excluded from the plan change, or that they were amended. Therefore, such submissions have been grouped with the particular historic heritage place that they relate to.
- 10.4 It is noted that in instances where a submission relates to multiple submission topics, the submission has been evaluated under the place, theme or topic considered most applicable. In such instances, submitters may need to refer to other parts of the Hearing Report to ascertain the responses to the submission. Cross-references are provided to assist with navigation.
- 10.5 The structure of the analysis under each submission topic is as follows:
- introduction and the information proposed for each place to be added to Schedule 14 as notified in PC31;
  - submission sub-points (the summary of decision requested by the submitters) and further submissions coded to the submission topic (if this is blank, then there are no further submissions);
  - evaluation – the discussion and evaluation of the submission points;
    - recommendations on submissions – whether to accept, in full or in part; or reject, in full or in part; each submission.
- 10.6 The submissions table in each section following contains the summary of the decision requested by each submitter, along with the planner’s recommendation. The planner’s recommendation is made in respect of each (primary) submission. The recommendation on further submissions is consequential to the recommendation on the primary submission.
- 10.7 The recommended amendments to PC31, as notified, are collated and shown in **Attachment 1** (recommended amendments to Schedule 14.1) and **Attachment 2** (recommended amendments to GIS viewer/planning maps). Amendments to PC31 based upon submissions received are shown in pink text as ~~strikethrough~~ or underline. There are no amendments proposed for Schedule 14.2.

## 11 Themes raised in submissions

- 11.1 The following section discusses themes that have been raised in submissions to PC31. Where a specific submission raises these themes, the matter is be addressed under the in the relevant section for the historic heritage place and/or cross-referenced back to this section.

### *Extent of Place*

- 11.2 Where a historic heritage place is scheduled, the Historic Heritage Overlay extent is defined spatially on the Council’s GIS viewer (shown in purple cross-hatching). This area is known

as the extent of place (**EOP**) of a historic heritage place, and all land within this area is subject to the provisions of the Historic Heritage Overlay.

11.3 Chapter D17 of the AUP describes the EOP of scheduled historic heritage places<sup>7</sup>:

*Most scheduled historic heritage places include an identified area around a heritage feature; referred to as the 'extent of place'.*

*The extent of place comprises the area that is integral to the function, meaning and relationships of the place and illustrates the historic heritage values identified for the place. The provisions relating to a historic heritage place apply within the area mapped as the extent of place on the Plan maps, including the airspace.*

*Schedule 14.3 Historic Heritage Place maps clarifies the extent of place that applies to some historic heritage places.*

11.4 The RPS describes how historic heritage places are identified and evaluated and identifies how to define the location and physical extent of a significant historic heritage place, as follows<sup>8</sup>:

*Define the location and physical extent of a significant historic heritage place, having considered the criteria in Policy B5.2.2(1) to identify:*

*(a) the area that contains the historic heritage values of the place; and*

*(b) where appropriate, any area that is relevant to an understanding of the function, meaning and relationships of the historic heritage values.*

11.5 The Methodology<sup>9</sup> provides guidance for defining an EOP. In determining an appropriate EOP, the Methodology recommends consideration be given to the following:

- the geographic area that demonstrates/illustrates the values that have been identified for the place
- all the features that contribute to the value of the place e.g. church, hall, cemetery, stone wall, trees
- historic evidence of the original EOP e.g. original lot or property boundary, location and size of original buildings, structures and features, relationships with surrounding areas (roads, driveways, landscaping, gardens), and relationship with setting, particularly if the place has been identified for its aesthetic or context value
- area that adequately encompasses the features or important elements of the place
- how the historic heritage place is currently viewed from within and immediately around the site
- any parts of the place that have been lost or substantially modified through later development and they no longer contribute to identified values may be excluded from the EOP
- whether there are views to, from or, within the site that contribute to the values of the place.

<sup>7</sup> AUP Chapter D17 Historic Heritage Overlay, D17.1 Background

<sup>8</sup> AUP Policy B5.2.2(2)

<sup>9</sup> Methodology and guidance for evaluating Auckland's historic heritage. Version 2. August 2019.

- 11.6 The consideration of an EOP for an HHA is discussed above in Section 18 of this report.
- 11.7 The EOP for places in PC31 were proposed in the historic heritage evaluation for each place, with the evaluator considering the guidance in the Methodology. During the section 32 evaluation process, and during consultation prior to notification, the EOPs were further reviewed. No amendments were made to the EOP during this process.
- 11.8 Several submitters requested amendments to the EOP. These have been considered and amendments are recommended for Riverina and the Remuera Post Office (former), as discussed in sections 14 and 15 of this report, respectively. The section 32AA report which evaluates these changes can be found in **Attachment 6** of this report.

*Road reserve included within the extent of place*

- 11.9 Auckland Transport (**AT**) generally supports PC31 (Submission 6.1) but does not support the inclusion of the road reserve (including footpaths) as part of the Historic Heritage Overlay, as AT considers that it has the potential to increase costs, delays and uncertainties for their day to day activities. AT considers that the inclusion of road reserve area in the Historic Heritage Overlay could also undermine its abilities to provide and deliver outcomes that could better serve Auckland's transport system and its communities.
- 11.10 Discussions were held with AT about PC31 before notification of the plan change and after submissions on the plan change closed. During these discussions, AT requested the EOP for several places in PC31<sup>10</sup> be further reviewed to determine whether it was appropriate for the EOP to be located over the road. These places were visited again as part of responding to AT's concerns about PC31.
- 11.11 Five of the six historic heritage places included in PC31 include areas of road reserve within the EOP of the historic heritage place. Of these, three places were the subject of submission by AT.
- 11.12 Following the AT submission and further advice from Ms Carolyn O'Neil, I consider it appropriate for the road reserve to remain with the EOP for the Remuera Primary School War Memorial Gates and the Upland Village Historic Heritage Area), as discussed in sections 16 and 18 of this report. I consider that the EOP can be amended for the Remuera Post Office, as discussed in section 15. Again, the section 32AA report can be found in Attachment 6 of this report.
- 11.13 I acknowledge that the Historic Heritage Overlay provisions may have some impact on works that AT may need to undertake to manage the road network. However, the overlay provisions provide a graduating regime of activity standards relative to the level of effects anticipated. For works that are unlikely to detract from the historic heritage values of a scheduled place, such as maintenance and repair, the activity is permitted and no consent is required (subject to standards). For major works that are expected to generate significant adverse effects, such as demolition or destruction, a resource consent is required.
- 11.14 In addition to the range of permitted activities provided for in the Historic Heritage Overlay, some activities are provided for in Chapter E26.8 of the AUP<sup>11</sup>. The provisions of E26.8 provide for some activities within the Historic Heritage Overlay to be carried out without the need for a resource consent, which further facilitates AT's ability to work within the EOP of a scheduled historic heritage place.

<sup>10</sup> Remuera Post Office (former), Remuera Primary School War Memorial Gates, Upland Village HHA

<sup>11</sup> AUP Chapter E26.8 Network utilities and electricity generation – Historic Heritage Overlay

- 11.15 Outside the provisions mentioned above, AT may need to seek resource consent for works within an EOP. It is my view that in some situations the resource consent process is the most appropriate way to consider the effects of a proposed activity in relation to the significance of the historic heritage values. Through a resource consent process, the removal of a verandah within a scheduled historic heritage place for the provision of double-decker buses, for example, may be assessed as being appropriate when considering the need for public transport and the effects on the historic heritage place, or the effects may be considered too great and an alternative will need to be sought.
- 11.16 The inclusion of the road in the EOP of some significant historic heritage places is considered appropriate as these areas contain the historic heritage values of the place. In addition, the provisions of the AUP provide for AT to manage the road network, albeit sometimes through a resource consent process.
- 11.17 While it may not have changed my view in regard to the recommendation on AT submissions, it would be useful if AT had provided examples of where the historic heritage overlay hindered its works.

#### *Development of scheduled historic heritage places*

- 11.18 A number of submissions raise concerns about the ability to develop buildings within a historic heritage place once the place is included in Schedule 14 and/or develop the wider property that is subject to the provisions of the Historic Heritage Overlay.
- 11.19 The Historic Heritage Overlay provisions anticipate and provide for development that is appropriate to the historic heritage values of a scheduled place. Section 6 of the Section 32 Report for PC31 includes information about the effect of scheduling and how the Historic Heritage Overlay provisions seek to provide for the reasonable use of scheduled historic heritage places. That information is not repeated here. Where a submission raises issues that have not been considered in the Section 32 Report, additional analysis is provided when considering the submission, and is detailed in the relevant section of this report.
- 11.20 While I acknowledge that the Historic Heritage Overlay may place additional restrictions on properties in regard to some development activities, this does not preclude development or change occurring dependent on the proposal and how it affects the historic heritage values of the place.

#### *Exclusions*

- 11.21 Some historic heritage places have listed exclusions in Schedule 14.1, for example the interiors of buildings or ancillary buildings. Features listed as exclusions are those that do not contribute to, or may detract from, the values for which the historic heritage place has been scheduled<sup>12</sup>. Exclusions are subject to the provisions of the Historic Heritage Overlay, but activities that affect exclusions are usually subject to a lesser level of control than those that apply to the balance of the scheduled place, and in many cases are a permitted activity (e.g. modification of an interior that is identified as an exclusion or demolition of a freestanding garage that is identified as an exclusion). Any feature of a place that is identified as an exclusion must be clearly listed in the Exclusions column of Schedule 14.1. The Methodology gives guidance in identifying exclusions.

<sup>12</sup> D17.1 Background

11.22 HHAs may have exclusions. Exclusions differ from non-contributing sites/features in their relative scale and management. Generally, exclusions are components of a place, such as the interior of a building or a modern garage with no identified heritage values. I consider that the exclusions can be amended for the CAC Bulk Store, Riverina, the Remuera Post Office and Glenholm, as discussed in sections 13, 14, 15 and 17. Again, the section 32AA report can be found in Attachment 6 of this report.

*Section 32 matters*

11.23 Some submissions have included statements regarding the efficiency, and effectiveness of PC31 and whether it is sound resource management. This is discussed in Section 3.2 (Evaluation of the options) of the section 32 evaluation report and summarised at paragraph 4.14 above.

## 12 Submissions in support of Plan Change 31

12.1 The following table summarises received on PC31 that provide general support for the plan change. These submissions either request that the PC31 is accepted or accepted in part.

Sub. No.	Name of Submitter	Summary of the Relief Sought	Further Submissions	Planners Recommendation
6.1	Auckland Transport	Accept the plan change with amendments	<b>Oppose in part:</b> The Theosophical Society in New Zealand Incorporated (FS1)	Accept in part
9.1	Heritage New Zealand Pouhere Taonga	Approve the plan change with amendments	<b>Oppose in part:</b> The Theosophical Society in New Zealand Incorporated (FS1)	Accept in part
9.2	Heritage New Zealand Pouhere Taonga	Supports the proposed addition of the six historic heritage places	<b>Oppose in part:</b> The Theosophical Society in New Zealand Incorporated (FS1)  <b>Oppose:</b> Sue Parkinson and Graham Matthews (FS4)	Accept
10.1	Remuera Heritage Incorporated	Accept the plan change with amendments	<b>Oppose in part:</b> The Theosophical Society in New Zealand Incorporated (FS1)  Sue Parkinson and Graham Matthews (FS4)	Accept in part

### Evaluation

12.2 Submissions 6.1, 9.1, 9.2 and 10.1 support the plan change, either in full or subject to amendments. Submission sub-points seeking amendments are addressed under the headings of each of the historic heritage places that they are related to.

- 12.3 **Submission 6.1** from Auckland Transport generally supports the plan change, subject to amendments. This submission is discussed in further detail in section 11 of this report.
- 12.4 **Submission 9.2** and **9.2** from Heritage New Zealand Pouhere Taonga (**Heritage NZ**) supports the plan change and the addition of six historic heritage place to the Schedule 14 of the AUP. Heritage NZ states its support for the identification of these places:
- ... in order that inappropriate subdivision, use and development can be avoided, and to enable appropriate use, protection, management and conservation of these places.*
- 12.5 **Submission 10.1** from Remuera Heritage supports the plan change, subject to amendments.
- 12.6 The addition of the historic heritage places to the Historic Heritage Overlay as sought in PC31 is considered to be the most appropriate way to protect the significant historic heritage values of these places from inappropriate subdivision, use and development.

#### Recommendations on submissions

- 12.7 Submissions in support of PC31 are acknowledged. I recommend that:
- submissions **6.1**, **9.1** and **10.1** are **accepted in part** (in as far as the sub-points seek that the plan change be accepted)
  - submission **9.2** be **accepted**.
- 12.8 There are no amendments associated with these recommendations. However, while it is recommended that the submissions in support listed above are accepted, there are other submissions (and additional part to these submissions) that seek amendments to specific historic heritage places included in PC31. The overall recommendation to the Hearing Panel to accept the plan change is subject to the amendments recommended and shown in **Attachments 1** and **2**. The reasons for these recommendations are discussed within the relevant sections of this report.
- 13 Submissions on the Colonial Ammunitions Company Bulk Store (former) (ID02839)**
- 13.1 PC31 seeks to include the Colonial Ammunitions Company Bulk Store (former) (**CAC Bulk Store**) at 26 Normanby Road, Mount Eden in the Historic Heritage Overlay. The plan change, as notified, proposes to add the following information to Schedule 14 for this place:
- the place is identified as Category B;
  - the primary feature is identified as 'Building';
  - the heritage values are A, F and H;
  - the following exclusions are identified:
    - interior, excluding the timber roof structure and sarking and the basalt walls;
    - exterior seating area hood;
    - entry hood and glazed entry door;
    - bamboo attachment to exterior front wall.

13.2 The EOP is shown in the GIS viewer/planning maps.

Submissions

13.3 The following table summarises submissions received on PC31 that are related to the CAC Bulk Store. There are no further submissions.

Sub. No.	Name of Submitter	Summary of the Relief Sought	Further Submissions	Planners Recommendation
1.1	Kaye Mills and Anthony Mills	Accept the plan change with amendments		Accept in part
1.2A <sup>13</sup>	Kaye Mills and Anthony Mills	Amend the extent of place to exclude the asphalt area to the rear of the building		Reject
1.2B	Kaye Mills and Anthony Mills	Amend exclusions to include additional features that do not contribute to the heritage value of the building		Accept in part

Evaluation

Extent of place

13.4 Submission 1.1, from Kaye and Antony Mills, seeks the plan change be approved subject to amendments. **Submission 1.2A** seeks a reduction in the EOP for the CAC Bulk Store. The EOP as notified includes the entire title of the property at 26 Normanby Road and the footpath immediately adjacent to the frontage of the CAC Bulk Store (refer below to Photo 1). The submitters are the landowners.



Photo 1: CAC Building extent of place (shown by purple cross hatch) as notified in PC31

13.5 This submission states that ‘it is inappropriate that the extent of place applies to the entire property’<sup>14</sup>. The following reasons are given:

<sup>13</sup> Note: Submission point 1.2 seeks relief in relation to two matters, the EOP and the exclusions for the CAC Bulk Store. This submission point has been split into two parts (1.2A and 1.2B) for clarity in the evaluation of the submission

<sup>14</sup> Submission paragraph 17, page 3



*While the Building has historic heritage significance, surrounding within the Property do not. The Building sits on an asphalted site. There are no historic heritage features on the Property apart from the Building itself. The area that contains the historic heritage values is the outer edge of the walls of the Building. There are no other features onsite that are “integral to the function, meaning, and relationships of the place” (Chapter D17.21 Background).*

13.6 The submission discusses the two related historic heritage places that provide additional context to the CAC Bulk Store, as recognised in the historic heritage evaluation. The first is the Colonial Ammunition Company Office (former) (**CAC Office**), on the opposite side of Normanby Road. The second is the Shot Tower, which is located to the rear, being to the west, of the CAC Bulk Store, separated by another property. Both of these places are scheduled in the AUP (ID2752 and ID1770 respectively) and are shown in the image below.



**Photo 2: CAC Bulk Store in context with Shot Tower and CAC Office**

13.7 The submitter considers that extending the EOP beyond the exterior wall of the CAC Bulk Store and over the rear of the property “does not give any special connection or establish context” between the CAC Bulk Store, the CAC Office, and the Shot Tower.

13.8 Ms Megan Walker, Specialist Historic Heritage, Auckland Council Heritage Unit, and I visited the site on 16 December 2019 at the request of the submitters, Kaye Mills and Anthony Mills and their representative Patrick Senior. Ms Walker prepared the historic heritage evaluation of the CAC Bulk Store.<sup>15</sup> The purpose of this meeting was to be given access to the rear of the building and to discuss the relief sought in the submission.

13.9 In regard to the EOP, Ms Walker’s evaluation<sup>16</sup> states:

<sup>15</sup> Historic Heritage Evaluation – CAC Bulk Store (former). July 2019. Auckland Council

<sup>16</sup> Historic Heritage Evaluation – CAC Bulk Store (former). July 2019. Auckland Council. Section 9.0, page 27.

*The extent in this case is limited to the CT of the building and the footpath directly in front of the structure. The area surrounding the Bulk Store was constricted by the connecting railway siding, Normanby Road, the planning mill and the adjacent land leased to the Kauri Timber Company.*

13.10 Ms Walker's view is as follows:

*I consider that the disputed EOP to the rear and southern side of the building should remain as notified as this area contains important features that contribute to the historic heritage values of the place. Such features include the form of the building and its bluestone walls which are integral to, and original to the building. The walls are an example of early twentieth century bluestone construction associated with this type of purpose-built building in the munitions industry. The southern walls can be seen from the public realm and the EOP on this side is essential to maintain the view from the street.*

13.11 Ms Walker further states:

*..that on the western (rear) side of the building, the EOP extends to the boundary. This area was originally used as a service entry to the building as can be seen in Figure 6 of the evaluation.<sup>17</sup> This very small area represents the space that was historically used as part of the function of the place and it is important to maintain this portion of the EOP to protect those historic heritage values.*

13.12 I acknowledge the submitters' view that extending the extent of place beyond the exterior wall of the CAC Bulk Store and over the rear of the property does not give any special connection or establish context between the store and the other historic heritage places (the CAC office and the Shot Tower). However, I note that the connection between the historic heritage places is not a reason that was used for determining the EOP for the CAC Bulk Store. I rely on the advice of Ms Walker that the extent of place as proposed in PC31 is the area that contains the historic heritage values of the place. I do not therefore support any amendment to the EOP for the CAC Bulk Store.

#### *Exclusions*

13.13 **Submission 1.2B** seeks additional exclusions. These are as follows:

- a) the seating area and stone wall to the south of the building as these are a later addition and do not have any special heritage value
- b) all wooden louvers/shutters attached to the exterior of the building as these are later additions
- c) the interior walls that have been buttressed by shotcrete where the basalt walls have been complete covered
- d) the western wall (rear wall) as it has been highly modified and is integral to the future adaptation of the building.

13.14 In regard to exclusions, Ms Walker continues to support the exclusions as notified in PC31 for the CAC Bulk Store that state "interior apart from the timber roof structure and sarking and the basalt walls". The historic heritage evaluation lists the timber roof structure and basalt (bluestone) walls as key features<sup>18</sup>. In response to the additional exclusion of some interior walls as requested in the submission and outlined in point c above, Ms Walker states:

<sup>17</sup> CAC Bulk Store (Former) Evaluation, p8

<sup>18</sup> Ibid. p.19

*The timber roof structure, sarking and basalt walls are (included within the protection of the place) as they represent the original structure of the building and are significant heritage fabric. The basalt walls form the vertical structure of the building and it is important that any alterations that may take place that affect them or the roof structure should be managed through the resource consent process.*

- 13.15 In addition to the interior features discussed above, PC31 identified the following features in the exclusions column of Schedule 14.1 for the CAC Bulk Store: exterior seating area hood; entry hood and glazed entry door; bamboo attachment to exterior front wall. Ms Walker has considered the additional exclusions sought in Submission 1.2B (and outlined in points a and b above) as follows:

*Section 10 of the methodology states that “Exclusions are features that do not contribute to, or may detract from, the values for which the historic heritage place has been scheduled.” With respect to the submitters request, I acknowledge that there are a number of features that have been added to the exterior, (other than those already described in Schedule 14.1 as notified) that do not contribute to the heritage values of the place. After considering a more effective way of addressing this and to provide a less piecemeal approach, I consider exclusions should be grouped as ‘additions and alterations to the exterior post 1986’. This date relates to the last known image of the CAC building before it was converted into a bar and eatery.*

- 13.16 Because the additions can be clearly linked to a certain time period (after 1986) Ms Walker considers that these first two exclusions proposed by the submitter and the exterior exclusions proposed in PC31 as notified for the CAC Bulk Store can be grouped into ‘additions and alterations to the exterior post 1986’. I support this proposed amendment and recommend it is made to Schedule 14.1.

- 13.17 I agree with Ms Walker. An amendment to the wording as notified will ensure that there is clarity that the more recent additions to the building do not contribute to the historic heritage values of the place.

- 13.18 In relation to the western wall (rear wall), being point d above, Ms Walker does not agree with the submitter that this be identified as an exclusion in Schedule 14.1 for the CAC Bulk Store. Ms Walker advises the following:

*The buildings’ basalt walls, including the rear wall, are original to the building and are integral to the structure of the building. The rear wall contributes to the considerable physical attributes and the overall historic heritage values of the place. I accept that there have been some alterations to the original building by this time, such as the rendered finish on the rear wall (which also appears on the front wall). It is not known when this was done, and it is possible that it was quite early in the building’s history. Other more recent modifications on the rear wall such as service units, lighting etc as mentioned in the submission, are considered as exclusions under ‘additions and alterations to the exterior post 1986’.*

#### Recommendation on submissions

- 13.19 I recommend, for the reasons above and the reasons in Section 11 of this report, that

- **submission 1.2A be rejected**
- **submission 1.1 and submission 12B be accepted in part.**

13.20 By recommending to accept in part the above submissions, there are amendments required to the exclusions identified in PC31 for the CAC Bulk Store. These amendments are set out in **Attachment 1**.

## 14 Submissions on Riverina (ID02840)

14.1 PC31 seeks to include Riverina at 46 Wilson Road, Warkworth in the Historic Heritage Overlay. The plan change, as notified, proposes to add the following information to Schedule 14 for this place:

- the place is identified as Category A;
- the primary feature is identified as 'Residence';
- the heritage values are A, B, C, D, E, F, G and H;
- the following exclusions are identified:
  - the bathrooms and the kitchen of the interior.

14.2 The EOP is show in the GIS viewer/planning maps.

### Submissions

14.3 The following table summarises submissions received on PC31 that are related to Riverina. There are no further submissions relating specifically to Riverina.

Sub. No.	Name of Submitter	Summary of the Relief Sought	Further Submissions	Planners Recommendation
2.1	Warkworth and District Museum Society Incorporated	Accept the plan change (specifically for Riverina)	-	Accept
9.3A <sup>19</sup>	Heritage New Zealand Pouhere Taonga	Seeks amendments to exclusions to include all the interior of Riverina	<b>Oppose:</b> Sue Parkinson and Graham Matthews (FS4) in relation to Glenholm	Accept
11.1	Anthony Simmons	Accept the plan change with amendments (specific to Riverina)	-	Accept in part
11.2	Anthony Simmons	Seeks amendments to the extent of place (Riverina)	-	Accept in part
11.3	Anthony Simmons	Agrees with exclusions of kitchen and both bathrooms (Riverina)	-	Reject

### Evaluation

#### **Submission 2.1 – Warkworth and District Museum Society Incorporated**

14.4 **Submission 2.1** from the Warkworth and District Museum Society Incorporated supports the plan change and seeks that it be accepted. The submitter considers that Riverina is of significant historical value to the people of Warkworth.

<sup>19</sup> Note: Submission point 9.3 seeks the same relief (inclusion of interiors) in relation to two historic heritage places – Riverina and Glenholm. This submission point has been split into two parts (9.3A and 9.3B) for clarity in the evaluation of the submission

### **Submission 9.3A - Heritage NZ Pouhere Taonga**

- 14.5 **Submission 9.3A**, from Heritage NZ, seeks an amendment to the exclusions to include all of the interior of Riverina including the kitchen and bathrooms.
- 14.6 Heritage NZ has statutory responsibilities under the Heritage New Zealand Pouhere Taonga Act 2014 for the identification, protection, preservation and conservation of New Zealand of New Zealand's historical and cultural heritage. Riverina is listed on the Heritage NZ Historic Places list as a Category 2 Historic Place (List Number 498).
- 14.7 Heritage NZ considers that it is inappropriate to exclude the kitchen and bathrooms of Riverina where the rationale to do so has not been sufficiently identified. The submission states that these exclusions are without appropriate justification and will otherwise impede consideration of the place as a whole, and prevent the potential for reversal of past unsympathetic modifications and the restoration and recovery of heritage values associated with these places.

- 14.8 With regard to Riverina, the Heritage NZ submission states:

*... the May 2019 Historic Heritage Evaluation recommends the interiors of the house be included in the scheduling of the place because of their high level of integrity, yet then recommends the kitchen and bathrooms be excluded from the scheduling of the interiors, with no supporting assessment or explanation as to why this should be the case. The evaluation details that the interior when viewed in June 2019 appeared very much intact, and that there have been no changes to the original fabric since the visit in 2012, with photographs taken at this previous time provided in the evaluation including one of the kitchen mantle, amongst other depicting key interior and exterior features of the building.*

- 14.9 Ms Walker prepared the historic heritage evaluation for Riverina<sup>20</sup>. The evaluation identified the kitchen and bathrooms in the Exclusions column of Schedule 14.1.
- 14.10 Following a site visit, and with an opportunity to have a closer look at the interior, Ms Walker undertook a further review of the interior exclusions identified for Riverina. Her comments are as follows:

*I acknowledge that while there have been changes to the kitchen and bathrooms, they are still original in form, portray the original internal layout of the house, and still display the original wall fabric. Moreover, I recognise that over time, it is reasonable to expect alterations within residences, particularly with regard to bathrooms and kitchens, to allow for more functional use and contemporary living. I am also mindful of the Methodology's guidance in regard to a piecemeal approach in the identification of exclusions, being: "Interiors of buildings and structures are considered to be an intrinsic part of the overall value of the place, recognising each place as an integral whole rather than a sum of separate parts."<sup>21</sup> On reviewing these exclusions am of the view that the rooms contribute to the historic heritage values of the place and should not be excluded.*

<sup>20</sup> Historic Heritage Evaluation - Riverina, prepared by Auckland Council Heritage Unit, May 2019. Revised July 2019.

<sup>21</sup> Methodology for Evaluating Historic Heritage Significance, Version 7.5, 13. This was updated in August 2019 (Version 2) and renamed "Methodology and guidance for evaluating Auckland's historic heritage".

14.11 I sent an email to Mr Simmons, on 24 October 2019, advising of the further submission period and of the submission from Heritage NZ. Mr Simmons is one of the executors of the Estate of Beverley Alison Simmons. The late Beverley Alison Simmons is the owner of Riverina. Mr Simmons did not lodge a further submission in response to Heritage NZ. He did send an email on 4 November 2019 which states:

*Tony Cook and myself, as Executors of the Beverley Simmons Estate, have carefully considered all submissions. We will not be making a further submission to challenge the bathrooms and kitchen inclusion as detailed in the Heritage New Zealand submission. We are comfortable for the full interior to be included in the scheduling.*

14.12 I rely on the advice of Ms Walker's in regard to her review of the exclusions. Based on this advice, I considered that the kitchen and bathrooms should be deleted from the identified exclusions for Riverina.

14.13 The inclusion of the kitchen and bathrooms in the scheduling of Riverina does not necessarily mean these rooms will be unable to be changed over time. The maintenance and repair of these rooms is a permitted activity under the provisions of the Historic Heritage Overlay and modification of the rooms could be undertaken via resource consent as a restricted discretionary activity. A resource consent process would assess the effects of any development against the historic heritage values of the place as a whole.

#### **Submissions 11.1, 11.2 and 11.3 - Anthony Simmons**

14.14 **Submission 11.1**, from Anthony Simmons, supports the scheduling of Riverina subject to amendments to the EOP. As stated above, Mr Simmons is one of the executors of the Estate of Beverley Alison Simmons. The late Beverley Alison Simmons is the owner of Riverina.

#### Extent of place

14.15 **Submission 11.2** seeks an amendment to the EOP for Riverina as follows:

*...the extent of place should be amended to extend to the edge of the adjoining roads (Wilson Road & Hepburn Creek Road).*

*Please note that the small farm building to the west of the house and the small machinery shed to the south side of the house are both outside the (this submission's proposed) amended extent.*

*The original three roomed building immediately behind the house (originally a laundry, dairy and workshop) either be excluded from the scheduling or, alternatively, included in the scheduling but with recognition that the building can be demolished (with the provision that door and window frames and all associated hardware is saved) due to its poor state of repair.*

14.16 The EOP as notified is shown below in Photo 3.



**Photo 3: Extent of Place for Riverina (as notified).**

- 14.17 Ms Walker prepared the historic heritage evaluation for Riverina and identified an EOP. The evaluation states:

*The identified extent of place is the area that is integral to the function, meaning and relationship of the place.*

*Riverina has maintained a relationship with its original site since it was built in 1901. Although some of the land has been subdivided, the house is still located on a substantial block providing it with an appearance of grandeur and reinforcing the intended display of prosperity of the 'house on the hill'. The elevation allows the house to be a conspicuous landmark in the vicinity enhancing its aesthetic values. It also allows extensive views from the house of the surrounding landscape and towards the Wilson Cement Works, the town, the river and out toward the sea, taking in Little Barrier.*

*There are a number of notable trees which date back to the time the house was constructed. These contribute to the aesthetic appeal of the house and its position.*

*The proposed extent of place seeks to encompass all of these values. The road reserve is also included in the extent of place to enable the management of any proposed development within the road reserve.*

- 14.18 Ms Walker and I visited Riverina on 11 October 2019 to discuss the relief sought by Mr Simmons in his submission to PC31. The discussion was limited to the EOP.
- 14.19 In response to the submission regarding the EOP to exclude the small farm building to the west of the house, and the small machinery building to the south side of the house, Ms Walker states the following:

*I am of the view that neither of these buildings contribute to the historic heritage values of Riverina. Both farm buildings are more recent structures. Therefore, I consider a marginal reduction in the EOP on the western side of the house as is shown in Appendix 2 to exclude the building is reasonable and does not compromise the reason for the extent of place being the meaning, function and relationship to the place. The EOP on the southern boundary already excludes the small machinery building as notified.*

14.20 I rely on the advice of Ms Walker in that an amendment of the EOP for Riverina to exclude the small farm building to the west is appropriate. I recommend that the EOP for Riverina is amended as shown in **Attachment 2** to this report.

### Exclusions

14.21 In response to the submission regarding the original three roomed service building at the rear of the main house, Ms Walker states the following:

*I am of the view that this building should not be excluded. It is contemporary to the house and provided a laundry, dairy and workshop to the Wilson family. It also has significance for being built of the same fabric as the house. I recognise that the place is in a dilapidated condition. However, the building has not been identified as a primary feature. The methodology indicates that primary features are identified as the key components or principal elements of the identified values of the place. If a feature forms a notable part of the historic heritage place and contributes to the historical context and understanding of the place but is not the fundamental basis for scheduling the place, it should not be identified as 'primary'. This is the case of the service building which provided the early functional requirements of the place.*

14.22 The demolition of a feature within a Category A place that is not the primary feature, such as the service building, could be sought through a resource consent as a non-complying activity. I rely on the views of Ms Walker in relation to the values of the building and consider it appropriate that it is included in the scheduling of Riverina and that its demolition, if sought, would be managed through a resource consent process.

14.23 **Submission 11.3** agrees that the interior of the house be scheduled with the kitchen and both bathrooms identified as an exclusion, as notified in PC31. Based on the advice of Ms Walker, I consider these exclusions be deleted. This matter has been discussed above, in relation to Heritage NZ's submission 9.3A.

### Recommendation on submissions

14.24 I recommend, for the reasons above, that:

- submissions **2.1** and **9.3A** be **accepted**
- submissions **11.1** and **11.2** be **accepted in part**
- submission **11.3** be **rejected**.

14.25 By recommending to accept and accept in part the above submissions, there are amendments required to the EOP and exclusions identified in PC31 for Riverina. These amendments are set out in **Attachments 1** and **2**.



## 15 Submissions on the Remuera Post Office (former) (ID02838)

15.1 PC31 seeks to include the Remuera Post Office (former) at 358-364 Remuera Road, Remuera in the Historic Heritage Overlay. The plan change, as notified, proposes to add the following information to Schedule 14 for this place:

- the place is identified as Category B;
- the primary feature is identified as 'Post Office Building (1914)';
- the heritage values are A, F, and H;
- the following exclusions are identified:
  - interior of building(s)
  - 1990s partially enclosed ground floor verandah.

15.2 The EOP is shown in the GIS viewer/planning maps.

### Submissions

15.3 The following table summarises submissions received on PC31 that are related to the Remuera Post Office (former).

Sub. No.	Name of Submitter	Summary of the Relief Sought	Further Submissions	Planners Recommendation
6.4	Auckland Transport	Reduce the extent of place by removing the proposed overlay from the road reserve from the Remuera Post Office (former) at 358-364 Remuera Road, Remuera.	-	Accept in part
7.1	Aotearoa New Zealand Investments Limited	Withdraw Plan Change 31	<b>Support:</b> The Theosophical Society in New Zealand (FS1)	Reject
7.2	Aotearoa New Zealand Investments Limited	Amend to include the additional exclusion of the ground floor exterior walls on the northern and western elevation.	-	Reject
10.4	Remuera Heritage Incorporated	Seeks amendments to the former Remuera Post Office to add values b) and g)	<b>Oppose:</b> Aotearoa New Zealand Investments Limited (FS5)	Accept in part

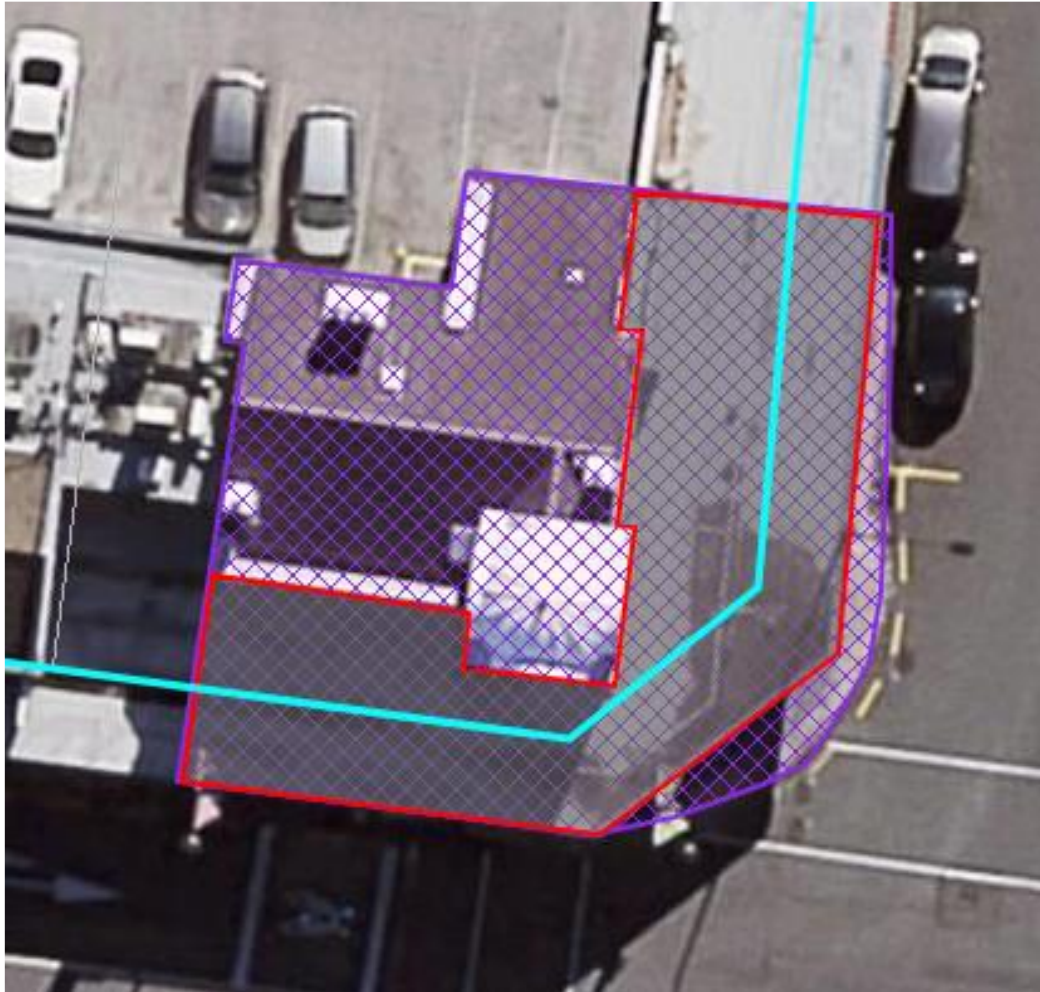
### **Submission 6.4 – Auckland Transport**

15.4 **Submission 6.4** from AT requests that PC31 be amended to exclude the road from the Historic Heritage Overlay for the Remuera Post Office (former).

15.5 AT considers that the inclusion of the road reserve is not relevant to the heritage values of the place. It may also inhibit AT from fulfilling its statutory responsibilities at this arterial road intersection. AT supports the exclusion of the 1990s partially enclosed ground floor verandah.

Discussion of the reasons for including road reserve within the EOP can be found in Section 11 of this report.

15.6 The EOP as notified in PC31 is shown below in Photo 4.



**Photo 4: Remuera Post Office (former) extent of place (purple hatch) and exclusions (red outline). The blue line denotes the parcel boundary.**

15.7 Ms Carolyn O’Neil prepared the historic heritage evaluation for the Remuera Post Office (former)<sup>22</sup>. Section 9 of the evaluation states the following in regard to the EOP:

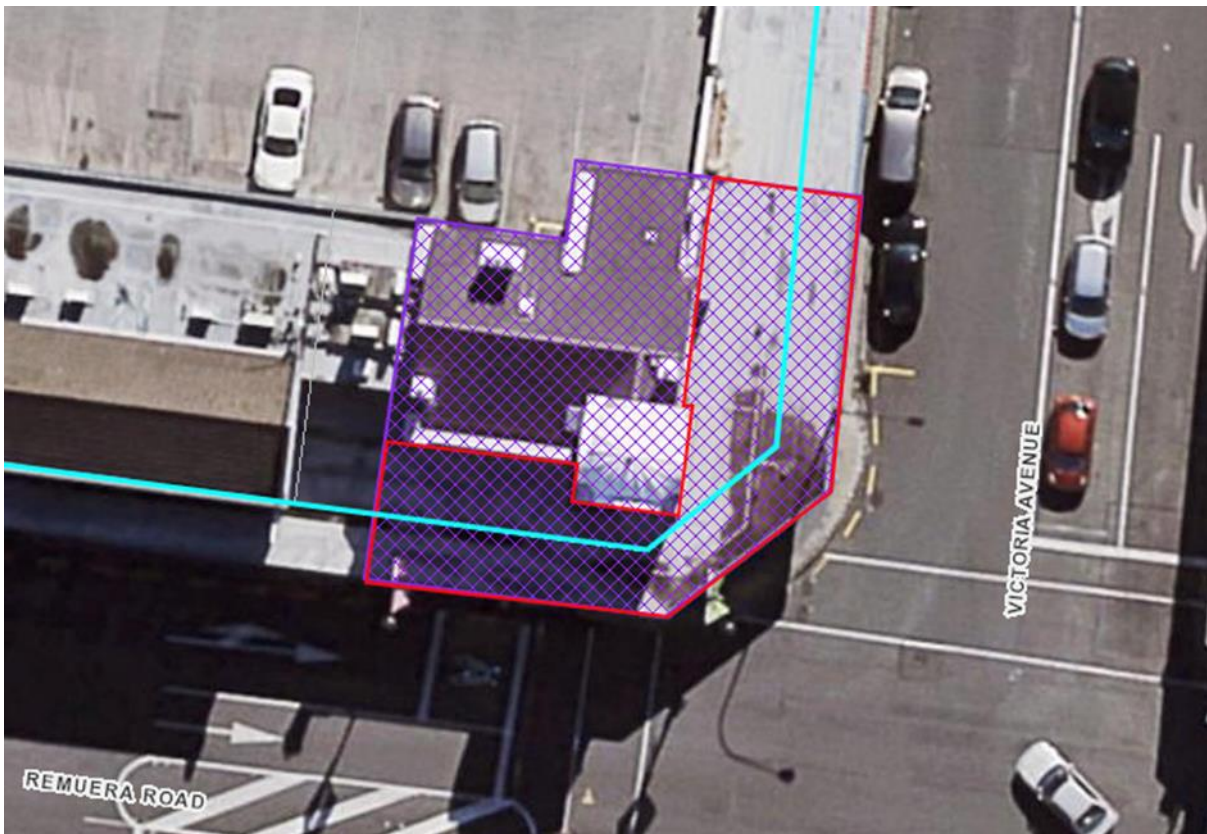
*The relationship of the former Remuera Post Office and its site changed following the acquisition of neighbouring properties and the extensive development of the site on the corner of Remuera Road and Victoria Avenue in the early 1990s. The proposed extent of place therefore captures the post office structure only. In accordance with the Methodology, the proposed extent of place also incorporates sections of the footpath adjacent to the former post office’s south (Remuera Road) and east (Victoria Avenue) elevations. This will provide the building (situated close to the parcel boundary) with some breathing space and ensure that views of the place are not unnecessarily obstructed.*

15.8 In regard to submission 6.4, Ms O’Neil has provided the following further comments:

<sup>22</sup> Historic Heritage Evaluation - Remuera Post Office (former). Prepared by the Heritage Studio Limited on behalf of Auckland Council Heritage Unit, June 2018.

... having given this matter further consideration, I acknowledge that the feature of the place (verandah) that extends beyond the Certificate of Title boundary and into the footpath is a modern element that has been identified as an exclusion. There are no values associated with the footpath per se and views to those aspects of the building that contribute to its significance will, in my view, continue to be managed by an EOP that excludes the portion of the footpath beyond the modern enclosed verandah.

- 15.9 I rely on the advice of Ms O’Neil. In this case, I agree that is appropriate to amend the EOP to exclude the portion of the footpath beyond the modern enclosed verandah. I recommend an amendment to the EOP as shown below and in **Attachment 2** of this report.



**Photo 5: Proposed extent of place (purple hatch) of the former Remuera Post Office and exclusions (red outline). The blue line denotes the parcel boundary. The extent of place has been modified to exclude a portion of the adjacent footpath not covered by the verandah.**

#### **Submission 7.1 and 7.2 – Aotearoa New Zealand Investments Limited**

- 15.10 **Submission 7.1** from Aotearoa New Zealand Investments Limited seeks that PC31 is withdrawn. Aotearoa New Zealand Investments Limited is the owner of the former Remuera Post Office. In the event of submission 71.1 not being accepted, **submission 7.2** seeks alternative relief, being either:

- *that the plan included in Attachment C of the submission be incorporated into Schedule 14.3 of the Unitary Plan and that the exclusions in Schedule 14.1 be amended to read (relief sought shown in underline): Interior of building(s); 1990s partially enclosed ground floor verandah; ground floor walls identified in Schedule 14.3, or*
- *the amendment of the Exclusions column in Schedule 14.1 for the Remuera Post Office as follows (relief sought shown in underline): Interior of building(s);*

*1990s partially enclosed ground floor verandah; ground floor original exterior walls on the northern and western elevation.*

- 15.11 Meetings with the submitter's representatives occurred on 22 August 2019 and 1 November 2019. Ms Walker, Ms O'Neil and I were present, as were the submitter's representatives, Mr Alex Van Son, from Planning Focus, and Mr Lloyd Macomber from Salmond Reed Architects Limited. The reason for the meetings was to discuss the relief sought in the submission, particularly in regard to the exclusions.
- 15.12 Ms Walker, Ms O'Neil and Mr Ian Grant (for Auckland Council) also went on site on 3 September 2019 with the submitter's representatives, Mr Peter Lim, from Barfoot and Thompson and Mr Macomber, to view the interior of the building.
- 15.13 There was also discussion about reasonable use and development of the building in the future. The Historic Heritage Overlay and the provisions of D17 require additional management of the historic heritage values over and above that required from the underlying zoning, depending on what any future works would entail. This is a theme across several other submissions and has been addressed both in the Section 32 evaluation report and Section 11 of this report.

#### *Exclusions*

- 15.14 I agree with the statement in this submission that the wording of the exclusion of the 'interior of the building' should be read in the context of the original 1914 envelope of the building.<sup>23</sup> Part of the original 1914 building, the ground floor northern and western walls, now form part of the interior of the existing structure which was modified in early 1990s.
- 15.15 There was agreement during the discussions with the submitter's representatives and myself, Ms Walker and Ms O'Neil that Schedule 14.1 should be amended to make it clearer what part of the place is identified as an exclusion. This is discussed below in paragraph 15.17 of this report.
- 15.16 I acknowledge that there was consideration of alternatives as part of the normal process to try and resolve the submission before proceeding to a hearing. This included considering whether the relief sought to amend the exclusions, as discussed at the meetings, could be limited to parts of the northern and western walls.
- 15.17 After further consideration of the submitter's relief sought relating to exclusions, Ms O'Neil's opinion is unchanged from her original evaluation of this place. Ms O'Neil has provided the following comments:

*The interior of the former Remuera Post Office was identified as an exclusion in the historic heritage evaluation because very little (if any) of the original ground floor layout and internal fabric remains. As the evaluation relates solely to the former post office (and not the entire structure that now occupies 358-364 Remuera Road), the 'interior of the building(s)' referred to was that of the original 1914 building, and as such was never intended to include its original northern and western external (albeit now internalised) ground floor walls.*

*The identification of exclusions in the evaluation of the historic heritage place was guided by the aforementioned Methodology and Chapter D17 of the AUP (OIP). The latter defines exclusions as features that "do not contribute to, or may detract from the values for which the historic heritage place has been scheduled."<sup>24</sup> Furthermore, the Methodology sets out that a piecemeal approach to the identification of exclusions*

<sup>23</sup> Submission paragraph 6.

<sup>24</sup> Chapter D17. Historic Heritage Overlay, 2.

*does not ordinarily align with the foundation principle of “recognising each [historic heritage] place as an integral whole rather than a sum of separate parts.”<sup>25</sup> This also supports good conservation practice.*

*In my view, the original northern, eastern and western ground floor walls do not align with the definition of exclusions. Although modified, the walls form an integral part of the former Remuera Post Office structure and contribute to its period of significance (1914). As such, they are not considered to be features that detract from the values of the place. Moreover, the identification of small sections of the walls as exclusions (as proposed in Attachment C of the submission), becomes even harder to justify from a values-based perspective.*

*It is understood that the submitter seeks the exclusion of (parts of) the northern, eastern and western walls of the building to provide a degree of certainty and flexibility for the continued use and adaptation of the place. In my view, this requirement is less to do with the identified values of the historic heritage place and more about providing flexibility to accommodate future change, which, in my view, goes beyond my scope of identifying historic heritage significance. As such, my opinion of the extent of the exclusions remains unchanged.*

*To avoid confusion over what is considered to be the ‘interior’ of the building, alternative wording for the ‘exclusion’ description has been given consideration and the following option is suggested:*

*Interior of building(s) except the original (1914) northern and western external walls; 1990s partially enclosed ground floor verandah.*

- 15.18 I consider that it is appropriate that any future development is subject to the provisions of Historic Heritage Overlay of the AUP. The resource consent process requires consideration of the effects of a proposed development in relation to the significance of the historic heritage values. For example, depending on what development is proposed, the removal of parts of the northern or western wall, may be assessed as part of a resource consent as not detracting from the original features of the building or affecting the historic heritage values. Or the effects may be considered too great and an alternative would need to be sought. This will ensure the appropriate use and development of the building. Advice can be sought from the Heritage Unit by landowners of scheduled buildings in regard to proposed developments prior to a resource consent being lodged.
- 15.19 It should be noted that prior to the notification of PC31, the landowner applied for a certificate of compliance for demolition.<sup>26</sup> Section 139 of the RMA direct Council must issue a certificate if the activity could be done lawfully without a resource consent. Demolition is a permitted activity under the Business – Town Centre Zone. The certificate was granted on 11 September 2019. The certificate is valid for five years from the date of issue.<sup>27</sup>
- 15.20 A recent Council decision on Plan Change 7 considered the effect of a certificate of compliance for demolition and whether a place with a valid certificate should continue to be added to the Historic Heritage Overlay. The decision states:

*We are not persuaded that factors such as demolition consents should make any material difference to listing or not. We were presented with a number of examples where demolition consents have been issued but not actioned.*

<sup>25</sup> Methodology for Evaluating Historic Heritage Significance, Version 7.5, 13. This was updated in August 2019 (Version 2) and renamed ‘Methodology and guidance for evaluating Auckland’s historic heritage’.

<sup>26</sup> The application was lodged on 12 August 2019, while PC31 was notified on 29 August 2019.

<sup>27</sup> Section 125 RMA

15.21 As far as I am aware, the owners have not given effect to the certificate of compliance for demolition. In any case, I do not consider the fact there is a certificate of compliance for demolition is a reason to refrain from scheduling the Remuera Post Office (former). The certificate may not ever be given effect to and, if this is the case, the historic heritage values of the place would be retained.

#### **Submission 10.4 – Remuera Heritage**

15.22 Overall, Remuera Heritage supports PC31 with amendments. **Submission 10.4** seeks that the additional identified heritage values of B) Social and G) Aesthetic are added to Schedule 14.1 for the Remuera Post Office (former). The submitter's reasoning for adding value b) is that the landmark has continuing social value, as a highly visible publicly accessible space, including its use over the last century as a post office and then a succession of banks.

15.23 The submitter's reasoning for adding value G) is that the high visual and landmark qualities of the structure gives it considerable aesthetic values. This value is notwithstanding the modifications to the ground floor level elevations, which are reversible and with potential for new treatments.

15.24 Ms O'Neil's comments relating to submission 10.4 are:

*... I think it is important to note that just because a value may not be included in "Heritage Values" column in Schedule 14.1, it does not necessarily mean that value does not exist.*

*As an intangible value that relies on the understanding of how a particular community or cultural group 'feels' about a place, the allocation of considerable social (b) value can be difficult to justify unless the place's strong association with, or esteem in which it is held by, such a group can be ascertained.*

*In the case of the former Remuera Post Office, its social (b) value was identified as moderate because, based on the information available at the time, it was considered an important place of public interaction and community focus for over 100 years. It was also identified as a historic marker within the town centre that the local community identifies, with two local community groups utilising the building's clock tower as their logo. The fact that Remuera Heritage has submitted on this point further reinforces the social value of the place to such community groups. As such, I am satisfied that the social (b) value of the former Remuera Post Office can be justifiably elevated from moderate to considerable and therefore feature in the 'Heritage Values' column in Schedule 14.1.*

*In terms of the aesthetic (g) value of the former Remuera Post Office, this was also identified as moderate in the historic heritage evaluation. I acknowledge the points raised in the submission and agree that the place exhibits visual and aesthetic appeal. However, in my view, these qualities have been compromised to a degree by the extensive development that has occurred around the building resulting in it no longer being a standalone structure. As such, I do not consider that the place warrants greater than moderate aesthetic (g) value.*

15.25 I rely on the advice of Ms O'Neil that the social value (B) of this place can be elevated from moderate to considerable. An amendment to Schedule 14.1 to include B in the Heritage Values column is recommended for the reasons given above (refer to **Attachment 1**). I also

rely on the advice of Ms O’Neil that this place does not have adequate aesthetic value for G to be identified in Schedule 14.1.

### Recommendations on submissions

15.26 I recommend, for the reasons above, that:

- submissions **6.4** and **10.4** be **accepted in part**
- submission **7.1** and **7.2** be **rejected**.

15.27 By recommending to accept in part the above submissions, there are amendments required to the EOP and heritage values identified in PC31 for the Remuera Post Office (former). These amendments are set out in **Attachments 1 and 2**.

## **16 Submissions on Remuera Primary School War Memorial Gate (ID02837)**

16.1 PC 31 seeks to include the Remuera Primary School War Memorial Gates at 25-33 Dromorne Road, Remuera in the Historic Heritage Overlay. The plan change as notified, proposes to add the following information to Schedule 14 for this place:

- the place is identified as Category B;
- the primary feature is identified as “War Memorial Gates”
- the heritage values are A, B, F, G and H;
- no exclusions are identified.

16.2 The EOP is shown in the GIS viewer/planning maps.

### Submissions

16.3 The following table summarises submissions received on PC31 that are related to the Remuera Primary School War Memorial Gates. There are no further submissions.

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought</b>	<b>Further Submissions</b>	<b>Planners Recommendation</b>
6.3	Auckland Transport	Reduce the extent of place by removing the proposed overlay from the road reserve from the Remuera Primary School War Memorial Gates at 25-33 Dromorne Road, Remuera.	-	Reject
10.3	Remuera Heritage Incorporated	Accept proposed plan change for Remuera Primary School War Memorial Gates	-	Accept

### Evaluation

#### **Submission 6.3 – Auckland Transport**

16.4 **Submission 6.3** from AT seeks that the EOP is reduced by removing the proposed overlay from the road reserve in front of the Remuera War Memorial Gates. As outlined earlier in this report, AT does not support the inclusion of the road as part of the Historic Heritage Overlay, as it considers that it has the potential to increase costs, delays and uncertainties for AT’s

day to day activities. AT considers that the road reserve is not relevant to the historic heritage values of the place. AT's submission states the following:

*The heritage item is set well back from the road within the footpath and it is not necessary to identify the extent of place over the entirety of the adjacent footpath, pedestrian crossing entrance and related streetlight or bus stop signage.*

16.5 Further discussion on the AT submission and on the reasoning behind road reserve being included for some historic heritage places can be found in Section 11.

16.6 The EOP as notified is shown below in Photo 6.



**Photo 6: Aerial view of the Remuera Primary School War Memorial gates (the extent of place is shown in purple hatch).**

16.7 Ms Carolyn O'Neil prepared the historic heritage evaluation for the Remuera Primary School War Memorial Gates. Section 9 of the s evaluation<sup>28</sup> states the following in regard to the EOP:

*The proposed extent of place captures the War Memorial Gates (including pillars, walls, gates, metal arch and commemorative plaques) and a portion of the footpath in front of the structure. Standing close to the property boundary edge and orientated to the north, the structure makes its greatest visual contribution to the Dromorne Road streetscape. The incorporation of a section of footpath is therefore intended to safeguard views to the structure from along the street, thereby ensuring that its values can be understood and appreciated.*

<sup>28</sup> Historic Heritage Evaluation – Remuera Primary School War Memorial Gates. Prepared by The Heritage Studio Limited on behalf of Auckland Council Heritage Unit. May 2018.



16.8 Ms O'Neil has provided the following response in regard to AT's submission:

*The proposed EOP of the War Memorial Gates captures a portion of the footpath in front of the structure. Standing close to the property boundary edge and orientated to the north, the structure makes its greatest visual contribution to the Dromorne Road streetscape. Whilst the footpath per se does not have heritage value, it does, by its very nature, have an important functional and historical relationship with the gates, leading individuals from Dromorne Road through the gates into the school for over 100 years. In my view, the incorporation of the footpath contributes to the understanding and appreciation of the War Memorial Gates' heritage values whilst safeguarding views to the structure from along the street.*

16.9 I rely on the advice of Ms O'Neil. I consider it appropriate for the road reserve to remain within the EOP for this historic heritage place in PC31. This area is part of the area that contains the historic heritage values of the place, or is part of the area that is relevant to the understanding of the function, meaning and relationships of those historic heritage values.

### **Submission 10.3 – Remuera Heritage**

16.10 **Submission 10.3** from Remuera Heritage supports the addition of the Remuera Primary School War Memorial Gates to Schedule 14.1. Submission 10.3 states that the recognition of the historic heritage significance and values of the well-known memorial gates is appropriate.

### Recommendation on submissions

16.11 I recommend, for the reasons above, that:

- submission **6.3** be **rejected**
- submission **10.3** be **accepted**

16.12 There are no amendments associated with the recommendations on these submissions.

## **17 Submissions on Glenholm (ID02836)**

17.1 PC 31 seeks to include Glenholm at 37 Portland Road, Remuera in Schedule 14. The plan change, as notified, proposes to add the following information to Schedule 14 for this place:

- the place is identified as Category B;
- the primary feature is identified as 'Principal residence (Glenholm);
- the heritage values are A, F and G;
- the following exclusions are identified;
  - garage
  - pool
  - the interior of the residence.

17.2 The EOP is shown in the GIS viewer/planning maps.

## Submissions

17.3 The following table summarises submissions received on PC31 that are related to Glenholm. There is one further submission (FS4) from the landowners of Glenholm.

Sub. No.	Name of Submitter	Summary of the Relief Sought	Further Submissions	Planners Recommendation
9.3B <sup>29</sup>	Heritage New Zealand Pouhere Taonga	Seeks amendments to exclusions to include all the interior of the main dwelling of Glenholm	<b>Oppose:</b> Sue Parkinson and Graham Matthews (FS4)	Reject
10.2	Remuera Heritage Incorporated	Accept proposed plan change for Glenholm	<b>Oppose:</b> Sue Parkinson and Graham Matthews (FS4)	Accept in part

## Evaluation

17.4 **Submission 9.3B** from Heritage NZ considers that it is inappropriate to exclude the interior of the main Glenholm residence, where the rationale to do so has not been sufficiently identified. They also consider that these exclusions, without appropriate justification, will impede the consideration of the place as a whole. This will prevent the potential for reversal of past unsympathetic modifications and the restoration and recovery of heritage values associated with Glenholm.

17.5 The submission states:

*... while it is proposed to exclude the interior of the principal residence, the June 2018 Historic Heritage Evaluation nonetheless notes that it is possible that portions of the building's original layout, fabric and features remain, and that the house has been subject to a 'restoration' to convert the building from flats back to a single residence, particularly on the ground floor, that is not too dissimilar to its original arrangement.*

17.6 Ms Carolyn O'Neil prepared the historic heritage evaluation for Glenholm<sup>30</sup>. In response to the submission from Heritage NZ, she has provided the following comments:

*The identification of the interior of Glenholm as an exclusion was guided by the aforementioned Methodology. Although considering the place as an integral whole is encouraged, the Methodology states "the inclusion of an interior may not always be possible because the interior has not been viewed, no recent photographic information has been able to be sourced, or the interior is modified to such an extent that its contribution to the identified values of the place has been lost."*

*In principle, I agree that the interior forms an intrinsic part of a historic heritage place, and as such would not ordinarily be identified as an exclusion. That said, records available at the time of the evaluation indicated that the interior of Glenholm had undergone change, particularly during its conversion into flats and back to a single residence. It is possible that aspects of its layout, original fabric and features remain, but without access inside the building, which was not made at the time of the evaluation and has not been possible since, this cannot be verified.*

<sup>29</sup> Note: Submission point 9.3 seeks the same relief (inclusion of interiors) in relation to two historic heritage places – Riverina and Glenholm. This submission point has been split into two parts (9.3A and 9.3B) for clarity in the evaluation of the submission

<sup>30</sup> Historic Heritage Evaluation – Glenholm. Prepared by The Heritage Studio on behalf of Auckland Council Heritage Unit. June 2018.

- 17.7 I rely on the advice on Ms O'Neil and consider that as the interior of Glenholm has not been viewed, its values cannot be verified.
- 17.8 **Submission 10.2** from Remuera Heritage supports the addition of Glenholm to Schedule 14.
- 17.9 **Further submission 4 (FS4)** has been received from Sue Parkinson and Graham Matthews, the landowners of Glenholm. This further submission is in opposition to both of the primary submissions and is discussed in detail in the following section.

***Further submission 4 – Sue Parkinson and Graham Matthews***

- 17.10 A further submission (**FS4**) has been received from the landowners of Glenholm. I consider that it is appropriate to address this further submission separately because the landowners are directly affected by PC31.
- 17.11 After the close of submissions, noting that they had not lodged a primary submission, I sent an email on 26 October 2019, followed up by a further email on 31 October 2019 to the owners of Glenholm. This was to advise them that Heritage NZ had lodged a primary submission which sought the interior of the property be included contrary to its current exclusion in PC 31 at notification.
- 17.12 The email also advised that they could become involved in PC31 by lodging a further submission. Information about how to do this and links to the Council webpages for PC 31 was also provided. A request to view the interior was also sought by Ms Carolyn O'Neil, Auckland Council's heritage expert, so that she could form an opinion on the submission from Heritage NZ.
- 17.13 FS4 opposes in part both Heritage NZ's and Remuera Heritage's submissions on points that relate to the property. In addition, the further submitter is seeking the following relief:
- (a) That those parts of HNZ's and RHI's submissions relating to the property be disallowed, such that the property is excluded from PC31;*
  - (b) In the alternative (and only in the event in (a) is declined), should the exterior of the property be scheduled in accordance with PC31, this scheduling should exclude the interior pool, and garage as currently proposed, as well as the roof, verandahs, conservatory, utility rooms (laundry and pantry/larder), link passageway, first floor terrace and other decks; and*
  - (c) Such further, other, or consequential relief as may be necessary to fully give effect to the submission and/or relief sought in this submission be granted.*

17.14 As discussed in Sections 7.6 and 8 above, I have considered and agreed that the further submission is in scope of the plan change and the RMA.

17.15 I consider that additional comments are required on the content of the further submission in regard to notification, consultation process and the historic heritage evaluation and the additional exclusions sought by the further submitter.

*Consultation process and notification*

17.16 As earlier discussed, consultation was undertaken with the landowners of properties affected by the proposed plan change prior to the statutory notification requirement of the RMA.

17.17 A letter, dated 17 May 2019, with a summary of the historic heritage evaluations, was sent out to landowners. This letter advised landowners that their properties had been evaluated for their historic heritage value and that they had been found to be eligible for their inclusion

in Schedule 14 of the AUP. The letter also provided information on how the landowner could contact Council staff. This included meeting on site to discuss both the proposed plan change and any inaccuracies or additional information that the landowner could provide on their property. A full copy of the historic heritage evaluations was available and, in the case of Glenholm, this was forwarded to the owners at their request.

- 17.18 The owners of Glenholm responded to the letter and Ms Walker and I met Sue Parkinson and Graham Matthews on site on 6 June 2019. The owners requested a minor change to a discrepancy in the labelling of a photo, and there was discussion about the proposed plan change, the intended identification of the interiors, the garage, and the pool as exclusions in Schedule 14.1. There was also discussion on the modifications of the interior, the roof and the verandahs. The purpose of the visit was not to assess the interior. No changes were made to the evaluation as a result of this discussion.
- 17.19 A letter, dated 26 August 2019, was sent out to landowners and affected parties. This letter advised that public notification of the plan change would occur on 29 August 2019, and invited owners and affected parties to make submissions.
- 17.20 As discussed, Ms O'Neil contacted the landowners of Glenholm, on 25 October 2019, to request a meeting on site to view the interior. The purpose of this was to assist in forming a position on the submission received from Heritage NZ. As at 19 February 2020, Council has not been able to access to the interior. Again, on this basis there is insufficient evidence to inform a change in position on Heritage NZ's submission which requests the inclusion of the interiors.

*Historic heritage evaluation and request for additional exclusions*

- 17.21 The further submitter considers that 'council's proposal to schedule the property is based on an incomplete (and accordingly incorrect) analysis', and that the historic heritage evaluation lacks rigour and that many of the assertions in the report are speculative and/or based on incomplete or incorrect information.
- 17.22 Council's Heritage Unit's approach to historic heritage evaluations is guided by the provisions of the AUP along with the Methodology. The purpose of the Methodology is to ensure that there is consistency in the way places are evaluated and assessed against the criteria in the AUP. The evaluation process involves the following steps:
1. undertake historical research on the place and comparable places, the historical and physical context, and physical form/type/style
  2. visit the site to assist with understanding the place
  3. prepare a comparative analysis which examines how a place compares with other similar or related places
  4. evaluate the place against the significance criteria
  5. recommend whether the place meets the overall threshold for scheduling
  6. if the place is considered to meet the threshold for scheduling, define the extent of place recommended for scheduling, the primary feature(s) and any exclusions, based on the heritage values of the place identified in the evaluation (Policies B5.2.2(2) and (5)), and
  7. obtain a peer review of the evaluation and incorporate any amendments.
- 17.23 These steps are interrelated and iterative. Sometimes new information or analysis in later steps will take an evaluator back to an earlier step for revisions.

- 17.24 Historic heritage evaluations are often prepared without consultation with landowners, though amendments may be made after notification where a landowner provides additional information. With the approach taken to consult with landowners prior to notification of PC31, there was the opportunity for the landowner to provide any additional information or to advise if there were any inaccuracies within the evaluation. Following discussions with the landowner of Glenholm on 6 June 2019, a discrepancy in the labelling of a photo was corrected.
- 17.25 Unless permission has been given from the landowner, site visits to a historic heritage places that are not in the public realm are undertaken from the roadside or other public places. As stated above, the evaluator has not been given access to the interior of Glenholm but did view the place from the public realm in May 2018. For this reason, along with research undertaken which showed that there had been modifications, the interior of the residence, the garage and pool were listed as exclusions for Glenholm within PC31.
- 17.26 The further submitter has requested, if the scheduling proceeds, the following additional exclusions be identified; the interior, pool and garage as currently proposed, as well as the roof, verandahs, conservatory, utility rooms (laundry and pantry/larder), link passageway, first floor terrace and other decks.
- 17.27 Ms O’Neil has provided the following response:

*The further submission outlines that Glenholm has undergone changes beyond those identified in the historic heritage evaluation, particularly in relation to the repairs undertaken following a fire at the property in 2004. Beyond the statements made in the submission, however, no further evidence (including photographs) has been provided to demonstrate the full extent of these changes. Furthermore, without access to examine the points raised in the submission and the matters in dispute (including those identified in the Heritage New Zealand submission above), it is difficult to make an informed decision about whether the information alters the historic heritage values currently identified. I have nevertheless considered the key points raised in the submission and respond accordingly.*

*It is acknowledged that changes to a historic heritage place can compromise its historic heritage values, particularly the more tangible values such as physical attributes (f) and context (h). However, I consider it important to have regard to the extent to which such changes have affected that value – for example, has it been severely degraded, become illegible or lost completely? I agree that authenticity and integrity are key matters of consideration, but am of the opinion that these need to be considered in the context of the building in question.*

*As a dwelling dating from the 1860s, which are becoming increasingly uncommon in Auckland, I do not consider it unreasonable to expect that some degree of physical change has occurred to accommodate Glenholm’s ongoing functional use over the past 150 years. In fact, the ICOMOS New Zealand Charter notes that “conservation recognises the evidence of time and the contributions of all periods.”<sup>31</sup> It is accepted that the loss of significant historic fabric can compromise the integrity of a place’s materials, form and design, however, in the case of Glenholm, areas of reconstruction seem to have occurred with respect for surviving evidence and knowledge, such that the 1860s building is still recognisable.*

*The legibility of the place is also important when considering its intangible historical (a) values and how these are expressed. I maintain that the place has significance as*

<sup>31</sup> ICOMOS New Zealand Charter, [https://icomos.org.nz/wp-content/uploads/2016/08/NZ\\_Charter.pdf](https://icomos.org.nz/wp-content/uploads/2016/08/NZ_Charter.pdf)

*one of only a small number of extant colonial residences closely linked to the establishment of Remuera as a desirable and prosperous Auckland suburb and for its association with the Clark/Stevenson family.*

*I have also considered the appropriateness of the exclusions sought beyond those identified in the historic heritage evaluation. These comprise the roof, verandahs, conservatory, utility rooms (laundry and pantry/larder), link passageway, first floor terrace and other decks.*

*In principle (and as noted above), a historic heritage place should be considered as an intrinsic whole rather than a sum of separate parts. That said, the identification of exclusions in the historic heritage evaluation were considered appropriate in this case. These include the modern, detached structures that include the storey-and-a-half garage, the pool structure and associated enclosure, and the interior (discussed under the Heritage New Zealand submission). Based on the information available at the time, these external structures were not considered to contribute to the values that make this historic heritage place significant. I accept that this is also true of the modern conservatory and can support the identification of this feature as a further exclusion.*

*In terms of the other features identified in the submission, I acknowledge that the roof and the verandah have been repaired and/or rebuilt, however, they have been done so in a sympathetic manner that closely reflects the building's original construction. In contrast, evidence suggests that the single-storey structure that comprises the utility rooms (laundry and pantry/larder), link passageway and first floor terrace, may have existed in this location since at least 1900 and is visible on a c.1920 plan. In light of this, I remain unconvinced that there is the justification to support the identification of these features as exclusions.*

17.28 I rely on the advice of Ms O'Neil to include the conservatory as an exclusion. I recommend an amendment to the "Exclusions" column to include 'conservatory' (refer to **Attachment 1**).

#### Recommendation on submissions

17.29 I recommend, for the reasons above, that:

- submission **9.3B** be **rejected**
- submission **10.2** be **accepted in part**.

17.30 By recommending to accept in part the above submission, there are amendments required to the exclusions identified in PC31 for Glenholm. These amendments are set out in **Attachment 1**.

## **18 Submissions on the Upland Village Historic Heritage Area (ID02841)**

18.1 PC31 seeks to include the Upland Village Historic Heritage Area (Upland Village HHA) in the Historic Heritage Overlay of the AUP and to amend Schedule 14.2. The plan change as notified, proposes to add the following information to Schedule 14.1 for the HHA;

- the verified location is shown in the GIS viewer/planning maps, and includes parts of Remuera Road, Upland Road and Minto Road, Remuera.
- the known heritage values are A, F and H
- the following features are identified as exclusions:

- interiors of all buildings contained within the EOP unless otherwise identified in another scheduled historic heritage place
- fences and boundary walls on contributing sites built after 1938, and
- stand-alone accessory buildings or garages on contributing sites built after 1938.
- the contributing sites and features and non-contributing sites and features are identified in Schedule 14.2.XX.

18.2 Schedule 14.2 contains the Statement of Significance for the Upland Village HHA (Schedule 14.2.XX) and a map showing the EOP of the HHA (Map 14.2.XX)<sup>32</sup>.

### Submissions

18.3 The following table summarises submissions received on PC31 related to the Upland Village Historic Heritage Area.

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
3.1	Guardian Retail 551 Limited	Accept the plan change with amendments	<b>Support:</b> The Theosophical Society in New Zealand (FS1) GWG Trustee Limited (FS2) Upland Group Limited (FS3)	Accept in part
3.2	Guardian Retail 551 Limited	Delete the proposed 'Historic Heritage Overlay – Extent of Place' for 'Upland Village' in its entirety	<b>Support:</b> The Theosophical Society in New Zealand (FS1) GWG Trustee Limited (FS2) Upland Group Limited (FS3)	Reject
4.1	GWG Trustee Limited trustee of GWG Family Trust	Decline the plan change	<b>Support:</b> The Theosophical Society in New Zealand Incorporated (FS1)	Reject
4.2	GWG Trustee Limited trustee of GWG Family Trust	Opposes plan change as inclusion of land and buildings at 594-600 and 602-608 Remuera Road will have a significant adverse effect on future development	<b>Support:</b> The Theosophical Society in New Zealand Incorporated (FS1)	Reject
5.1	Upland Group Limited	Decline the plan change	<b>Support:</b> The Theosophical Society in New Zealand Incorporated (FS1)	Reject
5.2	Upland Group Limited	Opposes plan change as inclusion of land and buildings at 579-585 Remuera Road will have a significant adverse effect on future development	<b>Support:</b> The Theosophical Society in New	Reject

<sup>32</sup> The reference numbers for Schedule 14.2 are to be identified following the decision on this plan change.

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
			Zealand Incorporated (FS1)	
6.2	Auckland Transport	Reduce the extent of place by removing the proposed overlay from the road reserve from the Upland Village Historic Heritage Area		Reject
8.1	The Theosophical Society in New Zealand	Decline the plan change (Upland Village HHA)	<b>Support:</b> GWG Trustee Limited (FS2) Upland Group Limited (FS3)	Reject
8.2	The Theosophical Society in New Zealand	Seeks that the proposed 'Historic Heritage Overlay – Extent of Place' identified for the 'Upland Village Historic Heritage Area' is removed in its entirety	<b>Support:</b> GWG Trustee Limited (FS2) Upland Group Limited (FS3)	Reject
10.5	Remuera Heritage Incorporated	Seeks amendments to add: <ol style="list-style-type: none"> <li>1. value b)</li> <li>2. an explanation of the naming of the HHA as "Upland Village"</li> <li>3. an explanation for the non-contributing classification of three of the sites/buildings.</li> </ol>	<b>Oppose in part:</b> The Theosophical Society in New Zealand Incorporated (FS1)	Reject

### Evaluation

#### **Submissions 3.1, 3.2, 4.1, 4.2, 5.1, 5.2, 8.1 and 8.2 – various landowners within Upland Village HHA**

18.4 Photo 7 below shows the properties on which submissions have been lodged within the Upland Village Historic Heritage Area.





**Photo 7: Upland Village Historic Heritage Area showing submissions (extent of place is shown as crosshatch)**

18.5 Submission 3 is from Guardian Retail 551 Limited, being the owner of 551-553 Remuera Road, identified in the Upland HHA as a contributing site, and 561 Remuera Road, identified as a non-contribution site. **Submission 3.1** requests that PC is accept with amendments. **Submission 3.2** requests the deletion of the 'Historic Heritage Overlay for Upland Village in its entirety'. The submitter considers that the extent of the overlay as it applies to the Upland Village does not satisfy the scheduling evaluation criteria contained within Policy B5.2.2(1) of the AUP. The reason for this position, as stated in the submission, is:

- there has been an almost constant series of alterations to the buildings identified in the HHA
- the historic heritage value of the HHA is linked to the initial period of development in the inter-war years and the development of the electric tram service, however:
  - there is no surviving physical evidence of the tram infrastructure in the area
  - this period of development is equally recognisable in the surrounding residential area and is not fixed to the commercial area of the HHA
- there is nothing distinguishing this area, in terms of historic heritage, from other centres of similar built scale and vintage, except the presence of the scheduled McLaren Garage at 586 – 592 Remuera Road.

- 18.6 Submission 4 is from GWG Trustee Limited, being a trustee of GWG Family Trust who is the owner of 594-600 Remuera Road and 602-608 Remuera Road, both identified in the Upland Village HHA as contributing sites. Submission 5 is from Upland Group Limited, the owner of 579-585 Remuera Road. **Submission 4.1** and **Submission 5.1** seek that PC31 be declined. **Submission 4.2** opposes the inclusion of the land and buildings at 594-600 Remuera Road and 602-608 Remuera Road as it will have a significant adverse effect on future development. **Submission 5.2** opposes plan change as inclusion of land and buildings at 579-585 Remuera Road will have a significant adverse effect on future development. The submitters oppose the plan change for the reasons that:
- there will be a significant adverse effect on future development options as these will be required to comply with the provisions of the Historic Heritage Overlay
  - the buildings have limited historic heritage value and do not warrant addition to the overlay
  - there will be significant financial implications for the submitter
  - this work should have been undertaken at the time of the preparation of the proposed AUP.
- 18.7 Submission 8 is from the Theosophical Society in New Zealand, the owner of 541-545 Remuera Road. **Submission 8.1** requests that PC31 be declined. **Submission 8.2** seeks that the proposed Upland Village HHA is removed in its entirety. The submitter opposes the plan change for the reasons that:
- the area has undergone many physical changes and alterations and the streetscape character is inconsistent
  - there are no buildings or sites in the Upland Village HHA (other than the scheduled McLaren Garage) that reflects historic heritage values greater than other similar areas.

*Heritage values and significance of the HHA*

- 18.8 Ms Carolyn O’Neil prepared the historic heritage evaluation for the Upland Village Historic Heritage Area<sup>33</sup>. Ms O’Neil’s evaluation states in detail why the Upland HHA meets the AUP RPS test.
- 18.9 The evaluation, in regard to the relevant criteria of Policy B52.2.2 identified in Schedule 14.1 for the Upland Village HHA, states:

**(a) Historical**

*The place reflects important or representative aspects of national, regional or local history, or is associated with an important event, person, group of people or idea or early period within the nation, region or locally*

*Upland Village has considerable historical value for reflecting important development patterns and representative aspects of Auckland’s transport and commercial history during the interwar period – a time of marked advancement in the locality and region.*

*Established following the advent of the electric tram at Upland Road in 1913, Upland Village HHA has value for its intimate association with the expansion of Auckland’s*

<sup>33</sup> Historic Heritage Evaluation – Upland Village Historic Heritage Area. Prepared by The Heritage Studio on behalf of Auckland Council Heritage Unit. August 2019.

*electric tram network and for reflecting the progressive eastward development of the Remuera suburb during the early decades of the twentieth century. It is particularly significant as the only known interwar shopping centre in the isthmus to develop in direct response to the arrival of the electric tram and location of its terminus.*

*Transitioning from a tram terminus to a flourishing retail hub of purpose-built facilities and services, Upland Village is particularly important for demonstrating the emergence of commercial development in the neighbourhood and for bolstering its residential progress during a time of sustained growth and prosperity. The area is also of note for representing the development pattern and formation of shopping centres along Auckland's main transport routes when communities relied on local shops rather than the large-scale supermarkets and chain stores that superseded them.*

*The swift growth of Upland Village is apparent in its group of buildings that collectively reflect the construction boom of the interwar period and the composition of small-scale commercial centres during that time. Of particular interest are the associations and functions of a number of these buildings, which reinforce the historical value of the area overall. The former service station and AEPB substation are especially relevant for representing advancements in motoring, infrastructure and public utilities during the early decades of the twentieth century. Built during a time of increased private car ownership, the former service station reflects the development of Auckland's early motor routes, while the substation, one of the earliest extant examples in the region, represents the rise in the domestic use of electricity and the expansion of the network across suburban Auckland. Furthermore, the service station has an intimate association with renowned motor sport personality, Bruce McLaren who played an integral part in the introduction of international motor racing to New Zealand.*

*Overall, Upland Village has **considerable** historical value **locally** and **regionally**.*

**(f) Physical attributes**

*The place is a notable or representative example of a type, design or style, method of construction, craftsmanship or use of materials or the work of a notable architect, designer, engineer or builder.*

*Upland Village has considerable physical attributes value as a notable example of a traditional small-scale shopping centre that developed swiftly and compactly during the interwar period in Auckland. Its largely intact group of single and two-storey masonry buildings are of particular value for their strong sense of cohesion, continuity and permanence and for collectively reflecting important architectural styles and trends in commercial architecture during that time. The Stripped Classical and Spanish Mission styles are especially prevalent in the area and, although modestly applied, demonstrate the architectural transition from Victorian excess to exotic influences and modernist restraint. Notable examples include the group of 1920s buildings in the northern portion of the area (586-608 Remuera Road), which includes an unusual example of a purpose-built Spanish Mission service station and two well-executed blocks of shops of Stripped Classical design.*

*Value is also gained from the association of several buildings in Upland Village with an architect who made an important contribution to the architecture of the locality. One notable architect is E. Rupert Morton (596-592 and 594-600 Remuera Road), whose design of the service station is possibly one of his most well-regarded in*

Auckland. Although lesser known, architect Frederick A. Browne (602-608 Remuera Road), and local architects, H. S. James (547-549 Remuera Road) and E. T. Hawkes (579-583 Remuera Road) were responsible for the design of a number of buildings in Remuera during the early decades of the twentieth century and their individual contributions to the shopping centre provide the area with a degree of architectural diversity and distinctiveness.

Whilst the buildings within Upland Village have experienced change over time, most noticeably to their shop fronts, the overall integrity of their historic form, features and fabric remains. Collectively, they create a definable geographical area that can be distinguished from its residential surroundings, ensuring the legibility of the area as a good representative example of a small-scale interwar shopping centre.

Overall, Upland Village has **considerable** physical attributes value **locally**.

#### **(h) Context**

The place contributes to or is associated with a wider historical or cultural context, streetscape, townscape, landscape or setting.

Upland Village has considerable context value for its individual components that when taken together form a historic townscape that has value for its cohesive built form and strong associations with a key period in Remuera's history. Its uninterrupted blocks of buildings that define the street collectively contribute to the area's sense of place and legibility as an intact retail hub in the locality and as one of only a small number of authentic interwar centres in Auckland.

Upland Village has **considerable** context value **locally**.

- 18.10 Ms O'Neil's evaluation recorded and took into account the alterations to properties in the Upland Village HHA<sup>34</sup>. Furthermore, the Upland HHA does identify non-contributing sites where appropriate, being 561 Remuera Road and 565 Remuera Road<sup>35</sup>.
- 18.11 I acknowledge the submissions stating that the Upland Village HHA is similar to other centres in its built scale and vintage. Ms O'Neil's evaluation undertook a comparative analysis of similar centres and states:

*In comparing Upland Village with (other) traditional town centres and smaller retail hubs, similarities in location, historical development and physical qualities are apparent in some cases. Despite its establishment as a secondary commercial centre within the suburb of Remuera, rather than the principal town centre like other examples (Mount Albert, Balmoral, Sandringham and Point Chevalier) mentioned above, Upland Village appears to be no less expressive of Auckland's important period of commercial development during the 1920s and 1930s. In fact, with its first shop built after the arrival of the electric tram, Upland Village is the only known shopping centre to develop as a direct result of the extension of the tramlines, and is one of the most intact examples along the former eastern tram route. It also represents a notable representative example of a small-scale commercial centre in the isthmus. In the Remuera context, Upland Village represents a cohesive and intact*

<sup>34</sup> Section 5.6 Summary of changes; Appendix 1.4 contains "a map showing the location of each particular building within the shopping centre, a current photograph, a brief description, and a chronological summary of known owners/occupiers and physical changes undertaken".

<sup>35</sup> PC31 Schedule 14.2.XX and Map 14.2.XX

*group of commercial buildings that reflect the swift development that occurred during a period of pronounced growth and prosperity in the locality.*

- 18.12 Furthermore, the RPS does not require the Upland HHA to prove that it is greater in its heritage value than other centres.
- 18.13 Following a review of the submissions and their reasons, Ms O’Neil has confirmed her view that the Upland HHA continues to possess the historic heritage values stated in the evaluation and the area meets threshold for scheduling as an HHA. I continue to rely on Ms O’Neil’s advice. Ms O’Neil also notes:

*Whilst I acknowledge their observations (in the submissions), no new information has been provided that makes me reconsider my view.*

#### *Constraints on development*

- 18.14 The inclusion of a property within an HHA will result in an owner needing to obtain resource consent to demolish an existing building, modify an existing building, or construct a new building.<sup>36</sup> I acknowledge that the requirement to obtain a resource consent to undertake these activities places an additional constraint on the use of land. In doing so, this adds to the cost of building. However, I do not consider that the level of management is such that it renders land within the HHA incapable of reasonable use or imposes a burden that outweighs the benefits of the heritage value to the public of Auckland.
- 18.15 I note there are already certain development activities under the current Business – Neighbourhood Centre which would require a resource consent. For example, new buildings and additions greater than 25% of the existing ground floor area (GFA), or 250m<sup>2</sup> (whichever is the lesser) are restricted discretionary activities within this zone. Any application for a resource consent will also require compliance with the Historic Heritage Overlay rules, objectives and policies, which impose additional land use controls and restrictions. All places within the Upland Village HHA are identified as either a contributing or non-contributing site or feature. There is a difference in the activity status which is less restrictive in those buildings/features identified as non-contributing.
- 18.16 As the emphasis in the HHA is on collective value, there is generally a less onerous resource consent regime for the demolition of buildings and new buildings than for individually scheduled historic heritage places. Modifications, such as to shop fronts and the provisions of signage as well as alterations to provide additional space, particularly if at the rear, are not prohibited by the HHA provisions. Council provides free advice and encourages owners to discuss their proposals prior to lodgement of resource consent to avoid or minimise the risk of complications with the consent process.
- 18.17 An example of how the process of applying for a resource consent works is currently occurring within the Upland Village HHA. In May 2020, Ms Rebecca Fogel, Team Leader Built Heritage Implementation, and Megan Patrick, Team Leader Heritage Policy, met with Greg Wilkinson of Guardian Retail 551 Ltd. The proposed redevelopment of 551-561 Remuera Road was discussed, described by Mr Wilkinson as involving “concepts are around providing spaces for a mixed but complementary variety of retail and services”. The concept plans include a two storey extension to the rear of the existing building, along the Minto Road boundary, and changes to the shopfronts. This resource consent application is yet to be lodged with Council.

<sup>36</sup> D17.4.3 Activity table – Activities in Historic Heritage Areas

18.18 Ms Fogel's feedback on the proposal<sup>37</sup> was positive, stating the approach taken was a good one. Some further detail design work was required, however she considered these should be easily addressed. Ms Fogel also observed, in terms of future development, there were options:

*The existing buildings take up a fairly small footprint, and subject to an appropriate design I see no reason why you couldn't get a considerable amount of new construction to the 13m height limit behind the existing buildings. There are also examples in other similar heritage areas where rooftop additions set back from the frontage have been successful. Again, my team is happy to work through any future design ideas with you.*

18.19 I understand Ms Fogel's team takes the approach of working co-operatively with landowners and developers, which is often successful in ensuring the heritage values of an HHA are protected while also providing for additional development.

18.20 This topic of reasonable use has been discussed in Sections 6.1 and 6.2 of the Section 32 evaluation report along with other RMA matters of efficiency, effectiveness, and sound resource management in Section 3.2 of that same report. Section 11 of this report reiterates some of that discussion.

#### *Certificates of compliance for demolition*

18.21 Prior to the notification of PC31, applications for certificate of compliance for demolition were lodged with Council for:

- 547-549 Remuera Road<sup>38</sup>
- 551-553 Remuera Road<sup>39</sup>
- 561 Remuera Road<sup>40</sup>.

18.22 Section 139 of the RMA directs that Council must issue a certificate if the activity could be done lawfully without a resource consent. Demolition is a permitted activity under the Business – Neighbourhood Centre Zone. The three certificates were granted on 3 September 2019. The certificates are valid for five years from the date of issue.<sup>41</sup>

18.23 A recent Council decision<sup>42</sup> on Plan Change 7 considered the effect of a certificate of compliance for demolition and whether a place with a valid certificate should continue to be added to the Historic Heritage Overlay. The decision states:

*We are not persuaded that factors such as demolition consents should make any material difference to listing or not. We were presented with a number of examples where demolition consents have been issued but not actioned.*

18.24 As far as I am aware, the owners have not given effect to the certificate of compliance for demolition. In any case, I do not consider the fact there is a certificate of compliance for demolition is a reason to refrain from including these properties within the Upland Village HHA. The certificate may not ever be given effect to and, if this is the case, the historic heritage values of the properties would be retained.

<sup>37</sup> Via email, dated 15 May 2020

<sup>38</sup> Identified as a contributing site.

<sup>39</sup> Identified as a contributing site.

<sup>40</sup> Identified as a non-contributing site.

<sup>41</sup> Section 125 RMA

<sup>42</sup> Decision on Plan Change 7 to Auckland Unitary Plan. 20 February 2019. Page 14. Para. 64.

### Preparation of PC31

18.25 The Council can prepare a plan change to the AUP at any time. The plan change procedure set out in Schedule 1 to the RMA was followed in developing and notifying PC31.

### Submission 6.2 – Auckland Transport

18.26 **Submission 6.2** from AT has requested that PC31 be amended to exclude the road from the Historic Heritage Overlay from the Upland Village HHA. As outlined earlier in this report, AT generally supports PC31 but does not support the inclusion of the road as part of the Historic Heritage Overlay, as it considers that it has the potential to increase costs, delays and uncertainties for AT's day to day activities. Further discussion on the AT submission and on the reasoning behind road reserve being included for some historic heritage places can be found in Section 11.

18.27 In its submission, AT states that it understands the need to protect some verandahs in the road reserve. However, AT considers the inclusion of the road reserve will do little to protect the values identified by the plan change and may inhibit AT from fulfilling its statutory responsibilities.

18.28 The EOP as notified for the Upland Village HHA is shown below in Photo 8.



**Photo 8: Aerial view of the HHA with the extent of place outlined in purple hatch**

18.29 Section 9 of the Upland Village HHA evaluation sets out the justifications for the EOP. This is:

*The boundary of the Upland Village HHA was drawn with its historic subdivision pattern and current physical and visual qualities in mind. The development of the shopping centre occurred rapidly during the interwar period and most notably during the 1920s, which resulted in a cohesive group of buildings that share similarities in age, architectural influences and construction methods. The extent of the area is therefore based on this first and important phase in Upland Village's history. It was a further 20 years before the area's second phase of development occurred. The*

*buildings erected during this time fall outside the area's identified period of significance and as such is not included in the extent of the HHA.*

*The proposed extent covers the full certificate of title boundaries for all properties within the HHA, including portions of the footpaths and roads. Portions of the roads have been included as a means to acknowledge their important role in the development of Upland Village around a crossroads. They also reinforce the area's important relationship with the development of Auckland's transport, particularly the expansion of the electric tram network and the increased use of motor vehicles during the early twentieth century. The inclusion of the footpaths and roads also ensure that verandahs are incorporated into the extent and the visual interconnection between buildings is maintained.*

18.30 Chapter B5 (Historic Heritage and Special Character) and Chapter D17 (Historic Heritage Overlay) of the AUP sets out how to define the location and physical extent of a significant historic heritage place. The Methodology<sup>43</sup> also provides guidance for defining the EOP, along with when consideration should be given to including areas of footpath and/or street directly adjacent to a place within the extent of scheduling. Further discussion on this can be found in Section 11 of this report.

18.31 In the case of an HHA, section 9.1.1 of the Methodology sets out the following points to consider when defining the boundary of an HHA:

- patterns of historical development, visual changes in historic character, natural features/landforms, historic features, land-use or modern barriers (such as a motorway)
- the heritage values of the area and how they manifest spatially
- key heritage features/contributing places of the area
- clarity around what is included or not included
- the immediate setting and whether the boundary contextualises the historic heritage values adequately
- the area as a whole. An HHA should not have gaps or holes, instead, non-contributing places within the area should be identified as such.
- Likewise, a boundary should run around, rather than through a space, street or land parcel. Avoid boundaries that run down the middle of a street.

18.32 Following a review of the submission, Ms O'Neil has confirmed her view that the Upland HHA should remain unchanged. In addition to the justification in paragraph 16.31 she also notes the presence of basalt kerbs within the road reserve within the EOP.

18.33 I rely on Ms O'Neil's advice. I consider it appropriate for the road reserve to be included in the EOP for the Upland Village HHA. This area is part of the area that contains the historic heritage values of the place, and is part of the area that is relevant to the understanding of the function, meaning and relationships of those historic heritage values, as outlined by Ms O'Neil.

<sup>43</sup> Methodology and guidance for evaluating Auckland's historic heritage. August 2019 (Version 2)



### **Submission 10.5 – Remuera Heritage**

18.34 **Submission 10.5** from Remuera Heritage seeks amendments to the Upland Village HHA and two explanations. Firstly, the submission seeks, the addition of historic heritage value B) Social to Schedule 14.1 for the Upland Village HHA for the reason:

*... the area has social value, in the current era, as a meeting place (café and bars/restaurants), while formerly its social values was as local shops providing a range of services (the pharmacy being a remaining example).*

18.35 Secondly, the submission questions the name of the HHA. The reasons state the location has been known as Remuera Village or sometimes, Upland Road Shops. The submission asks for the rationale for the name to be provided or an alternative name given which is acceptable to the local community.

18.36 Thirdly, the submission states that is unclear why three of the sites/buildings within the HHA have been classified as non-contributing, given their apparent contemporaneity and contribution to the history of the area. The submission acknowledges that the architecture of these sites/buildings is somewhat plain, but that they appear to retain some original elements.

18.37 Finally, while not captured in the SDR, the submission also suggests the statement of significance for the Upland Village HHA could be simplified, and its clarity improved.

18.38 In response to this submission, and with consideration to further submissions which oppose the relief sought, Ms O’Neil has provided the following further comments:

*Amend Upland Village HHA to add heritage value b)*

*I have considered the points raised in the submission seeking a change in the social (b) value of the Upland Village HHA from little, as identified in the historic heritage evaluation, to considerable. The reasons put forward are based around the area being a meeting place and providing a range of services. Whilst I accept that the area has been a centre for mercantile activity and public interaction for over 100 years, and plays a role in defining communal identity, it remains unclear whether the area is held in high public esteem as a historic heritage place or whether it is valued by the community solely for amenity reasons. I am mindful that this submission has been put forward by a local community group, demonstrating that they consider there to be greater value than that identified, however, I am not convinced at this stage that considerable social (b) value can be justified.*

*Provide a rationale for Upland Village HHA name*

*It is understood that the most historically accurate name for the area in question is ‘Remuera Village’, which would have ordinarily been the preferred name to use. However, given the increasing use of ‘Remuera Village’ to refer to the main Remuera shopping centre (around Victoria Avenue/Clonbern Road), I thought its use for the commercial centre at Upland Road could cause confusion.*

*The use of the name ‘Upland Village’ came about following research for the evaluation. It is understood that this name has been used for the area in more recent years. As noted in the submission, so too has ‘Upland Road Shops’. I consulted with Remuera Heritage (the submitter) about this point during the evaluation process, and it was agreed that ‘Remuera Village’, although the most historically accurate name, could cause confusion.*

*I have no objection to the name being changed to ‘Upland Road Shops’, if this is considered more appropriate by the local community. It is important that the name suitably represents the area and reinforces its individual identity.*

18.39 I accept that there may be further amendments to Schedule 14.1 if there is additional evidence provided in regard to both the addition of B) Social value and the name of the HHA. However, I rely on the evidence of Ms O'Neil and I do not consider there is enough information to recommend any further changes at this time.

18.40 In response to the request for rationale for the sites/ buildings within the HHA that have been classified as non-contributing, Ms O'Neil states within the evaluation<sup>44</sup>:

*Non-contributing sites, although present during the period of significance (1915-1938), have been altered to such an extent that their physical contribution to the HHA has been compromised.*

18.41 Furthermore, Ms O'Neil comments on the non-contributing sites individually<sup>45</sup>:

561 Remuera Road:

*Built as two separate structures in 1917 and 1922 respectively, they reflect the emergence of Upland Village as a local shopping centre. However, now one large retail unit, large additions to the rear and changes to the shop fronts and fenestration have compromised their physical contribution to the HHA. The bright paint colour is also unfortunate.*

565 Remuera Road:

*Dated 1938, the building represents the culmination of Upland Village's first and most important phase of development. Although the work of notable architect, Horace L. Massey, it is not an important example of his work. The modified parapet (different to that designed) and the changes to the shop front also mean that its physical contribution to the HHA has been compromised.*

18.42 I acknowledge the statement in the submission that the evaluation's statement of significance for the Upland Village HHA could be simplified and its clarity improved. I am unable to provide any further comment as the submitter has not provided alternative wording. I continue to rely on the evaluation of Ms O'Neil and respectfully disagree.

18.43 Remuera Heritage have added a supplementary comment in regard to certificates of compliance for demolition as being a risk when contacting landowners prior to notification of the plan change. While this is outside of the scope of the plan change, this topic has been addressed in Sections 15 and 18 of this report.

### Recommendation on submissions

18.44 I recommend, for the reasons above, that:

- Submission **3.1** be **accepted in part**
- Submissions **3.2, 4.1, 4.2, 5.1, 5.2, 6.2, 8.1, 8.2,** and **10.5** be **rejected**.

18.45 There are no amendments associated with the recommendations on these submissions.

## **19 Minor errors and anomalies**

19.1 Some amendments have been made to Schedule 14.1 to correct minor errors and anomalies. These amendments could have been made after PC31 was made operative through the RMA

<sup>44</sup> Appendix 6

<sup>45</sup> While the submission states there are three non-contributing sites, the Upland Village HHA has only two identified.

process to correct minor errors<sup>46</sup>, but the amendments are proposed to be made as part of PC31 for completeness and clarity.

19.2 I consider that there are no parties affected by the proposed minor amendments. These amendments are to correct errors to Schedule 14.1 that have been identified since PC31 was notified.

19.3 The proposed amendments are:

- the addition of '(former)' to the Place Name and/or Description column for the CAC Bulk Store, to align with the naming of the place within the historic heritage evaluation. This also reflects that the building is no longer owned by the Colonial Ammunition Company and currently is used for a restaurant.
- addition of schedule identification numbers in the ID column as follows:
  - ID 02836 – Glenholm
  - ID 02837 – Remuera Primary School War Memorial Gates
  - ID 02838 – Remuera Post Office (former)
  - ID 02839 – Colonial Ammunition Company Bulk Store (former)
  - ID 02840 – Riverina
  - ID 02841 – Upland Village Historic Heritage Area
- minor text changes to ensure consistency within Schedule 14.1 comprising of a consistent approach to exclusions (beginning with 'interiors of building(s)' as first exclusion where identified, consistent use of semi colons to separate exclusions and use of the word 'except') and the removing unnecessary capitalisation.

19.4 The amendments required to correct these minor errors and anomalies are set out in **Attachment 1** to this report and shown as ~~strikethrough~~ and underlined text.

## 20 Conclusions

20.1 Submissions have been received in support of and in opposition to PC31.

20.2 Having considered all of the submissions and reviewed all relevant statutory and non-statutory documents, **I recommend that PC31 should be adopted**, subject to the amendments to the text as set out in **Attachment 1** to this report and the amendment to the GIS viewer/planning maps as set out in **Attachment 2**.

20.3 The adoption of PC31, with its recommended amendments:

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

<sup>46</sup> Clause 20a of Schedule 1 – Preparation, change, and review of policy statements and plans

## 21 Recommendations

1. That the Hearing Commissioners accept or reject submissions (and associated further submissions) as outlined in this 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 the amendment to the GIS viewer/planning maps as set out in **Attachment 2** to this report.

## 22 Signatories

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

# **ATTACHMENT ONE**

## **RECOMMENDED AMENDMENTS TO SCHEDULE 14.1**



## Attachment 1

### Recommended amendments to PC31 to Chapter L: Schedule 14.1 Historic Heritage

Notes:

1. Only the entries into the schedule from Plan Change 31 are shown
2. Amended text from minor amendments is shown as ~~strikethrough~~ and underline.
3. **Pink text changes** record amendments proposed in response to submissions received and are shown as ~~strikethrough~~ and underline.





ID	Place Name and/or Description	Verified Location	Verified Legal Description	Category	Primary Feature	Heritage Values	Extent of Place	Exclusions	Additional Rules for Archaeological Sites or Features	Place of Maori Interest or Significance
<a href="#">02836</a>	Glenholm	37 Portland Road, Remuera	Pt Lot 5 DP 18802	B	Residence	A,F,G	Refer to planning maps	<del>Garage; pool; interior</del> Interior of building(s); <del>garage; pool; conservatory</del>		
<a href="#">02837</a>	Remuera Primary School War Memorial Gates	25-33 Dromorne Road, Remuera	Lot 31 Deeds Reg S60A; Lot 32 Deeds Reg S60A;road reserve	B	War Memorial Gates	A,B,F,G,H	Refer to planning maps			
<a href="#">02838</a>	Remuera Post Office (Former)	358-364 Remuera Road, Remuera	Pt Lot 9 DP 3364;road reserve.	B	Post Office Building (1914)	A, <del>B</del> ,F,H	Refer to planning maps	Interior of building(s) <del>except the original (1914) northern and western external walls</del> ; 1990s partially enclosed ground floor verandah		
<a href="#">02839</a>	Colonial Ammunition Company Bulk Store (former)	26 Normanby Road, Mount Eden	Lot 2 DP 312430; road reserve	B	Building	A,F,H	Refer to Planning Maps	Interior <del>apart except</del> from timber roof structure and sarking and the basalt walls; <del>exterior seating area hood; entry hood and glazed entry door; bamboo attachment to exterior front wall additions and alterations to the exterior post 1986</del>		
<a href="#">02840</a>	<u>Riverina</u>	46 Wilson Road, Warkworth	Lot 3 DP 486583;road reserve	A	Residence	A,B,C, D,E,F,G,H	Refer to planning maps	<del>The bathrooms and the kitchen of the interior</del>		

**SCHEDULE 14.1 SCHEDULE OF HISTORIC HERITAGE - TABLE 2 AREAS**

ID	Area Name and/or Description	Verified Location	Known Heritage	Extent of Place	Exclusions	Additional Controls for Archaeological Sites or Features	Place of Maori Interest or Significance	Contributing Sites/ Features	Non-contributing Sites/ Features
02841	Upland Village Historic Heritage Area	Refer to planning maps; area includes parts of Remuera Road, Upland Road and Minto Road	A,F,H	Refer to planning maps	Interiors of all buildings contained within the extent of place unless otherwise identified in another scheduled historic heritage place; stand-alone accessory buildings or garages on contributing sites built after 1940			Refer to Schedule 14.2.XX <sup>1</sup>	Refer to Schedule 14.2.XX; 561 and 565 Remuera Road, Remuera

<sup>1</sup> The reference numbers for Schedule 14.2 are to be identified following the decision on the plan change.

## **ATTACHMENT TWO**

### **RECOMMENDED AMENDMENTS TO GIS VIEWER/PLANNING MAPS**



## Attachment 2

### Recommended amendments to Auckland Unitary Plan GIS viewer/planning maps

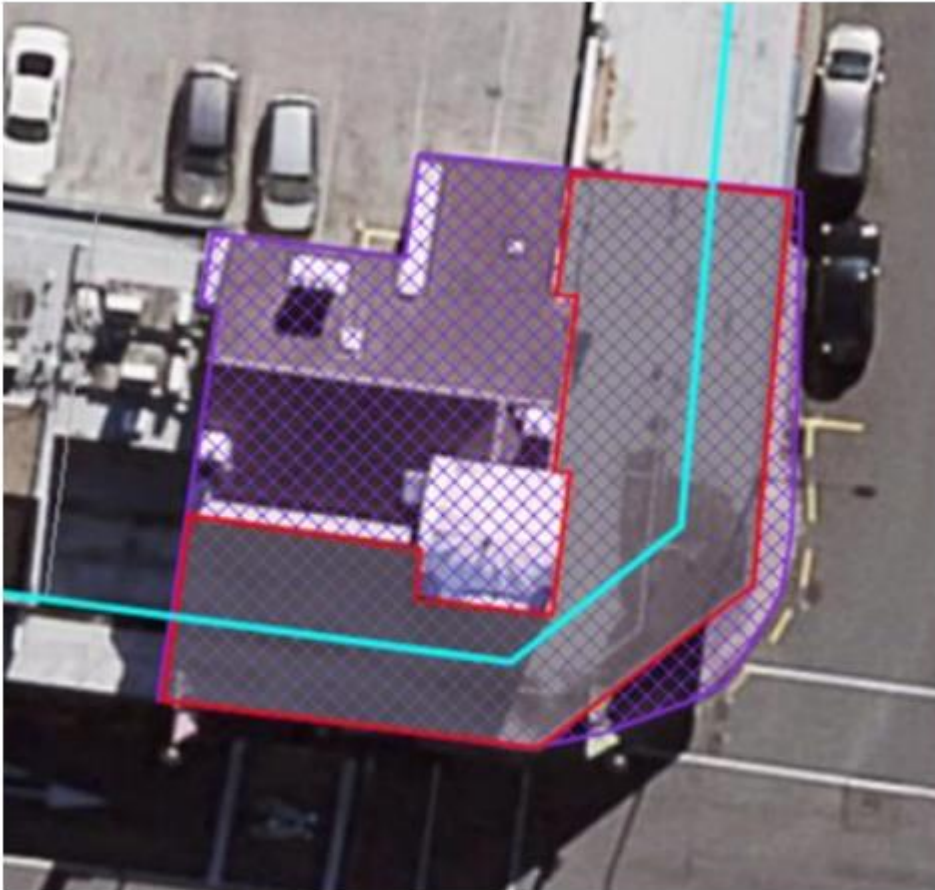
**Notes:**

1. Only the Historic Heritage Overlay extent of place maps that are recommended to be amended are shown.
2. Two maps are shown for the places with a recommended amendment:
  - a. Map A shows the extent of place proposed in PC31 as notified; and
  - b. Map B shows the recommended extent of place, following consideration of submissions.

ID 02838

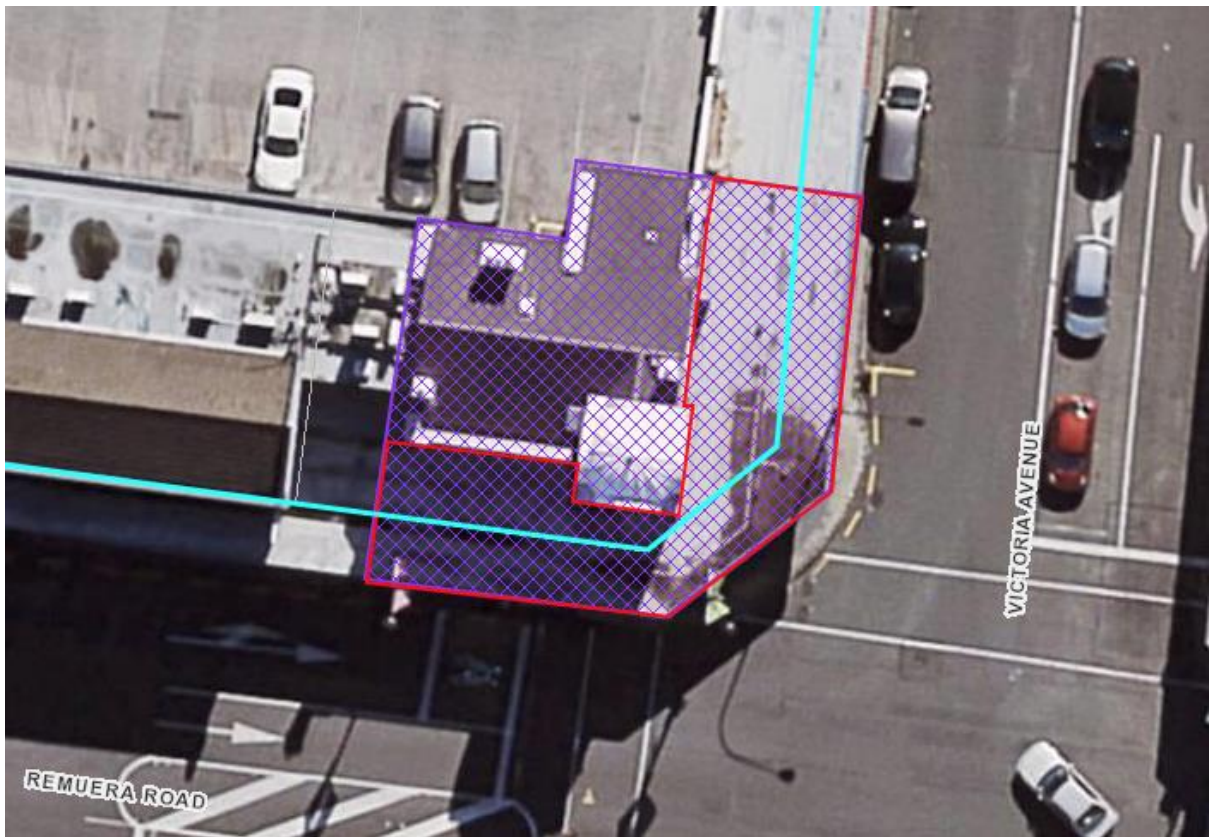
Remuera Post Office (former), 358-364 Remuera Road, Remuera

Map A – PC31 as notified



Note: extent of place is shown as purple hatch and red is the exclusion of the 1990s partially enclosed ground floor verandah

**Map B – recommended amendment to extent of place**



**ID 02840**

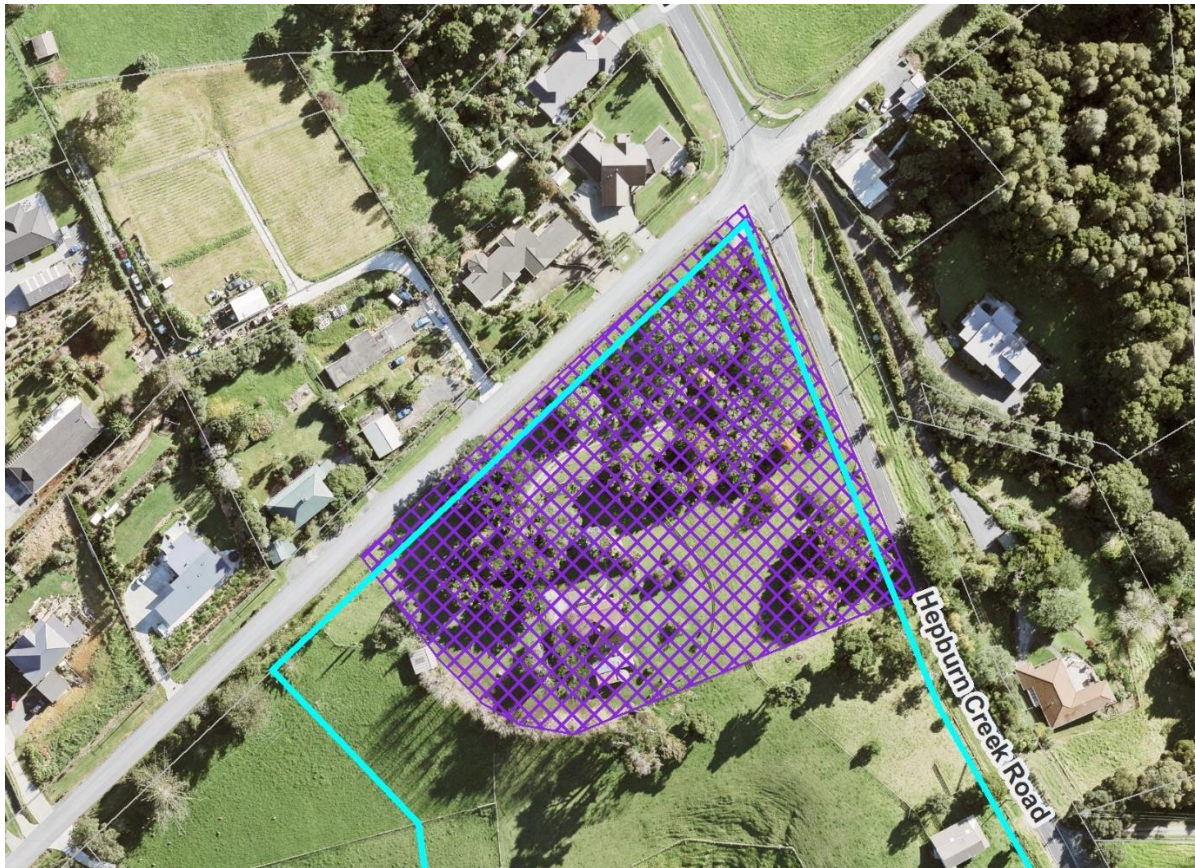
**Riverina, 46 Wilson Road, Warkworth**

**Map A – PC31 as notified**





**Map B – recommended amendment to extent of place**





## **ATTACHMENT THREE**

# **METHODOLOGY FOR EVALUATING HISTORIC HERITAGE SIGNIFICANCE, Version 7.5, 18 October 2013**



# METHODOLOGY FOR EVALUATING HISTORIC HERITAGE SIGNIFICANCE

## Introduction

The Proposed Auckland Unitary Plan (PAUP) sets out a framework for identifying and protecting Auckland's significant historic heritage places. The RPS section of the plan contains criteria for evaluating the significance of historic heritage. The criteria comprise a set of values and thresholds for inclusion of historic heritage places in the plan schedule of significant historic heritage places and on the historic heritage overlay. Significant historic heritage places are places that have been evaluated against the Unitary Plan criteria and found to be of considerable or exceptional overall significance to the locality or a greater geographic area.

The place-based approach to heritage that has been adopted in the PAUP is a holistic and multidisciplinary approach that considers all of the values that contribute to the significance of a historic place, rather than just those that relate to an individual heritage item or feature. The place-based approach acknowledges that Auckland's historic heritage manifests itself in many forms, and in some cases a range of different features and types of features (for example buildings, trees, and archaeological sites), and the setting, may contribute to the value of what is essentially the same historic heritage place. A place-based approach allows for a full understanding and appreciation of the values and overall significance of the historic heritage place, and is in accordance with recognised good heritage practice.

## The Methodology

This methodology has been prepared as a non-regulatory method of achieving the objectives and policies of the PAUP. It is intended to provide guidance to the process of evaluating the significance of historic heritage places against the criteria in the plan, by appropriately qualified heritage professionals. The purpose of the methodology is to ensure that there is consistency in the way places are evaluated, and so that evaluations contain the level of detail required to support good decision-making.

The process of evaluating historic heritage significance is based on the following steps:

1. Evaluate heritage value against the historic heritage significance criteria
2. Prepare a statement of significance
3. State whether the place meets the threshold for scheduling as a Historic Heritage Place (Category A or B), or Historic Heritage Area (Category A or B)
4. Recommend whether the place should be scheduled, and if so, define the extent of the area recommended for scheduling.

It is important to note that these steps are interrelated and need to be read as a whole before undertaking an evaluation. All underlined words are defined at the end of the document.

## 1. Evaluate heritage value against the historic heritage significance criteria

The process of assessing heritage value against the criteria is guided by inclusion and exclusion indicators. The inclusion indicators guide when a place has value in relation to a criterion whilst the exclusion indicators guide when a place should not be considered to have value against a criterion.

The indicators:

- are not exhaustive
- are guides to assist with applying the criteria, they are not the criteria.

Not all criteria (or all indicators) will be relevant to the evaluation of every place.

### Criteria and indicators

#### (a) Historical

*The place reflects important or representative aspects of national, regional or local history, or is associated with an important event, person, group of people or idea or early period of settlement within the nation, region or locality.*

#### INCLUSION indicators

- Demonstrates or is associated with an important event(s), theme(s), process, pattern or phase in the history of the nation, region or locality
- Is strongly associated with a person, group of people, organisation or institution that has made a significant contribution to the history of the nation, region or locality
- Is strongly associated with an important idea
- Is associated with an early period of settlement within the nation, region or locality
- The place or a component of it is an example of a nationally/internationally, regionally or locally unusual, rare, unique or endangered heritage place
- Retains a use and/ or function that contributes to the historical importance of the place.

#### EXCLUSION indicators

- Demonstrates or is associated with an event or events, theme, process, pattern or phase that is of dubious historical importance
- Associations with important events, persons/groups or ideas are incidental, distant or cannot be substantiated
- Provides evidence of themes, phases or other aspects of history that are not of substantiated historical importance

- The place appears to be rare only because research has not been undertaken to determine otherwise
- The claim of rarity or uniqueness has too many descriptive qualifiers linked to it
- The place or its attributes are rare, endangered or unique but its importance is questionable
- The place or its context has been altered or significant elements of the fabric have been changed to such an extent that its value is severely degraded, illegible or lost.

**(b) Social**

*The place has a strong or special association with, or is held in high esteem by, a particular community or cultural group for its symbolic, spiritual, commemorative, traditional or other cultural value.*

INCLUSION indicators

- Is held in high public esteem
- It represents important aspects of collective memory, identity or remembrance, the meanings of which should not be forgotten
- Is an icon or marker that the community identifies with
- Plays an important role in defining the communal identity and distinctiveness of the community
- Demonstrates a custom, way of life or process that was once common but is now rare or in danger of being lost or has been lost.

EXCLUSION indicators

- Social, cultural, spiritual, symbolic or community values are incidental, or cannot be demonstrated satisfactorily or otherwise substantiated
- Provides evidence of social, cultural, spiritual, symbolic or commemorative value or community association or esteem that are of dubious historical importance
- The place is valued by the community solely for amenity reasons
- The place is important to the community, but only in preference to a proposed alternative (e.g. a new development)
- The place is not valued or recognised by an identifiable group or interest group within, or that represents, the community
- Associations are not held very strongly or cannot be demonstrated satisfactorily
- The place or its context has been altered or significant elements of the fabric have been changed to such an extent that its value is severely degraded, illegible or lost
- The custom, way of life or process is rare or in danger of being lost or has been lost but its importance is questionable.

### (c) Mana whenua

*The place has a strong or special association with, or is held in high esteem by, mana whenua for its symbolic, spiritual, commemorative, traditional or other cultural value.*

#### INCLUSION indicators

- A mana whenua group, or the Maori Statutory Board, has indicated that the place has significant value to mana whenua (for example within a nomination for scheduling)
- Is held in high esteem by mana whenua
- Has special symbolic, spiritual, commemorative, traditional or other cultural value for mana whenua
- Is strongly associated in documented or oral history or tradition with a period, event, person, group of people, organisation or institution of importance to mana whenua
- Plays an important role in defining the identity of an iwi or hapū
- Has provided or has the potential to provide substantial traditional or cultural knowledge (mātauranga) or demonstrate Maori customary concepts (ngā tikanga tuku iho), ways of life or processes that are in danger of being lost or have been lost.

#### EXCLUSION indicators

- Symbolic, spiritual, commemorative, traditional or other cultural values are incidental, or cannot be demonstrated satisfactorily or otherwise substantiated
- Associations or connections are incidental, distant or cannot be substantiated
- Associations are not held very strongly or cannot be demonstrated satisfactorily
- The place is not valued or recognised by an identifiable community or group or is valued by a group that does not have reasonable standing
- The place is important to mana whenua, but only in preference to a proposed alternative (e.g. a new development)
- Provides evidence of social, cultural, spiritual, symbolic or commemorative value or community association or esteem that are not of substantiated historical importance
- The knowledge that has or could potentially be gained is/would be of little or limited value or is readily available from other places or sources
- The custom, way of life or process is in danger of being lost or has been lost but its importance is questionable.

\*These proposed indicators have yet to be discussed with mana whenua.



#### **(d) Knowledge**

*The place has potential to provide knowledge through scientific or scholarly study or to contribute to an understanding of the cultural or natural history of the nation, region or locality.*

#### INCLUSION indicators

- Has provided or has the potential to provide substantial information on past human activity or natural environments through archaeological or other scientific investigation or scholarly study
- Is an important benchmark or reference place that typifies its type and provides a point of reference to which other places can be compared
- Is an important research or teaching site
- Has the potential to play an important role in enhancing public understanding or appreciation of the history, ways of life and cultures or natural history of the nation, region or locality
- Has the potential to be used to educate the public through the use of on- or off-site interpretation
- The place or a component of it, is an example of a internationally/nationally, regionally or locally unusual, rare, unique or endangered heritage place.

#### EXCLUSION indicators

- The information that can be derived from the place is readily available from other places or sources (for example documentary sources)
- There is insufficient physical, documentary or other evidence to assess the research potential of the place
- The place or its context have been disturbed or altered to such an extent that its potential to yield meaningful or useful information has been compromised
- The research potential of the place has been fully exhausted (for example where a site has been excavated and negligible intact physical remains are left in situ)
- The knowledge that has or could potentially be gained is/would be of little or limited value
- The place appears to be rare only because research has not been undertaken to determine otherwise
- The claim of rarity or uncommonness has too many descriptive qualifiers linked to it
- The place or its attributes are rare, endangered or unique but its importance is questionable
- The place is under threat of destruction, but its importance is questionable.

## (e) Technology

*The place demonstrates technical accomplishment, innovation or achievement in its structure, construction, components or use of materials.*

### INCLUSION indicators

- Demonstrates or is associated with a technical accomplishment, innovation or achievement in its structure, construction, choice or use of materials, equipment or machinery
- Adapts technology in a creative or unorthodox manner or extends the limits of available technology
- Is a notable or good representative, example of a particular technical design or technology
- Is a notable example of a vernacular response to the constraints of the available material, technology or know-how
- The place or a component of it, is an example of a internationally/nationally, regionally or locally unusual, rare, unique or endangered type of technical design or technology.

### EXCLUSION indicators

- Has a minimal, indirect or distant association with a technical accomplishment, achievement or innovation
- The place appears to be rare only because research has not been undertaken to determine otherwise
- Is not a notable or good representative example of technical design or technology or technical accomplishment, innovation or achievement
- The claim of rarity or uniqueness has too many descriptive qualifiers linked to it
- The place or its attributes are rare, endangered or unique but its importance is questionable
- The place is under threat of destruction, but its importance is questionable
- The integrity of the place's technical design has been severely degraded, illegible or lost
- The accomplishment, innovation or achievement is no longer apparent in the place.

## (f) Physical attributes

*The place is a notable or representative example of a type, design or style, method of construction, craftsmanship or use of materials or the work of a notable architect, designer, engineer or builder.*

### INCLUSION indicators

- Is the work of a notable architect, designer, engineer or builder and is important in the context of their body of work
- Is a notable, or good representative, example of vernacular heritage
- Is a notable, or good representative, example of a type, style, method of construction, craftsmanship or use of materials
- Is a notable, or good representative, example of architecture or design associated with a particular time period
- Demonstrates the culmination of a particular architectural style
- The type, style or method of construction is indicative of or strongly associated with a specific locale or pattern of settlement within the region
- The place, or a component of it, has physical attributes that are internationally/nationally, regionally or locally unusual, rare, unique or endangered
- Is a notable or good representative example of historic urban structure or built form, such as a pattern of development, street layout or building height, massing and scale
- Is a definable geographical area that can be distinguished from its surroundings e.g. based on historical development/ association or changes in built form or architectural style.

### EXCLUSION indicators

- Associations with a notable architect, designer, engineer or builder are incidental or unsubstantiated
- Is the work of a notable architect, designer, engineer or builder but is not important within the context of their body of work
- Representative qualities have been degraded or lost to the extent that the characteristics of the place no longer typify the type or style
- The place appears to be rare only because research has not been undertaken to determine otherwise
- The claim of rarity or uniqueness has too many descriptive qualifiers linked to it
- The place or its attributes are rare, endangered or unique but its importance is questionable
- The place is under threat of destruction, but its importance is questionable
- Has been altered or modified to the extent that it can no longer be considered to be intact
- The place or its context has been altered or significant elements of the fabric have been changed to such an extent that the value is severely degraded, illegible or lost
- Is, or is substantially, a modern reconstruction, replica or rendering of historic architecture or architectural elements.

**(g) Aesthetic**

*The place is notable or distinctive for its aesthetic, visual, or landmark qualities.*

INCLUSION indicators

- Includes, contributes or is a visual landmark.
- Contributes positively to an important view, vista or panorama (from, within or towards a place)
- Invokes a widespread emotional response for its sensual, evocative or picturesque qualities or attributes
- Has notable aesthetic quality that has derived from the passage of time and the action of natural processes on the place (the patina of age)
- Has notable aesthetic appeal that derives from the relationship between the components of the place (buildings, structures, materials, or other elements) and the setting, which reinforces the quality of both
- Exemplifies a particular past or present aesthetic taste
- Has strong or special visual appeal.

EXCLUSION indicators

- The positive visual qualities have been more than temporarily degraded, for example by surrounding or infill development
- The place is not aesthetically or visually distinctive
- Views to or from the place have been lost or modified to the extent that the original aesthetic, visual or landmark values are severely degraded, illegible or lost
- The place or its context has been altered or significant elements of the fabric have been changed to such an extent that the value is severely degraded, illegible or lost.

## (h) Context

*The place contributes to or is associated with a wider historical or cultural context, streetscape, townscape, landscape or setting.*

### INCLUSION indicators

- Has collective value as a part or member of a group of inter-related heritage items or places or wider heritage landscape
- Is part of a group of heritage items or places that, taken together, have a coherence because of their age, history, style, scale, materials or use
- Is notable because the original site, setting or context is predominantly intact
- The site, setting or context adds meaning and value to the particular place or item
- Has townscape value for the part it plays in defining a space or street
- Contributes to the character and sense of place of the nation, region or locality
- The individual components of an area collectively form a streetscape, townscape or cultural environment that has value for its architectural style, town planning or urban design excellence, landscape qualities, strong historic associations, or legibility as an archaeological landscape
- Is, or is part of, a group of heritage items or places that spans an extended period of time or possesses characteristics that are composite or varied but which are linked by a unifying theme.

### EXCLUSION indicators

- The theme or relationship linking the grouping of places or the context to the place is of questionable importance
- The context of the place has been changed to such an extent that its value is severely degraded, illegible or lost
- The relationship of the place to its original site, setting or context or to a subsequent site of significance has been lost (for example by relocation of a building).

## 2. Prepare a Statement of Significance

The statement of significance is a succinct statement of how and why a place is important. It outlines and summarises the specific heritage values of a place, synthesising the evaluation by explaining the relative importance of those values. It should, where possible, make reference to key heritage features or attributes that make a positive contribution to the significance of the place.

Written in a prose style, it ensures that heritage values are communicated in an effective and consistent manner.

The statement communicates to owners, decision-makers and individuals interested in learning about a place, where values lie within a historic heritage place. The statement is an informed and inclusive judgment based on information available at a particular time; some perceptions of value may therefore evolve as and when new information comes to light.

The statement can be the first step in developing policies and a plan for the ongoing management of a historic heritage place.

Statements of significance are of particular importance in relation to historic areas, because they become statutory documents that are included in the Unitary Plan. Therefore these statements should identify and address the significance of contributing places and features, and the relationships between them (including view shafts where relevant). Features such as hard and soft landscaping and public realm features; open space, parks, gardens and trees should be included where relevant.

### **Example :**

*The Granger brick-worker's cottage has considerable historical value for its intimate association with local entrepreneurial pioneer John Granger and the John Granger & Sons Brick and Tile Works. As one of the only brick cottages of its type known in Whitford, it has further historical value as a remnant of the brickworks site, an important local industrial enterprise. The place has considerable social value as an important physical reminder of the distinctive community identity, social history and way of life of the area's early settlement and industrial past. As a small vernacular dwelling and local landmark visible on the approach into the Whitford township, the cottage has considerable physical and aesthetic value. The place has considerable knowledge value for its strong ability to contribute to an understanding of the cultural history of the locality and to enhance public appreciation through on or off-site interpretation. As part of a coherent group of places associated with the Granger family and Granger brickworks within the Whitford historic landscape, the cottage has considerable contextual value.*

### 3. Recommend whether the place should be scheduled

#### Significance thresholds

There are two thresholds for scheduled historic heritage places, Historic Heritage Place: Category B, or Historic Heritage Place: Category A. Historic Heritage Areas can meet the threshold for either Category A or B.

**Historic Heritage Place: Category B** is a place that is of considerable overall significance. Its protection from loss or damage is very important. It is expected to be of considerable value in relation to one or more of the evaluation criteria. A Category B historic heritage place is of overall significance to the locality or a greater geographic area.

**Historic Heritage Place: Category A** is a place that is of exceptional overall significance, with this significance generally extending well beyond the immediate locality of the place. Its protection from loss or damage is essential. It is expected to be of exceptional value in relation to a one or more of the evaluation criteria. A Category A historic heritage place is expected to be of overall significance to the Auckland region or a greater geographic area.

**A Historic Heritage Area** is a group of inter-related places that collectively meet the evaluation criteria and thresholds for Category A or B.

#### Determining the significance threshold

The determination of the level of significance of an historic heritage place requires an evaluation of the **overall** significance of the place. This is an exercise of discretionary judgement having regard to:

- (i) the values of the place (exceptional, considerable, moderate, little or none) as evaluated against the criteria; and
- (ii) the geographic area (local, regional, national/international) the overall significance relates to.

Most historic heritages places are expected to be Category B. Historic Heritage Place: Category A are to be of outstanding importance and interest. A historic heritage place that is of local significance can be Category A where overall values of the place are truly exceptional. Historic Heritage Areas can meet the thresholds for either Category A or B; however the emphasis is on the collective values of the area, rather than the significance of individual places.

## 4. Define the extent of the place for scheduling

### Extent of historic heritage place

With the place-based approach, the extent of a historic heritage place includes the area that is integral to the function, meaning and relationships of the place. The area illustrates the historic heritage values that have been identified for the place. The place-based approach covers all aspects of the historic heritage place within its identified extent (i.e. the defined extent of scheduling), including airspace.

A historic heritage place can range greatly from a place that comprises solely of a structure, to a place that encompasses multiple features and/or multiple sites, as well as areas. A historic heritage place may also include the public realm, designed landscape, land covered by water and any body of water. The approach to interiors (in relation to a building) will be considered on a case by case basis.

### Defining the extent of place

Where it is recommended that a place should be scheduled, a proposed extent of scheduling is to be defined. The boundary should be graphically indicated on an aerial photograph diagram (refer to the example provided in Figure 1 below) or map.

To determine the appropriate extent, the following aspects should be considered:

- Historic evidence of the original extent of the place.
- What area adequately encompasses the features of the site, including any features that are likely to exist and/or continue sub-surface.
- How the historic heritage place is currently perceived, from within and immediately around the site.
- Any parts of the original / identified site that have been lost or substantially modified through later development such that they no longer contribute to identified values may be appropriate to exclude.
- Does the boundary contextualise the historic heritage values adequately and has the immediate setting been considered i.e. consider the transition between the scheduled area and its setting, the potential for sub-surface archaeology and views etc.

Options for defining boundaries:

- (1) Certificate of Title (CT) boundary<sup>1</sup>; or
- (2) Such otherwise specified extent<sup>2</sup>

Consideration should be given to using a non-CT boundary definition where:

- A lesser area would be sufficient to achieve appropriate protection of the place
- identified heritage values do not apply to the whole CT site (for example an original school building in a more modern school complex)
- It is a Historic Heritage Area (see special considerations below)
- Identified heritage values extend across more than one CT (for example basalt walls from early subdivision, or a large archaeological site).

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<sup>1</sup> Unless otherwise excluded, this includes above and below ground or water, and airspace above the certificate of title

<sup>2</sup> Unless otherwise excluded, this includes above and below ground or water, and airspace above the specified extent



- The CT site is excessively large compared to the extent of features identified (for example a woolshed or a burial site on a small part of a large farm)
- The historic heritage place is on public land which is not easily defined by the CT approach
- The historic heritage place is within, or partially within, the coastal marine area
- The air space component of a Historic Heritage Place is compromised (for example, if a large modern tower has been built directly over and above a historic building)
- The identified values extend to a portion of footpath and/or street area beyond the CT (refer below for further explanation)

Consideration should be given to including areas of footpath and/or street directly adjacent to a place within the extent of scheduling where:

- The identified footpath / street area forms part of the setting of the place and/or is of relevance to, or contributes to, the place's identified values
- A feature (or part of a feature) of a place is on, above or below the footpath or street itself (for example a tree, lamp post, or verandah)
- A feature is directly on, or close to, the property boundary edge (for example a corner pub, or a villa with minimal setback)
- A feature has a historical association with the footpath / street (for example a commercial building with display windows or a mechanics centre)
- Development on the footpath or street is likely to adversely affect appreciation of the identified historic heritage values of the place (for example new bus shelters, signage, telecommunications / fire equipment etc on main roads or busy streets)
- It is a Historic Heritage Area – for example avoid running along the middle of the street. Generally a boundary will run around rather than through a space, street or plot.

When defining a Historic Heritage Area boundary consideration should be given to:

- Patterns of historical development, visual changes in historic character, natural features/ landforms, historic features, land-use or modern barriers (such as a highway)
- The heritage values of the area and how this manifests itself spatially
- Key heritage features/ character defining elements of the area
- Be clear on what is included and what is excluded
- Carefully consider the immediate setting and that the boundary contextualises the historic heritage values adequately
- Boundaries should not have gaps/ holes - non-contributing places within the given area should be identified as such.

## **Exclusions**

Any part of a place recommended for exclusion must be identified. The exclusions column in the heritage schedule identifies any features or elements within the place that are excluded from the rules that apply to scheduled historic heritage places. These still subject to controls, but they are less onerous than those that apply to the balance of the scheduled place.

## **Determining the inclusion / exclusion of interiors**

Under the place-based approach, interiors of buildings should be included as an intrinsic part of heritage buildings, recognising each place as an integral whole rather than a sum of separate parts. While this is the foundation principle, inclusion of an interior may not always be possible because the interior has not been viewed, no recent photographic information has been able to be sourced, or the interior is modified to such an extent that its contribution to the identified values of the place has been lost. The interiors of buildings are not considered for Historic Heritage Areas.

To determine whether the interior should be included, the following aspects should be considered, (but not limited to):

- Any spaces, components, and materials, services and equipment, finishes and fixtures (but excluding unattached items such as furniture) which are original to the place and/or identifiable as contributing to the heritage value of the place
- 
- The original use of the place and how this has influenced the interior (for example washable tiled surfaces in a butchers, machinery or structure to hold equipment in a former factory)
- Whether the original volume(s) of the building is still perceivable (for example in a church or warehouse)
- Whether the original internal layout or spatial arrangement of the building is still largely intact (for example the traditional layout of a Victorian villa)
- Whether the interior is particularly integral to the underlying design philosophy of the place (for example the Group houses, or wharenui).

Additional considerations:

- Care should be taken to ensure that superficial changes do not mask intact historic fabric.
- It may be appropriate in exceptional circumstances to include portions of an interior. Piecemeal inclusion of individual items are to be avoided wherever possible (for example, 'the pressed metal ceilings' or 'the main staircase'), and the entire or an appropriate portion be included instead.

**Determining the Primary Feature (Historic Heritage Places: Category A only)**

Category A places will generally require the identification of the primary feature or features of the place. It is anticipated that in most cases the primary feature will be the principal element, for example, the main dwelling on a residential site. In some instances, there will be more than one primary feature. In some cases (for example many archaeological sites) it may not be appropriate to identify a primary feature.

A feature identified as 'primary' must be a key component of the place's identified values. The feature's association with identified values should be such that if the feature was to be destroyed, removed or irreversibly harmed, the historic heritage place would be compromised to such an extent that it would fall below the Category A threshold, should it be re-evaluated.

If a feature forms a notable part of the historic heritage place and contributes to the historical context and understanding of the place, but is not the fundamental basis for scheduling the place, it should not be identified as 'primary'.

**Example of extent of scheduling diagram for Category A:**

Figure 1 below provides an example of the extent of scheduling of a place. In this example, because the place is scheduled as Category A, the primary feature is also identified (as discussed above, identification of the primary feature(s) is only required for Historic Heritage Places: Category A).

**Figure 1**



Extent of Scheduling: All land shown outlined in Figure 1, being the entire certificate of title  
 Historic Heritage Place: Category A primary feature: F1 House

## Definitions

**Archaeological site:** Any place, including any building or structure (or part of a building or structure), that is or may be able, through investigation by archaeological methods, to provide evidence relating to the history of New Zealand.

Archaeological sites associated with pre-1900 human activity, the sites of shipwrecks that occurred before 1900, and any site for which a declaration has been made under [Sec 40(1)(b) of the HNZPT Bill or] Sec 9(2) of the Historic Places Act 1993 are protected under the provisions of that Act.

**Considerable** [value/significance]: of great importance and interest; retention of the identified value(s)/significance is very important.

**Evocative qualities:** those aesthetic qualities that inspire an emotional response.

**Exceptional** [value/significance]: of outstanding importance and interest; retention of the identified value(s)/significance is essential.

**Fabric:** all physical material of a place, including subsurface material, structures, and interior and exterior surfaces including the patina of age; and including fixtures and fittings, and gardens and plantings<sup>3</sup>.

<sup>3</sup> ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value, Revised 2010

**Feature:** a physical entity within a scheduled historic heritage place that is discernible as an individual element within the place. A feature can be an archaeological feature, such as pits, terraces or a midden; a building, object or structure (PAUP E2).

**Historic heritage:** those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities: archaeological, architectural, cultural, historic, scientific, technological; and includes: historic sites, structures, places, and areas; archaeological sites; sites of significance to Māori, including wāhi tapu; surroundings associated with the natural and physical resources.<sup>4</sup>

**Historic heritage place:** means the same as 'place' in the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value (revised 2010). That is: 'Place means any land having cultural heritage value in New Zealand, including areas; cultural landscapes; buildings, structures, and monuments; groups of buildings, structures, or monuments; gardens and plantings; archaeological sites and features; traditional sites; sacred places; townscapes and streetscapes; and settlements. Place may also include land covered by water, and any body of water. Place includes the setting of any such place' (PAUP: E2).

**Integrity:** wholeness or intactness of a place, including its meaning and sense of place, and all the tangible and intangible attributes and elements necessary to express its cultural heritage value<sup>5</sup>.

**Contributing buildings, structures or features:** Buildings, structures or features within the extent of a scheduled historic heritage area that have heritage value or make a contribution to the significance of the area (PAUP definitions).

**Little [value/significance]:** of limited importance and interest.

**Mana whenua:** has the same meaning as in the Local Government (Auckland Law Reform) Act 2009.

**Moderate [value/significance]:** of some importance and interest; retention of the identified value(s)/significance is desirable.

**Non-contributing** properties, places or features are either not relevant to, or may detract from, the values for which an area has been scheduled, or have the potential to adversely affect the heritage values of the place through future use and development (PAUP E2).

**Primary feature** (of a scheduled historic heritage place): The feature(s) within a Category A or A\* scheduled historic heritage place that form(s) the fundamental basis of why it has been scheduled (PAUP definitions).

**Representative:** importance in demonstrating the principal characteristics of a set of historic heritage places.

**Sensual qualities:** those aesthetic qualities that can be judged against various ideals including beauty, picturesqueness, evocativeness, expressiveness, landmark presence, symbolism or some other quality of nature or human endeavour.

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<sup>4</sup> Resource Management Act 1991

<sup>5</sup> ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value, Revised 2010

**Setting:** Means elements of the surrounding or spatial context within which a historic heritage place is experienced, including sea, sky, land, structures, features, backdrop, skyline and views to and from the place. Setting can include landscapes, townscapes, and streetscapes and relationships with other historic heritage places which contribute to the value of the place (PAUP E2).



## **ATTACHMENT FOUR**

### **METHODOLOGY AND GUIDANCE FOR EVALUATING AUCKLAND'S HISTORIC HERITAGE GUIDANCE, Version 2, August 2019**





# Methodology and guidance for evaluating Auckland's historic heritage

August 2019  
Version 2



**Cover image credit:** Adele Krantz

**Cover image caption:** Matthews & Matthews Architects, Ltd. 2003. *The Pah Farm Conservation Plan*.

Located on a rise with panoramic views of the Manukau Harbour, Maungakiekie/One Tree Hill and Hillsborough, the Pah estate has always been valued for its landform, outlook and soil. The site is said to have been that of an extensive fortified pā, occupied by a hapū of the Waiohua tribe. The pā, known as Whataroa, was one of a number destroyed following a great battle at Titirangi around 1750.

The Pah farm provides important evidence of the progressive European development of the landscape from William Hart's pioneering farming beginnings in the 1840s to a significant agricultural park owned and managed by some of Auckland's most significant businessmen during the 1860s to 1880s, as well as later use for school, religious and community functions first by St Johns College, and then the Sisters of Mercy.

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Appendix 3: Extent of place, primary features and exclusions

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Appendix 5: Vocabulary to assist with establishing significance

## 1 Overview

This methodology guides the process of evaluating the significance of historic heritage places against the criteria in the Auckland Unitary Plan (**AUP**) to determine if a place meets the thresholds for scheduling which are specified in the Regional Policy Statement (**RPS**).<sup>1</sup> Its purpose is to ensure that there is consistency in the way places are evaluated and that evaluations contain a sufficient level of detail so that subjectivity is minimised, and evaluations are consistent, defensible and transparent.

Heritage specialists and Mana Whenua representatives are key users, however, there are a number of other interested parties to whom the methodology and guidance is relevant. This includes resource management professionals, decision-makers, community interest groups, land owners and other interested parties.

Anyone evaluating a historic heritage place for potential inclusion in the historic heritage schedule should have regard to this methodology and guidance. Evaluations that do not meet the standards set out in this document are unlikely to contain the level of detail required to support good decision-making.

## 2 Introduction to the AUP historic heritage framework

The statutory framework for the identification and evaluation of Auckland's significant historic heritage places can be found in section B5.2.2 of the AUP. Policies 1-5 identify criteria and thresholds that determine whether a place is eligible to be included in Schedule 14.1: Schedule of Historic Heritage (**the schedule**). Places recommended for inclusion in the schedule must have considerable or outstanding value in relation to one or more of the evaluation criteria and have considerable or outstanding overall significance to the locality or a greater geographic area.

The AUP takes a place-based approach to historic heritage. This holistic, multidisciplinary approach considers multiple values that contribute to the significance of a historic heritage place. The place-based approach acknowledges the diversity of Auckland's historic heritage and the range of forms it takes, including landscapes, features, sites and settings. A place-based approach allows for a full understanding and appreciation of the values and overall significance of each historic heritage place. A place-based approach is in accordance with recognised good heritage practice<sup>2</sup>, both within New Zealand and internationally.

<sup>1</sup> Eligibility does not automatically guarantee that a place will be scheduled. A planning analysis followed by decision-making from the elected council are subsequent steps prior to notification

<sup>2</sup> ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value, Revised 2010

## 2.1 Evaluation process

The process of evaluating historic heritage significance involves the following steps:

1. Undertake historical research on the place and comparable places, the historical and physical context, and physical form/type/style
2. Visit the site to assist with understanding the place
3. Prepare a comparative analysis
4. Evaluate the place against the significance criteria
5. Prepare a statement of significance
6. Recommend whether the place meets the overall threshold for scheduling as a Historic Heritage Place (Category A or B) or Historic Heritage Area (**HHA**)
7. If the place is considered to meet the threshold for scheduling, define the extent of place recommended for scheduling, the primary feature(s) and any exclusions, based on the heritage values of the place identified in the evaluation
8. Obtain a peer review of the evaluation and incorporate any subsequent amendments<sup>3</sup>

These steps are interrelated and iterative. Sometimes new information or analysis in later steps will take the evaluator back to an earlier step for revisions.

## 3 Historical summary

The historical summary is a brief history that builds understanding of the place and its development over time. This section will include information on relevant historical contexts, associations and themes. For example, if the place is a State House, it may be relevant to include information on the origins of State housing, social welfare, the First Labour Government, various government departments, the architects, other areas of State housing, the significance of the location, other iterations of the State housing programme, and/or international examples.

Places that reflect successive layers of history, such as those that have been used in a variety of different ways and/or with different physical expressions over a period of time, may have multiple contextual themes to address in this section.

<sup>3</sup> Where an evaluation forms part of a council process (such as a plan change), the peer review is expected to be undertaken by or on behalf of the Heritage Unit

This summary can be structured in a number of ways but is expected to include both chronological and thematic sections to contextualise the place. In the body of the evaluation, this section summarises information that is relevant to the significance of the place. A more detailed historical narrative can be included as an appendix and referred to in the summary, where relevant.

## 4 Physical description

The physical description describes the geographic context and physical fabric of the place. It includes the following sections:

- **Site visit:** Include the date of the site visit(s), who attended, and what was inspected.
- **Place location:** Aerial photographs showing the immediate and wider physical context of the place. Historical aerial photography should be included in an appendix. Identify the place and any other significant features on the aerial (i.e. use arrows, circle or similar).
- **Geographic/physical context:** Information about the location and qualities of the place. Describe the surrounding environment and geographic context, such as the pattern of development, use/character of surrounding areas, significant streets or features (e.g. tram stops, bridges, corner site), landmarks and/or relevant topographical and landform information. If it is relevant to understanding the place, include information on the natural environment, including the wider landscape. Visual or proximity links with other places or sites may also be relevant, such as the location of a natural spring relative to a settlement site. Annotated location maps can be helpful where it is necessary to relate the place to a wider landscape.
- **Site description:** Information about site size, topography, general layout of features, general spatial organisation on site, orientation, key site features such as boundary treatments or significant plantings.
- **Description (exterior or surface features):** Include information on structure, form, style, fabric, key features, modifications, etc. Depending on the complexity of the place, this section can include subsections. Use the information from the historical summary to identify features that need to be made distinct for particular reasons (e.g. the barn where an important development in milking technology was made should be distinct from other accessory buildings on a farm). The following should be included in the description:
  - Site features in general: such as location, general dimensions, fabric, whether of a particular pattern or style, function, age (if known). A place with several features to describe may benefit from a diagram or annotated site plan

- For buildings and structures: Include information on design or architectural style, number of stories, general form and orientation on the site, roof form and fabric, materials, structure, details on cladding, fenestration, entrances, and any special exterior features. If it reflects an architectural style, note which key defining features of that style are present. If the building had a particular function, note what elements of the building illustrate that function. It may be useful to describe each elevation separately, but pictures, diagrams or architectural drawings can be used to illustrate more complex buildings
  - For archaeological sites or places that include or may include archaeological sites or features<sup>4</sup>: Identify the site type/s (for example headland pā); describe the features present, including any that contribute to the context of the place. Where relevant, provide a reasoned interpretation based on analogy or recorded history of what subsurface features are likely to be present. For example, a historic-era domestic settlement site will typically include rubbish pits or deposits of discarded artefacts and food refuse, an infilled well and latrine, and evidence of buildings and structures including postholes or footings
  - Features associated with the setting: include fences, gates, outbuildings, steps, paths, driveways and other structures that contribute to the significance of the place
  - Notable trees and other important vegetation: include location, common name and scientific name (genus and species), approximate size (diameter at breast height [**dbh**], overall height) and age, whether there is a designed or vernacular landscape and whether it follows a particular style<sup>5</sup>
- **Description (interior or known sub-surface features):** Where there are known features of historic heritage interest these should be described. A description and photographs should be included in this section. Additional historical or contemporary photographs and/or drawings can be included in the appendix.
    - For buildings and structures: include information on layout, access arrangements, materials and distinctive features, including fixtures and fittings
    - For known<sup>6</sup> sub-surface features or archaeological deposits: describe the deposits or features present, including any that contribute to the context of

<sup>4</sup> Note that this may include standing buildings and structures.

<sup>5</sup> When preparing this section, an arborist may need to be consulted to provide input. The approximate age of plantings can sometimes be determined from archival photographs or historic aerial imagery.

<sup>6</sup> Either through historical records or prior investigation.

the place. Include information on stratigraphy (and soil composition where relevant), and the extent of any known disturbance

- **Summary of key modifications:** Describe any significant modifications to the place (including the date undertaken, where known). A timeline of modifications can be included in an appendix to support this summary. A colour-coded diagram can be useful if different parts of the place have had multiple changes or have been constructed at different times.
- **Summary of key features:** Key features are those that, if destroyed or removed, would adversely affect the overall significance of the place. This may include the interior, where it is of historic interest. Do not itemise every feature of the place. If the place is eligible, these key features will inform your recommendations for primary features.

## 5 Comparative analysis

The comparative analysis examines how a place compares with other similar or related places (both scheduled and unscheduled) in the local area, region or wider context to establish its relative significance against one or more points of comparison.

The comparative analysis will also help establish the geographic extent over which the heritage values associated with a place extend. Start with the local context and go broader if no comparable places are found.

For example, if the place is the work of a notable architect, the comparative analysis will establish if it is significant within the architect's body of work by considering their other comparable works. Likewise, if the place is rare, unusual or an exemplar of its type, those qualities need to be established through the comparative analysis.

Revisit the comparative analysis when a preliminary evaluation against the criteria is undertaken, as there is a direct relationship between the comparative analysis and the inclusion and exclusion indicators.

### 5.1 Determining the basis for comparison

The historical research and physical description will identify the relevant points of comparison for a place. These may include (but are not limited to):

- design or architectural style
- geographic area
- thematic context



- period of significance/age
- historical associations (with individuals, groups, places, events, etc)
- type
- use
- architect, builder, engineer or designer
- fabric and/or technology

Select the points of comparison relevant to the place. It is important to understand the basis for comparison to avoid comparisons that do not help determine significance. For example, where a house appears to be significant because of who lived there, the appropriate basis for comparison is other buildings in which that person lived, and what phase of their life each is associated with. It would not be useful, in this example, to make a comparison of similarly styled houses as this would not assist in identifying the significance of the place.

The case for significance is built throughout the evaluation, and the comparative analysis is a key part of this. Ensure the comparative analysis is focused and robust enough to support the arguments made under each relevant evaluation criterion.

## 5.2 Selecting places to compare

Once the points of comparison are selected, look for comparable places to which these points are also directly relevant. Comparable places can be identified through a range of sources which include (but are not limited to):

- Schedule 14.1: Schedule of Historic Heritage
- Contributors to an HHA (Schedule 14.2: Historic Heritage Areas - Maps and statements of significance)
- Character supporting and defining places (Schedule 15: Special Character Schedule, Statements and Maps)
- City Centre Character Buildings (Chapter H8.11.1)
- ArchSite, the New Zealand Archaeological Association (**NZAA**) national database of archaeological sites
- New Zealand Heritage List/Rārangi Kōrero (**NZHL/RK**)
- Engineering Heritage Register, maintained by Engineering New Zealand<sup>7</sup>
- Documentation and Conservation of buildings, sites and neighbourhoods of the Modern Movement. (**DOCOMOMO**) Top 20
- The New Zealand Tree Register
- A thematic study or definitive work
- Cultural Heritage Inventory (**CHI**)
- Schedules maintained by other local or regional authorities

<sup>7</sup> Formerly Institute of Professional Engineers New Zealand (**IPENZ**)

- International sources

For each point of comparison, select places to establish the relative significance of the subject place. Do not list every place uncovered during research, focus on those only directly relevant to each point of comparison.

### 5.3 Format

A comparative analysis is generally approached as a narrative discussion supported by a table. The narrative discussion is an analysis of conclusions drawn from research on the comparable places. The table provides an overview of each comparable place. In many cases it will be appropriate to include the table as an appendix, with only the analysis/conclusions contained within the body of the text.

A separate analysis will be prepared for each point of comparison selected. There are, however, often multiple aspects of comparison for each place, and sometimes it is appropriate for these to be considered together (e.g. “churches” is too broad to be a relevant comparison, therefore, a more focused approach is required, such as “Post-war churches in South Auckland”).

A comparative analysis is to include the following information:

- The point of comparison being examined, and why this is relevant/important to the subject place. Why was this point selected for analysis?
- The name and/or address/location of each comparable place
- A photograph of each place including the date it was taken and the source in the caption
- A discussion of how each place is comparable to the subject site. Why is it considered comparable? How is it the same? / How is it different?
- Any current recognition or protection (i.e. is the place listed by Heritage New Zealand Pouhere Taonga (**HNZPT**), or scheduled by a local authority?)
- Analysis/conclusions. What has the comparative analysis revealed? What has it established about the significance of the subject place? What is the outcome of this work?

## 6 Evaluation

### 6.1 Evaluation criteria

The AUP directs that places are eligible for inclusion in the schedule if they are found to have considerable or outstanding value in relation to **one or more** of the evaluation criteria, and if the place has considerable or outstanding overall significance to the locality or greater geographic area.<sup>8</sup> It is not common for historic heritage places to only have significance in relation to a single criterion. The body of evaluations undertaken to date has shown that overall significance generally derives from the contribution of multiple criteria.

The evaluation criteria are not weighted or hierarchical. There is no correct number or combination of values required to determine overall significance.

## 6.2 Indicators

The process of evaluating historic heritage value against the criteria is guided by inclusion and exclusion indicators. The inclusion indicators assist with determining when a place has value against a criterion and the exclusion indicators assist with determining when a place is not considered to have value against a criterion. Not all criteria (or all indicators) will be relevant to the evaluation of every place.

The indicators:

- are not exhaustive
- assist with applying the criteria - they are not criteria, and
- assist with determining the overall value level under each criterion (NA/none; little; moderate; considerable; outstanding).

**Examples illustrating the application of the indicators are included in Appendix 1.**

## 6.3 Integrity and rarity

Integrity and rarity are factors that can apply to all the criteria, which is why this guidance is presented separately. These are important considerations in determining if a place has significance under each criterion.

### 6.3.1 Guidance on integrity

- Intactness and authenticity are generally considered to be components of integrity

<sup>8</sup> AUP B5.2.2(3)

- Integrity does not necessarily relate to the way the place was when it was established but can derive from a wider period of significance. Later modifications to the place could be just as significant (sometimes more) than an original design or configuration
- Places may be modified over time but not all change is detrimental. Modifications should be assessed as to the effect they have on the overall significance of the place
- Integrity does not only relate to physical fabric; the way integrity is considered is dependent on the value being assessed (e.g. historical). There are different aspects of integrity to consider, including the materials used, the design and craftsmanship involved, the location, immediate setting and wider visual linkages, the continuing association with significant people or institutions or cultural practice. These aspects of integrity are addressed in the inclusion/exclusion indicators for each of the evaluation criteria
- There are different standards for integrity depending on the reasons the place is significant. For a place that represents the work of a notable architect, design integrity is very important. For a place that is significant for its association with an event, the more important aspect of integrity is that the place is much the same as it was when the event occurred
- Replacement of short lifespan fabric (marine timbers, roofing, etc.) does not necessarily preclude a place having value if it retains the relevant aspects of integrity
- Potential for a place to be returned to an earlier state should not be a consideration during evaluation. The place must be considered as it is, not as it could be
- The concept of “original” can be misleading as everything is “original” in some sense of the word. The issue is which chronological period a place or feature is original to, and whether that is significant

### 6.3.2 Guidance on rarity

- Do not state that a place is rare without explaining why that matters. Why is that aspect of rarity important?
- Rather than rely on rarity per se to convey significance, consider why the place is rare and whether that reason tells a significant story. What can present and future generations learn from the fact that this place exists?
- Rarity does not automatically impart significance. A place can be rare without being important or significant

- Apply the most relevant geographic context when discussing rarity (e.g. a two-storey villa is rare within the context of Blockhouse Bay, but not necessarily rare within the isthmus as a whole).

## 6.4 Criteria and indicators

### (a) Historical

*The place reflects important or representative aspects of national, regional or local history, or is associated with an important event, person, group of people or idea or early period of settlement within the nation, region or locality.*

#### INCLUSION indicators

- Demonstrates or is associated with an important event(s), theme(s), process, pattern or phase in the history of the nation, region or locality
- Is associated with a person, group of people, organisation or institution that has made a significant contribution to the history of the nation, region or locality
- Is strongly associated with an important idea
- Is strongly associated with an early or significant period of settlement within the nation, region or locality
- The place or a component of it is an example of a nationally/internationally, regionally or locally unusual, rare or unique heritage place
- Retains a use, function or integrity of association that contributes to the historical importance of the place.

#### EXCLUSION indicators

- Demonstrates or is associated with an event or events, theme, process, pattern or phase that is of unproven or uncertain historical importance
- Associations are incidental, minor, distant or cannot be substantiated
- Provides evidence of themes, phases or other aspects of history that are not of substantiated historical importance

- The place appears to be rare only because research has not been undertaken to determine otherwise
- The claim of rarity or uniqueness has too many descriptive qualifiers linked to it
- The place or its attributes are rare or unique, but its importance is unproven or uncertain
- The place has been adversely changed or altered to such an extent that its historical values are no longer legible.

**(b) Social**

*The place has a strong or special association with, or is held in high esteem by, a particular community or cultural group for its symbolic, spiritual, commemorative, traditional or other cultural value.*

INCLUSION indicators

- Is held in high public esteem
- Represents important aspects of collective memory, identity or remembrance, the meanings of which should not be forgotten
- Is an icon or marker that a community or culture (past or present) identifies with
- Has an enduring or long-standing association with a community or culture (past or present)
- Plays an important role in defining the communal or cultural identity and/or distinctiveness of a culture or community (past or present)
- Demonstrates a custom, way of life or process.

EXCLUSION indicators

- Social, cultural, spiritual, symbolic or community values are incidental, or cannot be demonstrated satisfactorily or otherwise substantiated
- Provides evidence of social, cultural, spiritual, symbolic or commemorative value or community association or esteem that are of dubious historical importance
- The place is valued by a community solely for amenity reasons
- The place is important to a community, but only in preference to a proposed alternative (e.g. a new development)
- The place is not valued or recognised by an identifiable group or interest group within, or that represents, a past or present community
- Associations are not held very strongly or cannot be demonstrated satisfactorily
- The place or its context has been altered or significant elements of the fabric have been changed or neglected to such an extent that its value is severely degraded, illegible or lost

- The custom, way of life or process is rare or in danger of being lost or has been lost but its importance is questionable.

## Guidance

Caution needs to be taken when ascribing social value. Efforts to engage potential communities of interest or the public may be necessary to make a case, particularly if the evaluation may be contentious.

Supporting factors to consider (these are not values, but may support values):

- Recognition in a schedule or list maintained by a heritage organisation, such as HNZPT, Engineering New Zealand, DOCOMOMO, etc
- Organisations dedicated to retention of the place (e.g. Friends of...)
- Subject or location of public events, celebrations or festivals (e.g. Anzac ceremony at a war memorial)
- Protests or appeals during attempts to alter or remove the place
- Extraordinary efforts to save a place
- Public nominations or submissions for scheduling
- Inclusion of the place in literature, history books or heritage trails.

Further matters to consider:

- Is the esteem actually for the physical place, or is it for the role the place has in the community? For example, if a historic church was replaced with a new church building, would the parish value it less?
- Does the public esteem relate to views held by a contemporary community, or a community in the past, or a community that no longer exists, or a community whose views have shifted over time?
- Social value can have multiple layers and can relate to different communities of interest. These values may overlap or compete
- Care needs to be taken if justifying a case for overall considerable or outstanding significance for a place based on this criterion alone
- Consider both place-based communities and communities of interest. Communities of interest may include groups of individuals who are not necessarily resident in the vicinity of a place, or even within the Auckland region but have a shared ethnic,



cultural or other background. For example, the community associated with a particular religious place or cemetery may be widely scattered

- A place may have significance to Māori who are not Mana Whenua and may not even be resident within the region. In this case significance should be considered under the Social criterion

**(c) Mana Whenua**

*The place has a strong or special association with, or is held in high esteem by, Mana Whenua for its symbolic, spiritual, commemorative, traditional or other cultural value.*

\* Development of indicators has yet to be undertaken with Mana Whenua.

INCLUSION indicators

EXCLUSION indicators

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#### **(d) Knowledge**

*The place has potential to provide knowledge through archaeological or other scientific or scholarly study or to contribute to an understanding of the cultural or natural history of the nation, region or locality.*

#### INCLUSION indicators

- Has provided or has the potential to provide substantial new information on past human activity or natural environments through archaeological or other scientific investigation or scholarly study
- Is an important benchmark or reference place that typifies its type and provides a point of reference to which other places can be compared
- Is an important research or teaching site
- Has the potential to play an important role in enhancing public understanding or appreciation of the history, ways of life, cultures or natural history of the nation, region or locality
- Has the potential to be used to educate the public through the use of on- or off-site interpretation
- The place or a component of it, is an example of an internationally/nationally, regionally or locally unusual, rare or unique heritage place
- Demonstrates a custom or way of life or process.

#### EXCLUSION indicators

- The information that can be derived from or about the place is readily available from other places or sources
- There is insufficient physical, documentary or other evidence to assess the research potential of the place
- The place or its context have been disturbed or altered in such a way that its potential to yield meaningful or useful information has been compromised
- The research potential of the place has been fully exhausted (for example where a site has been excavated and negligible intact physical remains are left in situ, or a building where the significant fabric has been substantially removed or replaced with new work)

- The knowledge that has or could potentially be gained from or about the place is/would be of little or limited value
- The place appears to be rare only because research has not been undertaken to determine otherwise
- The claim of rarity or uncommonness has too many descriptive qualifiers linked to it
- The place or its attributes are rare or unique, but its importance is questionable
- The custom, way of life or process is rare or in danger of being lost or has been lost but its importance is questionable.

### **Guidance**

This criterion and set of indicators apply primarily to archaeological sites or other places (including buildings and their settings) that have the potential to provide substantial physical information about the past. In some cases, places will have multiple periods of use or occupation, for example archaeological evidence of Māori or previous European occupation underlying existing buildings and structures.

Caution is required in relation to the application of this criterion. Physical evidence provides evidence from a place while documentary sources provide evidence about a place. Physical evidence is subject to less bias in its creation and can be regarded as the most reliable and therefore the primary evidence relating to the place. It provides evidence that is different from and may not be obtainable from other sources. It may confirm documentary evidence, but it might also tell a different story (for example, that a building was not built as planned). In relation to buildings and settings, physical evidence can provide information on construction details, subsequent modifications and the history of use of a place.

Further matters to consider:

- Standing buildings or structures may have potential to reveal information through archaeological or other investigation. A considerable amount of previously unknown information may be obtainable from early buildings or buildings with little recorded history. For example, Mansion House incorporated recycled building materials from the former Kawau smelting works in its construction. Even for document-rich places, physical investigation of buildings and structures can generally produce a variety of information not included in written or photographic sources. It is additionally worth bearing in mind that a combination of well-preserved physical evidence and variety of documentary information has the potential to allow more complex questions about the past to be explored and addressed

- With archaeological sites, caution is needed in reaching the conclusion that the information available from a particular site can be obtained from other places as not all similar site types have the same information potential or historical trajectory
- Claims as to rarity or uncommonness should not be made without evidence from a contextual study or expert knowledge of the subject/area
- With subsurface archaeological remains expert knowledge or studies of the results of previous investigations of similar sites or places can provide a context for assessing research potential. For example, waterlogged archaeological sites have typically provided an opportunity to apply techniques such as dendrochronology and palynology to reveal detailed information on chronology and the vegetation history of the local environment
- Public access is not a prerequisite. Off-site interpretation may be an appropriate way of interpreting places that are not accessible, and accessibility can change over time
- A place may be judged capable of yielding information or knowledge even if it will not or cannot be investigated in the foreseeable future
- Care is required when considering existing statutory or other formal recognition to avoid multiple counting of values, and to ensure that it is directly relevant to the criterion under consideration

## (e) Technology

*The place demonstrates technical accomplishment, innovation or achievement in its structure, construction, components or use of materials.*

### INCLUSION indicators

- Demonstrates or is associated with a technical accomplishment, innovation or achievement in its structure, construction, engineering, choice or use of materials, equipment or machinery or its other components
- Adapts technology in a creative or unorthodox manner or extends the limits of available technology
- Is a notable or good representative, example of a particular technical design or technology
- Is a notable example of a vernacular response to the constraints of the available material, technology or know-how
- The place or a component of it, is an example of an internationally/nationally, regionally or locally unusual, rare or unique type of technical design or technology.

### EXCLUSION indicators

- Has a minimal, indirect or distant association with a technical accomplishment, achievement or innovation
- The place appears to be rare only because research has not been undertaken to determine otherwise
- Is not a notable or good representative example of technical design or technology or technical accomplishment, innovation or achievement
- The claim of rarity or uniqueness has too many descriptive qualifiers linked to it
- The place or its attributes are rare or unique, but its importance is questionable
- The place is under threat of destruction, but its importance is questionable
- The integrity of the technical design has been severely degraded, illegible or lost
- The accomplishment, innovation or achievement is no longer apparent in the place.

## **(f) Physical attributes**

*The place is a notable or representative example of:*

*(i) a type, design or style;*

*(ii) a method of construction, craftsmanship or use of materials; or*

*(iii) the work of a notable architect, designer, engineer or builder.*

### INCLUSION indicators

- Is the work of a notable architect, designer, engineer or builder and is important in the context of their body of work (for example, elaborate design, significant shift in their career, an experimental phase, a personal project, or a particularly well-preserved or otherwise illustrative example of a design type for which they were noted)
- Is a notable, or good representative, example of vernacular heritage
- Is a notable, or good representative, example of a type, style, method of construction, craftsmanship or use of materials
- Is a notable, or good representative, example of architecture or design associated with a particular time period
- Demonstrates the introduction of, transition to, evolution of, or culmination of a particular architectural style
- The type, style or method of construction is indicative of or strongly associated with a specific locale or pattern of settlement within the region
- The place, or a component of it, has physical attributes that are internationally/nationally, regionally or locally unusual, rare or unique
- The collective grouping is a notable or good representative example of historic built form, such as a pattern of development, street layout or building height, massing and scale.

### EXCLUSION indicators

- Associations with a notable architect, designer, engineer or builder are incidental or unsubstantiated

- Is the work of a notable architect, designer, engineer or builder but is not important within the context of their body of work, including as a not especially well-preserved or otherwise illustrative example of a design type for which they were noted
- Representative qualities have been degraded or lost to the extent that the characteristics of the place no longer typify the type or style
- The place appears to be rare only because research has not been undertaken to determine otherwise
- The claim of rarity or uniqueness has too many descriptive qualifiers linked to it<sup>9</sup>
- The place or its attributes are rare or unique, but its importance is questionable
- The place is under threat of destruction, but its importance is questionable
- The place or its context has been altered or significant elements of the fabric have been changed to such an extent that the value is severely degraded, illegible or lost
- Is, or is substantially, a modern reconstruction, replica or rendering of historic architecture or architectural elements.

#### **Guidance**

This criterion is also applicable to constructed archaeological sites that demonstrate notable attributes or are notable or representative examples. For example, a pā site that incorporated the use of stonework in the design or exemplified a particular type of pā, could potentially meet this criterion.

<sup>9</sup> For example: the only pillbox on Motutapu Island with five embrasures and a left-hand entrance



**(g) Aesthetic**

*The place is notable or distinctive for its aesthetic, visual, or landmark qualities.*

INCLUSION indicators

- Includes, contributes to, or is a visual landmark
- Contributes positively to an important view, vista or panorama (from, within or towards a place)
- Is the subject of artworks and photographs
- Has notable aesthetic quality that has derived from the passage of time and the action of natural processes on the place (the patina of age)
- Exemplifies a particular past or present aesthetic taste
- Has strong or special visual appeal for its sensual qualities, such as beauty, picturesqueness, evocativeness, expressiveness and landmark presence.

EXCLUSION indicators

- The positive visual qualities have been more than temporarily degraded, for example by surrounding or infill development
- The place is not aesthetically or visually distinctive
- Historically significant views to or from the place have been lost or modified to the extent that the original aesthetic, visual or landmark values are severely degraded, illegible or lost
- The place or its context has been altered or significant elements of the fabric have been changed to such an extent that the value is severely degraded, illegible or lost
- There is insufficient evidence that a community or cultural group values or valued the aesthetic appeal of the place.

**Guidance**

A place does not need to be available for public viewing in order to have aesthetic values.

## **(h) Context**

*The place contributes to or is associated with a wider historical or cultural context, streetscape, townscape, landscape or setting.*

### INCLUSION indicators

- Has collective value as a part or member of a group of inter-related, but not necessarily contiguous, heritage features or places or wider heritage landscape
- Is part of a group of heritage features or places (contiguous or discontinuous) that, taken together, have a coherence because of their age, history, style, scale, fabric or use
- Is notable because the original site, setting or context is predominantly intact
- The relationship between the components of the place (buildings, structures, fabric, or other elements) and the setting reinforce the quality of both
- The site, setting or context adds meaning and value to the particular place or item
- Has townscape value for the part it plays in defining a space or street
- Contributes to the character and sense of place of the region or locality
- The individual components of an area collectively form a streetscape, townscape or cultural environment that has value for its architectural style, town planning or urban design excellence, landscape qualities, strong historic associations, or legibility as an archaeological landscape
- Is, or is part of, a group of heritage features or places (whether contiguous or not) that spans an extended period of time or possesses characteristics that are composite or varied but which are linked by a unifying or otherwise important theme.

### EXCLUSION indicators

- The theme or relationship linking the grouping of places or the context to the place is of questionable importance
- The context of the place has been changed to such an extent that its value is severely degraded, illegible or lost
- The relationship of the place to its original site, setting or context or to a subsequent site of significance has been lost (for example by relocation of a building)

- The site, setting or context is predominantly intact, but its importance is questionable.

**Guidance**

The subject place must have significance in its own right. Places beyond the subject place can support context values but they cannot form the basis of the significance under this value. If important aspects of context, upon which the significance of the subject place relies, are identified beyond the place, these need to form part of the overall evaluation. It is important to note places and features not included in the extent of place are not managed as part of that place and may change over time.

Groupings of inter-related places can be considered for potential scheduling as HHAs.

Where historical context is attributed, consider whether this is best assessed under criterion (a) historical or (h) context. Different aspects of historical context may be addressed under both, but generally, it is not appropriate to attribute the same value under both criteria.

The context of a place may change over time but not all change is detrimental. Changes should be assessed as to the effect they have on the significance of the place.

## 7 Statement of significance

The statement of significance is a succinct and convincing statement of how and why a place is important. The statement is a summary of the evaluation, communicating the values and significance of the historic heritage place. The summary is based on the information available or able to be sourced at a particular time.

A clear and informative statement of significance is equally as necessary for places that do not meet the thresholds and will not be recommended for scheduling. These statements should focus on the values the place has, rather than the values or level of values that are lacking or unproven (e.g. state “The Smith residence has moderate social value because...” rather than “The Smith residence does not meet the threshold for scheduling...”).

Consider this statement as an information record. Will it make sense in the future outside the wider context of the evaluation? Will someone in ten years be able to read it and understand what values the place had/has and why it was or was not recommended for scheduling?

### 7.1 Format

A statement of significance should be written as a narrative in one or more paragraphs, depending on the complexity of the place.

The statement forms part of the evaluation but should be treated as if it were a stand-alone section, as in some cases, this may be the only section of an evaluation that the user reads.

To make a statement strong, the most significant values should be mentioned first. Moderate heritage values should only be included if they contribute strongly to the overall significance of the place.

There is no need to repeat the evaluation criteria or geographic significance; this can be woven into the narrative.

#### **Include**

- Brief descriptive information of the place at the beginning (place name, location, dates of construction/period of significance, use, overall significance)
- Why values are important/significant, not just that the place has these values (Use “because” phrasing - “this place is significant in history because...” it has

exceptional aesthetic value because...” simple sentences convey important ideas in a way that most readers will quickly grasp.)

- Key words/terminology from the evaluation criteria (Refer to appendix 5)
- Information from the comparative analysis, where it helps explain significance
- How the place fits into the context of other places/historical themes
- Reference to key features or attributes that make a positive contribution to the significance of the place

### **Avoid**

- Summarising or copying-and-pasting assessments prepared under each evaluation criterion
- Using argument – this is not the place for justification, these are conclusions; an explanation of significance
- Unnecessary superlative or hyperbolic language, especially where it is unsupported by the assessment. (i.e. This place is really important and special; this is a fantastic example, etc.)
- Overly technical language; jargon; long, complicated sentences
- Itemising features or aspects of the place
- Including irrelevant information
- Using passive voice
- Wording that dates the statement (e.g. Instead of saying “for 63 years...” say “since 1950...”)

## **7.2 Historic heritage areas**

Statements of significance for HHAs are included in Appendix 14.2 of the AUP, which means they play a statutory role in the implementation of the HHA rules in D17. Because of this role, HHA statements contain additional information and are generally longer and more detailed than statements prepared for individual places.

In addition to describing the historic heritage values of the area, HHA statements also include information on the geographic and physical context of the area, including describing the features and qualities that support the coherency and cohesiveness of the area, such as:

- Lot size

- Set back
- Subdivision pattern
- Infill development
- Garaging/carports
- Accessways
- Boundary treatments
- Vegetation, trees, gardens and other plantings
- Proximity to or relationships with geographic or topographic features
- Common fabric or materials
- Common design or structural features

**Example statements of significance are included in Appendix 2.**

## 8 Significance thresholds

Determining the level of significance of a historic heritage place requires an evaluation of the **overall** significance of the place. This involves applying professional judgement to the two thresholds that must be met for a place to be eligible for scheduling:

1. A value threshold: Considerable or outstanding significance in relation to one or more of the evaluation criteria<sup>10</sup>, and
2. A geographic threshold: Considerable or outstanding significance to a locality or greater geographic area.<sup>11</sup>

### 8.1 Determining the thresholds

#### 8.1.1 The value threshold

The value threshold is the level of significance that a place must have in order to be eligible for scheduling. The levels are:

- Considerable to a locality or beyond<sup>12</sup> for Category B, and;
- Outstanding well beyond their immediate environs<sup>13</sup> for Category A.<sup>14</sup>

<sup>10</sup> RPS B5.2.2(3)(a)

<sup>11</sup> RPS B5.2.2(3)(b)

<sup>12</sup> RPS B5.2.2(4)(c)

<sup>13</sup> RPS B5.2.2(4)(a)

<sup>14</sup> Category A\* is an interim category for places scheduled in the top tier of legacy plans. They have not yet been reviewed to determine their significance. New places cannot be scheduled in Category A\*

For consistency the following definitions are to be used:

**Considerable** [value/significance]: of great importance and interest; retention of the identified value(s)/significance is very important

**Outstanding** [value/significance]: of exceptional importance and interest; retention of the identified value(s)/significance is essential

Most historic heritages places are expected to be Category B. A historic heritage place that is of local significance can be Category A where overall values of the place are truly outstanding

Historic Heritage Areas are not assigned a specific category but are expected to be of at least considerable overall value. The emphasis is on the collective values of the area, rather than the significance of individual places

### 8.1.2 The geographic threshold

The geographic threshold is the area over which considerable or outstanding significance must extend. The areas are:

- 'to a locality or beyond' for Category B, and;
- 'well beyond their immediate environs' for Category A.

For consistency the following guidance is provided:

- A 'locality' is a district (including rural districts), township, suburb or grouping of suburbs. An unnamed area surrounding a place should not be considered a locality<sup>15</sup>.
- 'Well beyond the immediate environs' of a place means an area that extends beyond the immediate neighbourhood that the place is located in.
- The words 'regional' and 'district' should not necessarily be understood as current or legacy statutory boundaries.

A place can be significant to the locality, region, nation or internationally significant without being significant to living individuals or communities. For example, Browne's spar station is historically significant as the first European settlement in the Auckland region, even though few people would know of its history or location.

It is better to establish firmly the significance a place has at a local level than attempt a weaker argument for significance at the regional or national levels.

A place may sit within a geographic context without having significance at that level. For example, Plunket Rooms are considered within a national context of the social and

<sup>15</sup> Adapted from the *Oxford English Dictionary* definition of "locality".

historical development of early childhood wellbeing in New Zealand, however an individual Plunket Rooms building should not automatically be considered to have national significance.

Depending on the criteria being evaluated, a useful ‘reality check’ as to whether a place potentially has regional or wider significance can be to consider pertinent questions<sup>16</sup>:

- Is this place identified as being significant in an authoritative regional, New Zealand-wide or international publication on a relevant theme (e.g. dam building in New Zealand)?
- Would people in a relevant community of interest be familiar with the place across the region, nationally or even internationally?

## 9 Extent of place

The AUP directs that the location and physical extent of each historic heritage place is defined.<sup>17</sup> The area, known as the ‘extent of place’ (**EOP**) is in line with the place-based approach described above.

An EOP is the area that contains the historic heritage values of the place<sup>18</sup> and, where appropriate, any area that is relevant to an understanding of the function, meaning and relationships of these values.<sup>19</sup> The AUP provisions relating to a historic heritage place apply within the area mapped as the EOP on the AUP maps, including land, water and airspace.

### 9.1 Defining the extent of place

To determine an appropriate extent of place, consider the following:

- The geographic area that demonstrates/illustrates the values that have been identified for the place
- All the features that contribute to the value of the place (e.g. a church, hall, cemetery, presbytery, stone wall and trees)
- Historic evidence of the original extent of the place (e.g. original lot or property boundary; location and size of original buildings, structures, and features; relationships with surrounding area (e.g. roads, driveways, landscaping and

<sup>16</sup> Note that these indicators may not be relevant if the place has been recently identified or for other reasons not widely known

<sup>17</sup> AUP B5.2.2(2)

<sup>18</sup> AUP B5.2.2(2)(a)

<sup>19</sup> AUP B5.2.2(2)(b)



gardens), relationship with setting, particularly if place has been identified for its aesthetic or context value

- The area that adequately encompasses the features or important elements of the place, including any features that are likely to exist and/or continue sub-surface where archaeological values have been identified
- How the historic heritage place is currently viewed from within and immediately around the site, particularly if the place has been evaluated as having considerable aesthetic and/or context values. Consider whether views to and from the place have historic significance and have been articulated in the evaluation against the criteria
- Any parts of the place that have been lost or substantially modified through later development such that they no longer contribute to identified values may be appropriate to exclude from the extent of place, through either not including that portion of the site or identifying as an exclusion
- Whether there are views to, from or within the site that contribute to the values of the place. For example, it might be appropriate to protect the view that represents the field of fire from the embrasures of a gun emplacement

There are several ways to define an extent of place. Useful starting places include: the boundary of the current Record of Title<sup>20</sup> (RT), Deeds Register document or New Zealand Gazette notice; natural, topographical or historical boundaries.

Consideration should be given to using a non-RT boundary definition where:

- A lesser area would be sufficient to achieve appropriate protection of the historic heritage values of the place
- A greater area is required to accurately encompass all of the features that contribute to the significance of the place
- Identified heritage values do not apply to the whole RT site (for example a heritage school building in a more modern school complex that contains no identified heritage values)
- It is an HHA (refer to section 9.1.1)
- Identified historic heritage values extend across more than one RT (for example basalt walls from early subdivision, a historic complex that has later been subdivided into separate ownership, or a large archaeological site)
- The RT site is excessively large compared to the extent of features identified (for example a woolshed or a burial site on a small part of a large farm)

<sup>20</sup> Formerly Certificate of Title (CT)

- The historic heritage place is on public land which is not easily defined by the RT approach
- The historic heritage place is within, or partially within, the coastal marine area (**CMA**)
- The air space component of a historic heritage place is compromised (for example, if a large modern tower has been built directly over and above a historic building)
- The identified values extend to a portion of footpath and/or street area beyond the RT (refer below for further explanation)
- Accurately defining the EOP for shipwrecks is problematic as there will rarely be sufficient data based on surveys or observations to inform the process. One option is to use a circular EOP centred on the known wreck location. The size of the circle will depend on a number of factors including the circumstances of the wreck and the local environment

### 9.1.1 Historic Heritage Areas

When defining the boundary of an HHA, consider:

- Patterns of historical development, visual changes in historic character, natural features/landforms, historic features, land-use or modern barriers (such as a motorway)
- The heritage values of the area and how they manifest spatially
- Key heritage features/contributing places of the area
- What is included and what is excluded – is it clear?
- The immediate setting and whether the boundary contextualises the historic heritage values adequately
- The area as a whole. An HHA should not have gaps or holes, instead, non-contributing places within the area should be identified as such.
- Likewise, a boundary should run around, rather than through a space, street or land parcel. Avoid boundaries that run down the middle of a street

### 9.1.2 Interiors

Under the place-based approach, interiors of buildings and structures are considered to be an intrinsic part of the overall value of the place, recognising each place as an integral whole rather than a sum of separate parts. While this is the foundation principle, inclusion of an interior in the schedule may not always be possible because the interior has not

been viewed, no recent photographic information has been able to be sourced, or the interior is modified to such an extent that its contribution to the identified values of the place has been lost.

The interiors of buildings are not considered for HHAs.

To determine whether the interior should be included, consider:

- Any spaces, components, and fabric, services and equipment, finishes and fixtures (but excluding moveable objects such as furniture) which are original to the place and/or identifiable as contributing to the heritage value of the place
- The original or other significant use of the place and how this has influenced the interior (for example washable tiled surfaces in a butcher shop, machinery or structure to hold equipment in a former factory)
- Whether the original or other significant volume(s) of the building is still perceivable (for example in a church or warehouse)
- Whether the original or other significant internal layout of the building is still largely intact (for example the traditional layout of a Victorian villa, or changes in church layout that reflect important shifts in religious philosophy)
- Whether the interior is particularly integral to the underlying design philosophy of the place (for example the Group houses, or wharenui)
- In some circumstances, it may be appropriate to include portions of an interior. Piecemeal inclusion of individual features is generally discouraged (for example, 'the pressed metal ceilings' or 'the main staircase') but may be appropriate in some instances

### 9.1.3 Road and rail reserve, footpaths, driveways and the CMA

Consider whether to include areas of the public realm, rail reserve or CMA within the EOP where:

- The public realm, rail reserve or CMA<sup>21</sup> forms part of the setting of the place and/or is of relevance to, or contributes to, the identified values of the place
- A feature (or part of a feature) of a place is on, above or below the footpath, street, rail line or coastal edge itself (e.g. a bridge, pillbox, tree, lamp post, balcony, verandah or roof canopy)

<sup>21</sup> To determine if the proposed EOP extends into the CMA, use Geomaps to view the indicative coastline: Management layers -> Information -> Indicative coastline

- A feature is directly on, or close to the property boundary or coastal edge (for example a corner pub, or a villa with minimal setback)
- A feature has a historical association with the footpath/street, rail line or coastal edge (for example a commercial building with display windows or a mechanics centre)
- The driveway is an original or early entrance way of the place which may include features such as historic fences, gates, plantings and/or pavement

#### 9.1.4 Trees, gardens, plantings and other features of the setting

A scheduled historic heritage place may include features that are trees, gardens and/or plantings, as well as constructed and archaeological features. Constructed features may include fences, gates, walls, posts, paths, steps, etc. It is important to identify any trees or other vegetation that are a historic feature of a place in the schedule to ensure their protection, and to meet the requirements of the RMA.

For trees to be protected in urban environments, the RMA requires district plans to describe the tree in a schedule to the district plan, and identify the allotment where a tree or trees are located by street address and/or legal description.

The provisions of the Historic Heritage Overlay apply to all features within the extent of place of a historic heritage place. A new rule is being added to the overlay to make it clear that tree and vegetation removal and trimming of trees and plantings not specifically identified in Schedule 14.1 is a permitted activity (unless the historic heritage place is subject to additional archaeological controls).

Any tree or vegetation that is a historic feature of a scheduled historic heritage place must be clearly identified in the Place Name and/or Description column or Primary Feature column of the schedule.

#### **Include**

- The name of the tree species/vegetation
  - e.g. Pā site Q10\_411, including karaka trees (Place Name and/or Description column)
  - e.g. Mansion House; all pre-1889 plantings and garden features (Primary Feature column)
- Consider identifying the number of trees, if they are a group

- The period the trees and plantings are associated with, if known (e.g. All pre-1923 garden features and plantings)

## **Avoid**

- Vague or general descriptions (e.g. trees, bush, hedge)
- Using descriptors that will easily date (e.g. tree of 3m in height)
- Identifying a tree or vegetation as a primary feature, unless it is a primary feature (for guidance refer to section 11)

### **9.1.5 Views**

In some instances, it may be appropriate to use the EOP to define an important view to or from a historic heritage place, where that view is of primary importance to the values of the place as a whole. For example, an area representing the primary outlook of a pillbox might be included in the EOP because the view from a pillbox is essential to understanding its functionality.

The EOP, however, should not be used to define wider or more distant views, views that are purely aesthetic, or views that are ancillary to the values of the heritage place. This is because views included as part of the EOP will trigger the wider suite of heritage provisions included in D17 of the AUP.

Where other views have been identified, they should be evaluated separately under the criteria and thresholds for Schedule 11: Local Public View Schedule.

## **9.2 Format**

The recommended EOP should be presented as both an aerial photograph with the EOP boundary indicated, and as a written description.

The aerial photograph should:

- Fill at least half of an A4 sheet of paper
- Clearly show the recommended EOP boundary/ies
- Include parcel and lot boundaries and any neighbouring or overlapping extents of place
- Bear in mind geo-referencing inaccuracies (e.g. aerial photographs can show images at an oblique angle)
- Match the written description justifying the extent place

The written description should:

- Clearly describe the proposed extent of place
- Provide a clear justification for the extent of place. Why was this EOP recommended? How does it illustrate the historic heritage values? Why is this area integral to the function, meaning and relationships of the place?
- Match what is depicted in the aerial photograph

### 9.2.1 Diagrams and digital files

Where an EOP is not well-represented through a boundary line on a map, a diagram can be used to clarify the recommended extent of scheduling.

The proposed EOP may also be provided digitally as an \*.mpk file.

## 10 Exclusions

Exclusions are features that do not contribute to, or may detract from, the values for which the historic heritage place has been scheduled. Exclusions are subject to the provisions of the Historic Heritage Overlay, but activities that affect exclusions are usually subject to a lesser level of control than the controls that apply to the balance of the scheduled place. Any part or feature of a place recommended for exclusion must be clearly identified in the Exclusions column of the schedule.

HHAs may have identified exclusions (refer also to section 12).

### Include

- Enough detail to be clear
- Exact names and dates, where known (e.g. instead of “hall”, state “St Andrew’s Hall”; instead of “modern fabric”, state “post-1940 fabric”)
- Clear exceptions, where relevant (e.g. interior of building(s) except for common spaces including stairwells, lift lobbies and corridors)

### Avoid

- Itemising every individual element that is excluded (e.g. instead of “awning, hand rail, balustrade, flower boxes...” say “porch”)
- Using descriptors that will easily date (e.g. paint colour)

- Vague descriptions (e.g. non-historic fabric; later buildings, etc)

## 11 Primary feature(s)

Primary features are the key components or principal elements of the identified values of a place; they are the fundamental basis of why a place has been scheduled.

If a feature forms a notable part of the historic heritage place and contributes to the historical context and understanding of the place but is not the fundamental basis for scheduling the place, it should not be identified as 'primary'.

It is anticipated that in most cases the primary feature will be the principal element, for example, the main dwelling on a residential site. In some instances, there will be more than one primary feature. In some cases (for example many archaeological sites) it may not be appropriate to identify a specific element of a site as a primary feature. In this case the 'entire site' should be identified as the primary feature.

Primary features are included in the "Primary features" column of the schedule. All Category A and A\* places have primary features identified, but this work has not yet been completed for Category B. All new evaluations should identify the primary feature or features for every place recommended for scheduling.

HHAs do not have primary features.

### 11.1 Non-primary features

All features within an extent of place that are not primary features or exclusions are considered "non-primary features". In some instances, they can have value in their own right without being primary to the significance of the place. In other cases, they support the values of the primary feature, or are neutral, but do not need to be excluded.

Features that have value in their own right or support the values of the primary feature should be specifically addressed in the assessment against the evaluation criteria and discussed in the historical summary and physical description.

## 12 Contributing and non-contributing sites/features

Places within an HHA are identified as either contributing or non-contributing. No site within the boundary of an HHA is to be unclassified; they must be either contributing or non-contributing.

Places considered to contribute to the area are those that demonstrate the identified values of the area, and places considered to be non-contributing are those that do not demonstrate the identified values of the area.

Non-contributing places are included within the boundary of the HHA so that development on these sites can be considered through a resource consent process to ensure any new building or structure is sympathetic to the wider HHA.

HHAs may also have identified exclusions. Exclusions differ from non-contributing sites/features in their relative scale and management. Generally, exclusions are components of a place, such as the interior of a building or a modern garage with no identified heritage values. Non-contributing places, however, are generally whole sites within an HHA that contain buildings or structures that do not demonstrate the identified values of the area.

Activity statuses that relate to exclusions are generally more permissive than activity statuses that relate to non-contributing places.

**Examples of identifying an appropriate extent of place, exclusions, primary features and contributing/non-contributing sites/features are included in Appendix 3.**

## **13 Additional rules for archaeological sites or features**

Schedule 14.1 identifies those scheduled historic heritage places with archaeological values where additional archaeological rules in D17 apply.

Scheduled historic heritage places that are archaeological sites or contain archaeological sites or features that contribute to the significance of the place, are identified in the schedule in the column by the word 'Yes' in the 'Additional Rules for Archaeological Sites or Features' column. This column is "ticked" where the evaluation has assessed and determined that a place has archaeological significance. If a place has been identified in this column, the place is subject to additional rules listed in Table D17.4.2. and E12.4.2.

It is generally not appropriate to tick this box in relation to the archaeology of standing buildings because these rules primarily relate to land uses involving land disturbance. On the other hand, many early buildings will have associated or underlying archaeological features or sites. If in doubt, consult an archaeologist.

## **14 Place of Māori interest or significance**

Schedule 14.1 identifies existing scheduled historic heritage places that are or may be places of interest or significance to Māori because of the physical attributes or known



history of the place. Many of these places have not been evaluated against Criterion C (Mana Whenua significance). It is currently for information purposes only.

Development of policy on how this column is populated into the future has yet to be undertaken with Mana Whenua.

## 15 Definitions

Common use words are not defined and default to the *Oxford English Dictionary* definition.

**Archaeological site:** Any place including any building or structure (or part of a building or structure), that provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand.

Archaeological sites associated with pre-1900 human activity, including the sites of shipwrecks that occurred before 1900, and any site for which a declaration has been made under Section 43(1), are protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014.<sup>22</sup>

**Considerable** [value/significance]: of great importance and interest; retention of the identified value(s)/significance is very important.

**Contributing buildings, structures or features:** Buildings, structures or features within the extent of a scheduled HHA that have heritage value or make a contribution to the significance of the area.

**Fabric:** all physical material of a place, including subsurface material, structures, and interior and exterior surfaces including the patina of age; and including fixtures and fittings, and gardens and plantings.<sup>23</sup>

**Feature:** a physical entity within a scheduled historic heritage place that is discernible as an individual element within the place. A feature can be an archaeological feature, such as pits, terraces or a midden; a building, object (not including a moveable chattel) or structure.

**Historic heritage:** those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities: archaeological, architectural, cultural, historic, scientific, technological; and includes: historic sites, structures, places, and areas; archaeological sites; sites of significance to Māori, including wāhi tapu; surroundings associated with the natural and physical resources.<sup>24</sup>

**Historic Heritage Area:** groupings of interrelated, but not necessarily contiguous, places or features that collectively meet the Category A or B criteria. Historic Heritage Areas may include both contributing and non-contributing sites or features, places individually

<sup>22</sup> Adapted from HNZPTA 2014 Section 6(a) (i) and (ii) and Section 6(b). Only one post-1900 site has been declared to be an archaeological site in the Auckland region.

<sup>23</sup> ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value, Revised 2010

<sup>24</sup> Resource Management Act 1991

scheduled as Category A or B places, and notable trees. Before the map for each Historic Heritage Area in Schedule 14.2. Historic Heritage Areas - Maps and statements of significance there is a statement of significance which summarises the heritage values of each Historic Heritage Area and the relative importance of the values.<sup>25</sup>

**Historic heritage place:** any land having cultural heritage value in New Zealand, including areas; cultural landscapes; buildings, structures, and monuments; groups of buildings; gardens and plantings; archaeological sites and features; traditional sites; sacred places; townscapes and streetscapes; and settlements. Place may also include land covered by water, and any body of water. Place includes the setting of any such place'.<sup>26</sup>

**Integrity:** wholeness or intactness of a place, including its meaning and sense of place, and all the tangible and intangible attributes and elements necessary to express its cultural heritage value.<sup>27</sup>

**Little** [value/significance]: of limited importance and interest.

**Mana whenua:** Māori with ancestral rights to resources in Auckland and responsibilities as kaitiaki over their tribal lands, waterways and other taonga. Mana Whenua are represented by iwi authorities.<sup>28</sup>

**Moderate** [value/significance]: of some importance and interest; retention of the identified value(s)/significance is desirable.

**Non-contributing** properties, places or features are either not relevant to, or may detract from, the values for which an area has been scheduled, or have the potential to adversely affect the heritage values of the place through future use and development.

**None/NA** [value/significance]: of no importance and interest.

**Outstanding** [value/significance]: of exceptional importance and interest; retention of the identified value(s)/significance is essential.

**Primary feature** (of a scheduled historic heritage place): The feature(s) within a scheduled historic heritage place that form(s) the fundamental basis of why it has been scheduled.

**Representative:** importance in demonstrating the principal characteristics of a set of historic heritage places.

<sup>25</sup> D17.1

<sup>26</sup> Adapted from: ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value, Revised 2010

<sup>27</sup> ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value, Revised 2010

<sup>28</sup> AUP J1

**Setting:** elements of the surrounding or spatial context within which a historic heritage place is experienced, including sea, sky, land, structures, features, backdrop, skyline and views to and from the place. Setting can include landscapes, townscapes, and streetscapes and relationships with other historic heritage places which contribute to the value of the place.

## **ATTACHMENT FIVE**

### **SUMMARY OF DECISIONS REQUESTED AND FURTHER SUBMISSIONS SPREADSHEET**



Attachment 4 - Summary of decisions requested and further submissions spreadsheet

Plan Change 31- Additions to Schedule 14 Historic Heritage												
Further Submissions						Summary of Decisions Requested						
FS #	Further Submitter Name	Agent	Address	FS WTBH	Support or Oppose	Sub #	Sub Point	Submitter Name	Address for service	Decision requested	Proposed scheduled historic heritage place and/or theme	WTBH
						1	1.1	Kaye Mills and Anthony Mills	Kayemills@yahoo.co.nz	CAC Bulk Store - support the plan modification with amendments	Support the plan modification with amendments	Yes
						1	1.2	Kaye Mills and Anthony Mills	Kayemills@yahoo.co.nz	CAC Bulk Store - support the plan modification with amendments	Amend the extent of place to exclude the asphalt area to the rear of the building; amend exclusions to include additional features that do not contribute to the heritage value of the building.	Yes
						2	2.1	Warkworth & District Museum Society Inc c/- Victoria Joule	warkworthmuseum@xtra.co.nz	Riverina - support the specific provisions identified	Support the specific provisions identified	No
FS1	The Theosophical	C/-Enviro Limited	09) 638 2612 john.yan@envivo.nz	Yes	Support	3	3.1	Guardian Retail 551	cmcgarr@bentley.co.nz	Upland Village HHA -	Accept the plan	Yes

FS2	Society in New Zealand Incorporated	(Attn: John Yan)	c/- Loo and Koo Solicitors (Attn: Jean Ong cc: Stephen Brownhill 09) 529 3289 jong@loo-koo.co.nz Stephen.brownhill@xtra.co.nz	Yes			3	3.1	Guardian Retail 551 Limited c/- Craig McGarr	cmcgarr@bentley.co.nz	Upland Village HHA - support the plan modification with amendments	Accept the plan modification with amendments	Yes
FS3	Upland Group Limited	c/- Morrison Kent Lawyers (Attn: Bryce Town) cc: Stephen Brownhill 09) 915 5475 bryce.town@morrisonkent.co.nz Stephen.brownhill@xtra.co.nz	Yes			3	3.1	Guardian Retail 551 Limited c/- Craig McGarr	cmcgarr@bentley.co.nz	Upland Village HHA - support the plan modification with amendments	Accept the plan modification with amendments	Yes	
FS1	The Theosophical Society in New Zealand Incorporated	C/- Envivo Limited (Attn: John Yan)	09) 638 2612 john.yan@envivo.nz	Yes		3	3.2	Guardian Retail 551 Limited c/- Craig McGarr	cmcgarr@bentley.co.nz	Upland Village HA - support the plan modification with amendments	Delete the proposed 'Historic Heritage Overlay - Extent of Place' for 'Upland Village' in its entirety.	Yes	
FS2	GWG Trustee Limited	c/- Loo and Koo Solicitors (Attn: Jean Ong)	09) 529 3289 jong@loo-koo.co.nz Stephen.brownhill@xtra.co.nz	Yes		3	3.2	Guardian Retail 551 Limited c/- Craig McGarr	cmcgarr@bentley.co.nz	Support the plan modification with amendments	Delete the proposed 'Historic Heritage Overlay - Extent of Place' for	Yes	



FS3	Upland Group Limited	cc: Stephen Brownhill c/- Morrison Kent Lawyers (Attn: Bryce Town) cc: Stephen Brownhill 09) 915 5475 bryce.town@morrisonkent.co.nz Stephen.brownhill@xtra.co.nz					3	3.2	Guardian Retail 551 Limited c/- Craig McGarr	cmcgarr@bentley.co.nz	Support the plan modification with amendments	'Upland Village' in its entirety. Delete the proposed 'Historic Heritage Overlay - Extent of Place' for 'Upland Village' in its entirety.	Yes
FS1	The Theosophical Society in New Zealand Incorporated	C/- Envivo Limited (Attn: John Yan)					4	4.1	Guardian Retail 551 Limited c/- Craig McGarr	cmcgarr@bentley.co.nz	Oppose	Delete the proposed 'Historic Heritage Overlay - Extent of Place' for 'Upland Village' in its entirety.	Yes
FS1	The Theosophical Society in New Zealand Incorporated	C/- Envivo Limited (Attn: John Yan)					4	4.2	Guardian Retail 551 Limited c/- Craig McGarr	cmcgarr@bentley.co.nz	Oppose	Decline the proposed plan change as the proposal will have a significant adverse effect on the submitter's future development options for the land and buildings.	Yes

FS1	The Theosophical Society in New Zealand Incorporated	C/- Envivo Limited (Attn : John Yan)	09) 638 2612 john.yan@envivo.nz	Yes	Support	5	5.1	Upland Group Limited c/- Morrison Kent Lawyers attn: Bryce Town	Bryce.town@morrisonkent.co.nz stephen.brownhill@extra.co.nz	Oppose	Decline the plan change	Yes
FS1	The Theosophical Society in New Zealand Incorporated	C/- Envivo Limited (Attn : John Yan)	09) 638 2612 john.yan@envivo.nz	Yes	Support	5	5.2	Upland Group Limited c/- Morrison Kent Lawyers attn: Bryce Town	Bryce.town@morrisonkent.co.nz stephen.brownhill@extra.co.nz	Oppose	Decline the proposed plan change as proposal will have a significant adverse effect on the submitter's future development options for the land and buildings.	Yes
FS1	The Theosophical Society in New Zealand Incorporated	C/- Envivo Limited (Attn : John Yan)	09) 638 2612 john.yan@envivo.nz	Yes	Support	6	6.1	Auckland Transport c/-Liam Burkhardt	liam.burkhardt@at.govt.nz	Supports the plan modification with amendments	Supports the plan modification with amendments	Yes
			09) 638 2612 john.yan@envivo.nz	Yes	Support	6	6.2	Auckland Transport c/-Liam Burkhardt	liam.burkhardt@at.govt.nz	Supports the plan modification with amendments	Seeks amendments to exclude road reserve from Upland Village Historic Heritage Area.	Yes
						6	6.3	Auckland Transport	liam.burkhardt@at.govt.nz	Supports the plan	Seeks amendments	Yes



FS3	Upland Group Limited	cc: Stephen Brownhill c/- Morrison Kent Lawyers (Attn: Bryce Town) cc: Stephen Brownhill 09) 915 5475 bryce.town@morrisonkent.co.nz Stephen.brownhill@xtra.co.nz	Yes	Support	8	8.1	The Theosophical Society in New Zealand Incorporated c/-John Yan	john.yan@envivo.nz	Oppose	Decline the plan modification	Yes
FS2	GWG Trustee Limited	c/- Loo and Koo Solicitors (Attn: Jean Ong cc: Stephen Brownhill 09) 529 3289 jong@loo-koo.co.nz Stephen.brownhill@xtra.co.nz	Yes	Support	8	8.2	The Theosophical Society in New Zealand Incorporated c/-John Yan	john.yan@envivo.nz	Oppose	Seeks that the proposed 'Historic Heritage Overlay - Extent of Place' for identified 'Upland Village Historic Heritage Area' is removed in its entirety	Yes
FS3	Upland Group Limited	c/- Morrison Kent Lawyers (Attn: Bryce Town) cc: Stephen Brownhill 09) 915 5475 bryce.town@morrisonkent.co.nz Stephen.brownhill@xtra.co.nz	Yes	Support	8	8.2	The Theosophical Society in New Zealand Incorporated c/-John Yan	john.yan@envivo.nz	Oppose	Seeks that the proposed 'Historic Heritage Overlay - Extent of Place' for identified 'Upland Village	Yes

FS1	The Theosophical Society in New Zealand Incorporated	C/- Envivo Limited (Attn: John Yan)	(09) 638 2612 john.yan@envivo.nz	Yes			9	9.1	Heritage New Zealand Pouhere Taonga c/-Susan Andrews	sandrews@heritage.org.nz	Supports the plan modification with amendments	Supports the plan modification with amendments	Historic Heritage Area' is removed in its entirety	Yes
FS1	The Theosophical Society in New Zealand Incorporated	C/- Envivo Limited (Attn: John Yan)	(09) 638 2612 john.yan@envivo.nz	Yes			9	9.2	Heritage New Zealand Pouhere Taonga c/-Susan Andrews	sandrews@heritage.org.nz	Support	Supports the proposed addition of the six historic heritage places	Supports the proposed addition of the six historic heritage places	Yes
FS4	Sue Parkinson and Graham Matthews	c/- Berry Simmons (Attn: Helen Andrews)	(09) 969 2300 <a href="mailto:helen@berrysimmons.co.nz">helen@berrysimmons.co.nz</a>	Yes			9	9.2	Heritage New Zealand Pouhere Taonga c/-Susan Andrews	sandrews@heritage.org.nz	Support	Supports the proposed addition of the six historic heritage places	Supports the proposed addition of the six historic heritage places	Yes
FS4	Sue Parkinson and Graham Matthews	c/- Berry Simmons (Attn: Helen Andrews)	(09) 969 2300 <a href="mailto:helen@berrysimmons.co.nz">helen@berrysimmons.co.nz</a>	Yes			9	9.3	Heritage New Zealand Pouhere Taonga c/-Susan Andrews	sandrews@heritage.org.nz	Support	Seeks amendment to exclusions for Riverina and Glenholm to include all the interiors	Seeks amendment to exclusions for Riverina and Glenholm to include all the interiors	Yes
FS1	The Theosophical Society in New Zealand Incorporated	C/- Envivo Limited (Attn: John Yan)	(09) 638 2612 john.yan@envivo.nz	Yes			10	10.1	Remuera Heritage Inc. c/- Jennifer Hayman	jennifer@haymanconsulting.co.nz	Supports in part and seeks amendments	Supports in part and seeks amendments	Supports in part and seeks amendments	Yes

F54	Sue Parkinson and Graham Matthews	c/- Berry Simmons (Attn: Helen Andrews)	(09) 969 2300 <a href="mailto:helen@berrysimmons.co.nz">helen@berrysimmons.co.nz</a>	Yes	Oppose	10	10.1	Remuera Heritage Inc. c/- Jennifer Hayman	jennifer@haymanconsulting.co.nz	Supports in part and seeks amendments	Supports in part and seeks amendments	Yes
F54	Sue Parkinson and Graham Matthews	c/- Berry Simmons (Attn: Helen Andrews)	(09) 969 2300 <a href="mailto:helen@berrysimmons.co.nz">helen@berrysimmons.co.nz</a>	Yes	Oppose	10	10.2	Remuera Heritage Inc. c/- Jennifer Hayman	jennifer@haymanconsulting.co.nz	Supports in part and seeks amendments	Accepts proposed plan change for Glenholm	Yes
						10	10.3	Remuera Heritage Inc. c/- Jennifer Hayman	jennifer@haymanconsulting.co.nz	Supports in part and seeks amendments	Accept proposed plan change for Remuera Primary School War Memorial Gates	Yes
F55	Aotearoa New Zealand Limited	C/- Planning Focus Limited (Attn: Alex van Son)	avs.planningfocus.co.nz	Yes	Oppose	10	10.4	Remuera Heritage Inc. c/- Jennifer Hayman	jennifer@haymanconsulting.co.nz	Supports in part and seeks amendments	Seeks amendments to former Remuera Post Office to add value b) and g)	Yes
F51	The Theosophical Society in New Zealand Incorporated	C/- Envivo Limited (Attn: John Yan)			Oppose in part	10	10.1	Remuera Heritage Inc. c/- Jennifer Hayman	jennifer@haymanconsulting.co.nz	Supports in part and seeks amendments	Seeks amendments to the Upland Village Historic Heritage Area to add value b) and provision of rationale for name.	Yes
			(09) 638 2612 <a href="mailto:john.yan@envivo.nz">john.yan@envivo.nz</a>	Yes								

				11	11.1	Anthony Simmons	tonysi@orcon.net.nz	Supports the plan modification with amendments	Supports the plan modification with amendments	Did not state
				11	11.2	Anthony Simmons	tonysi@orcon.net.nz	Supports the plan modification with amendments	Seeks amendments to the extent of place	Did not state
				11	11.3	Anthony Simmons	tonysi@orcon.net.nz	Supports the plan modification with amendments	Agrees with exclusions of kitchen and both bathrooms for Riverina	Did not state





## **ATTACHMENT SIX**

### **SECTION 32AA REPORT AND NOTIFICATION MATERIAL**





# Proposed Plan Change 31

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Addition of six historic heritage places, including one historic heritage area, to Schedule 14 Historic Heritage Schedule, Statements and Maps in the Auckland Unitary Plan (Operative in part)

**SECTION 32  
EVALUATION REPORT**

**22 JULY 2019  
(updated 19 August 2019)**

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# 1 Introduction

## 1.1 Scope and purpose of this report

This report is prepared by Auckland Council (**Council**) to fulfil the statutory requirements of section 32 of the Resource Management Act 1991 (**the Act**) for proposed Plan Change 31 (**Proposed PC31**) to the Auckland Unitary Plan (Operative in Part) (**AUP**).

Proposed PC31 introduces changes to Chapter L Schedules, Schedule 14.1 Historic Heritage Schedule (**Schedule 14**) and the planning maps of the AUP. Schedule 14 is made up of three parts: Schedule 14.1 Schedule of Historic Heritage (**Schedule 14.1**), Schedule 14.2 Historic Heritage Areas – Maps and statements of significance (Schedule 14.2), and Schedule 14.3 Historic Heritage Place maps (**Schedule 14.3**). The changes proposed in PC31 are the addition of six historic heritage places, including one historic heritage area, to Schedule 14.1. The addition of the Historic Heritage Area (**HHA**) will require information to be added to Schedule 14.2. No changes are proposed to Schedule 14.3.

The plan change seeks to recognise the values of the six identified historic heritage places by adding them to the AUP's Historic Heritage Overlay<sup>1</sup>, as identified in Schedule 14.1 and the Plan maps. The addition of these historic heritage places to Schedule 14.1 ensure the provisions of the AUP apply, including the Historic Heritage Overlay provisions. This will assist in the management and protection of these historic heritage places.

Section 32 of the Act requires that before adopting any objective, policy, and rule or other method, the Council shall have regard to the extent to which each objective is the most appropriate way to achieve the purpose of the Act, and whether the policies and rules or other methods are the most appropriate way of achieving the objectives. A report must be prepared summarising the evaluation and giving reasons for the evaluation.

In accordance with section 32(6) of the Act and for the purposes of this report:

- the 'proposal' means proposed PC31,
- the 'objectives' means the purpose of the proposal/proposed PC31, and
- the 'provisions' means the policies and rules or other methods that implement, or give effect to the objectives of the proposal.

The AUP contains existing objectives, policies, and rules or other methods for the purpose of managing historic heritage places<sup>2</sup>. Proposed PC31 is not altering or re-litigating any of these provisions. This evaluation report on proposed PC31 relates to the addition of the six historic heritage places, including one historic heritage area, in Schedule 14.1 and Schedule 14.2 within the existing policy framework of the AUP. The policy approach remains unchanged, and this report will not evaluate it in any more detail.

<sup>1</sup> AUP Chapter D17 Historic Heritage

<sup>2</sup> AUP B5 Ngā rawa tuku iho me te āhua - Historic heritage and special character and D17 Historic Heritage Overlay

This section 32 evaluation will continue to be refined in relation to any consultation that occurs, and in relation to any new information that may arise, including through submissions on proposed PC31 and during hearings.

## 1.2 Background to the proposed plan change

The AUP contains objectives, policies and rules to protect significant historic heritage from inappropriate subdivision, use, and development. The AUP methods to achieve this protection are primarily focused on the Historic Heritage Overlay. Schedule 14.1 identifies the historic heritage places that are subject to the Historic Heritage Overlay.

The six historic heritage places, including the one historic heritage area, were identified as having potential significant historic heritage values. These places were identified as part of:

- heritage evaluations funded by the Ōrākei Local Board
- recommendations and outcomes from other planning processes
- the heritage topic report for the Warkworth Structure Plan.

Proposed PC31 is the second dedicated plan change to add historic heritage places to Schedule 14, since the AUP became operative in part. The Council notified Proposed Plan Change 7: Additions to Schedule 14 Historic Heritage Schedule, Statements and Maps in the Auckland Unitary Plan (Operative in part) (**Proposed PC7**) to the AUP on 16 November 2017. Proposed PC7 proposed the addition of 49 historic heritage places (including three heritage areas). The decision on PC7 was notified on 21 March 2019.

The six historic heritage places proposed to be included are as follows:

- Glenholm, 37 Portland Road, Remuera
- Remuera Primary School War Memorial Gates, 25-33 Dromorne Road, Remuera
- Remuera Post Office, 358-364 Remuera Road, Remuera
- Upland Village Historic Heritage Area, parts of Remuera Road, Upland Road and Minto Road, Remuera
- Riverina, 46 Wilson Road, Warkworth
- Colonial Ammunition Company Bulk Store, 26 Normanby Road, Mt Eden.

All places proposed to be included in proposed PC31 have been identified primarily for their built heritage values.

## 2 The proposed plan change

Proposed PC31 introduces changes to Schedule 14.1, Schedule 14.2 and to the Plan maps of the AUP. The proposed changes are to add the six historic heritage places to Schedule 14.1, and to add this information to the GIS viewer. The proposed additions of the historic

heritage area also requires information to be added to Schedule 14.2; this information comprises a statement of significance for the proposed historic heritage area and a map showing its extent.

The proposed plan change affects 20 properties in the Ōrākei Local Board area, one property in the Albert-Eden Local Board area, and one property in the Rodney Local Board area. The plan change documents for proposed PC31 show:

- proposed text amendments to Table 1: Places and Table 2: Areas of Schedule 14.1 including the addresses and legal descriptions of all properties affected by the plan change,
- the proposed text and maps to be included in Schedule 14.2, and
- maps illustrating the proposed amendments to the GIS viewer/planning maps, showing the scheduled extent of place for each historic heritage place and historic heritage area included in proposed PC31.

### **3 Reasons for the proposed plan change**

An evaluation under section 32 of the Act must examine the extent to which the objectives of proposed PC31 are the most appropriate way to achieve the purpose of the Act.<sup>3</sup> The objective of proposed PC31, or the purpose of the plan change, are to protect and manage the significant heritage values of the places identified by adding them to the Historic Heritage Overlay. In order to add these places to the overlay, they have been added to Schedule 14.1 and the Plan maps of the AUP.

The proposed plan change will assist the Council to carry out its functions in order to achieve the purpose of the Act, being to promote the sustainable management of natural and physical resources.

Built heritage and character is identified as an issue of regional significance in the AUP's RPS<sup>4</sup>. Chapter B5.1 of the RPS states following issues:

- (1) *Auckland's distinctive historic heritage is integral to the region's identity and important for economic, social, and cultural well-being.*
- (2) *Historic heritage needs active stewardship to protect it from inappropriate subdivision, use and development.*

The approach of the AUP is to protect significant historic heritage from inappropriate subdivision, use, and development, in the context of the identified values of each historic heritage place. The AUP methods to achieve this protection are primarily focused on Schedule 14.1, which identifies and recognises historic heritage places and applies the provisions of the AUP's Historic Heritage Overlay to those places, as shown on the Plan maps. The provisions

<sup>3</sup> RMA s32(1)(a)

<sup>4</sup> AUP B1.4 Issues of regional significance (Note: the name of this issue has been amended in AUP B5 to Historic heritage and special character but the name of the issue in B1.4 has not yet been updated)



of the Historic Heritage Overlay apply to scheduled historic heritage places on land and in the coastal marine area.

The provisions of the Historic Heritage Overlay manage the protection, maintenance, modification, relocation, and use and development of the historic heritage places included in Schedule 14.1. The inclusion of historic heritage places in Schedule 14.1 means activities involving demolition and destruction, relocation, modification, and new buildings and structure may require a resource consent beyond that already required by AUP provisions of the underlying zoning of a property.

The evaluation of the six historic heritage places identified as part of proposed PC31 concludes that these places are of significance and should be included in Schedule 14.1. Due to the significance of these places, and the importance of protecting them from inappropriate subdivision, use and development, this is considered the most appropriate way to achieve the purpose of the Act, as outlined in the evaluation of options below.

### **3.1 Development of options**

In the preparation of proposed PC31, the following options have been identified:

**Option 1** – do nothing/retain the status quo

**Option 2** – non-regulatory methods

**Option 3** – other regulatory methods

**Option 4** – a plan change to add the five historic heritage places to Schedule 14 and one special character area to Schedule 15.

**Option 5** – a plan change to add the five historic heritage places and one historic heritage area to Schedule 14.

### **3.2 Evaluation of options**

In accordance with Section 32(1)(b) and (2) of the Act, the options have been assessed on their appropriateness, efficiency, effectiveness, costs, benefits and risks. The results of this evaluation are included in this section and in Table 1: Summary of analysis under Section 32(2) below.

**Option 1 – Adopt a ‘do nothing’ approach/retain the status quo**

The ‘do nothing’ option means the six historic heritage places, including the one historic heritage area, that have been evaluated as having significant historic heritage values are not managed in any way. This includes not being identified in Schedule 14.1, and therefore not subject to the provisions of the AUP, including the Historic Heritage Overlay. By doing nothing, the values of these places will not be protected which may lead to the loss of their

significant historic heritage values through inappropriate subdivision, use and development which is inconsistent with RPS provisions of the AUP and section 6(f) of the RMA.

## **Option 2 – Non-regulatory methods**

Non-regulatory methods for the protection and management of historic heritage places include advocacy, education, and the provision of information. This option is an alternative to including places in Schedule 14.1.

Heritage information held by Council includes GIS-based archaeological alert layers identifying recorded sites and areas where there is a high likelihood of unrecorded or unidentified sites. Council also holds information on land and project information memoranda (**LIMS and PIMS**), which is provided as advice notes on resource consents. Advice about places on the New Zealand Heritage List/Rārangi Kōrero (**NZHL/RK**) and the National Historic Landmarks/Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu is also available. All of this information can be useful in assisting landowners to become more aware of any historic heritage values their property may contain.

Non-regulatory methods to manage and protect places with significant historic heritage values include non-statutory plans and strategies (e.g. spatial plans), and the use of Memoranda of Understanding (**MOU**) and interagency agreements with, for example, other regulatory agencies such as government departments and agencies, Council Controlled Organisations (**COOs**), and/or with other entities including Mana Whenua groups.

Funding and assistance such as heritage incentives and grants can also encourage the non-regulatory management and protection of historic heritage places. However, it should be noted that the investment of funding usually requires some manner of legal or statutory protection over a place, such as a historic heritage place being identified in Schedule 14.1.

## **Option 3 – Other regulatory methods**

Scheduling historic heritage places is not the only approach for providing regulatory protection and management. The AUP recognises the use of heritage orders under the Act and covenants under the Heritage New Zealand Pouhere Taonga Act 2014 (**HNZPTA**) as other methods to protect historic heritage places. Various statutory requirements under the HNZPTA are also available, and the use of the Reserves Act 1977 to create historic heritage reserves, where applicable, is another method for protection of historic heritage places.

A heritage order can only be undertaken by a 'heritage protection authority' which is limited to the Minister of Conservation, the Minister of Maori Affairs, a local authority or Heritage New Zealand Pouhere Taonga. The effect of a heritage order, under s193 of the Act, is that prior written consent of the heritage protection authority is required for any works on the land subject to the heritage order. This places a stricter legal regime on a landowner compared to

including places on Schedule 14, where demolition and destruction requires a resource consent but maintenance and repair is a permitted activity (if it complies with the standards).

In regard to covenants, there are costs associated with the preparation and registration of these on each certificate of title. The financial burden usually falls on the council, and therefore ratepayers, if the covenant is in favour of council. There may also be a cost to remove the covenant from the certificate of title if required at a future date and this would need agreement from all parties to the covenant.

**Option 4 – Plan change to add a new area to Schedule 15 (Special Character Area Schedule, Statements and Maps) and five historic heritage places to Schedule 14 (Historic Heritage Schedule, Statements and Maps)**

Option 4 is similar to Option 5 below in that it considers a plan change to still add five of the six heritage places to Schedule 14. However, Option 4 differs in that it considers whether the the Special Character Areas (SCA) Overlay – Residential and Business should instead be applied to an area, known as Upland Village, instead of being scheduled as an historic heritage area in Schedule 14.

The introduction to D18 Special Character Areas (SCA) Overlay – Residential and Business states that this overlay 'seeks to retain and manage the special character values of specific residential and business areas identified as having collective and cohesive values, importance, relevance and interest to the communities within the locality and wider Auckland region'.

The objectives and policies of D18.2 Special Character Areas Overlay – Residential and Business (SCA) provide for the special character values of an area to be maintained and enhanced. The provisions also discourage the removal or substantial demolition of buildings that contribute to the continuity or coherence of the special character area as identified in the special character statement of each area listed in Schedule 15.

The special character values for any given SCA can, and often are, derived from historical patterns of development. However, the policies focus on the maintenance and enhancement of the quality of the environment and the amenity created by those values irrespective of their origin. While special character area statements can include historical values, the special character of an area also includes other values such as visual amenity, built form, streetscape, vegetation and open space that may define, add to or support the character of the area.

The purposes of SCA – Residential and Business Overlay (the maintenance and enhancement of identified special character) and the Historic Heritage Overlay (the protection of historic heritage from inappropriate subdivision, use, and development) overlap to some degree in practice and similar outcomes can be achieved by both. However, the SCA – Residential and Business Overlay is not a method for protecting historic heritage.

This issue was discussed in regard to council's intention to strengthen the 'historic heritage' values of the SCA Overlay during the Auckland Unitary Plan hearing process. A recommendation of the Independent Hearing Panel (IHP)<sup>5</sup> on this matter stated:

*'In Section 32 and section 32AA terms it is more appropriate that those identified special character areas remain as special character, where there is a focus on streetscape character amenity values rather than the protection of historic heritage'.*

The IHP recommended that council should undertake a plan change if it wished to change the basis for the controls on use and development from special character to historic heritage. The IHP also recommended that if the council wanted to protect currently unscheduled items, places and areas, then these should be identified, evaluated against the criteria, and then scheduled if meet the criteria through a future plan change.

This issue of whether the SCA Overlay was a method to protect historic heritage was further discussed as part of an appeal to, and within the decision of, the Environment Court<sup>6</sup>. The Environment Court decision determined that 'the objectives and policies in the Unitary Plan refer to the 'maintenance and enhancement' of character and amenity values or identified special character values and not the 'protection of historic heritage''. Paragraph [168] of the decision also states that while special character statements 'contain references to historic values (in the sense of historical context), there are no references to historic heritage values'.

In the case of this proposed plan change, Upland Village has been evaluated under the criteria and thresholds of B5.2.2 (Policies) for significant historic heritage. This evaluation has determined that the area is eligible for scheduling as an Historic Heritage Area. Therefore, the most appropriate method provided to protect its historic heritage values in the Auckland Unitary Plan is to propose its inclusion in Schedule 14.1 as a historic heritage area.

#### **Option 5 – Plan change to add the six historic heritage places, including the one historic heritage area, to Schedule 14**

The AUP provides for the protection and management of historic heritage places by their inclusion in the Historic Heritage Overlay, as identified in Schedule 14.1 and in the AUP maps.

The objectives of the Historic Heritage Overlay are:

- to support and enhance the protection, maintenance, restoration and conservation of historic heritage places included in Schedule 14.1
- to protect these places from inappropriate subdivision, use and development, and
- to enable the appropriate subdivision, use and development (including adaptation), of these places.

<sup>5</sup> Auckland Unitary Plan Independent Hearings Panel. (July 2016). Report to Auckland Council Hearing Topics 010, 029, 030, 079 Special Character and pre-1944. Page 10.

<sup>6</sup> Decision No: [2018] NZ EnvC 186. *Housing New Zealand Corporation v Auckland Council*. (Paragraph [168] page 55).

The Historic Heritage Overlay policies seek to manage the use and development in a way which avoids significant adverse effects on these historic heritage places. The rules of the Historic Heritage Overlay are triggered when a proposed development has the potential to affect the values of a historic heritage place. Maintenance and repair of these places, for example, is permitted (where comply with the standards), while demolition and destruction is either a prohibited activity or a non-complying or discretionary activity. In these cases, this is dependent on the category (significance) of the historic heritage place.

The addition of historic heritage places will provide for the identification and protection of these places, and will ensure that their historic heritage values are considered when the use and development of these places is proposed.

Options	Efficiency and effectiveness of provisions in achieving the objectives <sup>7</sup>	Benefits	Costs
<p><b>Option 1</b> <b>Do nothing/retain status quo</b></p>	<p>The 'do nothing' option is not an efficient or effective option. This is because there is no mechanism that will protect the significant heritage values which have been identified through the evaluations.</p> <p>This option will also not achieve the objectives of proposed PC31 to manage and protect the significant historic heritage values of these five places and one area.</p> <p>Potentially, these places could wait for a future plan change with more places being added to Schedule 14.1 to be more efficient. However, this would not be effective in protecting the historic heritage values of these places which could be lost before a future plan change is undertaken.</p>	<p>No cost to Council to undertake a public plan change; an economic benefit.</p> <p>The historic heritage values of the identified properties would not need to be taken into account if the landowners wanted to develop their land. In addition, a landowner may not require a resource consent for certain activities which are permitted activities within an underlying zoning (depending on whether comply with all relevant standards of that zone). These may be perceived as benefits to the landowner.</p>	<p>Potential cost to the environment through possible loss of significant historic heritage values due to inappropriate subdivision, use and development. Any loss would be contrary to both the provisions of the AUP and the purpose of the Act. This loss would be to both current and future generations.</p> <p>The historic heritage values of the identified places would not need to be taken into account in relation to any growth and development opportunities – this loss of heritage could be perceived as a cost to society.</p>
<p><b>Option 2 – Non-regulatory methods</b></p>	<p>Advocating for and provision of education and information to landowners may help their understanding of the values and significance of historic heritage places, and how these places are managed. However, consideration of these matters is at the discretion of the landowners as this option is non-regulatory. This could lead to inefficiency if effort is put into the provision of information, education and advocacy, but such effort does not result in any additional protection of significant historic heritage values.</p> <p>Funding, such as grants, is a non-regulatory method of assisting with the protection of historic heritage values. However, such funding usually first requires a regulatory</p>	<p>Potentially no cost at present to Council to undertake a public plan change; an economic benefit.</p> <p>The historic heritage values of the identified properties would not need to be taken into account if the landowners wanted to develop their land. In addition, a landowner may not require a resource consent for certain activities which are permitted activities within an underlying zoning (depending on whether the activity complies with all relevant standards of that zone). These may be perceived as benefits to the landowner.</p> <p>Advocating to and providing education and information could be seen as a benefit to the landowner, and to Council, as this may lead to a greater understanding</p>	<p>Potential cost to Council to advocate for and provide education and information to landowners where this does not lead to any additional protection of the significant historic heritage value of a place or area.</p> <p>Potential cost to the environment through possible loss of significant historic heritage values due to inappropriate subdivision, use and development. Any loss would be contrary to both the provisions of the AUP and the purpose of the Act. This loss would be to both current and future generations.</p> <p>The historic heritage values of the identified places would not need to be taken into account in relation to any growth and development opportunities – this loss of heritage could be perceived as a cost to society.</p>

<sup>7</sup> RMA s32(1)(b)(ii)

Options	Efficiency and effectiveness of provisions in achieving the objectives <sup>7</sup>	Benefits	Costs
<p><b>Option 3 – other regulatory methods</b></p>	<p>Covenants and heritage orders are effective options to protect the values of significant historic heritage places.</p> <p>However, the protection and management of each historic heritage place, and area, included in proposed PC31 by methods such as covenants and heritage orders is likely to be a time consuming and costly administrative process, as each place would require a separate regulatory process.</p> <p>In summary, other regulatory methods may be effective in achieving the objectives of proposed PC31 but are not the most efficient option to achieve the objectives of the plan change.</p>	<p>The significant values of historic heritage places will be protected from inappropriate subdivision, use and development. This environmental benefit will on an ongoing basis, for current and future generations.</p> <p>Other regulatory options for protecting historic heritage do provide certainty to landowners as the regulatory controls are clearly set out, and relate to the significance of a historic heritage place.</p>	<p>There are costs associated with the preparation and registration of a covenant on each certificate of title. The financial burden usually falls on the Council, and therefore ratepayers, if the covenant is in favour of Council. There may also be a cost to remove the covenant from the certificate of title if required at a future date and this would need agreement from all parties to the covenant.</p> <p>There are costs associated with the preparation of a Heritage Order. Each order requires a notice of requirement and submissions process, and similar to decisions on a plan change, the local authorities recommendation on a heritage order may be appealed to the Environment Court. In addition, the Environment Court can order that the land subject to a heritage order is purchased by the heritage protection authority.</p> <p>Cost to the landowner as prior written consent of the heritage protection authority is required for any works on land subject to a heritage order. This may result in time delays, and other costs, where the works are for maintenance or repair which is a permitted activity.</p>
	<p>method, such as scheduling, to ensure a place receives priority consideration for a grant and to justify the investment of public funding.</p> <p>In summary, non-regulatory methods are not considered an efficient or effective option to achieve the objectives of proposed PC31 on their own. These methods are unlikely to protect the significant historic heritage values that have been identified in the evaluations of these places.</p>	<p>and willingness of the landowner to protect the historic heritage values of a place.</p> <p>Funding may be seen as a potential benefit as this means less cost is borne by the landowner.</p>	<p>Potential cost of a plan change, in addition to funding, as funding usually first requires a regulatory method, such as scheduling, to receive priority consideration for a grant.</p>

Options	Efficiency and effectiveness of provisions in achieving the objectives <sup>7</sup>	Benefits	Costs
<p><b>Option 4 – Change to add five historic heritage places to Schedule 14 and special character area to Schedule 15</b></p>	<p>The historic heritage values of the Upland Village have been identified and evaluated against the criteria of B5.2.2. The evaluation shows that it meets the criteria and thresholds of a historic heritage place. The most efficient and effective method of protecting significant historic heritage values in the AUP is to apply the Historic Heritage Overlay.</p> <p>The SCA – Residential and Business Overlay is for the purpose of 'maintaining and enhancing the identified special character of an area' rather than the 'protection of historic heritage from inappropriate subdivision, use and development'. This option would therefore not achieve the purpose of the proposed plan change.</p>	<p>The significant historic heritage values of the five historic heritage places will be protected from inappropriate subdivision, use and development. This environmental benefit will be on an ongoing basis, for current and future generations.</p> <p>The identification of a place on Schedule 14.1 provides an opportunity to increase landowner awareness of historic heritage values, and may lead to beneficial outcomes to the place in terms of the protections of these values.</p> <p>The addition of places to Schedule 14.1 provides certainty to landowners as the regulatory controls are clearly set out and clearly related to the significance of a historic heritage place. Protection is provided to priority places so that heritage values are retained. This provides social and cultural benefits through the recognition, protection and appropriate management of historic heritage places.</p> <p>Support is offered to landowners of scheduled historic heritage places through provisions relating to the use of scheduled places, including reducing or waiving consent application costs, provision of free expert advice, and transferable development rights (in some areas).</p> <p>The identification of a historic heritage place in Schedule 14.1 is likely to afford a landowner a higher priority for grants and other financial assistance as this method of support usually relies on some manner of legal or statutory control over a place.</p> <p>The inclusion of a special character area means that the historical context of that area would be identified when compared to the requirements of the underlying zone. There are also demolition controls which are similar those of the Historic Heritage Overlay.</p>	<p>Potential cost to the environment through possible loss of significant historic heritage values identified in the evaluation of Upland Village due to inappropriate subdivision, use and development. The use of the SCA – Residential and Business Overlay is not a method to protect historic heritage. Any loss would be contrary to both the provisions of the AUP and the purpose of the Act. This loss would be to both current and future generations.</p> <p>While the historical values of Upland Village would need to be considered in relation to any growth and development opportunities, this would be considered and balanced amongst other values, such as streetscape and visual amenity. The historic heritage values identified in the evaluation would not need to be taken into account – a potential loss of historic heritage could be perceived as a cost to society.</p> <p>Landowners of properties within a Special Character Area are not offered the same support, such as reduced or waived application costs, free expert advice, or priority for grants, than if the property was subject to the Historic Heritage Overlay.</p> <p>Financial cost relating to a Council-initiated plan change, which extend to an appeal to the Environment Court.</p> <p>Potential cost related to development opportunity of the addition of a place to Schedule 14.1 (and application of the Historic Heritage Overlay) and the area to Schedule 15.</p> <p>Costs to Council relating to the provision of heritage advice on the additional historic heritage places and for processing any resource consents received that relate to these places.</p>



Options	Efficiency and effectiveness of provisions in achieving the objectives <sup>7</sup>	Benefits	Costs
<p><b>Option 5</b>  <b>Plan</b>  <b>change to</b>  <b>add six</b>  <b>historic</b>  <b>heritage</b>  <b>places</b>  <b>(including</b>  <b>one</b>  <b>historic</b>  <b>heritage</b>  <b>area) to</b>  <b>Schedule</b>  <b>14</b></p>	<p>The addition of the five historic heritage places, and one historic heritage area, to Schedule 14.1 means that their values, and significance are clearly identified. The management regime applying to these places (e.g. Historic Heritage Overlay) is clearly established as an effective method of protecting significant historic heritage values.</p> <p>One plan change to add these five places, and one area, is a more efficient way to meet the objectives of proposed PC31, compared to the separate regulatory processes of Option 3 that would be required to effectively protect their historic heritage values.</p> <p>The inclusion of the identified places, and area, in Schedule 14.1 will help ensure the objectives of the AUP and purpose of the Act are achieved, as well as the Council's statutory requirements for the AUP to give effect to its RPS section.</p> <p>The five historic heritage places and one historic heritage area proposed to be included in PC31 will be clearly identified in Schedule 14.1 and the planning maps. The management regime applying to them is efficient and effective as it is clearly established for Council, landowners and interested parties. Policies provide a framework for the appropriate use and development of historic heritage places. Rules are an effective way to enable</p>	<p>The significant historic heritage values of the five historic heritage places and one historic heritage area will be protected from inappropriate subdivision, use and development. This environmental benefit will be on an ongoing basis, for current and future generations.</p> <p>The identification of a place on Schedule 14.1 provides an opportunity to increase landowner awareness of historic heritage values, and may lead to beneficial outcomes to the place in terms of the protections of these values.</p> <p>The addition of places to Schedule 14.1 provides certainty to landowners as the regulatory controls are clearly set out and clearly related to the significance of a historic heritage place. Protection is provided to priority places so that heritage values are retained. This provides social and cultural benefits through the recognition, protection and appropriate management of historic heritage places.</p> <p>Support is offered to landowners of scheduled historic heritage places through provisions relating to the use of scheduled places, including reducing or waiving consent application costs, provision of free expert advice, and transferable development rights (in some areas).</p> <p>The identification of a historic heritage place in Schedule 14.1 is likely to afford a landowner a higher priority for grants and other financial assistance as this method of support usually relies on some manner of legal or statutory control over a place.</p>	<p>Financial cost relating to a Council-initiated plan change, which may extend to an appeal to the Environment Court.</p> <p>Potential cost related to development opportunity of the addition of a place to Schedule 14.1 and the application of the Historic Heritage Overlay provisions. For example, where properties are zoned for a higher density development cost to landowners may increase if there is a loss of development opportunity.</p> <p>There are costs to Council relating to the provision of heritage advice on the additional historic heritage places and for processing any resource consents received that relate to these places.</p>

Options	Efficiency and effectiveness of provisions in achieving the objectives <sup>7</sup>	Benefits	Costs
	<p>protection, maintenance and adaptation of scheduled places. Permitted activity statuses allow maintenance and repair to be undertaken without the need for resource consent.</p> <p>The identification and management of historic heritage places by including them in Schedule 14.1 is considered the most efficient and effective means to achieve the objectives of proposed PC31 and the purpose of the Act.</p>		

### **3.3 Risk of acting or not acting**

Section 32(2)(c) of the Act requires this evaluation to assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. There is considered to be sufficient information about the historic heritage places included in proposed PC31 for the plan change to proceed.

The section 32 evaluation will continue to be refined in relation to any new information that may arise following notification, including information arising from submissions on proposed PC31 and during hearings on the plan change.

### **3.4 Reasons for the preferred option**

The five historic heritage places and one historic heritage area proposed to be included in proposed PC31 have been evaluated against the AUP factors and thresholds and have been determined to be eligible for inclusion in Schedule 14.1 (refer to Section 5 in relation to the development of proposed PC31). The five places and one area have been determined to be of such historic heritage significance that if they were destroyed or modified in an inappropriate way significant values of Auckland's historic heritage will be lost. Therefore the 'do nothing' approach is not considered to be an appropriate option for the management of these places.

Non-regulatory methods used in isolation are not an appropriate way to meet the objectives of proposed PC31 as they are unlikely to effectively protect the values of historic heritage places where pressure for development and redevelopment is high, or where the historic heritage values of a place are not clearly understood or appreciated as being part of Auckland's heritage. It is considered that non-regulatory methods are more appropriately used in conjunction with Schedule 14.1, rather than being the only approach taken.

Other regulatory methods, such as heritage orders and covenants, may provide effective protection to historic heritage places, but this is not considered the most efficient way to protect the places subject to proposed PC31. The individual statutory processes required to introduce such regulation is not efficient. In addition, if heritage orders and/or covenants were undertaken for each property affected by proposed PC31 these may have different conditions attached to each of them which varies, and may weaken, the effectiveness of protecting historic heritage values of places in a consistent way. Regulatory methods are more appropriately used in conjunction with Schedule 14.1, rather than in isolation.

The addition of the five historic heritage places and one historic heritage area to Schedule 14.1 is considered to be the most efficient and effective option to meet the objectives of proposed PC31. This option protects and manages their historic heritage values as part of proposed PC31 in a clear manner. The five historic heritage places and one historic heritage area proposed to be included in PC31 have been identified as being significant historic heritage places locally with two places also being recognised as being of regional and national importance (Colonial Ammunition Company Bulk Store and Riverina). Their identification in Schedule 14.1 provides benefits to landowners in terms of advice and assistance to manage the values of these historic heritage places.

The evaluation of options in section 3.2 of this report shows that the preferred option for meeting the objectives of the proposal, and the most efficient and effective option, is a plan change to the AUP to add the five historic heritage places and one historic heritage area to Schedule 14.1.

In accordance with section 32(1)(a) of the Act, the objectives of the proposal are the most appropriate way to achieve the purpose of the Act. No new objective or policy is proposed in proposed PC31. Proposed PC31 uses the existing objectives, policies and rule framework for the recognition and protection of historic heritage.

## **4 Resource Management Framework**

### **4.1 Part 2 of the Act**

The purpose of the Act is to promote the sustainable management of natural and physical resources, as defined in section 5(2) of the Act. Part 2 matters in the Act relevant to significant historic heritage as provided for in the AUP include:

- Section 6(f) the protection of historic heritage from inappropriate subdivision, use and development.

Sections 7 and 8 of the Act are also relevant to historic heritage:

- section 7(aa) the ethic of stewardship,
- section 7(c) the maintenance and enhancement of amenity values,
- section 7(f) the maintenance and enhancement of the quality of the environment,
- section 7(g) finite characteristics of natural and physical resources, and
- section 8 the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

Proposed PC31 is consistent with Part 2 of the Act, and in particular with the purpose of the Act, as it seeks to provide for the sustainable management of Auckland's historic heritage resources.

The proposed addition of the five historic heritage places and one historic heritage area in Schedule 14.1 and the Plan maps will provide for the use, development, and protection of these physical resources and for them to be managed in a way, or at a rate which enables people and communities to provide for their social, economic, and cultural well-being, and for their health and safety.

The management and protection of historic heritage is a core responsibility of the Council's role in exercising its powers and functions under the Act. The scheduling of historic heritage places is an appropriate method for assisting the management of significant historic heritage resources in Auckland. Through their identification, evaluation and addition to Schedule 14.1, historic heritage places are subject to appropriate objectives, policies and rules. Schedule 14.1 is therefore an important tool to assist in avoiding, remedying and mitigating adverse effects on historic heritage places in order to protect them from inappropriate subdivision, use and development.

## 4.2 Other relevant sections of the Act

Section 31(1)(a) of the Act states that a function of the Council is: the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district. It is considered that proposed PC31 assists the Council to carry out its functions as set out in section 31 of the Act. Proposed PC31 is an appropriate method to manage the effects of use and development on Auckland's historic heritage resources.

Section 74 of the Act sets out the matters to be considered by a territorial authority when preparing or changing its district plan. These matters include any proposed RPS, proposed regional plan, and management plans or strategies prepared under other legislation, relevant entries in the New Zealand Heritage List/Rārangī Kōrero (**NZHL/RK**), to the extent that these are relevant to the resource management issues of the district. The authority must take into account any relevant planning document recognised by an iwi authority to the extent that its content has a bearing on the resource management issues of the district, but must not have regard to trade competition.

When determining the date on which a plan change takes effect the Act provides in section 86B(3) that:

*A rule in a proposed plan has legal effect only once a decision on submissions relating to the rule is made and publicly notified.*

Exceptions are provided in section 86B(3) of the Act, where a rule in a proposed plan has immediate legal effect if the rule:

*(d) protects historic heritage.*

Schedule 14.1 is a rule in the AUP, and the proposed addition of historic heritage places to that schedule is a rule that protects historic heritage. In accordance with section 86B(3) of the Act, proposed PC31 should have immediate legal effect.

## 4.3 National Policy Statements

National policy statements are instruments issued under section 52(2) of the Act and state objectives and policies for matters of national significance. The AUP is required to give effect to any national policy statements<sup>8</sup>. The only national policy statement that is relevant to the proposed plan change is the National Policy Statement on Urban Development Capacity 2016.

### **National Policy Statement on Urban Development Capacity 2016**

This policy statement sets out the objectives and policies for providing development capacity under the Act. It recognises the national significance of urban environments and the need to enable them to develop and change and to provide sufficient development capacity to meet

<sup>8</sup> RMA s67(3) and s75(3)

the needs of people and communities and for future generations. However, the policy statement does not anticipate development occurring with disregard to its effects. Planning decisions need to meet, amongst other objectives and policies, Objective A – Outcomes for planning decisions. Objective A1 states the following:

*OA1: Effective and efficient urban environments that enable people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing.*

As stated above in Section 4.1, proposed PC31 is consistent with Part 2 of the Act, and in particular with the purpose of the Act, as it seeks to provide for the sustainable management of Auckland's historic heritage resources.

The proposed addition of the five historic heritage places and one historic heritage area in Schedule 14.1 and the Plan maps will provide for the use, development, and protection of these physical resources and for them to be managed in a way, or at a rate which enables people and communities to provide for their social, economic, and cultural well-being, and for their health and safety.

As part of this section 32 evaluation, development potential of the properties proposed to be scheduled has been considered. It is considered that the significant historic heritage values identified in the evaluations outweighs the development capacity of the underlying zones. The matter of historic heritage and loss of development capacity was discussed in the decision of Plan Change 7 where the independent commissioners stated the following:

*'if a place clearly meets and exceeds the criteria for listing, then it is reasonable to assume that the place has high heritage values , and on the face of it, these values are likely to outweigh other factors. To do otherwise would be to undermine the direction of section 6 of the RMA that heritage be protected from inappropriate development'<sup>9</sup>.*

The decision also states that:

*'the protection of historic heritage is a matter of national importance under the RMA. If there are concerns about lost development opportunity from historic heritage protection, then that may be addressed by adjustments to the general zoning patterns and envelopes, rather than not affording protection to recognised features and places'<sup>10</sup>.*

The effect of scheduling, and reasonable use, of these places proposed to be included in the plan change has been discussed below in Section 6.

#### **4.4 National Environmental Standards**

There are currently five National Environmental Standards in force as regulations, but none of these relate to the management and protection of historic heritage.

<sup>9</sup> Decision on Plan Change 7 – Additions to Schedule 14 Historic Heritage, 20 February 2019, pg. 13.

<sup>10</sup> Decision on Plan change 7 – Additions to Schedule 14 Historic Heritage, 20 February 2019, pg. 13.

## 4.5 National Planning Standards

The purpose of the National Planning Standards (**Standards**) is to improve consistency in plan and policy statement structure, format and content so they are easier to prepare, understand, compare, and comply with. The Standards will also support implementation of national policy statements and help people observe the procedural principles of the Act.

The Standards were introduced as part of the 2017 amendments to the Act and have been under development since that time. The Minister for the Environment and the Minister of Conservation approved the first set of Standards on 5 April 2019. The Standards must be implemented within the specified timeframes. Unitary councils have ten years to adopt the Standards, unless a full plan review is undertaken within this timeframe (in this case the new plan must meet the Standards when it is notified for submissions). As the first set of Standards has only recently been approved, this plan change is not required to implement them.

## 4.6 Other Acts

### Heritage New Zealand Pouhere Taonga Act 2014

Heritage New Zealand Pouhere Taonga (**Heritage NZ**) is the principal agency operating under the Heritage New Zealand Pouhere Taonga Act 2014 (**HNZPTA**). Heritage NZ maintains the NZHL/RK<sup>11</sup> for the purposes of providing information to the public and landowners, and to promote and assist in the protection of these places. The NZHL/RK is primarily an advocacy tool and the inclusion of a place on the NZHL/RK does not in itself protect the place.

Protection of some heritage places is also achieved through the regulatory provisions of the HNZPTA. Part 3 of the HNZPTA requires any person wishing to undertake work that may damage, modify or destroy an archaeological site to obtain an authority from Heritage NZ for that work.

There are two properties, affected by the proposed plan change, which are listed on the New Zealand Heritage List/Rārangi Kōrero:

- ID No. 7656 – McLaren Garage (Former), 586-592 Remuera Road, Remuera) which is located within the proposed historic heritage area. This property is also already scheduled in the Auckland Unitary Plan (AUP ID 1828).
- ID No. 489 – Riverina, 46 Wilson Road, Warkworth.

As outlined above, the RPS sets out the factors and thresholds against which historic heritage places are to be evaluated to determine whether they warrant inclusion in Schedule 14.1 of the AUP. The threshold for inclusion for scheduling is generally aligned with criteria outlined in the HNZPTA for inclusion in the NZHL/RK.<sup>12</sup> Including these places on the Schedule within the AUP is generally complementary to, and compatible with, the NZHL/RK and the HNZPTA.

### Hauraki Gulf Marine Park Act 2000

The Hauraki Gulf Marine Park Act 2000 (**HGMPA**) was established to promote the integrated management and the protection and enhancement of the Hauraki Gulf, its islands, and its catchments. In order to achieve the purpose of the HGMPA, all persons exercising powers or carrying out functions for the Hauraki Gulf under any Act specified in Schedule 1 must, in addition to any other requirement specified in those Acts for the exercise of that power or the carrying out of that function, have particular regard to the provisions of sections 7 and 8.

Section 7 of the HGMPA recognises the national significance of the Hauraki Gulf. Section 8 of the HGMPA seeks to protect and enhance the Hauraki Gulf's resources, including its historic resources.

The Hauraki Gulf Marine Park includes all the coast and coastal marine area from Mangawhai in the north and to an area beyond the Auckland region in the south. The catchment area of

<sup>11</sup> The NZHL/RK includes historic places, historic areas, waahi tapu and waahi tapu areas



the park extends inland to the first ridgeline. Some of the historic heritage places proposed to be included in proposed PC31 are therefore within the boundaries of the HGMPA area.

The addition of the historic heritage places within the Hauraki Gulf Island Marine Park Act area has particular regard to sections 7 and 8 of the HGMPA as it will assist in the protection and enhancement of these places and is therefore compatible with the HGMPA.

#### **4.7 The Auckland Plan 2050**

Recognition of the value of Auckland's cultural heritage and the importance of its protection is a core component of the Environment and Cultural outcome that 'Aucklanders preserve, protect and care for the natural environment as our shared cultural heritage, for its intrinsic value and for the benefit of present and future generations. 'Natural environment', as defined by the Auckland Plan, is part of Auckland's shared cultural heritage<sup>13</sup>. Cultural heritage includes:

- Tangible culture such as buildings, monuments, landscapes, books, works of art and artifacts
- Intangible culture such as folklore, traditions, language, and knowledge
- Natural heritage including culturally significant landscapes and biodiversity.

The Auckland Plan 2050 includes the following direction 'Ensure Auckland's natural environment and cultural heritage is valued and cared for'<sup>14</sup>. The Auckland Plan states that council must actively seek opportunities to protect and enhance these values (including cultural heritage values) through our short and long-term decisions.

Proposed PC31 will assist with the protection and conservation of Auckland's historic heritage for the benefit and enjoyment of present and future generations.

#### **4.8 The Auckland Unitary Plan**

When preparing or changing a district plan, Council must give effect to any RPS and have regard to any proposed RPS<sup>15</sup>. The RPS identifies a number of issues of regional significance, including:

##### **B2: Tāhuhu whakaruruhau ā-taone – Urban growth and form**

Chapter B2 sets out the objectives and policies for urban growth and form in the region. The chapter states that 'a quality built environment is one which enhances opportunities for people's wellbeing by ensuring that new buildings respond to the existing built and natural environment in ways that promote the plan's objectives and maintain and enhance the amenity values of an area'. The objectives and policies of Chapter B2 provide direction on urban growth and form, a quality built environment, residential growth, and commercial and industrial growth.

<sup>13</sup> Cultural Heritage is the term used to describe the ways of living developed by a community and passed on from generation to generation.

<sup>14</sup> Auckland Plan, Environment and Cultural Heritage: Direction 1

<sup>15</sup> RMA s74(2) and s75(3)

Objective B2.3.1 requires that, amongst other matters, a quality built environment is where subdivision, use and development 'responds to the intrinsic qualities and physical characteristics of the site and area, including its setting'. This objective is supported by Policy B2.3.2(1) which requires that the form and design of subdivision, use and development is managed so that, amongst other matters, it 'supports the planned future environment, including its shape, landform, outlook, location and relationship to its surrounding, including landscape and heritage'.

Proposed PC31 aligns with the objectives and policies of B2, including Objective B2.3.1 and Policy B2.3.2(1). While some of the historic heritage places proposed to be included in PC31 have an underlying zone, such as business or THAB, that provides capacity for growth and density, the plan change does not necessarily constrain urban growth or impact on land capacity.

As discussed further below in Section 6, the inclusion of a place in Schedule 14.1, and the associated application of the Historic Heritage Overlay, has the potential to affect the development of a place. For example, subdivision of a historic heritage place is a discretionary activity in all parts of the overlay (apart from the non-contributing sites in an historic heritage area), and new buildings or structures are a discretionary or restricted discretionary activities. However, it is important to recognise that maximum development potential under the provisions of the AUP is affected by a range of factors, not just the Historic Heritage Overlay. The underlying zoning of a property, and any relevant precinct, other overlays, or AUP provisions that apply to a property may result in other objectives, policies and rules to apply that may also affect the development potential of a property.

By protecting specific places, proposed PC31 recognises their significant historic heritage values and applies a management regime that requires consideration of those values when development, including subdivision, is proposed.

### **B3 Ngā pūnaha hanganga, kawekawe me ngā pūngao – Infrastructure, transport and energy**

Chapter B3 emphasises the importance of infrastructure, transport and energy to the Auckland region, and sets out objectives and policies to recognise this importance. Development, operation, maintenance and upgrading of infrastructure is enabled while managing the adverse effects on the quality of the environment and, in particular, natural and physical resources that have been scheduled in the AUP, including historic heritage<sup>16</sup>. This is supported by Policy B3.1.2.6, while enabling development, operation, maintenance and upgrades to infrastructure, directs that adverse effects are avoided, where practicable, or otherwise remedied or mitigated.

One of the historic heritage places (Remuera School Memorial Gates) and two properties within the historic heritage area (Vector substation and AT car park) proposed to be included

<sup>16</sup> AUP B3.2.1 Objective 3(a)

in PC31 are part of Auckland's infrastructure. All of these are subject to designations under the AUP. Designations are discussed below in Section 6.3.

## **B5 Ngā rawa tuku iho me te āhua - Historic heritage and special character**

Chapter B5 sets out the objectives and policies for historic heritage and special character. The chapter states that significant historic heritage places should be identified and protected from inappropriate subdivision, use and development. The chapter also supports the use of historic heritage places, where this use will support the retention of, or will not detract from, the historic heritage values of the place. These two objectives are as below:

- (1) *Significant historic heritage places are identified and protected from inappropriate subdivision, use and development.*
- (2) *Significant historic heritage places are used appropriately and their protection, management and conservation are encouraged, including retention, maintenance and adaptation.*

These objectives are supported by policies B5.2.2 (1) to (9). The objective of Proposed PC31 aligns with these objectives and policies as the plan change seeks to identify and protect historic heritage places by adding them to Schedule 14.1 of the AUP.

## **B6 Mana Whenua**

The objectives and policies in B6.3 Recognising Mana Whenua values are relevant to Proposed PC31. The draft plan change, along with the draft s32 evaluation report, was provided to iwi authorities on 4 July 2019. As at 17 July 2019, there has been one response from 1 out of the 19 iwi authorities. This was from Te Rūnanga o Ngāti Whātua who advised that they had an interest in the area, deferred those interests to Ngāti Whātua o Ōrākei in the anticipation that they would provide an appropriate response, and anticipated that their future involvement would be determined following Ngāti Whātua o Ōrākei's due consideration. As at 22 July 2019, there has been no response received from Ngāti Whātua o Ōrākei.

## **B8 Toitū te taiwhenua – Coastal environment**

This chapter contains objectives and policies relating to the natural character of the coastal environment; subdivision, use and development of the coastal environment; public access and open space; and managing the Hauraki Gulf. Objectives and policies relevant to proposed PC31 include:

- Objective B8.5.1, which seeks that the management of the Hauraki Gulf gives effect to Sections 7 and 8 of the HGMPA (refer to analysis in Section 4.6 above)
- Policy B8.3.2(b), which seeks the avoidance of urban activities in areas with natural and physical resources that have been scheduled in the AUP for historic heritage, amongst other values.

While none of the proposed historic heritage places, or the historic heritage area, is directly located within the coastal environment, in the wider context they are located within the Hauraki Gulf catchment boundaries as defined by the HGMPA. The objective of the plan change aligns

with the coastal provisions of the AUP in that it seeks to identify places and ensure that any subdivision, use and development of the place is appropriate to the values of those places.

## 5 Development of the Proposed Plan Change

This section outlines the development of proposed PC31 and the consultation undertaken in preparing the plan change.

### 5.1 Methodology

#### Background

Each historic heritage place included in proposed PC31 has been evaluated for its historic heritage significance in accordance with the Council's Methodology for Evaluating Historic Heritage Significance (**Methodology**). The evaluations were undertaken between 2018 and 2019.

The methodology is a non-regulatory method of achieving the objectives and policies of the AUP. It provides guidance on the process of evaluating the significance of historic heritage places against the factors set out in the RPS. The methodology outlines the process of evaluating historic heritage significance, which is based on the following steps in the RPS:

1. identify and evaluate heritage values against the historic heritage significance factors set out in Policy B.5.2.2(1) of the AUP, being (a) historical, (b) social, (c) Mana whenua, (d) knowledge, (e) technological, (f) physical attributes, (g) aesthetic, and (h) context
2. prepare a statement of significance
3. State whether the place meets the threshold for scheduling as a historic heritage place (Category A or Category B), or an historic heritage area
4. recommend whether the place should be scheduled and if so define the extent of the area recommended for scheduling.

The five historic heritage places, and one heritage area, proposed to be included in PC31 has been recommended for scheduling as they have been evaluated as having considerable or outstanding value in relation to one or more the RPS evaluation factors. In addition, they also have considerable or outstanding overall significance to their locality or a greater geographic area (AUP Policy B5.2.2.(3)).

Proposed PC31 includes one Category A historic heritage place, four Category B places, and one historic heritage area. Policy B5.2.2.(4) outlines the classification of historic heritage places into categories:

- **Category A:** historic heritage places that are of outstanding significance well beyond their immediate environs
- **Category B:** historic heritage places that are of considerable significance to a locality or beyond
- **Historic heritage areas:** groupings of interrelated but not necessarily contiguous historic heritage places or feature that collectively meet the criteria for inclusion in

Schedule 14.1 Schedule of Historic Heritage in Category A or B and may include both contributing and non-contributing places or features, places individually scheduled as Category A or B, and notable trees.

Policy B5.2.2.(2) of the RPS requires the location and physical extent of each historic heritage place to be identified. This area, known as the 'extent of place', is the area that contains the historic heritage values of the place. Where appropriate, this may include any area that is relevant to an understanding of the function, meaning and relationships of the historic heritage values of the place.

The known heritage values, the primary feature(s), and the exclusions from protection of each historic heritage place, are identified in the historic heritage evaluation and this information is shown in Schedule 14.1 (RPS Policy B5.2.2(5)).

Each evaluation was peer reviewed and approved for release by Council's Heritage Manager. The peer review process ensures that there is consistency with the AUP and that there is consistent application of the methodology amongst different reviewers. Where an evaluation preceded the AUP being operative in part, the primary feature of Category B places were not required to be identified. For these evaluations, the peer reviewer has identified the primary feature and added it to the evaluation.<sup>17</sup>

## **5.2 Consultation undertaken**

In accordance with clause 3 of Schedule 1 of the Act, during the preparation of a proposed policy statement or plan, the local authority shall consult with:

- a) *the Minister for the Environment; and*
- b) *those other Ministers of the Crown who may be affected by the policy statement or plan; and*
- c) *local authorities who may be so affected; and*
- d) *the tangata whenua of the area who may be so affected, through iwi authorities; and*
- e) *any customary marine title group in the area.*

A local authority may consult anyone else during the preparation of a proposed policy statement or plan.

Letters were sent on 4 July 2019 to the Minister for the Environment, Minister of Conservation and Heritage New Zealand, advising the organisations about proposed PC31. Heritage NZ responded, on 19 July 2019, to advise of their interest in the proposed plan change and an initial view of support. To date, no other responses have been received.

### **Consultation with iwi authorities**

In accordance with clause 3B of Schedule 1 of the Act, for the purposes of clause 3(1)(d), a local authority is to be treated as having consulted with iwi authorities in relation to those whose details are entered in the record kept under section 35A, if the local authority—

<sup>17</sup> Note: Where this has occurred, it is clearly marked in the evaluation.

- (a) considers ways in which it may foster the development of their capacity to respond to an invitation to consult; and*
- (b) establishes and maintains processes to provide opportunities for those iwi authorities to consult it; and*
- (c) consults with those iwi authorities; and*
- (d) enables those iwi authorities to identify resource management issues of concern to them; and*
- (e) indicates how those issues have been or are to be addressed.*

In addition to the above, recent legislation changes to the Act introduced the following sections in relation to iwi authorities:

Section 32(4A):

*(4A) If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—*

- (a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and*
- (b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.*

Schedule 1

*4A Further pre-notification requirements concerning iwi authorities*

*(1) Before notifying a proposed policy statement or plan, a local authority must—*

*(a) provide a copy of the relevant draft proposed policy statement or plan to the iwi authorities consulted under clause 3(1)(d); and*

*(b) have particular regard to any advice received on a draft proposed policy statement or plan from those iwi authorities.*

*(2) When a local authority provides a copy of the relevant draft proposed policy statement or plan in accordance with subclause (1), it must allow adequate time and opportunity for the iwi authorities to consider the draft and provide advice on it.*

In accordance with Schedule 1 clause 4A, copies of the draft plan change, and draft section 32 report were sent to all iwi authorities of the Auckland region on 4 July 2019. As at 17 July 2019, there has been one response from 1 out of the 19 iwi authorities. This was from Te Rūnanga o Ngāti Whātua who advised that they had an interest in the area, deferred those interests to Ngāti Whātua o Ōrākei in the anticipation that they would provide an appropriate response, and anticipated that their future involvement would be determined following Ngāti Whātua o Ōrākei's due consideration.

A response from Ngāti Whātua o Ōrākei, received on 18 July 2019, advised that they do not need to engage in this instance, but would be grateful if they were kept in the information loop. An email was sent to Te Rūnanga o Ngāti Whātua, on 23 July 2019, to advise them of the

response from Ngāti Whātua o Ōrākei. As at 19 August 2019, no other responses have been received.

### **Consultation with elected members and Local Boards**

Four of the six historic heritage places, including the one historic heritage area proposed to be included in PC31 are within the Ōrākei Local Board area. The Ōrākei Local Board funded the evaluations of these places and requested that the landowners be contacted prior to notification; this was agreed to by Council's Heritage Unit. This is a different approach compared to previous historic heritage plan changes where public notice has been given as required by Section 5A (Schedule 1 of the RMA). As this approach is different, it was considered appropriate, for consistency, that landowners of the two other historic heritage places, in the Rodney Local Board and Albert-Eden Local Board areas, proposed to be included in PC31 should also be contacted prior to notification.

Information was sent to the Ōrākei, Rodney and Albert-Eden local board members and local board advisors on 17 May 2019 to inform them of proposed PC31. This correspondence provided an explanation of the proposed plan change and included a list of historic heritage places proposed to be added by the plan change relevant to each local board area. A summary document of each of the five places and the area was also provided. As at 13 June 2019, there has been no feedback received from either the Rodney Local Board.

The Albert-Eden Local Board was not advised at the same time as the other two local boards of the proposed plan change as a revision of the historic heritage evaluation was required. An email was sent on 23 July 2019. This report will be updated to incorporate any responses.

Council staff attended a workshop at the Ōrākei Local Board on 30 May 2019. This was an omnibus workshop on a number of planning matters occurring within the local board area, including to inform the local board of the responses to the landowner letters for the proposed historic heritage plan change. At that time, only two responses had been received. The local board had no comments to add other than that they were satisfied with the approach taken.

The Planning Committee approved the public notification of the plan change at its 6 August 2019 meeting<sup>18</sup>.

### **Consultation with landowners affected by proposed PC31**

Landowner letters were sent on 17 May 2019 to inform them of the historic heritage evaluations and the eligibility status of their places to be included in Schedule 14.1. As stated above, the Albert-Eden Local Board was not advised, until 23 July 2019, of the property within their area due to the review of the evaluation. A letter was sent to the landowner of the Colonial Ammunition Bulk Store Building on 23 July 2019. A summary of the evaluation and a frequently asked questions information sheet was provided to the landowners. Emails, with letter and FAQ attachment, were also sent to Ministry of Education and Vector Limited, as landowners with affected properties within proposed PC31. Landowners were invited to provide their views on the potential additions of their places and had the opportunity to advise Council of any information that should be added to, or which may have affected, the evaluation. Landowners

<sup>18</sup> Planning Committee resolution PLA/2019/80

were also invited to contact Council for an on-site visit and discussion. A full copy of the evaluation was also available to be provided, where requested.

As of 13 June 2019, six landowners have contacted Council. Council staff visited several properties, at the request of the landowner, to discuss the heritage evaluation and the proposed inclusion of their places in Schedule 14.1. In regard to the proposed historic heritage area, several landowners had concerns about the effect of the proposed plan on the development capacity provided for in the underlying zoning of their properties. These discussions have resulted in a review of the evaluation of the proposed historic heritage area in regard to the classification of buildings as to whether these were contributing or non-contributing. These discussions are ongoing and will assist in determining any outstanding issues.

### **Consultation with other parties**

#### *Heritage Advisory Panel*

The Heritage Advisory Panel was advised of the proposed plan change at its 25 June 2019 meeting.

#### *Auckland Transport*

On 17 May 2019, an email was sent to Auckland Transport. The correspondence advised them of the proposed plan change, and identified places subject to proposed PC31 that are in their ownership or management. A memo, dated 2 August 2019, was received from Auckland Transport. Inclusion of portions of the road reserve within the extent of places was of particular interest. Auckland Transport requested the removal of the overlay from the footpath or an explanation of the reasons why it is included in the section 32 for the following properties:

- Colonial Ammunition Company Bulk Store
- Remuera Primary War Memorial Gates
- Remuera Post Office (former)
- Upland Village Historic Heritage Area

Where it is recommended that a historic heritage place should be scheduled, a proposed extent of scheduling is defined spatially on the Council's GIS viewer (shown in purple cross-hatching). This area is known as the extent of place of a historic heritage place, and all land within this area is subject to the provisions of the Historic Heritage Overlay.

The RPS describes how historic heritage places are identified and evaluated and describes how to define the location and physical extent of a significant historic heritage place<sup>19</sup>. Chapter D17 of the AUP describes the EOP of scheduled historic heritage places<sup>20</sup>:

*Most scheduled historic heritage places include an identified area around a heritage feature; referred to as the 'extent of place'.*

<sup>19</sup> AUP Policy B5.2.2(2)

<sup>20</sup> AUP Chapter D17 Historic Heritage Overlay, D17.1 Background



*The extent of place comprises the area that is integral to the function, meaning and relationships of the place and illustrates the historic heritage values identified for the place. The provisions relating to a historic heritage place apply within the area mapped as the extent of place on the Plan maps, including the airspace.*

*Schedule 14.3 Historic Heritage Place maps clarifies the extent of place that applies to some historic heritage places.*

The Methodology<sup>21</sup> provides guidance for defining the extent of place, including when consideration should be given to including areas of footpath and/or street directly adjacent to a place within the extent of scheduling:

- *The identified footpath/street area forms part of the setting of the place and/or is relevant to, or contributes to, the place's identified values;*
- *A feature (or part of a feature) of a place is on, above or below the footpath or street itself (for example a tree, lamp post, or verandah);*
- *A feature is directly on, or close to, the property boundary edge (for example a corner pub, or villa with minimal setback);*
- *A feature has a historical association with the footpath/street (for example a commercial building with display windows or a mechanics centre);*
- *Development on the footpath or street is likely to adversely affect appreciation of the identified historic heritage values of the place (for example new bus shelters, signage, telecommunications/fire equipment etc. on main roads or busy streets);*
- *It is a Historic Heritage Area – for example avoid running along the middle of the street. Generally a boundary will run around rather than through a space, street or plot.*

The extent of place for the historic heritage places in PC31 were proposed in the historic heritage evaluation for each place, with the evaluator considering the guidance in the Methodology above.

A meeting will be held with Auckland Transport to discuss the above matters and how other rules within the Auckland Unitary Plan, in particular those relating to transport infrastructure, apply within the extent of place of the Upland Village Historic Heritage Area.

## **6 Evaluation of provisions**

This part of the report evaluates the provisions contained within proposed PC31. The evaluation that follows relates to the key themes arising from the proposed addition of five historic heritage places and one historic heritage area to Schedule 14.1. A change will also need to be made to Schedule 14.2 to include the HHA.

<sup>21</sup> Methodology for Evaluating Historic Heritage Significance, Version 7.5, 18 October 2013

## 6.1 Effect of scheduling

The inclusion of a historic heritage place in Schedule 14.1 means the provisions of the Historic Heritage Overlay apply to that place. This is also known as the scheduling of a place.

The Historic Heritage Overlay is based on a management approach where activities anticipated to have a greater effect on the values of a historic heritage place in Schedule 14.1 are subject to more rigorous management. The identification of an extent of place, primary feature(s), and exclusions is the basis of this management approach, ensuring the management of a historic heritage place is specific to its features, and therefore to the values and significance of that particular place.

Exclusions are identified for each historic heritage place, if appropriate, and listed in Schedule 14.1. Activities affecting features identified as exclusions are permitted or controlled.

The intent of the AUP is to ensure that unnecessary consent activity is not generated, while protecting historic heritage places from inappropriate subdivision, use and development. The scheduling of historic heritage places is a method by which more than minor works to a scheduled place will require resource consent. The requirement for consent ensures that the heritage values and significance of a place will be taken into account by both landowners and decision makers.

## 6.2 Reasonable use

All places included in PC31 have been evaluated as having sufficient historic heritage value and significance to warrant ongoing protection and appropriate management under the AUP.

All of the historic heritage places are in private ownership and the historic heritage area is largely in private ownership other than within the road corridor managed by Auckland Transport. The scheduling of a place in the AUP imposes restrictions on the use of that land. These restrictions can cause tension between the need to protect significant historic heritage and the public benefits of this, and the ability of landowners, both private and public, to use their land.

The Act recognises that a rule or other provision can have an effect on how landowners use their land. Section 85 of the Act allows landowners to challenge a provision on the basis that it would render the land incapable of reasonable use<sup>22</sup> and that it would place an unfair or unreasonable burden on the landowner.<sup>23</sup> Section 85 states that 'reasonable use:

*includes the use or potential use of land for any activity whose actual or potential effects on any aspect of the environment or any person other than the applicant would not be significant.*<sup>24</sup>

The AUP recognises that continued use of scheduled places is integral to their survival. The AUP provisions seek to recognise and provide for the reasonable use of historic heritage places. As previously discussed above, a flexible management regime is used, based on the

<sup>22</sup> RMA s85(2)

<sup>23</sup> RMA s85(3)

<sup>24</sup> RMA s85(6)

values and significance of the place, and whether the proposed use and/or development will assist with the ongoing management and protection of the place. The RPS seeks to provide for the occupation, use, seismic strengthening, development, restoration and adaptation of historic heritage places, where this will support the retention of, and will not detract from, the historic heritage values of the place.<sup>25</sup> This policy is supported by Objective D17.3(3) in the Historic Heritage Overlay.

Policies in D17 also support the use and development of scheduled historic heritage places, where it does not detract from the heritage values of the place and will not have significant adverse effects.<sup>26</sup> Policy D17.3(5) provides mechanisms to support use, development and adaptation appropriate to scheduled historic heritage places. These mechanisms include grants and other incentives, reducing or waiving consent application cost, providing transferable development rights (in certain areas), and the provision of expert advice.

As previously mentioned, the repair and maintenance of scheduled historic heritage places is a permitted activity (subject to standards).

At a place specific level, each place and the one area included in PC31 has been considered as part of this evaluation to determine the best method of management, as detailed in Section 3.2. The specifics of what could be considered reasonable use of the individual historic heritage places and the historic heritage area proposed to be included in PC31 have been considered.

Some scheduled places included in proposed PC31 have established uses that are integral to their historic heritage values and significance. In most cases, the original historic use continues, and in other instances the place is now used for a different purpose. In all cases, the question of reasonable use and how the AUP allows for effective and efficient use of a place needs to be carefully considered. This has been done by the identification of the extent of place and primary feature(s) of each of the five historic heritage places and the one historic heritage area, and the use of exclusions, where appropriate.

### **6.3 Designations**

One of the historic heritage places, Remuera War Memorial Gates, and one parcel of land within the historic heritage area, that are affected by proposed PC31 are subject to designations. Works undertaken in accordance with a designation are not subject to the district plan provisions of the AUP, including the Historic Heritage Overlay. The scheduling of a place or area can contribute to a more robust argument to retain the scheduled item and advocate for positive heritage outcomes within the outline plan of works and other designation processes. Scheduling of these places also ensures that if the designation is uplifted, or works occur that are not in accordance with the designation, the historic heritage place is subject to the provisions of the AUP.

<sup>25</sup> AUP RPS Objective B4.2.2(9)

<sup>26</sup> AUP Policies D17.3(3), D17.3(4)

## **6.4 Interiors**

One of the historic heritage places to be included in proposed PC31 has the interior of the buildings to be included in the scheduling. Interiors include the interior layout, spatial arrangement, and significant features and materials. The Methodology provides guidance for determining when to include the interior of a building in the scheduling of a historic heritage place.

It is best practice to regard a historic heritage place as a whole and to avoid itemising its features within the regulatory framework. However, in some circumstances, it may be appropriate to include portions of an interior, particularly if significant features remain but other parts have been modified. The section 32 evaluation resulted in this approach being applied to one place, Riverina, where key interior features, and exclusions, were itemised within the historic heritage evaluation.

The methodology acknowledges several reasons why it may not be appropriate to include the interior of a building in Schedule 14.1, particularly if it has not been viewed, or if the interior has been modified to an extent that its contribution to the identified values of the place has been lost. The interior of buildings are not considered for historic heritage areas.

## **6.5 Category A place**

Only one historic heritage place in the plan change is proposed to be Category A – Riverina (Warkworth). This Category A place is of outstanding significance well beyond its immediate environs. The evaluation of Riverina concluded that the place had exceptional national, regional and local significance for its historical and context values, considerable local significance for its social, knowledge, technology and physical attributes values and exceptional local significance for its aesthetic values.

Category A historic heritage places are subject to a slightly different management regime, as is fitting for these places of outstanding historic heritage value. The main difference is that the demolition or destruction of 70 per cent or more of these places, or the relocation of their features beyond the scheduled extent of place, is a prohibited activity. Other demolition or destruction (greater than 30 per cent but less than 70 per cent) and relocations outside of the scheduled extent of place are non-complying activities. As with other scheduled historic heritage places, minor works that are not anticipated to detract from the values of the place, such as maintenance and repair, are a permitted activity.

## **6.6 Modifications to a place**

Many of the historic heritage places proposed to be included in PC31 have been modified over time. This is expected particularly given the age of some of the places proposed. Modifications to buildings and features of places proposed to be included in PC31 are described in the evaluation for each place, which also describes whether the modifications

are complementary to, neutral, do not contribute, or detract from the values of the historic heritage place.

In most cases, modifications that have identified as non-contributing or detracting have been recommended by the evaluator to be identified as an exclusion in Schedule 14.1. This Section 32 evaluation does not identify any further exclusions other than those recommended by the evaluator.

## **6.7 Historic heritage areas**

One historic heritage area, the Upland Village Historic Heritage Area, is proposed in the plan change.

The process of evaluating the historic heritage significance of an HHA is the same as for individually scheduled historic heritage places. However, the Methodology provides additional guidance for HHA's, including defining the boundary of the area and identification of exclusions.

The emphasis of an HHA is on the collective values of the area, rather than the significance of individual places. This is reflected in the management of an HHA where there is generally a less onerous resource consent regime for the demolition of buildings and new buildings than for individually scheduled historic heritage places. In addition, the HHA provisions provide for the development and use of non-contributing sites and features, where these are compatible with the historic heritage values of the area.

The land included in the Upland Village Historic Heritage Area is primarily zoned Business-Neighbourhood Centre with a small portion of Terrace Housing and Apartment Building zone at 2-4 Minto Road (currently owned by Vector Limited). The Business-Neighbourhood Centre zone applies to single or small shopping strips located in residential neighbourhoods with the provisions typically enabling buildings of up to 3 storeys. Development is expected to be in keeping with surrounding residential environment. Two-thirds of the buildings identified within the proposed historic heritage area are two-storey with a small number of one-storey buildings situated on or near the Minto Road intersection.

The Business – Neighbourhood Centre zone provisions require resource consent for the construction of new buildings and some modification to existing buildings. The HHA provisions require a resource consent to demolish an existing building, modify an existing building or to build a new building. The requirement to obtain a resource consent for works in the Upland Village Historic Heritage Area is therefore not an additionally onerous constraint. A range of commercial and residential uses can continue as the HHA provisions do not control the use of a building.

The Terrace Housing and Apartment Building Zone provides for the greatest density, height and scale of development of all the residential zones. Buildings are enabled up to five, six or seven storeys in identified height variation control areas, depending on the scale of the adjoining centre, to achieve a transition in height from the centre to lower scale residential zones. The parcel of land at 2-4 Minto Road is currently owned by Vector Limited and is

designated for the purpose of ‘Electricity Works (Substation)’. As discussed above in Section 6.3, the designation takes precedence over the district plan provisions of the AUP. The inclusion of this property within the historic heritage area does not create an onerous constraint as works being undertaken in accordance with the purpose of the designation are not subject to the HHA provisions. Currently where works are not in accordance with the designation a resource consent would be required for, amongst other activities, dwellings, integrated residential developments, and new buildings in certain circumstances within the THAB zone. The HHA provisions require a resource consent to demolish an existing building, modify an existing building or to build a new building. As above, the HHA provisions would not create an additionally onerous constraint to that of the underlying THAB zone.

## 7 Conclusion

Proposed PC31 seeks to add six historic heritage places, including one historic heritage area, to Schedule 14.1. A change will also need to be made to Schedule 14.2 to include the significance statement of the HHA. The purpose of the proposed plan change is to recognise the values of identified historic heritage places by adding them to Schedule 14.1 and ensure the provisions of the AUP Historic Heritage Overlay apply and therefore assist in managing and protecting them.

The main conclusions of the evaluation under Part 2 and Section 32 of the Act are summarised below:

1. Proposed PC31 is consistent with the purpose of sustainable management in Section 5 and the principles within Sections 6, 7, and 8, and within Part 2 of the Act.
2. Proposed PC31 assists the Council in carrying out its functions set out in Sections 30 and 31 of the Act.
3. Pursuant to Section 75(3)(c) of the Act, Proposed PC31 is consistent with the objectives and policies of the Auckland Regional Policy Statement
4. The evaluation undertaken in accordance with Section 32 concluded:
  - i. The use of the existing objectives of the AUP would be the most appropriate way to achieve the purpose of the Act.
  - ii. The addition of six historic heritage places, including one historic heritage area to Schedule 14.1 and addition of a significance statement for the historic heritage area to Schedule 14.2 is the most appropriate means of achieving the objectives identified in section 3 of this report.

<b>Conclusion</b>	This part of the report concludes that the proposed plan change is the most efficient, effective and appropriate means of addressing the resource management issues identified.
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## Proposed amendments to Chapter L: Schedule 14.2 Historic Heritage Areas – Maps and statements of significance

Notes:

New text is shown as underlined and deleted text as ~~striketrough~~.  
Only the amendments to the schedule proposed to be amended are shown.

Chapter L: Schedules

Schedule 14.2 Historic Heritage Areas – Maps and statements of significance

Proposed change/s:

Add the following text and maps for:

14.2.XX Upland Village Historic Heritage Area

## **Schedule 14.2.XX Upland Village Historic Heritage Area (Schedule ID XXXX)**

### **Statement of significance**

Upland Village HHA is a small retail hub located within Remuera, one of Auckland's oldest and most affluent residential suburbs. Established around the crossroads of Remuera, Upland and Minto roads within the eastern portion of the suburb, the area represents one of Auckland's most intact small-scale shopping centres principally established during the interwar era.

Upland Village's first and most important phase of development occurred between 1915 and 1938, a 23-year period of significance that captures its commercial origins following the extension of the eastern tramline to Upland Road, its most prolific period of construction during the 1920s, and the erection of its last building in the late-1930s.

Prior to the commencement of Upland Village's commercial development, the area was predominantly rural with a small number of residences located on and near the land now occupied by the shopping centre. The gradual subdivision of allotments and larger lots into smaller (albeit irregular) sections during the early decades of the twentieth century resulted in an underlying layout and building arrangement that remains legible today.

The establishment of the centre was closely linked to the arrival of the electric tramline to Upland Road in 1913, which encouraged residential expansion and prompted the establishment of shops and services to support the growing local community. Following the formation of the first two buildings on the corners of Remuera and Minto roads in 1915 and 1917, Upland Village's development occurred swiftly and simultaneously on both sides of Remuera Road. By the end of the 1920s, the majority of the area was built out with blocks of residential shops and lock-ups. This was followed by the construction of two additional buildings in the 1930s.

Upland Village is a well-defined commercial core that adopts a traditional, but small, main street configuration. It maintains a relatively dense development pattern produced by the positioning of the structures of the street edge, with only minor variation in rhythm and setback. Its strong collection of commercial buildings define the area and illustrate the eastern expansion of the Remuera district during the early decades of the twentieth century. The majority of the buildings were established as 'residential shops', offering a range of services on the ground floor that developed to meet the needs of the growing community and with living quarters on the first floor. Other building types included a service station and substation.

The architecture, scale and construction of development within Upland Village provide a strong sense of cohesion, continuity and permanence, and collectively reflect the area's first phase of development. Designed in styles associated with the interwar period, the most prevalent being the Stripped Classical and Spanish Mission styles, the buildings generally represent a more modest interpretation of the designs adopted for larger commercial buildings in urban centres. Notable examples within the area include the block of structures on the northern side of Remuera Road (586-608 Remuera Road). Several buildings were designed by local architects, including E. Rupert Morton, Frederick A. Browne, H. S. James and E. T. Hawkes.



The buildings are predominantly of two-storey construction, interspersed with a small number of single-storey structures. They generally take the form of terraced shops, with an almost continuous line of ground-floor verandahs suspended from the principal elevations. The predominant building material is brick and/or concrete, with finishes that include painted render, painted or exposed brick, and stucco. Rear elevations, visible from the access lanes behind the shops, are generally of exposed brick. Roofs are mainly clad with corrugated metal, with some examples of clay tiles. Traditional shop fronts have given way to modern timber or aluminium replacements, while first floor fenestration appears to remain largely unchanged and comprise timber casements and sash windows. The scale and extent of signage varies across the area. With the exception of one site (561 Remuera Road), only minor changes appear to have occurred to the rear of the buildings.

Upland Village is considered an area of local historic heritage significance. It has historical value for reflecting important development patterns and representative aspects of Auckland's transport and commercial history during the interwar period – a time of marked advancement in the locality and region. Established following the advent of the electric tram at Upland Road in 1913, the area has value for its intimate association with the expansion of Auckland's electric tram network and for reflecting the progressive eastward development of the Remuera suburb during the early decades of the twentieth century. It is particularly significant as the only known interwar shopping centre in the isthmus to develop in direct response to the arrival of the electric tram and location of its terminus, and notably exists as one of the most intact examples of commercial development in Auckland's eastern suburbs associated with this important theme.

The swift growth of Upland Village is apparent in its group of buildings that collectively reflect the construction boom of the interwar period and the composition of small-scale commercial centres during that time. The area has physical attributes value as a notable representative example of a traditional small-scale shopping centre, which developed swiftly and compactly during this time in Auckland. Its largely intact group of masonry buildings are of particular value for their strong sense of cohesion and continuity, and for modestly reflecting architectural styles and trends in commercial interwar architecture. Although the buildings within Upland Village have experienced change over time, most noticeably to their shop fronts, the overall integrity of their historic form, features and fabric remains.

Creating a definable geographical area that can be distinguished from its residential surroundings, Upland Village has context value for its individual components that when taken together form a historic townscape that is notable for its unified built form and strong associations with a key period in Remuera's history. Its uninterrupted blocks of buildings collectively contribute to the area's sense of place and legibility as an intact retail hub in the locality and as one of only a small number of authentic interwar centres in Auckland.

In comparing Upland Village with other traditional town centres and smaller retail hubs within Auckland, similarities in location, historical development and physical qualities are apparent in some cases. Despite its establishment as a secondary commercial centre within the suburb of Remuera, rather than the principal town centre, Upland Village appears to be no less expressive of Auckland's important period of commercial development during the 1920s and 1930s. It also represents a notable representative example of a small-scale commercial centre in the isthmus. Whilst Upland Village is one many commercial centres associated with Auckland's electric tram network, it is the only known example to develop as a direct result of the tramline extension and exists as one of the most intact examples along its former eastern route. In the Remuera context, Upland Village represents a strong group of commercial buildings that reflect the swift development that occurred during a period of pronounced growth



## **Proposed amendments to Auckland Unitary Plan GIS Viewer (planning maps)**

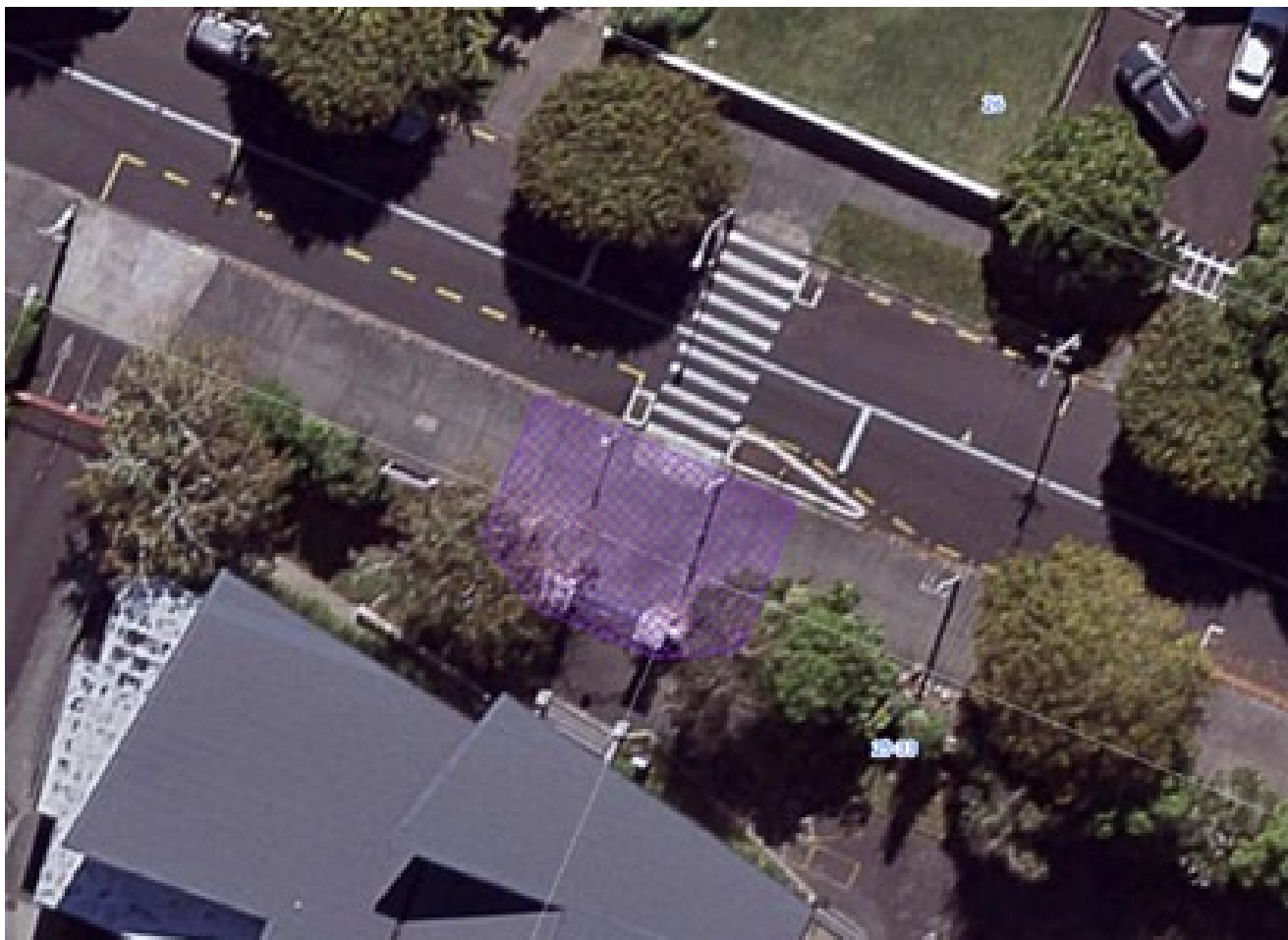
**Notes:**

- 1. Add the Historic Heritage Overlay Extent of Place maps to the GIS viewer**

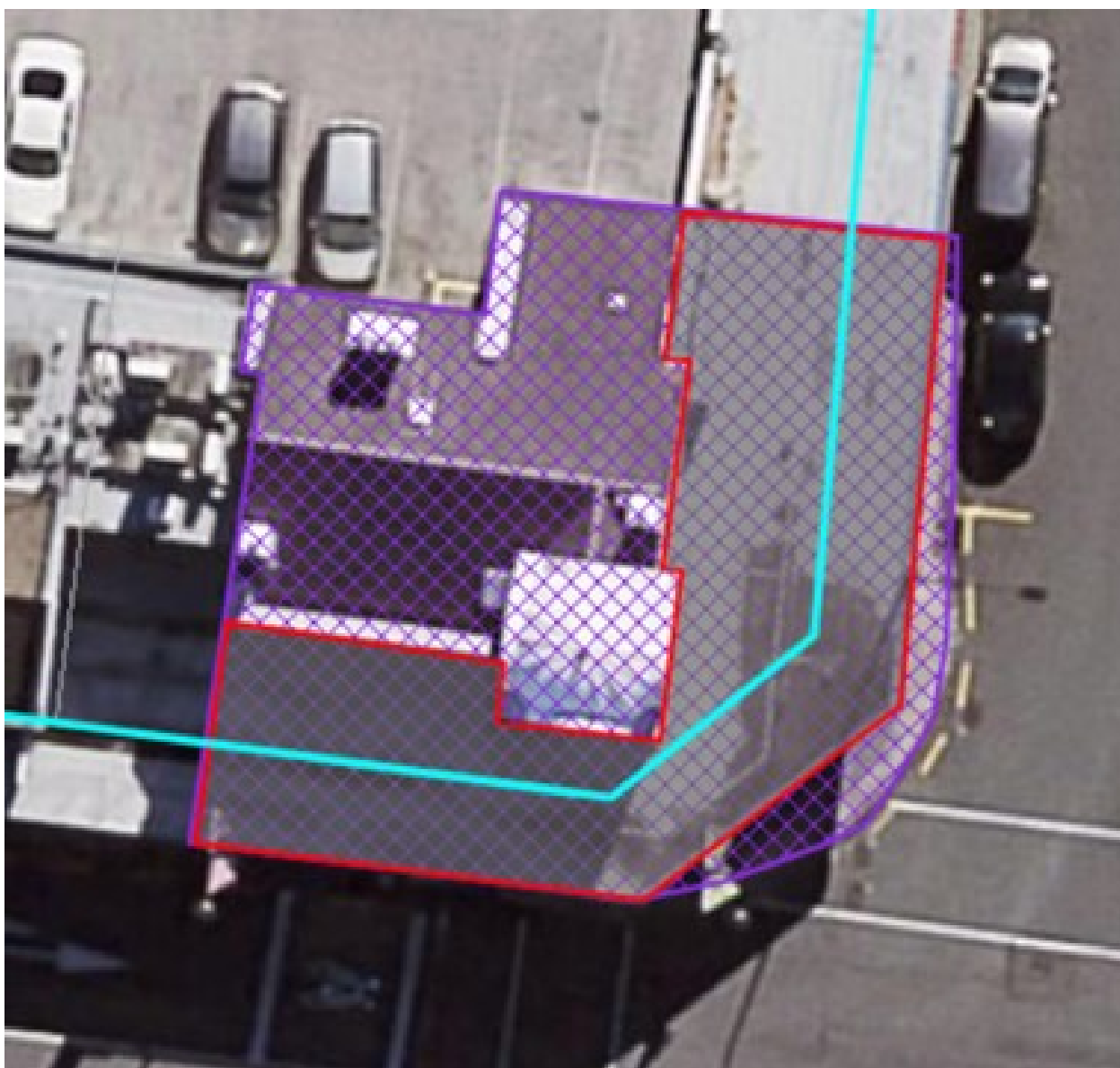
ID	XXXX
Place name	Glenholm
Address	37 Portland Road, Remuera
Legal description	Part Lot 5 DP 18802



ID	XXXX
Place name	Remuera Primary School War Memorial Gates
Address	25-33 Dromorne Road, Remuera
Legal description	Lot 31 Deeds Reg S60A, Lot 32 Deeds Reg S60A, road reserve



ID	XXXX
Place name	Remuera Post Office (Former)
Address	358-364 Remuera Road, Remuera
Legal description	Pt Lot 9 DP 3364, road reserve.



Note: extent of place is shown as purple hatch and red is the exclusion of the 1990s partially enclosed ground floor verandah

ID	XXXX
Place name	Riverina
Address	46 Wilson Road, Warkworth
Legal description	Lot 3 DP 486583, road reserve



ID	XXXX
Place name	Colonial Ammunition Company Bulk Store
Address	26 Normanby Road, Mount Eden
Legal description	Lot 2 DP 312430, road reserve





ID	XXXX
Place name	Upland Village (Historic Heritage Area)
Address	541-545, 547-549, 551-553, 561, 563, 565, 571, 573, 575, 579-585, 586-592, 594-600 and 602-608 Remuera Road and 2-4 Minto Road, Remuera.





**ATTACHMENT SEVEN**  
**SUBMISSIONS AND FURTHER SUBMISSIONS**



**Plan Change 31 - Schedule 14 Historic Heritage Additions**  
**Summary of Decisions Requested**

Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary
1	1.1	Kaye Mills and Anthony Mills	Kayepmills@yahoo.co.nz	Support the plan modification with amendments	Support the plan modification with amendments
1	1.2	Kaye Mills and Anthony Mills	Kayepmills@yahoo.co.nz	Support the plan modification with amendments	Amend the extent of place to exclude the asphalt area to the rear of the building; amend exclusions to include additional features that do not contribute to the heritage value of the building.
2	2.1	Warkworth & District Museum Society Inc c/- Victoria Joule	warkworthmuseum@xtra.co.nz	Support the specific provisions identified	Support the specific provisions identified
3	3.1	Guardian Retail 551 Limited c/- Craig McGarr	cmcgarr@bentley.co.nz	Support the plan modification with amendments	Accept the plan modification with amendments
3	3.2	Guardian Retail 551 Limited c/- Craig McGarr	cmcgarr@bentley.co.nz	Support the plan modification with amendments	Delete the proposed 'Historic Heritage Overlay - Extent of Place' for 'Upland Village' in its entirety.
4	4.1	GWG Trustee Limited trustee of GWG Family Trust c/- Loo & Koo Solicitors	jong@loo-koo.co.nz stephen.brownhill@xtra.co.nz	Oppose	Decline the plan modification
4	4.2	GWG Trustee Limited trustee of GWG Family Trust c/- Loo & Koo Solicitors	jong@loo-koo.co.nz stephen.brownhill@xtra.co.nz	Oppose	Decline the proposed plan change as the proposal will have a significant adverse effect on the submitter's future development options for the land and buildings.
5	5.1	Upland Group Limited c/- Morrison Kent Lawyers attn: Bryce Town	Bryce.town@morrisonkent.co.nz stephen.brownhill@xtra.co.nz	Oppose	Decline the plan modification
5	5.2	Upland Group Limited c/- Morrison Kent Lawyers attn: Bryce Town	Bryce.town@morrisonkent.co.nz stephen.brownhill@xtra.co.nz	Oppose	Decline the proposed plan change as proposal will have a significant adverse effect on the submitter's future development options for the land and buildings.
6	6.1	Auckland Transport c/- Liam Burkhardt	liam.burkhardt@at.govt.nz	Supports the plan modification with amendments	Supports the plan modification with amendments
6	6.2	Auckland Transport c/- Liam Burkhardt	liam.burkhardt@at.govt.nz	Supports the plan modification with amendments	Seeks amendments to exclude road reserve from Upland Village Historic Heritage Area.
6	6.3	Auckland Transport c/- Liam Burkhardt	liam.burkhardt@at.govt.nz	Supports the plan modification with amendments	Seeks amendments to exclude road reserve from Remuera Primary School War Memorial Gates
6	6.4	Auckland Transport c/- Liam Burkhardt	liam.burkhardt@at.govt.nz	Supports the plan modification with amendments	Seeks amendments to exclude road reserve from the Former Remuera Post Office
7	7.1	Aotearoa New Zealand Investments Limited c/- Alex Van Son	avs@planningfocus.co.nz	Oppose	Withdraw Plan Change 31

**Plan Change 31 - Schedule 14 Historic Heritage Additions**  
**Summary of Decisions Requested**

Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary
7	7.2	Aotearoa New Zealand Investments Limited c/- Alex Van Son	avs@planningfocus.co.nz	Oppose	Amend to include the additional exclusion of ground floor original exterior walls on the northern and western elevation.
8	8.1	The Theosophical Society in New Zealand Incorporated c/-John Yan	john.yan@envivo.nz	Oppose	Decline the plan modification
8	8.2	The Theosophical Society in New Zealand Incorporated c/-John Yan	john.yan@envivo.nz	Oppose	Seeks that the proposed 'Historic Heritage Overlay - Extent of Place' for identified 'Upland Village Historic Heritage Area' is removed in its entirety
9	9.1	Heritage New Zealand Pouhere Taonga c/-Susan Andrews	sandrews@heritage.org.nz	Supports the plan modification with amendments	Supports the plan modification with amendments
9	9.2	Heritage New Zealand Pouhere Taonga c/-Susan Andrews	sandrews@heritage.org.nz	Support	Supports the proposed addition of the six historic heritage places
9	9.3	Heritage New Zealand Pouhere Taonga c/-Susan Andrews	sandrews@heritage.org.nz	Support	Seeks amendment to exclusions for Riverina and Glenholm to include all the interiors
10	10.1	Remuera Heritage Inc. c/- Jennifer Hayman	jennifer@haymanconsulting.co.nz	Supports in part and seeks amendments	Supports in part and seeks amendments
10	10.2	Remuera Heritage Inc. c/- Jennifer Hayman	jennifer@haymanconsulting.co.nz	Supports in part and seeks amendments	Accepts proposed plan change for Glenholm
10	10.3	Remuera Heritage Inc. c/- Jennifer Hayman	jennifer@haymanconsulting.co.nz	Supports in part and seeks amendments	Accepts proposed plan change for Remuera Primary School War Memorial Gates
10	10.4	Remuera Heritage Inc. c/- Jennifer Hayman	jennifer@haymanconsulting.co.nz	Supports in part and seeks amendments	Seeks amendments to former Remuera Post Office to add value b) and g)
10	10.5	Remuera Heritage Inc. c/- Jennifer Hayman	jennifer@haymanconsulting.co.nz	Supports in part and seeks amendments	Seeks amendments to the Upland Village Historic Heritage Area to add value b) and provision of rationale for name.
11	11.1	Anthony Simmons	tonysi@orcon.net.nz	Supports the plan modification with amendments	Supports the plan modification with amendments
11	11.2	Anthony Simmons	tonysi@orcon.net.nz	Supports the plan modification with amendments	Seeks amendments to the extent of place
11	11.3	Anthony Simmons	tonysi@orcon.net.nz	Supports the plan modification with amendments	Agrees with exclusions of kitchen and both bathrooms for Riverina

## **Submissions**

**SUBMISSION ON PROPOSED PLAN CHANGE 31 TO THE AUCKLAND UNITARY  
PLAN: OPERATIVE IN PART UNDER CLAUSE 6 OF THE FIRST SCHEDULE TO THE  
RESOURCE MANAGEMENT ACT 1991**

**To:** Auckland Council  
[unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Name of Submitter:** Kaye Mills and Anthony Mills

**Address:** P O Box 13 396 Onehunga 1643  
kayepmills@yahoo.co.nz

**SUBMISSION**

1. This is a submission on Proposed Plan Change 31 (**PC31**) to the Auckland Unitary Plan: Operative in Part (**Operative Plan**) on the proposed listing of the Colonial Ammunition Company Bulk Store (**Building**) at 26 Normanby Road, Mount Eden (**Property**).
2. We make this submission as trustees of the trust that owns the freehold interest in the Building. PC1 was publicly notified by Auckland Council (**Council**) on 29 August 2019.
3. We will not gain an advantage in trade competition through this submission.
4. PC31 is of direct relevance to us as owners of the Property. Listing the Property will mean that greater restrictions are placed on what can be undertaken on the Property. The listing of the Property may constrain its future adaptation and use.
5. This submission solely relates to the Property.
6. We support in part PC31 subject to the amendments set out below.

**GENERAL REASONS FOR SUBMISSION**

7. We support PC31 because, subject to the amendments requested in this submission being accepted, it:
  - (a) is consistent with the relevant objectives of the Plan;



- (b) is consistent with the sustainable management of natural and physical resources and is otherwise consistent with the purpose and principles of the Resource Management Act 1991 (**RMA**);
  - (c) is consistent with, and will achieve, the purpose and principles of the RMA, in particular section 5(2) to enable people and communities to provide for social, economic and cultural wellbeing;
  - (d) complies with sections 74, 75 and 76 of the Act;
  - (e) meets the requirements to satisfy section 32 of the Act; and
  - (f) is consistent with sound resource management practice.
8. Further, without derogating from the generality of the above, PC31 is appropriate for the specific reasons outlined below.

### **SPECIFIC REASONS SUPPORTING IN PART PC31**

#### **Background and context**

- 9. The Trust acquired the Property in 2012.
- 10. We recognise the inherent heritage value in the Building and support its proposed Category B listing.
- 11. We do not have immediate plans to develop the Building. However, the ongoing maintenance costs of heritage buildings can be significant. The reality is that to be maintained, heritage buildings must find a viable, economic use and retain flexibility to adapt to future uses. The Property is currently let to Sen Kitchen and is used as a Vietnamese restaurant. In the future, some other use may be more appropriate and we wish to retain flexibility to adapt the Property to that future use so that the Building can be maintained and remain an economic prospect.
- 12. We recognise that future adaptation (changing the use or development) of the Building would be assessed against the provisions of the Plan and an appropriate use or development (as judged by the Council) would be granted consent. However, if PC31 is granted in its current form, the planning framework for considering resource consents would not be appropriate.

#### **The proposed extent of place**

13. PC31 proposes that the Extent of Place will include the entire title of the Property and the footpath immediately adjacent to the Normanby Road frontage.
14. The extent of place must be set according to: the area that contains the historic heritage values of the place; and, any area that is relevant to an understanding of the function, meaning and relationships of the historic heritage values.<sup>1</sup> Chapter D17 of the Plan states that the extent of place “comprises the area that is integral to the function, meaning and relationships of the place and illustrates the historic heritage values identified for the place”.
15. While the Building has historic heritage significance, surrounding within the Property do not. The Building sits on an asphalted site. There are no historic heritage features on the Property apart from the Building itself. The area that contains the historic heritage values is the outer edge of the walls of the Building. There are no other features onsite that are “*integral* to the function, meaning and relationships of the place” (Chapter D17.21 Background).
16. There are two features, offsite, that provide additional context to the Building and these are recognised in the Historic Heritage Evaluation. The first is the CAC Office, on the opposite side of Normanby Road and south of the property by 50-100 metres (**Office**). The second is the shot tower, which lies west of the Property and is located on private land (**Shot Tower**). The Office fronts Normanby Road, and the link to the Building is obvious and protected by Normanby Road itself. The Shot Tower is visible from the road due to its height. The public cannot access the Shot Tower because it is set back from Normanby Road by approximately 40 metres of private land. There is private property between the Property and the Shot Tower. Extending the extent of place over the rear of the Property does not give any special connection or establish context between the Building, the Office and the Shot Tower.
17. It is inappropriate that the extent of place applies to the entire Property.

#### **Proposed primary feature and exclusions**

18. PC31 proposes the Building as the primary feature excluding the interior (but not the roof, sarking and basalt walls), the exterior seating area hood, the entry hood and glazed entry door and the bamboo attachment to the Normanby Road frontage. D17.1 of the existing Plan states that “features listed as exclusions do not contribute to, or may detract from the values for which the historic heritage place has been

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1

scheduled". There are additional features that do not contribute to the heritage value of the Building that should be excluded:

- (a) To the south of the Building, the seating area and the stone wall are a late addition to the Building and do not have any special heritage value. Figure 7 of the Council's Historic Heritage Valuation shows that the outdoor seating area (including stone wall) post-dates at least 1985.
- (b) All wooden louvres / shutters attached to the exterior of the building are late additions and this is recognised by the Council in its Historic Heritage Evaluation. All louvres / shutters should be excluded.
- (c) The interior walls that have been buttressed by shotcrete up to a height of approx. 1m for strengthening / support and no the underlying basalt walls no longer have any heritage value as the blue stone is completely covered and cannot be uncovered without sacrificing the structural integrity of the Building.
- (d) The western wall of the Building is highly modified and should be excluded. As can be seen during inspection of the wall and the photographs attached to this submission at **Appendix 1**, the western wall has been highly modified by:
  - (i) the addition of a fire escape and stairs from the mezzanine;
  - (ii) lean-to storage being attached to the wall;
  - (iii) a new plaster finish and green paint that has been applied to the wall;
  - (iv) lighting
  - (v) various ducting etc. necessary for the operation of the commercial kitchen; and
  - (vi) Two air conditioning units and framework that has been bolted onto the wall.
- (e) The high degree of modification to the western wall means that it no longer meets the threshold for listing.
- (f) The western wall is also integral to the future adaptation of the Building. The only developable area on the Property is to the rear of the Building. The Building could be extended to the rear as part of a future development, or an

addition could be made to the Building on the rear of the Property. Maintaining flexibility over the rear of the Property would enable us (and any future owners) to provide for their social and economic wellbeing, which in turn enables the adaptive and continued use (and therefore maintenance) of the Building.

**Assessment against section 32 of the Resource Management Act 1991**

***Provisions of PC31 do not achieve the purpose of PC31: sections 32(1)(b) RMA***

19. The proposed extent of place and exclusions do not recognise their heritage value and are inconsistent with the Council's Historic Heritage Evaluation. In addition, the current provisions do not allow flexibility to adapt the Building to a future use.

***Provisions of PC31 are not efficient: sections 32(1)(b)(ii) and 32(2) RMA***

20. The proposed provisions are not effective or efficient, as they neutralise future adaptation of the Property without any good heritage reason to do so. The provisions therefore place an economic burden on us, without any benefit to the community. In the short term, this may have an economic impact on us. However, in the long term, if the Property cannot be put to an economic use, then it will not be possible to support its ongoing maintenance.

***Provisions of PC31 are not the most appropriate way to achieve the objectives of the Plan: section 32(3) RMA***

21. The proposed provisions of PC31 are not the most appropriate way of achieving the existing objectives of the Plan.
22. Objectives B5.2.2(2) and D17.1 provide clear policies and background (respectively) as to what should be included in the extent of place. This is outlined above at paragraph 14 of this submission. The proposed extent of place is not appropriate when assessed against the existing objectives of the Plan.
23. The existing objectives of the Plan provide for the ongoing use of historic heritage places. The existing objectives provide for (*emphasis added*):
- (a) Objective B5.2.1(2): "Significant historic heritage places are used appropriately and their protection, *management* and conservation are encouraged, including retention, *maintenance and adaptation*".

- (b) Objective D17.2(3): "Appropriate subdivision, use and development, including adaptation of scheduled historic heritage places, is *enabled*".
- 24. The objective of the existing provisions is not to freeze-in-time historic heritage. Instead, the Plan provides for the continued use and adaptation of historic heritage places, recognising that ultimately historic heritage will decline if it cannot provide an economic use.

**Decision sought**

- 25. We seek the following decision:
  - (a) that PC31 be approved subject to the relief sought below in **Appendix 2**; and | 1.1
  - (b) such relief as may be necessary to address our concerns, as outlined above, | 1.2  
or consequential to those concerns being addressed.
- 26. We wish to be heard in support of this submission.
- 27. If others make a similar submission, we will consider presenting a joint case with them at a hearing.

**DATED this 18<sup>th</sup> day of September 2019**

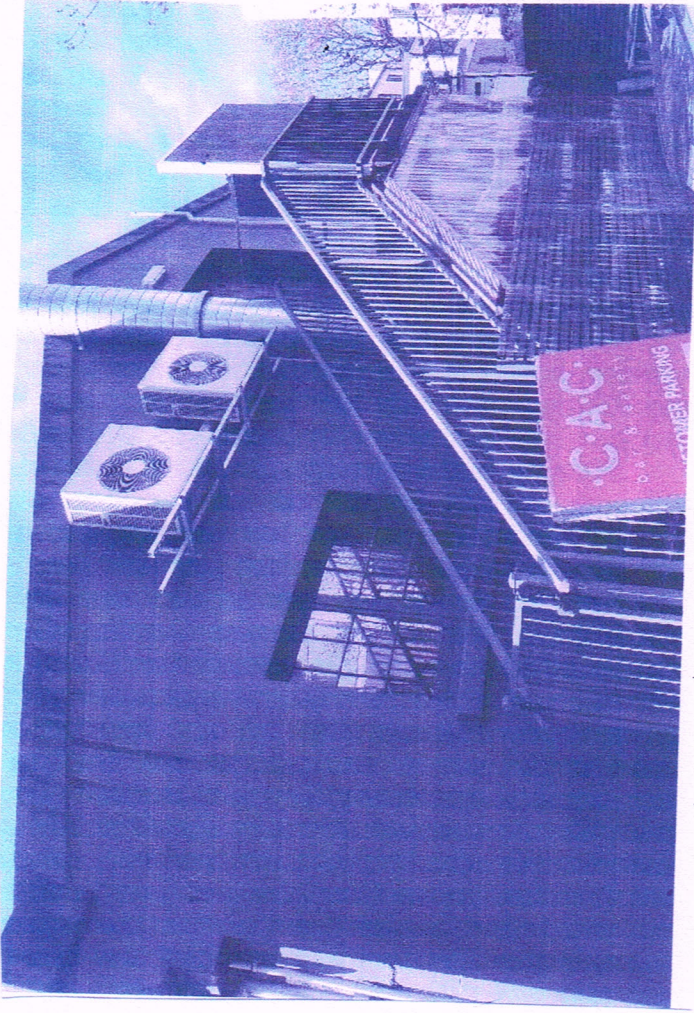
**Kaye P Mills and Anthony M Mills**

**Address for service of submitter:**

Kaye P Mills and Anthony M Mills  
P O Box 13 396 Onehunga 1643

Email: [kayepmills@yahoo.co.nz](mailto:kayepmills@yahoo.co.nz)

Appendix 1. Photographs of the western wall



Appendix 2: Table showing relief sought

PC31 proposed provisions with relief sought										Support / Oppose	Reasons for support / opposition
Proposed PC31 provisions shown in plain text with relief sought shown in <u>underline</u> / <del>strikethrough</del>										Support in part.	Reasons set out in body of submission.
Schedule 14.1 Historic Heritage											
ID	Place Name and/or Description	Verified Location	Verified Legal Description	Category	Primary Feature	Heritage Values	Extent of Place	Exclusions			
XXXX	Colonial Ammunition Company Bulk Store	26 Normanby Road, Mount Eden	Lot 2 DP 312430; road reserve	B	Building	A, F, H	Refer to Planning Maps	Interior apart from timber roof structure and sarking and the <u>exposed basalt walls over a height of 1.2 metres</u> ; exterior seating area <u>including rock walls and hood</u> ; entry hood and glazed entry door; bamboo attachment to <u>exterior front wall</u> ; <u>all wooden louvers and</u>			

	Support / Oppose	Reasons for support / opposition
<p><b>PC31 proposed provisions with relief sought</b></p>		
<p><b>PC31 extent of place shown in purple with relief sought show outlined red</b> Auckland Unitary Plan GIS Viewer (planning maps)</p>	Support in part.	Reasons set out in body of submission.

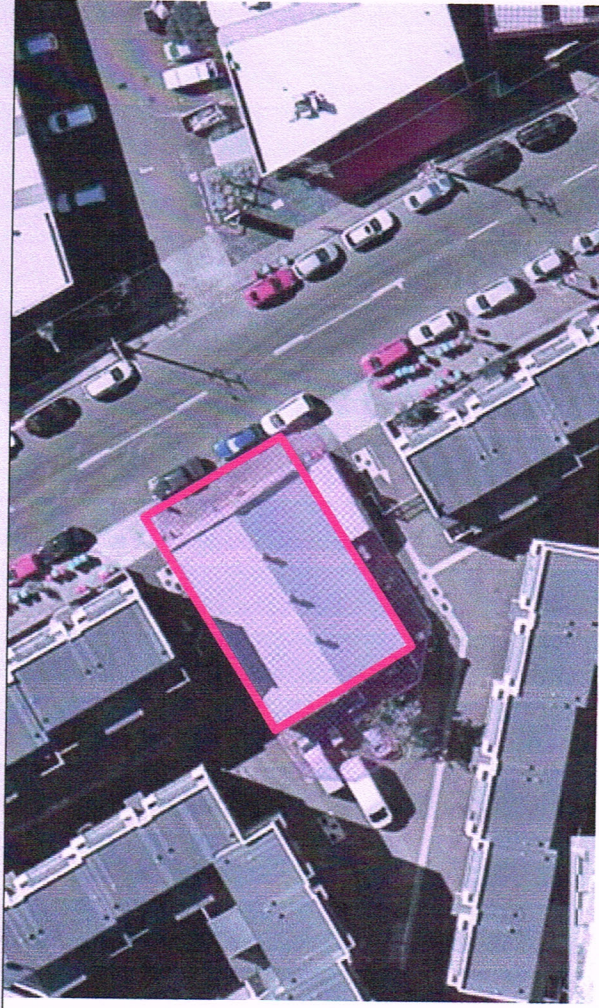
hoods to all windows; the rear, western-facing wall in its entirety



PC31 proposed provisions with relief sought

Support  
/  
Oppose

Reasons  
for  
support /  
opposition



The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Victoria Joule

Organisation name: Warkworth & District Museum Society Inc

Agent's full name:

Email address: [warkworthmuseum@xtra.co.nz](mailto:warkworthmuseum@xtra.co.nz)

Contact phone number:

Postal address:

PO Box 37

Warkworth

Auckland 0941

## Submission details

**This is a submission to:**

Plan modification number: Plan change 31

Plan modification name: Schedule 14.1 Historic Heritage Additions

**My submission relates to**

Rule or rules:

Property address: 46 Wilson Road, Warkworth, 9081

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

- We believe that Riverina is of significant historical value to the people of Warkworth. This is partly due to the builder/owner Nathaniel Wilson (sometimes described as the Father of Warkworth). In 1866 he started burning lime to produce Hydraulic lime, he went on to finally produce Portland cement. The wages he paid his workers were valuable in making Warkworth a very successful developing town from 1860 - 1928. - Riverina, built with a mixture of locally sourced hydraulic lime and burnt clay, standing proudly above Warkworth for nearly 120 year, proves the quality of the design and ability of a young architect, Robert de Montalk, later to become a well-respected New Zealand architect. - The house has been sensitively restored at different times and is close to the original build. - Many large trees in the grounds were planted during the time the Wilson's were in residence. - Riverina was also used by the US army as its headquarters for soldiers stationed in the area between 1942-1944 - Riverina deserves to take its place in history. It reflects Wilson's determination to develop the lime cement used in early buildings: and under great difficulties produce

the Portland cement that made structures like Grafton bridge possible. This cement is still a valuable building material today, 120 years later.

I or we seek the following decision by council: Accept the plan modification

2.1

Submission date: 23 September 2019

### **Attend a hearing**

Do you wish to be heard in support of your submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only

Submission No:

Receipt Date:

## Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Guardian Retail 551 Limited

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

Bentley & Co. Limited, Attn: Craig McGarr,  
PO Box 4492, Shortland Street, Auckland CBD

Telephone:

09 309 5367

Fax/Email:

cmcgarr@bentley.co.nz

Contact Person: (Name and designation, if applicable)

## Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 31

Plan Change/Variation Name

Schedule 14 Historic Heritage Additions

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Schedules 14.1 & 14.2

Or

Property Address

Or

Map

Or

Other (specify)

## Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes  No

The reasons for my views are:

Refer to attached submission

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

3.1

Remove Upland Village from the proposed scheduling. Refer to attached submission.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

Signature of Submitter  
(or person authorised to sign on behalf of submitter)

23 / 9 / 19

Date

**Notes to person making submission:**

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  / could not  gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am  / am not  directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

## Submission on notified proposal for policy statement or plan, change or variation

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To** Auckland Council  
Private Bag 92300  
Auckland 1142

**Name of submitter:** Guardian Retail 551 Limited

This is a submission on a change proposed to the following plan (the **proposal**):

“Plan Change 31 Schedule 14.1 Historic Heritage Additions” in the Auckland Unitary Plan (Operative in part) (hereinafter “**Unitary Plan**”).

Guardian Retail 551 Limited (hereinafter “**GRL**”) could not gain an advantage in trade competition through this submission.

**GRL** has an interest greater than the interest of the general public, and is directly affected by the proposal.

The specific provisions of the proposal that **GRL’s** submission relates to are:

- (a) The proposed amendments to Chapter L: Schedule 114.1 Historic Heritage and Schedule 14.2 Historic Heritage Areas – Maps and statements of significance.

**GRL’s** submission is set out below:

### **Background**

**GRL** is the owner of the land located at:

- 551-553 Remuera Road, Remuera 1050; and
- 561 Remuera Road, Remuera 1050

The two properties are zoned ‘Business – Neighbourhood Centre Zone’ under the Unitary Plan and form part of the ‘Upland Village’ neighbourhood in Remuera.

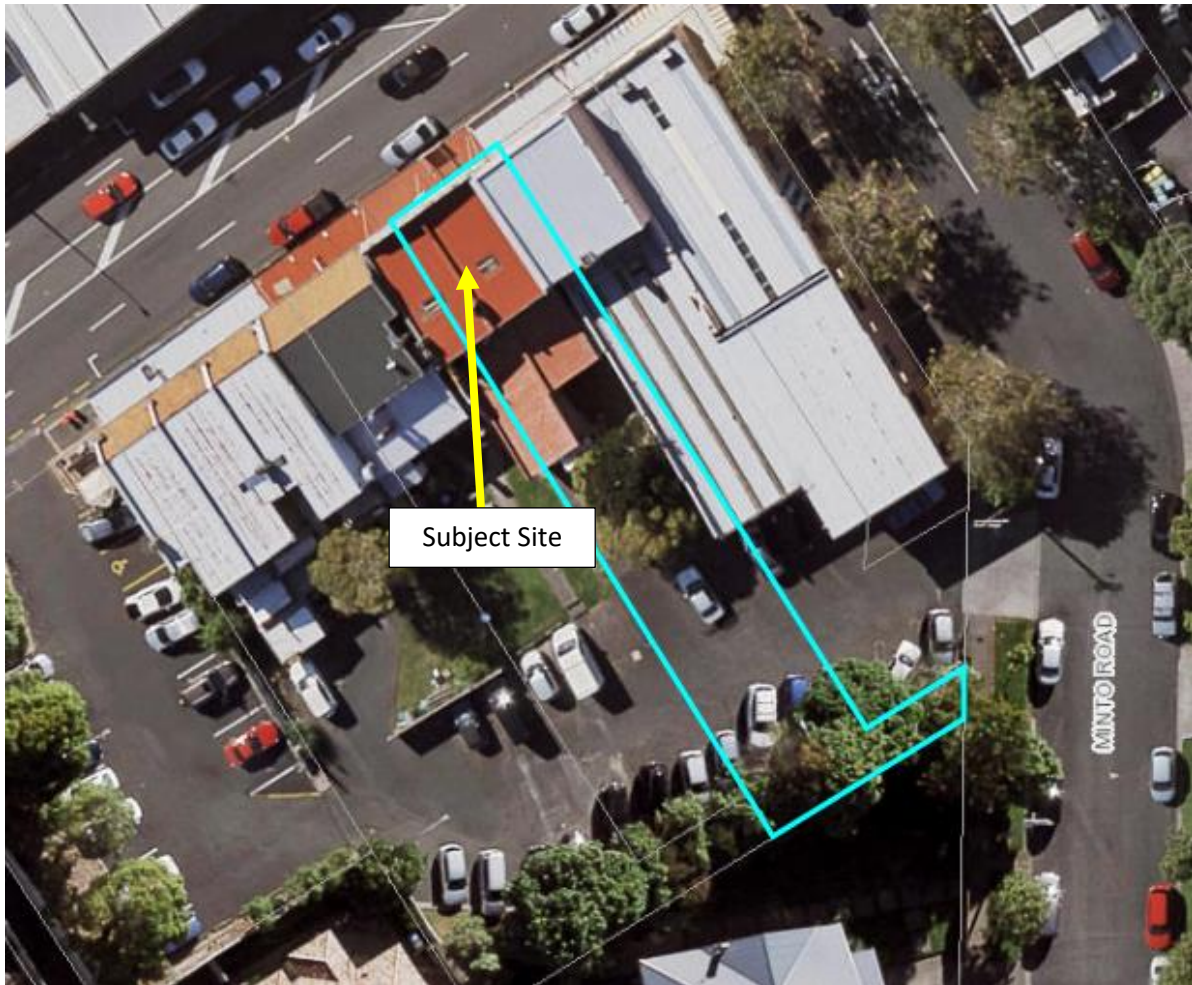
#### 551-553 Remuera Road

The property at 551 Remuera Road is located on the southern side of Remuera Road, approximately 20 metres south-west of the intersection of Minto Road, Upland Road and Remuera Road. The property has an area of approximately 531m<sup>2</sup>.

The property is occupied by a two-storey building and has a verandah that spans the entire width of the site, overhanging the footpath to Remuera Road. The building and verandah adjoin those of the adjacent buildings located at 561 Remuera Road and 547 Remuera Road.

The building on the property has frontage to Remuera Road, with the rear of the property being an at-grade car park that is accessed from Minto Road. The building is not a listed heritage building under the Unitary Plan or by Heritage New Zealand, and is not subject to any special character overlays.

The location and extent of the site is illustrated below in **Figure 1**.



*Figure 1: Aerial view of the subject site at 551-553 Remuera Road (Source: Auckland Council GeoMaps) (Note: The site boundaries shown on GeoMaps are not accurate relative to the positioning of the building and reference should be made to the CT).*

### 561 Remuera Road

The property at 561 Remuera Road is located on the south-western corner of the Remuera Road, Minto Road and Upland Road intersection. The property has an area of approximately 804m<sup>2</sup>.

The property is occupied by a two-storey building and has a verandah that spans the entire width of the northern boundary (overhanging the Remuera Road footpath) and a small portion of the north-eastern boundary (overhanging the Minto Road footpath).

The building and verandah (to Remuera Road) adjoins the adjacent building to the south-west at 551-553 Remuera Road. The building has its primary frontage to Remuera Road and secondary frontage to Minto Road, with the rear of the property being an at-grade car park accessed from Minto Road.

The subject building is not a listed heritage building under the Unitary Plan or by Heritage New Zealand, and is not subject to any special character overlays.

The location and extent of the site is illustrated below in **Figure 2**.



Figure 2: Aerial view of the subject site at 561 Remuera Road (Source: Auckland Council GeoMaps) (Note: The site boundaries shown on GeoMaps are not accurate relative to the positioning of the building and reference should be made to the CT).

The surrounding environment is characterised by the collection of various local shops and food and beverage activities that are located in the vicinity of the intersection of Minto Road, Upland Road and Remuera Road. Together, these activities form what is commonly known as 'Upland Village', or the Upland Road shops.

#### Resource Consents Held

**GRL** obtained three separate Certificates of Compliance (on 3<sup>rd</sup> September 2019) to demolish and remove the buildings on the following sites:

- 547-549 Remuera Road (CER70015822)
- 551-553 Remuera Road (CER70015820)
- 561 Remuera Road (CER70015821)

Copies of the Certificate of Compliance documents are appended as **Attachment 1**.



### Proposed Plan Change 29

The purpose of Proposed Plan Change 31 ('**Proposed Plan Change**') is to add six historic heritage places (five individual heritage places and one historic heritage area) to Schedule 14 of the Unitary Plan. This means that these places will be subject to the provisions of the Historic Heritage Overlay.

Specific to this submission, the Plan Change seeks to amend Schedules 14.1 and 14.2 and introduce a 'Historic Heritage Area Overlay – Extent of Place' on the Unitary Plan's mapping in respect 'Upland Village'. The area of Upland Village proposed to be subject to the overlay and the classification of 'contributing' and 'non-contributing' is illustrated in **Figures 3 & 4** below.



Figure 3: Proposed Plan Change 31 Historic Heritage Overlay for Upland Village.



Figure 4: Proposed Plan Change 31 Historic Heritage Overlay for Upland Village.

## Submission

GRL is opposed to the introduction of the 'Historic Heritage Overlay – Extent of Place' as it relates to 'Upland Village' in its entirety.

## Reasons for submission

The proposed mapped area for 'Upland Village' is not considered to meet the requirement specified in Section B5.2.2(4)(d) of the Unitary Plan:

Historic heritage areas: groupings of interrelated but not necessarily contiguous historic heritage places or features that collectively meet the criteria for inclusion in Schedule 14.1 - Schedule of Historic Heritage in Category A or B, and may include both contributing and non-contributing places or features, places individually scheduled as Category A or B, and notable trees.

Specifically, the extent of the overlay as it is proposed to apply to 'Upland Village' is not considered to satisfy the scheduling 'evaluation criteria' contained within Policy B5.2.2(1) of the Unitary Plan:

- (a) historical: the place reflects important or representative aspects of national, regional or local history, or is associated with an important event, person, group of people, or with an idea or early period of settlement within New Zealand, the region or locality;
- (b) social: the place has a strong or special association with, or is held in high esteem by, a particular community or cultural group for its symbolic, spiritual, commemorative, traditional or other cultural value;
- (c) Mana Whenua: the place has a strong or special association with, or is held in high esteem by, Mana Whenua for its symbolic, spiritual, commemorative, traditional or other cultural value;
- (d) knowledge: the place has potential to provide knowledge through archaeological or other scientific or scholarly study, or to contribute to an understanding of the cultural or natural history of New Zealand, the region, or locality;
- (e) technology: the place demonstrates technical accomplishment, innovation or achievement in its structure, construction, components or use of materials;
- (f) physical attributes: the place is a notable or representative example of: (i) a type, design or style; (ii) a method of construction, craftsmanship or use of materials; or (iii) the work of a notable architect, designer, engineer or builder;
- (g) aesthetic: the place is notable or distinctive for its aesthetic, visual, or landmark qualities;
- (h) context: the place contributes to or is associated with a wider historical or cultural context, streetscape, townscape, landscape or setting.

With regards to Policy B5.2.2(3), new additions to Schedule 14 are to be consistent with the following:

- (a) the place has considerable or outstanding value in relation to one or more of the evaluation criteria in Policy B5.2.2 (1); and
- (b) the place has considerable or outstanding overall significance to the locality or greater geographic area.

The proposed addition to Schedule 14.1 – Schedule of Historic Heritage (as shown in **Figure 5** below) states that the "Known Heritage" for 'Upland Village' are on the basis of the attributes of "A", "F", and "H" of the evaluation criteria above and contained within Policy B5.2.2(1).

SCHEDULE 14.1 SCHEDULE OF HISTORIC HERITAGE - TABLE 2 AREAS

ID	Area Name and/or Description	Verified Location	Known Heritage	Extent of Place	Exclusions	Additional Controls for Archaeological Sites or Features	Place of Maori Interest or Significance	Contributing Sites/ Features	Non-contributing Sites/ Features
XXXX	Upland Village Historic Heritage Area	Refer to planning maps: area includes parts of Remuera Road, Upland Road and Minto Road	A,E,H	Refer to planning maps	Interiors of all buildings contained within the extent of place unless otherwise identified in another scheduled historic heritage place, stand-alone accessory buildings or garages on contributing sites built after 1940			Refer to Schedule 14.2 XX	Refer to Schedule 14.2 XX: 561 and 565 Remuera Road, Remuera

Figure 5: Proposed addition to Schedule 14.1 – Schedule of Historic Heritage

Of the attributes identified in the Council evaluation “A” – *Historical*, “F” - *Physical attributes*, and “H” – *Context*”, these appear to be based on the initial period of commercial development of the area in the inter-war years of the twentieth century as being the defining moment of historic heritage value of the proposed area. Yet this is tempered with a recognition at the same time that there has been an almost constant series of alterations to the buildings identified and that the “*evolution of the Upland Village*”<sup>1</sup> area “*continued into the new millennium*”<sup>2</sup>. That initial period of development is linked in the Council assessment directly to the development by 1913 of an electric tram service as far as Upland (then Mountain) Road. There is however no physical evidence of that infrastructure surviving in the area to warrant weight being given to that historical moment or to the recognition of that period as the “*period of significance*”<sup>3</sup>.

With the exception of the presence of a single heritage place/building (the McLaren Garage at 586-592 Remuera Road (an individually listed Scheduled place - Item 01828 Category B in Appendix 14.1 of the AUP)), there is nothing that distinguishes the Upland Road commercial area in terms of historic heritage over or above those areas referenced at Appendix 4 of the Council assessment report which includes a number of similar centres, of similar built scale and vintage that have neither been recognised as historic heritage areas or for having special character- business values.

The context generated by the development of the electric tram service is equally recognisable in the residential development of the same period (and in later periods) and not fixed to the modified surviving commercial building stock. This too appears to be recognised by the exclusion of nearly a quarter of the physical built area that represents the Upland Road commercial village, with the entire north-east corner block being excluded from the proposed historic heritage area.

Criterion “F” – *physical attributes* recognises (at page 8-9 of the Council assessment) a “*strong collection of commercial buildings*”<sup>4</sup>, but the detailed analysis of individual buildings (undertaken without access to the interiors of these places) provides a chronology of changes that lessen any of the original design authenticity normally considered necessary in buildings (and groupings of buildings) warranting recognition and protection. Indeed the succession of changes in use and occupation have been accommodated by these physical alterations lending some value to the facility, but not strongly addressing the collective value of the area. This is acknowledged in the Council assessment<sup>5</sup> of the area as found today in recognising a continuing “*evolution of Upland Village*”<sup>6</sup>.

Having regard to the Section 32 Analysis that has been undertaken by Council in respect of Plan Change 31, we disagree that ‘Upland Village’ satisfies the ‘evaluation criteria’ contained within Policy B5.2.2(1), and is not worthy of this status.

1 The Heritage Studio, *Historic Heritage Evaluation*, June 2018, page 7  
 2 Ibid.  
 3 The Heritage Studio, *Historic Heritage Evaluation*, June 2018, page 17  
 4 The Heritage Studio, *Historic Heritage Evaluation*, June 2018, page 9  
 5 The Heritage Studio, *Historic Heritage Evaluation*, June 2018, page 36  
 6 The Heritage Studio, *Historic Heritage Evaluation*, June 2018, page 37

The proposed Plan Change:

- Is not consistent with the sustainable management of natural and physical resources, and is otherwise inconsistent with the purpose and principles of the Resource Management Act 1991.
- Is not consistent with achieving the purpose and principles of the Resource Management Act 1991, including meeting the reasonably foreseeable needs of future generations, and enabling people and communities to provide for their social, economic and cultural wellbeing.
- Is not consistent with the objectives and policies of the Regional Policy Statement, and other relevant objectives and policies of the Auckland Unitary Plan (Operative in Part).
- Does not meet the requirements to satisfy Section 32 of the Resource Management Act 1991;
- Does not comply with Sections 74, 75 and 76 of the Resource Management Act 1991; and
- Is not consistent with Section 32 of the Resource Management Act 1991; and sound resource management practice.

### Relief

**GRL** seeks the following decision from the local authority:

- Delete the proposed 'Historic Heritage Overlay – Extent of Place' for 'Upland Village' in its entirety.

3.2

**GRL** wishes to be heard in support of its submission.

If there are other people or businesses that make a similar submission, **GRL** will consider presenting a joint case at a hearing.

Signature of person authorised to sign on behalf of submitter.



Craig McGarr

Date: 23 September 2019

Electronic address for service of submitter:  
cmcgarr@bentley.co.nz

Telephone: (09) 309 5367  
Mobile: 021 741 418

Postal address:  
Guardian Retail 551 Limited  
C/- Bentley & Co. Ltd  
PO Box 4492  
Shortland Street  
Auckland 1140

Contact person: Craig McGarr (Director, Bentley & Co. Ltd)

**Attachment 1**

**Certificates of Compliance**

## Decision for a certificate of compliance application under section 139 of the Resource Management Act 1991 (RMA)



### Application description

<b>Application number:</b>	CER70015822
<b>Applicant's name:</b>	Guardian Retail 551 Ltd
<b>Site address:</b>	547-549 Remuera Road, Auckland, 1050
<b>Legal description:</b>	Lot 1 DP 22142 NA136B/886
<b>Site area:</b>	448m <sup>2</sup>
<b>Operative plan:</b>	Auckland Unitary Plan (Operative in part)
<b>Zoning and precinct:</b>	Business – Neighbourhood Centre Zone
<b>Overlays, controls, designations, special features, etc.:</b>	<p><b>Overlay:</b></p> <p>Natural Heritage: Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay [rcp/dp] - W26, Mount Wellington, Viewshafts</p> <p><b>Controls</b></p> <p>Macroinvertebrate Community Index - Urban</p>

### The proposed activity

#### Proposal

The application is for the proposed demolition of the existing building, being the two-storey brick building recently occupied by 'Burger Wisconsin' & 'Spacca Pizza'. The demolition is to involve the removal of the building to the foundation (slab) level, with no excavation or earthworks proposed.

Matt Round of Bentley and Co. Ltd on behalf of Guardian Retail 551 Ltd has provided a description of the proposed works and subject site in a form and manner that is accepted by the Council. I concur with that description of the proposed works and the site and have no further comment. This can be found in the "Application for Resource Consent - Certificate of Compliance" application document prepared by Matt Round of Bentley and Co. Ltd; section 1-9, Pages 5-6, dated August 2019.

#### Application documents (plans and reference documents)

The following information has been provided:

- Application Form, application for resource consent and assessment of compliance prepared by Matt Round of Bentley and Co. Ltd dated August 2019.

I have read the application, supporting documents, and the report and recommendations on the application for certificate of compliance. I am satisfied that I have sufficient information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

## Reasons for the application

The activity is permitted under the relevant standards of the Auckland Unitary Plan (Operative in Part).

- The proposal can be undertaken as a permitted activity pursuant to H12.4.1 (A48) Demolition of Buildings
- The proposal can be undertaken as a permitted activity pursuant to the activity standards and rules found in E25 Noise and Vibration, in particular E25.6.27.1 and E25.6.30.1.

## Consideration of the applications

### Statutory considerations

Section 139 of the Resource Management Act 1991 (RMA) sets out the circumstances under which a consent authority may issue a certificate of compliance.

A certificate must be issued if the activity referred to in the application can be done lawfully in a particular location without a resource consent, and the applicant pays the appropriate administrative charge.

Any certificate which is issued must describe the activity and the location, and state that the activity can be done lawfully in the particular location without a resource consent, as at the date on which the consent authority received the request (section 139(7)). The request was received on 21 August 2019.

Under section 139(8), a consent authority must not issue a certificate if the request has been made after a proposed plan has been notified, and the activity referred to in the application could not be done lawfully in a particular location without a resource consent, under the proposed plan.

### Analysis of plan provisions

The proposal has been described in the application material with a certificate of compliance requested under the applicable standards outlined in pages 5 to 6 of the report. The information submitted by the applicant is considered against the permitted activity rules for demolition of buildings in the Auckland Unitary Plan (Operative in Part). Having reviewed the information provided with the application against the Auckland Unitary Plan (Operative in Part), I agree with the analysis prepared by Matt Round of Bentley and Co. Ltd dated August 2019.

## Decision

Acting under delegated authority, I certify that the proposal described above and at the above locations can be done lawfully without resource consent as of 21 August 2019.

## Advice notes

1. *This certificate is deemed a resource consent under section 139(10) of the Resource Management Act 1991 (RMA) and is issued subject to on-going compliance with any conditions or performance standards specified in the relevant plans referred to above. It is issued without erasure or alteration.*
2. *Section 125 of the RMA applies to this deemed resource consent (refer section 139(12)). Accordingly, this consent will expire five years after the date of the commencement of this deemed consent unless, before the deemed consent lapses:*
  - *It is given effect to; or*
  - *An application is made to the council to extend the period of the deemed consent, and the council decides to grant an extension after taking into account the statutory considerations set out in section 125(1A)(b) of the RMA.*
3. *The activity must comply with all relevant council bylaws, the Building Act 2004 and any other relevant laws and regulations. This certificate does not constitute building consent approval. All necessary consents under other legislation must be obtained.*

### **This report and recommendation prepared by:**

**Name:** Sarah Glen

**Title:** Consultant Planner

**Signed:**



**Date:** 02/09/2019

### **Delegated decision maker:**

**Name:** Lee Ah Ken

**Title:** Team Leader

**Signed:**



**Date:** 3 September 2019





# Decision for a certificate of compliance application under section 139 of the Resource Management Act 1991 (RMA)



## Application description

<b>Application number:</b>	CER70015821
<b>Applicant's name:</b>	Guardian Retail 551 Ltd
<b>Site address:</b>	561 Remuera Road, Auckland, 1050
<b>Legal description:</b>	Pt Lot 31 DP 4833
<b>Site area:</b>	804m <sup>2</sup>
<b>Operative plan:</b>	Auckland Unitary Plan (Operative in part)
<b>Zoning and precinct:</b>	Business – Neighbourhood Centre Zone
<b>Overlays, controls, designations, special features, etc.:</b>	<p><b>Overlay:</b></p> <p>Natural Heritage: Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay [rcp/dp] - W26, Mount Wellington, Viewshafts</p> <p><b>Controls</b></p> <p>Macroinvertebrate Community Index - Urban</p>

## The proposed activity

### Proposal

The application is for the proposed demolition of the existing building, being the one to two-storey building recently occupied by 'Harvey Furnishings'. The demolition is to involve the removal of the building to the foundation (slab) level, with no excavation or earthworks proposed.

Matt Round of Bentley and Co. Ltd on behalf of Guardian Retail 551 Ltd has provided a description of the proposed works and subject site in a form and manner that is accepted by the Council. I concur with that description of the proposed works and the site and have no further comment. This can be found in the "Application for Resource Consent - Certificate of Compliance" application document prepared by Matt Round of Bentley and Co. Ltd; section 1-11, Pages 5-6, dated August 2019.

### Application documents (plans and reference documents)

The following information has been provided:

- Application Form, application for resource consent and assessment of compliance prepared by Matt Round of Bentley and Co. Ltd dated August 2019.

I have read the application, supporting documents, and the report and recommendations on the application for certificate of compliance. I am satisfied that I have sufficient information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

## Reasons for the application

The activity is permitted under the relevant standards of the Auckland Unitary Plan (Operative in Part).

- The proposal can be undertaken as a permitted activity pursuant to H12.4.1 (A48) Demolition of Buildings,
- The proposal can be undertaken as a permitted activity pursuant to the activity standards and rules found in E25 Noise and Vibration, in particular E25.6.27.1 and E25.6.30.1.

## Consideration of the applications

### Statutory considerations

Section 139 of the Resource Management Act 1991 (RMA) sets out the circumstances under which a consent authority may issue a certificate of compliance.

A certificate must be issued if the activity referred to in the application can be done lawfully in a particular location without a resource consent, and the applicant pays the appropriate administrative charge.

Any certificate which is issued must describe the activity and the location, and state that the activity can be done lawfully in the particular location without a resource consent, as at the date on which the consent authority received the request (section 139(7)). The request was received on 21 August 2019.

Under section 139(8), a consent authority must not issue a certificate if the request has been made after a proposed plan has been notified, and the activity referred to in the application could not be done lawfully in a particular location without a resource consent, under the proposed plan.

### Analysis of plan provisions

The proposal has been described in the application material with a certificate of compliance requested under the applicable standards outlined in pages 5 to 6 of the report. The information submitted by the applicant is considered against the permitted activity rules for demolition of buildings in the Auckland Unitary Plan (Operative in Part). Having reviewed the information provided with the application against the Auckland Unitary Plan (Operative in Part), I agree with the analysis prepared by Matt Round of Bentley and Co. Ltd dated August 2019.

### Decision

Acting under delegated authority, I certify that the proposal described above and at the above locations can be done lawfully without resource consent as of 21 August 2019.

## Advice notes

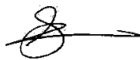
1. *This certificate is deemed a resource consent under section 139(10) of the Resource Management Act 1991 (RMA) and is issued subject to on-going compliance with any conditions or performance standards specified in the relevant plans referred to above. It is issued without erasure or alteration.*
2. *Section 125 of the RMA applies to this deemed resource consent (refer section 139(12)). Accordingly, this consent will expire five years after the date of the commencement of this deemed consent unless, before the deemed consent lapses:*
  - *It is given effect to; or*
  - *An application is made to the council to extend the period of the deemed consent, and the council decides to grant an extension after taking into account the statutory considerations set out in section 125(1A)(b) of the RMA.*
3. *The activity must comply with all relevant council bylaws, the Building Act 2004 and any other relevant laws and regulations. This certificate does not constitute building consent approval. All necessary consents under other legislation must be obtained.*

### **This report and recommendation prepared by:**

**Name:** Sarah Glen

**Title:** Consultant Planner

**Signed:**



**Date:** 02/09/2019

### **Delegated decision maker:**

**Name:** Lee Ah Ken

**Title:** Team Leader

**Signed:**



**Date:** 3 September 2019



## Decision for a certificate of compliance application under section 139 of the Resource Management Act 1991 (RMA)



### Application description

<b>Application number:</b>	CER70015820
<b>Applicant's name:</b>	Guardian Retail 551 Ltd
<b>Site address:</b>	551-553 Remuera Road, Auckland, 1050
<b>Legal description:</b>	Pt Allot 24 SEC 12 Suburbs Auckland, Land on DP 21343
<b>Site area:</b>	531m <sup>2</sup>
<b>Operative plan:</b>	Auckland Unitary Plan (Operative in part)
<b>Zoning and precinct:</b>	Business – Neighbourhood Centre Zone
<b>Overlays, controls, designations, special features, etc.:</b>	<p><b>Overlay:</b></p> <p>Natural Heritage: Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay [rcp/dp] - W26, Mount Wellington, Viewshafts</p> <p><b>Controls</b></p> <p>Macroinvertebrate Community Index - Urban</p>

### The proposed activity

#### Proposal

The application is for the proposed demolition of the existing building, being the two-storey plaster building recently occupied by the 'School Uniform Centre'. The demolition is to involve the removal of the building to the foundation (slab) level, with no excavation or earthworks proposed.

Matt Round of Bentley and Co. Ltd on behalf of Guardian Retail 551 Ltd has provided a description of the proposed works and subject site in a form and manner that is accepted by the Council. I concur with that description of the proposed works and the site and have no further comment. This can be found in the "Application for Resource Consent - Certificate of Compliance" application document prepared by Matt Round of Bentley and Co. Ltd; section 1-9, Pages 5-6, dated August 2019.

#### Application documents (plans and reference documents)

The following information has been provided:

- Application Form, application for resource consent and assessment of compliance prepared by Matt Round of Bentley and Co. Ltd dated August 2019.

I have read the application, supporting documents, and the report and recommendations on the application for certificate of compliance. I am satisfied that I have sufficient information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

## Reasons for the application

The activity is permitted under the relevant standards of the Auckland Unitary Plan (Operative in Part).

- The proposal can be undertaken as a permitted activity pursuant to H12.4.1 (A48) Demolition of Buildings,
- The proposal can be undertaken as a permitted activity pursuant to the activity standards and rules found in E25 Noise and Vibration, in particular E25.6.27.1 and E25.6.30.1.

## Consideration of the applications

### Statutory considerations

Section 139 of the Resource Management Act 1991 (RMA) sets out the circumstances under which a consent authority may issue a certificate of compliance.

A certificate must be issued if the activity referred to in the application can be done lawfully in a particular location without a resource consent, and the applicant pays the appropriate administrative charge.

Any certificate which is issued must describe the activity and the location, and state that the activity can be done lawfully in the particular location without a resource consent, as at the date on which the consent authority received the request (section 139(7)). The request was received on 21 August 2019.

Under section 139(8), a consent authority must not issue a certificate if the request has been made after a proposed plan has been notified, and the activity referred to in the application could not be done lawfully in a particular location without a resource consent, under the proposed plan.

### Analysis of plan provisions

The proposal has been described in the application material with a certificate of compliance requested under the applicable standards outlined in pages 5 to 6 of the report. The information submitted by the applicant is considered against the permitted activity rules for demolition of buildings in the Auckland Unitary Plan (Operative in Part). Having reviewed the information provided with the application against the Auckland Unitary Plan (Operative in Part), I agree with the analysis prepared by Matt Round of Bentley and Co. Ltd dated August 2019.

## Decision

Acting under delegated authority, I certify that the proposal described above and at the above locations can be done lawfully without resource consent as of 21 August 2019.

## Advice notes

1. *This certificate is deemed a resource consent under section 139(10) of the Resource Management Act 1991 (RMA) and is issued subject to on-going compliance with any conditions or performance standards specified in the relevant plans referred to above. It is issued without erasure or alteration.*
2. *Section 125 of the RMA applies to this deemed resource consent (refer section 139(12)). Accordingly, this consent will expire five years after the date of the commencement of this deemed consent unless, before the deemed consent lapses:*
  - *It is given effect to; or*
  - *An application is made to the council to extend the period of the deemed consent, and the council decides to grant an extension after taking into account the statutory considerations set out in section 125(1A)(b) of the RMA.*
3. *The activity must comply with all relevant council bylaws, the Building Act 2004 and any other relevant laws and regulations. This certificate does not constitute building consent approval. All necessary consents under other legislation must be obtained.*

### **This report and recommendation prepared by:**

**Name:** Sarah Glen

**Title:** Consultant Planner

**Signed:** 

**Date:** 02/09/2019

### **Delegated decision maker:**

**Name:** Lee Ah Ken

**Title:** Team Leader

**Signed:** 

**Date:** 3 September 2019





**Stephen Brownhill Barrister**  
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25 September 2019

Bronnie Styles  
Planning Technician  
Auckland-wide Planning Unit  
Auckland Council

**By Email:** [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**SUBMISSION OF GWG TRUSTEE LIMITED/GWG FAMILY TRUST ON PROPOSED PLAN CHANGE 31 – SCHEDULE 14 HISTORIC HERITAGE ADDITIONS**

I **enclose** a submission on behalf of GWG Trustee Limited, trustee of GWG Family Trust, in regard to Proposed Plan Change 31.

The submitter is the owner of the land and buildings at 594-600 and 602-608 Remuera Road, Auckland respectively.

Yours faithfully



**Stephen Brownhill**

**SUBMISSION ON A PUBLICLY NOTIFIED PROPOSAL FOR PLAN CHANGE 31 CHAPTER L: SCHEDULE 14.1 HISTORIC HERITAGE ADDITIONS AND CHAPTER L: SCHEDULE 14.2 HISTORIC HERITAGE AREAS – MAPS AND STATEMENTS OF SIGNIFICANCE AND TO UNITARY PLAN GIS VIEWER (PLANNING MAPS) OF THE AUCKLAND UNITARY PLAN (OPERATIVE IN PART) 2016.**

Clause 6 of First Schedule, Resource Management Act 1991

**TO: AUCKLAND COUNCIL**

**SUBMITTER: GWG TRUSTEE LIMITED trustee of GWG FAMILY TRUST**

1. This is a submission on Proposed Plan Change 31 to the Auckland Unitary Plan (Operative in Part) 2016 (“the plan change”).
2. The submitter is the owner of the land and buildings at 594-600 and 602-608 Remuera Road, Auckland, legally described as Lot 1 DP 480898 (Record of Title 673088) and Land on DP 20263 (Record of Title NA1012/126) respectively.
3. The submitter could not gain an advantage in trade competition through this submission.

*Scope of Submission*

4. The specific provisions of the proposal that this submission relates to are:
  - Schedule 14.1 Historic Heritage Areas - Table 2 Areas;
  - Schedule 14.2 Historic Heritage Areas – Maps and statements of significance;
  - Chapter B5.1, B5.2 Historic Heritage Issues, Objectives and Policies.
5. The submission relates to the inclusion of the land and buildings at 594-600 and 602-608 Remuera Road, Auckland in the proposed “Upland Village Historic Area” (“UVHA”), and the proposed addition of the UVHA in Chapter L: Schedule 14.1 Historic Heritage – Table 2 Areas.
6. The submission also relates to the inclusion of the submitter’s land and buildings at 594-600 and 602-608 Remuera Road, Auckland in the proposed statement of significance as regards UVHA and GIS viewer planning maps in Chapter L: Schedule 14.2 Historic Heritage Areas – Maps and statements of significance.
7. The submission also relates to the assessment of historic heritage values for the proposed UVHA and the submitter’s land and buildings in regard to the relevant issues, objectives and policies in Chapter B5.1 and B5.2.

*Submission*

8. The submitter **opposes** the plan change in regard to inclusion of the land and buildings at 594-600 and 602-608 Remuera Road, Auckland in the UVHA and addition of same land and buildings in Chapter L: Schedule 14.1 Historic Heritage Area – Table 2 Areas, and Schedule 14.2 Historic Heritage Areas – Maps and statements of significance.

9. The submitter considers the plan change, as it relates to its land and buildings at 594-600 and 602-608 Remuera Road, Auckland:
- (a) does not promote the sustainable management of resources and will not achieve the purpose of the Resource Management Act 1991, s 5(1) and;
  - (b) will not contribute to meeting the reasonable foreseeable needs of future generations, and will not contribute to enabling social and cultural well-being and will not enable the efficient use and development of the submitter's land and buildings, pursuant to the Resource Management Act 1991, s 5(2);
  - (c) does not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means and does not discharge the Council's duty under s 32 of the Resource Management Act 1991, and;
  - (d) is not the most appropriate means of giving effect to Part 2 of the Resource Management Act 1991, including s 6(f) and s 7(b).

*Reasons*

10. The proposal will have a significant adverse effect on the submitter's future development options for the land and buildings under the current underlying zone rules, as any application for a resource consent will require compliance with the relevant Historic Heritage Overlay rules, objectives and policies, which impose additional land use controls and restrictions.
11. The adverse effect and impact of the proposed Heritage Overlay rules, objectives and policies, and other related provisions, will restrict the development potential of the site and will significantly reduce the commercial value of the property.
12. While the existing buildings have some architectural importance, the buildings have limited historic heritage value that warrants inclusion in the Unitary Plan's Historic Heritage Areas/Table 2 and Schedules. The proposal is therefore an excessively prescriptive approach and is unnecessary and inappropriate.
13. The submitter is entitled to rely upon the use and future development of the land and buildings under the current rules, objectives and policies of the underlying zone. It is unreasonable to impose additional rules and controls on the use of the land and buildings. The submitter purchased the land in 2017 in reliance upon the current rules and controls in the proposed Auckland Unitary Plan which provide for favourable development potential. If the land had been designated for inclusion in Schedules 14.1 and 14.2 as Historic Heritage Area (or as an Historic Heritage Place), under the Plan review, the submitter would not have invested in the land. The submitter's investment was substantial and if approved this proposal will have a very significant financial impact on the submitter.
14. The appropriate time to undertake this change was in the assessment and preparation of the Council's proposed Auckland Unitary Plan. The effect of this proposal is to impose additional rules and controls that will limit future development options as regards the land and buildings.

It is indiscriminate resource management planning, and contrary to s 5 of the Resource Management Act 1991.

*Relief*

15. The submitter seeks the following relief:
- (a) Decline the proposed plan change; or
  - (b) Amend the proposal in accordance with the submitter's reasons for objection.
16. The submitter wishes to be heard in support of its submission.
17. If others make a similar submission, the submitter will consider presenting a joint case with them at a hearing.

4.1

**DATE:** 25 September 2019



**Stephen Brownhill**

on behalf of **GWG Trustee Limited trustee of GWG Family Trust**

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25 September 2019

Bronnie Styles  
Planning Technician  
Auckland-wide Planning Unit  
Auckland Council

**By Email:** [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**SUBMISSION OF UPLAND GROUP LIMITED ON PROPOSED PLAN CHANGE 31 – SCHEDULE  
14.1 HISTORIC HERITAGE ADDITIONS AND 14.2 HISTORIC HERITAGE AREAS**

I **enclose** a submission on behalf of Upland Group Limited, in regard to Proposed Plan Change 31.

The submitter is the owner of the land and buildings at 579 – 585 Remuera Road, Auckland.

Yours faithfully



**Stephen Brownhill**

**SUBMISSION ON A PUBLICLY NOTIFIED PROPOSAL FOR PLAN CHANGE 31 CHAPTER L: SCHEDULE 14.1 HISTORIC HERITAGE ADDITIONS AND CHAPTER L: 14.2 HISTORIC HERITAGE AREAS – MAPS AND STATEMENTS OF SIGNIFICANCE AND TO UNITARY PLAN GIS VIEWER (PLANNING MAPS) OF THE AUCKLAND UNITARY PLAN (OPERATIVE IN PART) 2016.**

Clause 6 of First Schedule, Resource Management Act 1991

**TO: AUCKLAND COUNCIL**

**SUBMITTER: UPLAND GROUP LIMITED**

1. This is a submission on Proposed Plan Change 31 to the Auckland Unitary Plan (Operative in Part) 2016 (“the plan change”).
2. The submitter is the owner of the land and building at 579-585 Remuera Road, Remuera, Auckland, legally described as Lot 1-2 Deposited Plan 17923 (Record of Title NA417/169).
3. The submitter could not gain an advantage in trade competition through this submission.

*Scope of Submission*

4. The specific provisions of the proposal that this submission relates to are:
  - Schedule 14.1 Historic Heritage Areas – Table 2 Areas;
  - Schedule 14.2 Historic Heritage Areas – Maps and statements of significance;
  - Chapter B5.1, B5.2 Historic Heritage Issues, Objectives and Policies.
5. The submission relates to the inclusion of the land and building at 579-585 Remuera Road, Auckland in the proposed “Upland Village Historic Area” (“UVHA”), and the proposed addition to the UVHA in Chapter L: Schedule 14.1 Historic Heritage – Table 2 Areas.
6. The submission also relates to the inclusion of the submitter’s land and building at 579-585 Remuera Road, Auckland in the proposed statement of significance as regards UVHA and GIS viewer planning maps in Chapter L: Schedule 14.2 Historic Heritage Areas – Maps and statements of significance.
7. The submission also relates to the assessment of historic heritage values for the proposed UVHA and the submitter’s land and building in regard to the relevant issues, objectives and policies in Chapter B5.1 and B5.2.

*Submission*

8. The submitter **opposes** the plan change in regard to the inclusion of the land and building at 579 -585 Remuera Road, Auckland in the UVHA and addition of same land and building in Chapter L: 14.1 Historic Heritage Area Table 2 Areas, and Schedule 14.2 Historic Heritage Areas – Maps and statements of significance.

9. The submitter considers the plan change, as it relates to its land and building at 579-585 Remuera Road, Auckland:
- (a) does not promote the sustainable management of resources and will not achieve the purpose of the Resource Management Act 1991, s5(1) and;
  - (b) will not contribute to meeting the reasonable foreseeable needs of future generations, and will not contribute to enabling social and cultural well-being and will not enable the efficient use and development of the submitter's land and building, pursuant to the Resource Management Act, s5(2) and;
  - (c) does not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means and does not discharge the Council's duty under s32 of the Resource Management Act, and;
  - (d) is not the most appropriate means of giving effect to Part 2 of the Resource Management Act 1991, including s 6(f) and 7(b).

*Reasons*

10. The proposal will have a significant adverse effect on the submitter's future development options for the land and building under the current underlying zone rules, as any application for a resource consent will require compliance with the relevant Historic Heritage Overlay rules, objectives and policies, which impose additional land use controls and restrictions.
11. The adverse effect and impact of the proposed Heritage Overlay rules, objectives and policies, and other related provisions, will restrict the development potential of the site and will significantly reduce the commercial value of the property.
12. While the existing building has some architectural importance, the building has limited historic heritage value that warrants inclusion in the Unitary Plan's Historic Heritage Areas/Table 2 and Schedule. This proposal is an excessively prescriptive approach and is thus unnecessary and inappropriate.
13. The submitter is entitled to rely upon the use and future development of the land and building under the current rules, objectives and policies of the underlying zone. It is unreasonable to impose additional rules and controls on the use of the land and building. The submitter's investment in the property is substantial and if approved this proposal will have a very significant financial impact on the submitter.
14. The appropriate time to undertake this proposed change was in the assessment and preparation of the Council's proposed Auckland Unitary Plan. The effect of this proposal is to introduce additional rules and controls that will limit future development options as regards the land and building. It is indiscriminate resource management planning, and contrary to s 5 of the Resource Management Act 1991.



*Relief*

15. The submitter seeks the following relief:
- (a) Decline the proposed plan change; or
  - (b) Amend the proposal in accordance with the submitter's reasons for objection.
16. The submitter wishes to be heard in support of its submission.
17. If others make a similar submission, the submitter will consider presenting a joint case with them at a hearing.

5.1

**DATE:** 25 September 2019



**Stephen Brownhill**

on behalf of **Upland Group Limited**

Address for service of submitter:

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25 September 2019

Auckland Council  
Plans and Places  
Private Bag 92300  
Auckland 1142

By email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

Attention: Planning Technician

Dear Sir / Madam

**SUBMISSION ON PROPOSED PLAN CHANGE 31: ADDITIONS TO SCHEDULE 14, SCHEDULE OF HISTORIC HERITAGE**

Please find attached Auckland Transport's submission on Proposed Plan Change 31 to the Auckland Unitary Plan Operative in Part.

Should you have any queries in relation to this submission, please contact Liam Burkhardt on +64 21 956 864.

Yours sincerely



**Tracey Berkahn**  
**Acting Executive General Manager Planning and Investment**



## **SUBMISSION ON PROPOSED PLAN CHANGE 31 – ADDITIONS TO SCHEDULE 14, SCHEDULE OF HISTORIC HERITAGE**

**To:** Auckland Council  
Plans and Places  
Private Bag 92300  
Auckland 1142

**From:** Auckland Transport  
Planning and Investment  
Private Bag 92250  
Auckland 1142

### **1. Introduction:**

This is Auckland Transport's submission on Proposed Plan Change 31 (PPC31) to the Auckland Unitary Plan Operative in Part (AUPOIP). The plan change proposes to introduce additions to Schedule 14 Historic Heritage and the associated planning maps of the AUPOIP.

### **2. Auckland Transport's submission**

Auckland Transport (AT) generally supports PPC31, subject to the resolution of AT's concerns as outlined in this submission, including in **Attachment 1**.

### **3. Reason for Auckland Transport's submission**

AT is a Council-Controlled Organisation (CCO) of Auckland Council with the legislated purpose to contribute to an "effective, efficient and safe Auckland land transport system in the public interest"<sup>1</sup>. In fulfilling this role, AT is responsible for the planning and funding of public transport; operating the local roading network; and developing and enhancing the local road, public transport, walking and cycling network.

Including the road reserve as part of the Historic Heritage Overlay has the potential to increase costs, delays and uncertainties for AT's day to day activities. It could also undermine its abilities to provide and deliver outcomes that could better serve Auckland's transport system and its communities.

The inclusion of the road reserve as part of the overlay will cause significant issues for AT in managing these assets and undertaking some transport projects. It will undermine AT's ability to continue to meet its responsibilities under section 39 of the Local Government (Auckland Council) Act 2009. These are:

- a. the planning and funding of public transport;
- b. promoting alternative modes of transport (i.e. alternatives to the private motor vehicle);
- c. operating the local roading network; and

---

<sup>1</sup> Local Government (Auckland Council) Act 2009, section 39.



d. developing and enhancing the local road, public transport, walking and cycling network

AT makes this submission to ensure the changes proposed will not inhibit AT's ability to effectively manage Auckland's land transport network.

**7. The decision sought by Auckland Transport is:**

AT supports the adoption of the Proposed Plan Change 31, subject to the amendments sought in this submission and outlined in **Attachment 1**, or any other consequential amendments to address the matters raised in this submission.

6.1

**8. Appearance at the hearing:**

AT wishes to be heard in support of this submission at a hearing but only if there are other submitters seeking the same. If no submitters wish to be heard, AT does not wish to be heard on its own.

Signed for and on behalf of Auckland Transport

Tracey Berkahn

**Acting Executive General Manager Planning and Investment**

Date: 25 September 2019

**Address for service of submitter:**

Liam Burkhardt

Planner, Planning and Investment Division

Auckland Transport

Private Bag 92250



Auckland 1142

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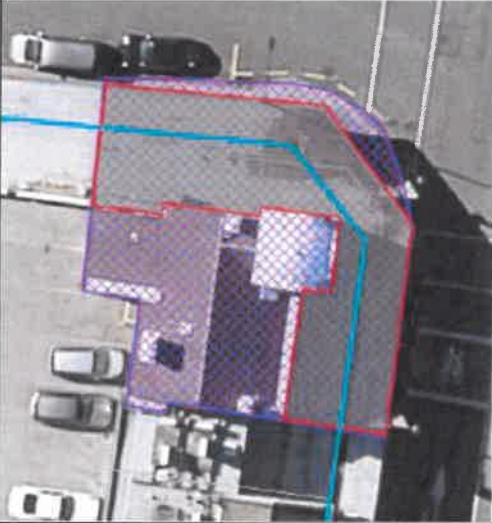
**Attachment 1**

Place	Map	Support / Oppose	Reason for submission	Decision requested
Upland Village Historical Area		Oppose in part	<p>AT understands the need to protect some verandas in the road reserve. However, the proposed extent of place includes the entirety of the road reserve, which is a four lane arterial road with an important movement function. The inclusion of the road reserve will do little to protect the values identified by the plan change and may inhibit AT from fulfilling its statutory responsibilities.</p>	<p>Reduce the extent of place by removing the proposed overlay from the road reserve.</p>
25-33 Dromorne Road (Remuera Primary School War Memorial Gates)		Oppose in part	<p>The proposed extent of place includes the road reserve which is not relevant to the historic heritage values of the place. The heritage item is set well back from the road within the footpath and it is not necessary to identify the extent of place over the entirety of the adjacent footpath, pedestrian crossing entrance and related streetlight or bus stop signage.</p>	<p>Reduce the extent of place by removing the proposed overlay from the road reserve.</p>

6.2

6.3



Place	Map	Support / Oppose	Reason for submission	Decision requested
358-364 Remuera Road (Former Remuera Post Office)		Oppose in part	<p>The inclusion of the road reserve is not relevant to the heritage values of the place. Its inclusion would not assist in the protection of this heritage item and may inhibit AT from fulfilling its statutory responsibilities at this arterial road intersection.</p> <p>The exclusion of the 1990s partially enclosed ground floor verandah (red hatching) is supported.</p>	Reduce the extent of place by removing the proposed overlay from the road reserve.

## Submission on the Proposed Plan Change 31 to the Auckland Unitary Plan, Operative in Part

### Clause 6 of Schedule 1 to the Resource Management Act 1991

**To:** Auckland Council  
Private Bag 92300  
Auckland

**Submitter:** Aotearoa New Zealand Investments Limited  
(Address for service provided below)

- 
1. This is a submission on Proposed Plan Change 31 ('PC 31') to the Auckland Unitary Plan, Operative in Part ('AUPOP').
  2. The submission is made on behalf of Aotearoa New Zealand Investments Limited ('the Submitter').
  3. The Submitter owns the site, legally described as Lot 1 Deposited Plan 131981, Allotment 255 Section 16 Suburbs of Auckland, Allotment 256 Section 16 Suburbs of Auckland, and Part Lot 9 Deposited Plan 3364, which contains the Remuera Post Office (former). The subject site is shown on the Locality Plan included as **Attachment A**.
  4. PC 31 seeks to include the Remuera Post Office (former) in Schedule 14.1 Schedule of Historic Heritage as a Category B heritage item for known heritage values A: historical, F: physical attributes, and H: context. The schedule would exclude the "interior of the building(s); 1990s enclosed ground floor verandah".
  5. As stated in the Historic Heritage Evaluation prepared by The Heritage Studio and included with PC 31, a major redevelopment of the entire block was undertaken in the early 1990's, involving the creation of "*retail outlets, onsite parking for 71 cars and space for its Post Shop/Kiwibank and external tenants, covering more than 2074 square metres.*" As a result, the northern and western external walls of the Remuera Post Office (former) were heavily modified and internalised through the addition of other structures (refer to photos provided as **Attachment B**).
  6. Recent discussions Between Planning Focus Limited and Council officers have confirmed that the intention of PC 31 is that the exclusion of the "interior of the building" should be read in the context of the original 1914 envelope of the building, notwithstanding that the ground floor northern and western walls now form part of the interior of the existing structure.
  7. The location of remaining ground floor walls are shown on the floor plan prepared by Salmond Reed Architects, included as **Attachment C**. This plan also indicates those walls that could be removed "whilst maintaining important architectural and structural references to the former post office building's design and floor plate" (Salmond Reed Architects, 09 September 2019).
  8. The submission is as follows:

- a. The Submitter requests that the now heavily modified and internalised walls, as marked in red on Attachment C and shown in photos included as Attachment B, be excluded from the proposed scheduling.
- b. The exclusion of these walls from the listing would provide a degree of certainty and flexibility for the continued use and adaption of the ground commercial floor space, without unduly compromising the matters that have been identified as being of particular historic significance to the place.
- c. With reference to the Historic Heritage Evaluation, the building is considered of historic significance for being a physical representation of the country's social, political and economic history during the early decades of the twentieth century and acting as a historic landmark within the local area. The contribution that the clock tower makes to the identity of Remuera Village and community is also noted. The function of the building as a land mark, of being representative of the country's social, political and economic history, and of being a community icon would be unaffected by adopting the Submitters request.
- d. The Historic Heritage Evaluation identifies physical features of heritage value as being primarily the gable roof, distinctive dome capped clock tower, rusticated walls and original fenestration at first floor level. The Historic Heritage Evaluation also notes that the building is constructed of standard, readily available materials and not known to demonstrate a "creative or technical accomplishment, innovation or achievement in its structure, construction, components or use of materials." Furthermore, it is recognised that the extent of modification has compromised the potential of the building to yield meaningful or useful information not already available from other comparable places. Those physical features identified as being of particular value (gable roof, distinctive dome capped clock tower, rusticated walls and original fenestration) would be unaffected by adopting the Submitters request.
- e. Two options for achieving the desired outcome have been considered, including:
  - i) the addition of floor plan in Schedule 14.3 of the AUPOP to show ground floor walls excluded from the schedule (see Attachment C); or
  - ii) describing the ground floor walls to be excluded in the "Exclusions" of Schedule 14.1 of the AUPOP.
- f. The use of a floor plan (as described in e(i), above) has the benefit of enabling some internal fabric to be protected, such as the chimney at ground floor level and the corner columns of the original building. Notwithstanding, the Submitter does not consider the retention of these features necessary to achieve an adequate level of heritage protection for the building.
- g. In accordance with Activity Table D17.4.1, the only work that can be undertaken to a Category B building as a permitted activity (unless the feature is explicitly excluded) is (A6) *Maintenance and repair of features including buildings and structures*<sup>1</sup>. All other

---

<sup>1</sup> Activities permitted by (A7) relate to external works (e.g. maintenance and repair of gardens, lawns, garden amenities, driveways, parking areas...) and therefore are not a relevant consideration in this instance.



works, including minor modifications that may arise as a result of typical commercial fitout works, require resource consent from Council as a restricted discretionary activity. Given the current condition of the building, its use, and the matters that have been identified as being of particular historic significance to the place, this level of regulatory burden is considered to be unwarranted and would unduly complicate the ordinary use of the ground floor commercial space for activities otherwise provided for within the Business – Town Centre zone.

9. The Submitter seeks the following relief:

- a. That PC 31 be withdrawn; or
- b. That the plan included as Attachment C be incorporated into Schedule 14.3 of the AUPOP and that the exclusions referenced in the proposed schedule reads (proposed text has been underlined):

*“Interior of building(s); 1990s partially enclosed ground floor verandah; ground floor walls identified in Schedule 14.3.”* or;

- c. As an alternative to the relief sought in 9(a), above, that the following is recorded as an exclusion in the “Exclusions” of Schedule 14.1 of the AUPOP: (proposed text has been underlined):

*“Interior of building(s); 1990s partially enclosed ground floor verandah; ground floor original exterior walls on the northern and western elevation.”*

10. The Submitter wishes to be heard in support of this submission.

11. If others make a similar submission, the Submitter would consider presenting a joint case with them at the hearing.

Dated this 26th day of September 2019

**Aotearoa New Zealand Investments Limited**

By its planner and duly authorised agent, Planning Focus Limited:



Alex van Son  
Planner / Partner

**Address for Service:** Aotearoa New Zealand Investments Limited, c/- Planning Focus Limited, PO Box 911-361, Auckland 1142, Attn: Alex van Son ([avs@planningfocus.co.nz](mailto:avs@planningfocus.co.nz))

# Attachment A

## Locality Plan



Figure 1 – Locality Plan (Source – Auckland Council GeoMaps)

## **Attachment B**

### **Internal Photos**



Photo 1 – Internalised external walls, looking south east

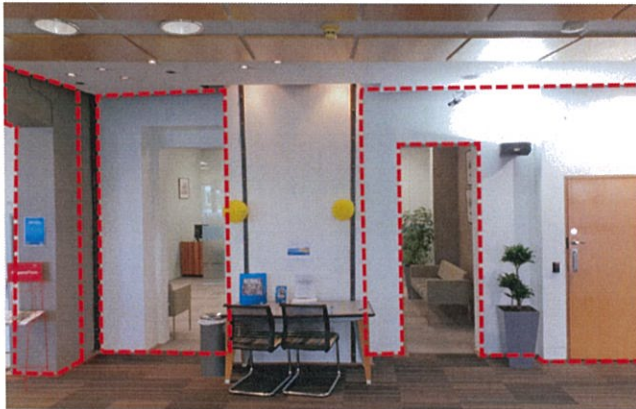


Photo 2 – Internalised external walls, looking north



Photo 3 – Internalised external walls, looking east

## **Attachment C**

**Floor Plan prepared by Salmond Reed Architects  
(Showing proposed ground floor exclusions).**

09 September 2019

2019-078

Alex van Son  
Planning Focus Limited  
PO Box 911-361

Auckland 1142

Dear Alex,

**Former Post Office Building 360 Remuera Rd, Remuera**

**Potential Council Heritage Building Listing – original exterior walls**

Further to our recent correspondence, I write to confirm that I have measured and drawn the interior of the building – specifically, the original exterior (some now interior) walls.

After studying the interior through measuring and drawing, I have found it easier to assess and comment on what, I believe, could be potential wall sections for removal.

To assist you and the planning process of scheduling the building, I have indicated on the attached floor plan the following:

- Existing walls in **yellow**
- Existing wall sections which could be for potential removal in **red**

Should the walls in **red** be removed, I believe this would provide more than adequate clear openings for potential future development (e.g. a restaurant), whilst maintaining important architectural and structural references to the former post office building's design and floor plate.

Note, two original chimneys remain, one of which is located directly above an *extra thick* wall section on the ground floor. From early plans (The Heritage Studio Evaluation report) it is clear that this wall section conceals an original fireplace serving the former Manager's office. I consider this as important building fabric and recommend its retention.

I trust this information is satisfactory and please get back to me with any queries.

Yours sincerely,



SALMOND REED ARCHITECTS  
Lloyd Macomber  
*Director*



**SALMOND  
REED  
ARCHITECTS**  
LIMITED

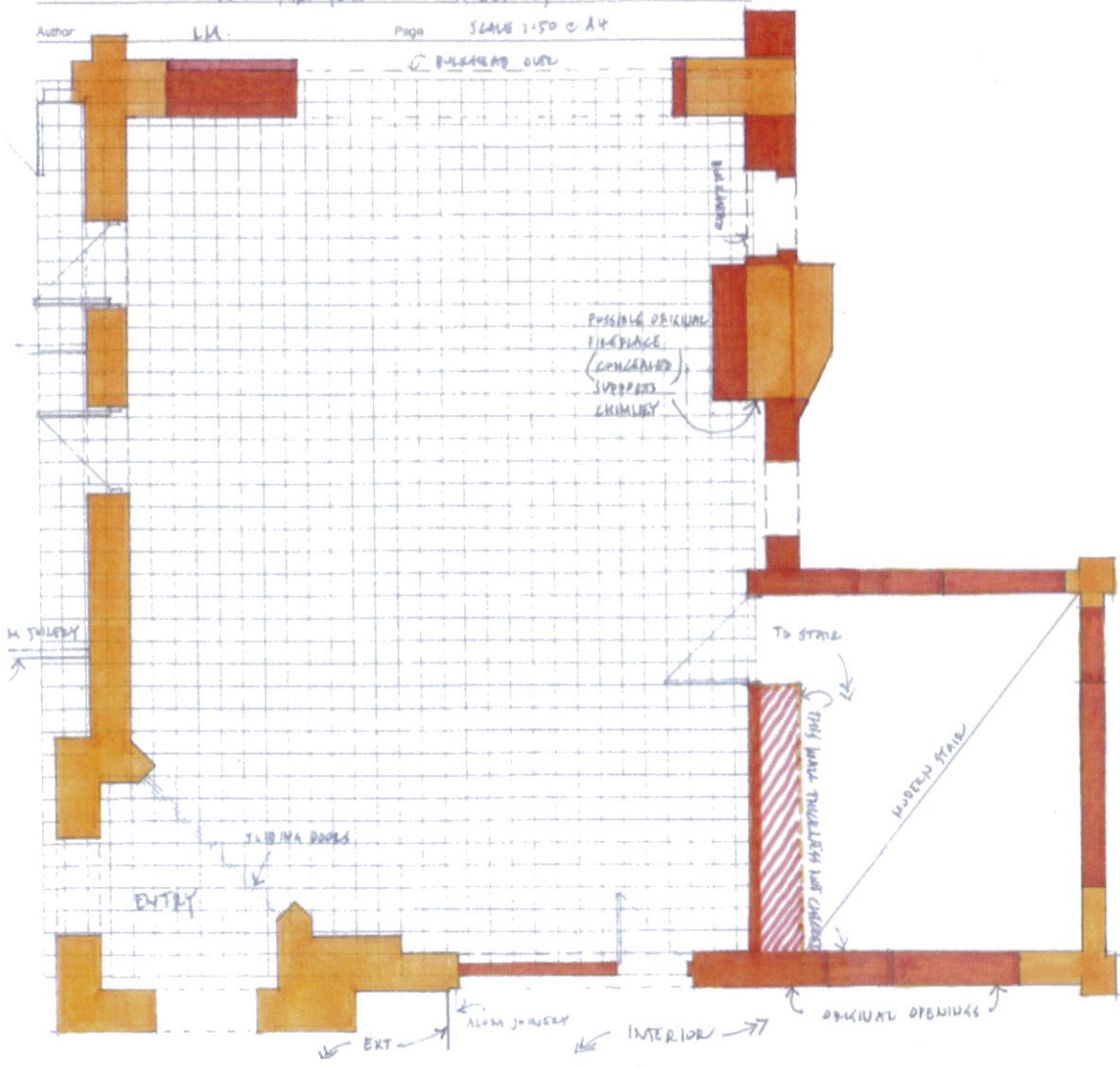
58 CALLETYPE ROAD  
DEWONHURST  
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NEW ZEALAND  
TEL +64 9 445 4045  
FAX +64 9 445 4111  
a@salmondreed.co.nz  
www.salmondreed.co.nz

**LEGEND**

- EXISTING WALLS
- WALLS FOR POTENTIAL REMOVAL



Project **360 REMUERA RD** Job no **2019-076**  
 Title/Description **GROUND FLOOR PART-PLAN** Date **11 SEPT '19**  
 Author **LM** Page **SCALE 1:50 @ A4**





The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Renee Sell

Organisation name: The Theosophical Society in New Zealand Incorporated

Agent's full name: John Yan

Email address: [john.yan@envivo.nz](mailto:john.yan@envivo.nz)

Contact phone number: 09 638 2612

Postal address:  
PO Box 109 207  
Newmarket  
Auckland 1149

## Submission details

### This is a submission to:

Plan modification number: Plan change 31

Plan modification name: Schedule 14.1 Historic Heritage Additions

### My submission relates to

Rule or rules:  
Schedule 14.1 & Schedule 14.2

Property address: 541 - 545 Remuera Road, Remuera

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
Please refer to the attachment.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 September 2019

Supporting documents  
Submission for Plan Change 31 - Envivo Ltd.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public

## AUCKLAND UNITARY PLAN: OPERATIVE IN PART

### SUBMISSION FOR PLAN CHANGE 31 (Schedule 14.1 Historic Heritage Additions)

To: Auckland Council  
[unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

Name of Submitter: The Theosophical Society in New Zealand Incorporated  
Attn: Renee Sell  
[nvp@theosophy.org.nz](mailto:nvp@theosophy.org.nz)

#### 1.0 INTRODUCTION

1.1 This submission is made by The Theosophical Society in New Zealand Incorporated (**The Submitter**) on Proposed Plan Change 31 (**PC 31**) to the Auckland Unitary Plan: Operative in Part (**AUP: OIP**).

1.2 The specific parts of the Plan to which this submission relates to are:

- *The proposed amendments to 'Chapter L: Schedule 14.1 Historic Heritage' and 'Chapter L: Schedule 14.2 Historic Heritage Areas – Maps and Statements of Significance'.*

#### 2.0 SCOPE OF THE SUBMISSION

2.1 PC 31 seeks to introduce six new historic heritage places (five individual heritage places and one historic heritage area) to Schedules 14.1 and 14.2 of the AUP: OIP. It will introduce a 'Historic Heritage Area Overlay (Extent of Place)' to the Planning Maps, for the identified 16 individual sites (i.e. 13 'contributing sites' and 3 'non-contributing sites') within three primary 'blocks'.

2.2 The Historic Heritage Overlay is applied across to historic heritage places and/or areas that are identified in Schedule 14.1 and shown on the Plan's maps. The proposed inclusions to Schedules 14.1 and 14.2 will therefore result in the 'identified sites' of the 'Upland Village Area' as being subject to planning provisions of Chapter D17: Historic Heritage Overlay.

2.3 This submission relates solely to the proposed historic heritage area, known as the 'Upland Village Historic Heritage Area'. This area includes various retail properties established around the intersection of Remuera Road, Upland Road and Minto Road.

### 3.0 BACKGROUND

- 3.1 The submitter owns the land at 541 - 545 Remuera Road (Lot 2 DP 22142), hereby known as 'the subject site'. It is zoned 'Business – Neighbourhood Centre' under the AUP: OIP and forms part of the 'Upland Village' local retail hub in Remuera.
- 3.2 The 842m<sup>2</sup> subject site is approximately 40m southwest from the intersection of Remuera, Upland and Minto Roads. The location and extent of the site is illustrated below.



Figure 1: Aerial photo of the subject site.

- 3.3 It is currently occupied by a two storey building that has a verandah extending across the entire length of the site frontage and overhangs the pedestrian footpath of Remuera Road. The rear of the site is currently occupied as a carpark that is accessed from Minto Road to the east.
- 3.4 The existing building and veranda adjoin onto those of the adjacent buildings to the immediate east at 547, 551 – 553 and 561 Remuera Road. This group of land forms the 'southwestern block' identified as part of the proposed historic heritage area overlay.
- 3.5 It is noted that the existing building (including its immediate surroundings) is not listed as a heritage building or feature under the AUP: OIP or by Heritage New Zealand, nor is it subject to any Special Character overlays.

### 4.0 PART 2 OF THE ACT

- 4.1 This submission seeks to ensure that the AUP: OIP applies planning control(s) that can be effectively implemented to promote sustainable management in accordance with Part 2 of the Resource Management Act 1991 (RMA). The control(s) should represent the most efficient use and development of the natural and physical resources of the land.

## 5.0 REASON FOR SUBMISSION

- 5.1 This submission **opposes** the proposed inclusion of the 'Historic Heritage Overlay' as it relates to the 'Upland Village Historic Heritage Area' under Schedules 14.1 and 14.2, in its entirety.
- 5.2 If adopted in its current form, PC 31 would apply the provisions in Chapter D17 of the AUP: OIP to manage the protection, conservation, maintenance, modification, relocation, use and development of scheduled historic heritage places, within the 'Upland Village'. That outcome has implications to the submitter should they wish to seek a future consent to add other activities or to modify the building on the subject site.
- 5.3 Under Chapter D17 of the AUP: OIP, it states that:  
*'Scheduled historic heritage places have been evaluated and meet the heritage significance criteria and thresholds set out in the Regional Policy Statement (Chapter B5.2).'*
- 5.4 The identification and evaluation criteria for historic heritage places are outlined within Policy B5.2.2 (1) of Chapter B5.2 and consider the following attributions related to:  
*'(a) historical, (b) social, (c) Mana Whenua, (d) knowledge, (e) technology. (f) physical attributes, and (g) aesthetic and (h) context'.*  
Furthermore, new historic heritage additions to Schedule 14.1 shall be consistent with the requirements of Policy B5.2.2 (3) which states that:  
*a) The place has considerable or outstanding value in relation to one or more of the evaluation criteria in Policy B5.2.2 (1); and*  
*b) The place has considerable or outstanding overall significance to the locality or greater geographic area.*
- 5.5 The 'Upland Village Historic Heritage' area, as identified for inclusion of the 'Historic Heritage Overlay', is determined on the basis of attributes 'A, F and H' of the criteria in Policy B5.2.2 (1). This decision is not considered consistent with the scheduling evaluation criteria because:
- The identified historic values of the area are considered to originate from the inter-war years of the twentieth century. Since that time, the area has undergone many physical changes and alterations, resulting in the evolution of Upland Village continuing into the 'new millennium'.  
This is reinforced by the analysis of individual building exteriors which determine a series of changes that reduces any of the original design authenticity typically considered necessary for built form to warrant heritage recognition and conservation.
  - There are no buildings or sites (other than 586 – 592 Remuera Road; Item 01828 Category B in Schedule 14.1 of the AUP: OIP) within the identified 'Upland Village' area that reflects historic heritage values/attributes greater than those areas referenced in Appendix 4 of the 'PC 31 Historic Heritage Evaluation'.

Those areas comprises a range of commercial centres that exhibit similar built scale and aesthetics, but have not been identified as warranting historic heritage or special character overlays under the AUP: OIP.

- The context of the streetscape character is therefore considered inconsistent given the evolutionary changes that have occurred to the existing Upland Village buildings overtime.

## 6.0 OUTCOME(S) SOUGHT

6.1 This submission seeks the following outcome from Auckland Council:

- That the proposed 'Historic Heritage Overlay – Extent of Place' for the identified 'Upland Village Historic Heritage Area' is removed in its entirety.

*And/or*

- Such alternative or consequential relief is necessary.

## 7.0 PROCEDURAL MATTERS

7.1 The submitter wishes to be heard in support of its submission.

7.2 If others make a similar submission, the submitter will consider presenting a joint case with them at a hearing.

7.3 The submitter has an interest greater than the interest of the general public and is directly affected by the Plan Change.

7.4 The submitter does not seek to gain advantage in trade competition through this submission.

Dated this 26<sup>th</sup> day of September 2019, on behalf of the submitter.



John Yan  
Planning Consultant – Envivo Limited

### Address for service of the submitter

The Theosophical Society in New Zealand Incorporated  
C/- Envivo Limited (Attention: John Yan)  
PO Box 109 207, Newmarket, Auckland 1149  
Phone: 09 638 2612  
Email: [john.yan@envivo.nz](mailto:john.yan@envivo.nz)

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Susan Andrews

Organisation name: Heritage New Zealand Pouhere Taonga

Agent's full name:

Email address: [sandrews@heritage.org.nz](mailto:sandrews@heritage.org.nz)

Contact phone number: 09 307 9920

Postal address:

## Submission details

### This is a submission to:

Plan modification number: Plan change 31

Plan modification name: Schedule 14.1 Historic Heritage Additions

### My submission relates to

Rule or rules:

The entire plan change.

Property address: Please see submission attached.

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Please see submission attached.

I or we seek the following decision by council: Accept the plan modification with amendments

Details of amendments: Please see submission attached.

Submission date: 26 September 2019

Supporting documents

HNZPT Submission PC31 - Additions to Schedule 14 1 Schedule of Historic Heritage 26 09 19.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

## **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.





26<sup>th</sup> September 2019

Auckland Council  
Unitary Plan  
Private Bag 92300  
Auckland 1142  
Attention: Planning Technician

Dear Sir or Madam

**SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA  
PROPOSED PLAN CHANGE 31: SCHEDULE 14.1 HISTORIC HERITAGE ADDITIONS**

**To:** Auckland Council

**Name of submitter:** Heritage New Zealand Pouhere Taonga

**1. This is a submission on the following proposed change to the Auckland Unitary Plan (Operative in Part) (the proposal):**

Proposed Plan Change 31: Schedule 14.1 Historic Heritage Additions: to recognise the historic heritage values of six historic heritage places (five individual heritage places and one historic heritage area) by adding them to Schedule 14 of the Auckland Unitary Plan (Operative in Part) and planning maps. This means that these places will be subject to the provisions of the Historic Heritage Overlay.

**2. Heritage New Zealand could not gain an advantage in trade competition through this submission.**

**3. The specific provisions of the proposal that Heritage New Zealand's submission relates to are:**

The entire proposed plan change.

**4. Heritage New Zealand's submission is:**

4.1. Heritage New Zealand is an autonomous Crown Entity with statutory responsibilities under the Heritage New Zealand Pouhere Taonga Act 2014 for the identification, protection, preservation and conservation of New Zealand's historical and cultural heritage.

4.2. Heritage New Zealand supports the proposed addition of the six historic heritage places (five individual heritage places and one historic heritage area) to Schedule 14 of the Auckland Unitary Plan (Operative in Part) and planning maps, in recognition of their historic heritage values and to assist in the management and protection of these values as follows:

- Glenholm, 37 Portland Road, Remuera
- Remuera Primary School War Memorial Gates, 25-33 Dromorne Road, Remuera
- Remuera Post Office, 358-364 Remuera Road, Remuera
- Upland Village Historic Heritage Area, parts of Remuera Road, Upland Road and Minto Road, Remuera
- Riverina, 46 Wilson Road, Warkworth
- Colonial Ammunition Company Bulk Store, 26 Normanby Road, Mt Eden.

9.2

4.3. Heritage New Zealand notes that the following historic heritage places subject to Proposed Plan Change 31 are entered on the New Zealand Heritage List/Rārangi Kōrero (NZHL/RK):

- Riverina as a Category 2 Historic Place (List No. 498); and
- McLaren's Garage (Former), within the proposed Upland Village Historic Heritage Area, as a Category 1 Historic Place (List No. 7656), and which is also in the Auckland Unitary Plan (AUP) Historic Heritage Schedule 14.1 (ID 01828, Category B).

4.4. In addition two historic places linked to the proposed Colonial Ammunition Company Bulk Store historic heritage place, are entered on the NZHL/RK: the Colonial Ammunition Company Shot Tower (Category 1, List No. 87); and the Colonial Ammunition Company Office (Former) (Category 1, List No. 9926). Both are also scheduled on the AUP Historic Heritage Schedule 14.1 (ID 1770, Category A; and ID 02752, Category B respectively).

4.5. Heritage New Zealand however does not support the proposed exclusion from scheduling of the kitchen and bathrooms of the interior of Riverina, or the proposed exclusion from scheduling of the interior of the principal residence in regard to Glenholm.

**5. The reasons for Heritage New Zealand's position are as follows:**

5.1. Heritage New Zealand supports the identification for scheduling of these places in order that inappropriate subdivision, use and development can be avoided, and to enable appropriate use, protection, management and conservation of these places.

5.2. Heritage New Zealand considers it inappropriate to exclude the kitchen and bathrooms of Riverina and the interior of the main Glenholm residence, where the rationale to do so has not been sufficiently identified. These exclusions without appropriate justification, will otherwise impede consideration of the place as a whole, and prevent the potential for reversal of past unsympathetic modifications and the restoration and recovery of heritage values associated with these places.

5.3. With regard to Riverina, the May 2019 Historic Heritage Evaluation recommends the interiors of the house be included in the scheduling of the place because of their high level of integrity, yet then recommends the kitchen and bathrooms be excluded from the scheduling of the interiors, with no supporting assessment or explanation as to why this should be the case. The evaluation details that the interior when viewed in June 2019 appeared very much intact, and that there have been no changes to the original fabric since an earlier visit in 2012, with photographs taken at this previous time provided in the evaluation including one of the kitchen mantle, amongst others depicting key interior and exterior features of the building.

5.4. Similarly in relation to Glenholm, while it is proposed to exclude the interior of the principal residence, the June 2018 Historic Heritage Evaluation nonetheless notes that it is possible that portions of the building's original layout, fabric and features remain, and that the house has been subject to a 'restoration' to convert the building from flats back to a single residence, with a layout, particularly on the ground floor, that is not too dissimilar to its original arrangement.

5.5. More generally in accordance with good heritage practice, (and as acknowledged in the Section 32 Report), it is Heritage New Zealand's view that potential future changes to these places should be considered in relation to the effects on the whole of the place, including interiors. Accepting that modifications have been made to some of the original fabric and features over time, comprehensive scheduling permits assessment of past and future change on all elements of the

place and is inclusive to the possibility of reversing previously changed elements and potential restoration.

5.6. Heritage New Zealand considers that the exclusion of specific interior elements and the interior of Riverina and Glenholm, which likely pertain to the values, or potential recovery of values for which the historic heritage place has been scheduled, is contrary to the following objectives and policies of the AUP:

- Policy B5.2.2 (9) which provides for the restoration of historic heritage places;
- Objective D17.2 (1) with regard to supporting and enabling the restoration of places, the protection from [further] inappropriate modification;
- Policy D17.3 (8) regarding the maintenance and enhancement of values including the ability to interpret the place, complementing the form, fabric, and setting associated with the values of the place, and integration with the identified heritage values;
- Policy D17.3 (9) which seeks to enable restoration to enhance the values of the place in accordance with good practise conservation principles, and
- Policy D17.3 (10) which supports the modification or restoration of places to recover and reveal values, and to remove features and additions that compromise these values.

**6. Heritage New Zealand seeks the following decision from the local authority:**

That the plan change be approved with the exception of the exclusions proposed for Riverina and the proposed exclusion of the interior of the main dwelling for Glenholm.

9.3

**7. Heritage New Zealand wishes to be heard in support of our submission.**

Yours sincerely

  
Sherry Reynolds  
Director Northern Region

Address for Service:

Susan Andrews

PO Box 105 291, Auckland

09 307 9920

[sandrews@heritage.org.nz](mailto:sandrews@heritage.org.nz)

## Submissions to Proposed Plan Change 31

### Submitter details

Agent: Jennifer Hayman

Organisation name: **Remuera Heritage Inc.**

Address for service: c/- Hayman Consulting, P O Box 12-450, Auckland 1642

Email: [jennifer@haymanconsulting.co.nz](mailto:jennifer@haymanconsulting.co.nz)

Contact person: Jennifer Hayman

Remuera Heritage Inc. supports / supports in part, and seeks amendments, as outlined in the submissions detailed below, and/or such alternative relief which addresses the concerns of the submitter.

10.1

Remuera Heritage Inc. wishes to be heard in support of its submissions.

Remuera Heritage Inc. could not gain an advantage in trade competition through this submission.

If others are presenting similar submissions, Remuera Heritage Inc. would consider presenting a joint case at any hearing.

Date: 26 September 2019

<b>Provision</b>	<b>Support/Oppose</b>	<b>Submission/Reasons</b>	<b>Relief sought</b>
<b>Addition of Glenholm (residence) to Schedule 14.1 Table 1</b>	Support	The recognition of the historic heritage significance and values of this well-known residence is appropriate.	Accept the proposed plan change.
<b>Addition of Remuera Primary School War Memorial Gates to Schedule 14.1 Table 1</b>	Support	The recognition of the historic heritage significance and values of the well-known memorial gates is appropriate.	Accept the proposed plan change
<b>Addition of Remuera (former) Post Office to Schedule 14.1 Table 1</b>	Support with amendments	Add value b) – the landmark has continuing social value, as a highly visible publicly accessible space, including its use over the last century as Post Office, then bank(s). Add value g) – the high visual and landmark qualities of the structure, notwithstanding the modifications to the ground level elevations (reversible and with potential for new treatments), gives it considerable aesthetic value.	Accept the proposed plan change with amendments.
<b>Addition of Historic Heritage Area to Schedule 14.2 Statement of significance and map</b>	Support with amendments	Add value b) – the area has social value, in the current era, as a meeting place (café and bars/restaurants), while formerly its social value was as local shops providing a range of services (the pharmacy being a remaining example). There is no introduction to, nor explanation for, the name “Upland Village”. The location has been known as “Remuera Village”, or sometimes “Upland Road Shops”. Provide rationale for the name, or an alternative name acceptable to the local community. It is not clear why three of the sites/buildings have been classified as noncontributing, given their apparent contemporaneity and contribution to the history of the area. While their architecture is somewhat plain, they appear to retain some original elements. The statement of significance could be simplified, and its clarity improved.	Accept the proposed plan change with amendments.

10.2

10.3

10.4

10.5

Supplementary comment:

It is noted that applications for Certificates of Compliance for demolition have been submitted for some of the proposed additions to the Schedule. It is further noted, at p29 of the Section 32 Evaluation Report, that the owners were advised, prior to the proposed plan change being notified, and that this was at the request of the Orakei Local Board. Whilst acknowledging that funding for the evaluation was provided by the Orakei Local Board, it is imperative that elected members, in their decision-making, have due regard to the risks of such a recourse in the management of a finite resource. Demolition of buildings proposed for addition to the Schedule acts to frustrate Council in its obligations under the s6(f) of the RMA 1991.

**8 October 2019**

**Submission regarding the scheduling of Riverina, 46 Wilson Road, Warkworth**

I agree with the scheduling of Riverina, but with amendments.

11.1

The suggested extent of place (boundary) to be as per attached PDF document, with amendments as follows:

The red line on the plan document is the initially proposed border of the extent. However, the extent of place should be amended to extend to the edge of the adjoining roads (Wilson Road & Hepburn Creek Road).

Please note that the small farm building to the west of the house and the small machinery shed to the south side of the house are both outside the amended extent.

The original three roomed building immediately behind the house (originally a laundry, dairy and workshop) either be excluded from the scheduling or, alternatively, included in the scheduling but with recognition that the building can be demolished (with the provision that door and window frames and all associated hardware is saved) due to its poor state of repair.

I agree that the interior of the house be scheduled, with the following exclusions: the kitchen and both bathrooms should be excluded. The kitchen was renovated to more modern fittings in the 1980s to make it more useable for today's living. With regards to the bathrooms, one is in the original bathroom, but has been updated in the 1980s to more modern fittings. The other bathroom was originally a bedroom and has been hugely changed to be a full bathroom/wet room, as was necessary for the last resident. The bathrooms need to be functional for today's style of living with the house continuing as private a residence.

11.2

The property should be scheduled due the unique nature of the building and its significance to Warkworth, New Zealand and association to NZ industry. Riverina was originally the home of Nathaniel Wilson, known as the father of Warkworth. Nathaniel Wilson and his brothers established the first hydrated lime company in Australasia, Wilsons Lime Company. This large business were based at the substantial lime works (now in ruins) on the banks of the nearby Mahurangi River. This company moved into cement (Wilson's Cement) and today is known as Golden Bay Cement.

Riverina has significant heritage and history. It is largely unmolested in both the interior and exterior and is a wonderful survivor of its time. It needs to be saved and recognised via the heritage overlay of the Unitary Plan.

I write this submission as an executor of the Estate of Beverley Alison Simmons.

Anthony Simmons  
5 Ted William Street  
Avondale 0600  
AUCKLAND

tonysi@orcon.net.nz



DISCLAIMER:

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### EXTENT OF PLACE PROPOSAL



Scale @ A4  
= 1:1,000  
Date Printed:  
2/08/2019





The following customer has submitted a Unitary Plan online further submission.

## Contact details

Full name of person making a further submission: Renee Sell

Organisation name: The Theosophical Society in New Zealand Incorporated

Full name of your agent: Envivo Limited

Email address: [john.yan@envivo.nz](mailto:john.yan@envivo.nz)

Contact phone number: 09 638 2612

Postal address:  
PO Box 109 207  
Newmarket  
Auckland 1149

## Submission details

**This is a further submission to:**

Plan modification number: PC 31

Plan modification name: PC 31 Schedule 14.1 Historic Heritage Additions

### Original submission details

Original submitters name and address:  
Guardian Retail 551 Limited, GWG Trustee Limited trustee of GWG Family Trust, Upland Group Limited, Aotearoa New Zealand Investments Limited

Submission number: 3, 4, 5, 7

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:  
Point number 3.2, 4.1, 5.1,7.1

The reasons for my or our support or opposition are:  
Acceptance of the relief sought by the submitter would promote sustainable resource management practice that is consistent with the relevant objectives, policies and evaluation criteria of the Regional Policy Statement section (i.e. Chapter B5 – Historic heritage and special character) of the Auckland Unitary Plan and Part 2 of the Resource Management Act 1991.

I or we want Auckland council to make a decision to: Allow the whole original submission

Submission date: 8 November 2019

Supporting documents  
Further Submission - Plan Change 31.pdf

## Attend a hearing

I or we wish to be heard in support of this submission: Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

## **Declaration**

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:  
Land owner of 541-545 Remuera Road

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

## AUCKLAND UNITARY PLAN: OPERATIVE IN PART

### FURTHER SUBMISSION FOR PLAN CHANGE 31 (Schedule 14.1 Historic Heritage Additions)

To: Auckland Council  
[unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

Name of Submitter: The Theosophical Society in New Zealand Incorporated  
Attn: Renee Sell  
[nvp@theosophy.org.nz](mailto:nvp@theosophy.org.nz)

#### 1.0 INTERST IN THE SUBMISSION

- 1.1 The Theosophical Society in New Zealand Incorporated (**The Submitter**) lodged a submission (Reference Number 8) on Proposed Plan Change 31 (**PC 31**) to the Auckland Unitary Plan: Operative in Part (**AUP: OIP**).
- 1.2 The submitter owns 842m<sup>2</sup> of land at 541 - 545 Remuera Road (Lot 2 DP 22142). It is zoned 'Business – Neighbourhood Centre' under the AUP: OIP and forms part of the 'Upland Village' local retail hub in Remuera.
- 1.3 The land is currently occupied by a two-storey building that has a verandah extending across the entire length of the site frontage and overhangs the pedestrian footpath of Remuera Road. The rear of the site is currently occupied as a carpark that is accessed from Minto Road to the east.
- 1.4 The submitter has an interest in the Proposed PC 31 to the AUP: OIP that is greater than the interest the general public has.
- 1.5 This further submission addresses resource management planning matters relating to the land which is affected by the relief sought in the primary submissions.

#### 2.0 REASONS FOR THE FURTHER SUBMISSION

- 2.1 The particulars of each submission that the submitter supports or opposes, and the reasons for support or opposition, are set out in Attachment 1.
- 2.2 The submitter does not seek to gain advantage in trade competition through the further submissions process.
- 2.3 The submitter wishes to be heard in support of its original submission and further submission.

2.4 If others make a similar further submission, the submitter will consider presenting a joint case with them at a hearing.

Dated this 7<sup>th</sup> day of November 2019, on behalf of the submitter.

A handwritten signature in black ink, appearing to be 'John Yan', written in a cursive style.

John Yan  
Planning Consultant – Envivo Limited

**Address for service of the submitter**

The Theosophical Society in New Zealand Incorporated  
C/- Envivo Limited (Attention: John Yan)  
PO Box 109 207, Newmarket, Auckland 1149  
Phone: 09 638 2612  
Email: [john.yan@envivo.nz](mailto:john.yan@envivo.nz)

Submission Number	Submitter Name	Relief sought from Submitter	Support / Oppose	The reasons for my support or opposition	Decision sought from the Council
3	Guardian Retail 551 Limited	Delete the proposed 'Historic Heritage Overlay – Extent of Place' applicable to the Upland Village Area in its entirety.	Support	Acceptance of the relief sought by the submitter would promote sustainable resource management practice that is consistent with the relevant objectives, policies and evaluation criteria of the Regional Policy Statement section (i.e. Chapter B5 – Historic heritage and special character) of the Auckland Unitary Plan and Part 2 of the Resource Management Act 1991.	Accept the submission.
4	GWG Trustee Limited trustee of GWG Family Trust	Decline the plan modification.	Support	As per above.	Accept the submission.
5	Upland Group Limited	Decline the plan modification.	Support	As per above.	Accept the submission.
6.1	Auckland Transport	Support the plan modification with amendments.	Oppose (in part)	Acceptance of the relief sought by the submitter would result in the introduction of a Historic Heritage Overlay (for the Upland Village Area) that is inconsistent with the relevant objectives, policies and evaluation criteria of the Regional Policy Statement section (i.e. Chapter B5 – Historic heritage and special character) of the Auckland Unitary Plan and does not achieve Part 2 of the Resource Management Act 1991.	Decline the submission, in the context of the Upland Village Historic Heritage Area only.

7.1	Aotearoa New Zealand Investments Limited	Withdraw Plan Change 31.	Support	Acceptance of the relief sought by the submitter would promote sustainable resource management practice that is consistent with the relevant objectives, policies and evaluation criteria of the Regional Policy Statement section (i.e. Chapter B5 – Historic heritage and special character) of the Auckland Unitary Plan and Part 2 of the Resource Management Act 1991.	Accept the submission.
9.1; 9.2	Heritage New Zealand Pouhere Taonga	Support the plan modification with amendments.	Oppose (in part)	Acceptance of the relief sought by the submitter would result in the introduction of a Historic Heritage Overlay (for the Upland Village Area) that is inconsistent with the relevant objectives, policies and evaluation criteria of the Regional Policy Statement section (i.e. Chapter B5 – Historic heritage and special character) of the Auckland Unitary Plan and does not achieve Part 2 of the Resource Management Act 1991.	Decline the submission, in the context of the Upland Village Historic Heritage Area only.
10.1; 10.5	Remuera Heritage Inc.	Support in part and seeks amendments.	Oppose (in part)	As per above.	Decline the submission, in the context of the Upland Village Historic Heritage Area only.

*Stephen Brownhill Barrister  
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Facsimile 09 377 0115  
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8 November 2019

Bronnie Styles  
Planning Technician  
Auckland-wide Planning Unit  
Auckland Council

**By Email:** [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

Dear Bronnie,

**FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 31 – SCHEDULE 14 HISTORIC HERITAGE ADDITIONS**

I **enclose** further submissions on behalf of GWG Trustee Limited, trustee of GWG Family Trust in relation to PPC 31.

The further submissions are made in support of the submissions of :

- (a) Guardian Retail 551 Limited; and
- (b) The Theosophical Society in New Zealand Incorporated.

A copy of the further submissions have also been emailed to the submitters.

Yours faithfully



**Stephen Brownhill**

**FURTHER SUBMISSION IN SUPPORT OF SUBMISSION ON NOTIFIED PROPOSED PLAN CHANGE 31**

**Clause 8 of First Schedule, Resource Management Act 1991**

**TO: AUCKLAND COUNCIL**

1. This is a further submission made by **GWG TRUSTEE LIMITED trustee of GWG FAMILY TRUST**.
2. The further submission is made in support of a submission on proposed Plan Change 31 (the **proposal**).
3. GWG Trustee Limited trustee of GWG Family Trust is a person who has an interest in the proposal that is greater than the interest that the general public has, under cl 8(1)(b), First Schedule, Resource Management Act 1991, being the owner of the land and buildings at 594-600 and 602-608 Remuera Road, Auckland, and which is included in the proposed Upland Village Historic Heritage Area of the proposal.
4. I support the submission of **GUARDIAN RETAIL 551 LIMITED**.
5. The particular parts of the submission I support are the submitter's reasons for submission, in full, and the relief sought that Auckland Council delete the proposed 'Historic Heritage Overlay – Extent of Place for Upland Village' in its entirety (pages 3-7).
6. The reasons for my support are that the submission is consistent with my submission, including the reasons for my submission and the relief sought.
7. I seek that the whole of the submission be allowed.
8. I wish to be heard in support of my further submission.
9. If others make a similar submission, I will consider presenting a joint case with them at a hearing.

**DATE:** 8 November 2019



**Stephen Brownhill**

on behalf of **GWG Trustee Limited trustee of GWG Family Trust**

Address for service of submitter: c/- Loo & Koo Solicitors  
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Contact person: Jean Ong  
cc [Stephen.brownhill@xtra.co.nz](mailto:Stephen.brownhill@xtra.co.nz)



**FURTHER SUBMISSION IN SUPPORT OF SUBMISSION ON NOTIFIED PROPOSED PLAN CHANGE 31**

**Clause 8 of First Schedule, Resource Management Act 1991**

**TO: AUCKLAND COUNCIL**

1. This is a further submission made by **GWG TRUSTEE LIMITED trustee of GWG FAMILY TRUST**
2. The further submission is made in support of a submission on proposed Plan Change 31(the **proposal**).
3. GWG Trustee Limited trustee of GWG Family Trust is a person who has an interest in the proposal that is greater than the general public has, under cl 8(1), First Schedule, Resource Management Act 1991, being the owner of the land and buildings at 594-600 and 602-608 Remuera Road, Auckland, and which is included in the proposed Upland Village Historic Heritage Area of the proposal.
4. I support the submission of **THE THEOSOPHICAL SOCIETY IN NEW ZEALAND INCORPORATED**.
5. The particular parts of the submission I support are the submitter's reason for submission, in full (paragraphs 5.1 – 5.5), and the outcome(s) sought ( paragraph 6.1).
6. The reasons for my support are that the submission is consistent with my submission, including the reasons for my submission and the relief sought.
7. I seek the whole of the submission be allowed.
8. I wish to be heard in support of my further submission.
9. If others make a similar submission, I will consider presenting a joint case with them at a hearing.

**DATE:** 8 November 2019



**Stephen Brownhill**

on behalf of **GWG Trustee Limited trustee of GWG Family Trust**

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8 November 2019

Bronnie Styles  
Planning Technician  
Auckland-wide Planning Unit  
Auckland Council

**By Email:** [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

Dear Bronnie,

**FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 31 – SCHEDULE 14 HISTORIC HERITAGE ADDITIONS**

I **enclose** further submissions on behalf of Upland Group Limited in relation to PPC 31.

The further submissions are made in support of the submissions of :

- (a) Guardian Retail 551 Limited; and
- (b) The Theosophical Society in New Zealand Incorporated.

A copy of the further submissions have also been emailed to the submitters.

Yours faithfully



**Stephen Brownhill**

**FURTHER SUBMISSION IN SUPPORT OF SUBMISSION ON NOTIFIED PROPOSED PLAN CHANGE 31**

**Clause 8 of First Schedule, Resource Management Act 1991**

**TO: AUCKLAND COUNCIL**

1. This is a further submission made by **UPLAND GROUP LIMITED**.
2. The submission is made in support of a submission on proposed Plan Change 31(the **proposal**).
3. Upland Group Limited is a person who has an interest in the proposal that is greater than the interest that the general public has, under cl 8(1)(b), First Schedule, Resource Management Act 1991, being the owner of the land and buildings at 579 – 585 Remuera Road, Auckland, and which is included in the proposed Upland Village Historic Heritage Area of the proposal.
4. I support the submission of **GUARDIAN RETAIL 551 LIMITED**.
5. The particular parts of the submission I support are the submitter's reasons for submission, in full, and the relief sought ( pages 3-7 ).
6. The reasons for my support are that the submission is consistent with my submission including, in particular, the reasons for my submission and the relief sought.
7. I seek that the whole of the submission be allowed.
8. I wish to be heard in support of my further submission.
9. If others make a similar submission, I will consider presenting a joint case with them at a hearing.

**DATE:** 8 November 2019



**Stephen Brownhill**  
on behalf of **Upland Group Limited**

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Contact person: Bryce Town  
cc [Stephen.brownhill@xtra.co.nz](mailto:Stephen.brownhill@xtra.co.nz)

**FURTHER SUBMISSION IN SUPPORT OF SUBMISSION ON NOTIFIED PROPOSED PLAN CHANGE 31**

**Clause 8 of First Schedule, Resource Management Act 1991**

**TO: AUCKLAND COUNCIL**

1. This is a further submission made by **UPLAND GROUP LIMITED**.
2. The further submission is made in support of a submission on proposed Plan Change 31(the **proposal**)
3. Upland Group Limited is a person who has an interest in the proposal that is greater than the general public has, under cl 8(1), First Schedule, Resource Management Act 1991, being the owner of the land and building at 579-585 Remuera Road, Auckland, and which is included in the proposed 'Upland Village Historic Heritage Area' of the proposal.
4. I support the submission of **THE THEOSOPHICAL SOCIETY IN NEW ZEALAND INCORPORATED**.
5. The particular parts of the submission I support are the submitter's reasons for submission, in full (paragraphs 5.1 -5.5), and the outcome(s) sought(paragraph 6.1).
6. The reasons for my support are that the submission is consistent with my submission, including the reasons for my submission and the relief sought.
7. I seek the whole of the decision be allowed.
8. I wish to be heard in support of my further submission.
9. If others make a similar submission, I will consider presenting a joint case with them at a hearing.

**DATE:** 8 November 2019



**Stephen Brownhill**  
On behalf of **Upland Group Limited**

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Contact person: Bryce Town  
cc [Stephen.brownhill@xtra.co.nz](mailto:Stephen.brownhill@xtra.co.nz)

8 November 2019

Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
AUCKLAND 1142

For: Planning Technician  
Email: unitaryplan@aucklandcouncil.govt.nz

Dear Sir/Madam

**FURTHER SUBMISSION IN OPPOSITION TO SUBMISSIONS ON PROPOSED PLAN CHANGE 31 TO THE PARTLY OPERATIVE AUCKLAND UNITARY PLAN**

1. We act for Ms S B Parkinson and Mr G Matthews in relation to Plan Change 31 to the partly operative Auckland Unitary Plan. Our clients, together with Christopher Lord (as trustee) own 'Glenholm', 37 Portland Road, Remuera that is affected by the Plan Change.
2. **Enclosed** is a further submission on behalf of our clients in relation to the proposed scheduling of Glenholm under Plan Change 31.
3. Please make contact should you wish to discuss.

Yours sincerely



**Helen Andrews**  
Partner

DDI: 09 909 7316  
Mobile: 021 929 334  
Email: helen@berrysimons.co.nz

# Further Submission in support of, or opposition to, a publicly notified proposed plan change or variation

Clause 8 of Schedule 1, Resource Management Act 1991  
FORM 6



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only Further Submission No:
Receipt Date:

## Further Submitter details

### Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Ms Sue Parkinson and Mr Graham Matthews by their solicitor Berry Simons Environmental Law

### Organisation Name (if further submission is made on behalf of Organisation)

### Address for service of Further Submitter

Berry Simons Environmental Law, Level 1 3-13 Shortland Street, Auckland 1010

Telephone:  Fax/Email:

Contact Person: (Name and designation, if applicable)

## Scope of Further Submission

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

Plan Change/Variation Number	31
Plan Change/Variation Name	Schedule 14 Historic Heritage Additions

I support :  Oppose  (tick one) the submission of:

(Original Submitters Name and Address)

(Please identify the specific parts of the original submission)

Submission Number	Point-Number
9 and 10	9.2, 9.3, 10.1, 10.2

Heritage New Zealand

Remuera Heritage Incorporated

### The reasons for my support / opposition are:

Please refer to the attached further submission.

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part  (describe precisely which part) Please refer to the attached further submission.

of the original submission be **allowed**

**disallowed**

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

H. Candors

Signature of Further Submitter  
(or person authorised to sign on behalf of further submitter)

8 November 2019

Date

**PLEASE COMPLETE THE FOLLOWING SECTION**

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

\_\_\_\_\_  
\_\_\_\_\_

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

The further submitter owns the property at Glenholm, 37 Portland Road, Remuera

\_\_\_\_\_  
\_\_\_\_\_

**Notes to person making submission:**

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

If you are making a submission to the Environmental Protection Authority, you should use Form 16C.

**IN THE MATTER** of the Resource Management Act 1991  
("The Act")

**AND**

**IN THE MATTER** of a further submission pursuant to  
Clause 8(b) of Schedule 1 of the Act in  
respect of **PLAN CHANGE 31** to the  
**AUCKLAND UNITARY PLAN**  
**(OPERATIVE IN PART)**

**FURTHER SUBMISSION ON PLAN CHANGE 31 TO THE  
AUCKLAND UNITARY PLAN (OPERATIVE IN PART)**

**'Schedule 14.1 Historic Heritage Additions'**

**TO:** Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

Name of submitter: **Belinda Sue Parkinson and Graham Matthews**

1. This is a further submission in opposition to the following submissions made on Plan Change 31 ("PC31") to the Auckland Unitary Plan (Operative in Part) ("AUP"):
  - (a) Heritage New Zealand Pouhere Taonga ("HNZ", submitter 9); and
  - (b) Remuera Heritage Incorporated ("RHI", submitter 10).
2. Belinda Sue Parkinson and Graham Matthews ("the Submitter"), together with Christopher Lord (as trustee) own 'Glenholm', 37 Portland Road, Remuera that is affected by PC31. This land is legally described as Pt Lot 5 DP 18802 ("the property") and is located in the Residential – Single House Zone. The property is not currently included in the New Zealand Heritage List/Rārangi Kōrero, which is administered by HNZ.
3. The Submitter **opposes** all those parts of both HNZ's and RHI's submissions that relate to the property.
4. The Submitter is entitled to make a further submission pursuant to Clause 8(b) of Schedule 1 of the Act as they are a person that has an interest in the proposed plan greater than the interest of the general public because of their proprietary interest in the property.



5. For completeness, it is noted that the Submitter did not receive notification of PC31 in time to file an original submission, potentially due to the fact that Mr Matthews was travelling between New Zealand and England at the time this notification occurred.

## **BACKGROUND**

6. By way of PC31, Auckland Council ("the Council") is seeking to include the property in Schedule 14.1 of the AUP.
7. As currently proposed, the scheduling would only apply to the exterior of Glenholm and its gardens. The scheduling would exclude the garage, pool and interior of the property.<sup>1</sup>
8. HNZ has made a submission in support of PC31, which states as follows:<sup>2</sup>

*"Heritage New Zealand supports the proposed addition of the six historic heritage places (five individual heritage places and one historic heritage area) to Schedule 14 of the Auckland Unitary Plan (Operative in Part) and planning maps, in recognition of their historic heritage values and to assist in the management and protection of these values as follows:*

*- Glenholm, 37 Portland Road, Remuera..."*

9. Similarly, RHI's submission supports the scheduling of the property, as currently proposed by PC31.
10. In respect of the extent of the property to be scheduled, HNZ's submission is as follows:<sup>3</sup>

*"Heritage New Zealand however does not support...the proposed exclusion from scheduling of the interior of the principal residence in regard to Glenholm."*

11. HNZ supports the scheduling for the following reasons:<sup>4</sup>

*"Heritage New Zealand supports the identification for scheduling of these places in order that inappropriate subdivision, use and development can be avoided, and to enable appropriate use, protection, management and conservation of these places.*

*Heritage New Zealand considers it inappropriate to exclude...the interior of the main Glenholm residence, where the rationale to do so has not been sufficiently identified. These exclusions without appropriate justification, will otherwise impede consideration of the place as a whole, and prevent the potential for reversal of past unsympathetic modifications and the restoration and recovery of heritage values associated with these places."*

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<sup>1</sup> See PC31, proposed additions to Schedule 14.1 Schedule of Historic Heritage – Table 1.  
<sup>2</sup> Submission number 9 by Heritage New Zealand Pouhere Taonga, dated 26 September 2019.  
<sup>3</sup> Ibid at 4.5.  
<sup>4</sup> Ibid at 5.1–5.2.

12. The submission goes on to note that:<sup>5</sup>

*"Similarly in relation to Glenholm, while it is proposed to exclude the interior of the principal residence, the June 2018 Historic Heritage Evaluation nonetheless notes that it is possible that portions of the building's original layout, fabric and features remain, and that the house has been subject to a 'restoration' to convert the building from flats back to a single residence, with a layout, particularly on the ground floor, that is not too dissimilar to its original arrangement."*

13. In summary, the Submitter's position is as follows:

- (a) The proposal to schedule the property is based upon an incomplete evaluation of the property by The Heritage Studio ("the Glenholm Report"),<sup>6</sup> resulting in an inaccurate analysis.
- (b) On a correct evaluation, which in particular considers the extent to which the property has been modified, it does not meet the criteria for scheduling outlined in Policy B5.2.2 of the AUP.
- (c) In any event, even if the exterior of the property warranted scheduling (which the Submitter does not accept), the scheduling should exclude all the following newly added parts of the house: roof, verandahs, conservatory, utility rooms (laundry and pantry/larder), link passageway, first floor terrace and other decks, in addition to the garage, pool and interior of the dwelling, as currently proposed by Council.

14. Having regard to that background, the reasons and basis for the Submitter's position are as follows.

15. **GROUNDINGS FOR FURTHER SUBMISSION**

15.1 The general grounds for the Submitter's further submission are that scheduling of the property as proposed would not represent sound resource management and planning practice or promote the sustainable management purpose and principles from Part 2 of the Resource Management Act 1991 ("RMA"), for the following main reasons:

- (a) Council's proposal to schedule the property is based on an incomplete (and accordingly incorrect) analysis by The Heritage Studio.
- (b) On a correct analysis, scheduling the property:

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<sup>5</sup> Ibid at 5.4.

<sup>6</sup> Historic Heritage Evaluation Glenholm, prepared by The Heritage Studio, June 2018.

- (i) Will not promote the sustainable management of natural and physical resources (section 5 of the RMA);
  - (ii) Is not necessary in order to provide for the protection of historic heritage from inappropriate subdivision, use, and development (section 6(f) of the RMA); and
  - (iii) Will not result in the efficient use and development of natural and physical resources (section 7(b) of the RMA).
- (c) Is not required by and would not be consistent with relevant objectives and policies of the AUP, including (without limitation) Policy B5.2.2.

15.2 Without derogating from the generality of paragraph 15.1 above, the particular grounds of the further submission and basis for the Submitter's position are as follows.

**Incomplete assessment/lack of justification for scheduling the property**

15.3 The Heritage Studio has not undertaken a site visit when preparing its report on Glenholm. In this regard, the Glenholm Report states (at page 4) that:

*"Access onto the property was not made, so descriptions have been based on photographic records, architectural plans and those parts of the building visible at the time of inspection."*

15.4 As a result, the Submitter's position is that the assessment lacks rigour and that many of the assertions in the Glenholm Report are speculative and/or based on incomplete or incorrect information. Consequently, this calls into question the overall accuracy of the proposal to schedule the property.

15.5 Further, the Glenholm Report was prepared without any consultation with the Submitter. Had such consultation occurred, the Submitter would have been able to provide valuable information on the property, particularly in respect of:

- (a) The renovations and modifications to the exterior and interior of the property both historically and in recent times; and
- (b) The fire at the property in 2004 and the consequential damage and resulting repairs. It is noted that this fire is not even mentioned in the Glenholm Report.

15.6 To provide context to the further submission, the following sets out the extent of modifications that have been made to the property and accordingly, the lack of any original structure or layout which now remains.

*Modifications to property structure and exterior*

- 15.7 Of the original core structure of the house, only some of the principal structural elements, such as the frame, floors and roof remain and much of those have been replaced following a fire that occurred during refurbishment works in 2004. At best, it could be said that the property is now a largely modern building that is, to a limited extent, a copy or pastiche of the original.
- 15.8 In particular, the modifications that have been made to the property structure and exterior have included the following:
- (a) The roof of the house and the south façade were badly damaged in the fire and some 60% of the roof structure has been replaced. The original slate covering of the roof has also been replaced at some stage with corrugated iron.
  - (b) The two original decorative chimney stacks have been plastered and painted.
  - (c) The external timber shiplap cladding has been extensively replaced in response to fire damage and the many external alterations undertaken since the early 20th century. This has included installing new or re-located windows and doors, two new conservatory structures, new verandahs, a conservatory, the addition of utility rooms (laundry and pantry/larder), a link passageway, the first floor terrace and removal of the two-storey bay structure on the north façade.
  - (d) The original driveway entered the property approximately where 39 Portland Road now stands, and would have provided some form of grand courtyard adjacent to the north façade. No trace of this original driveway remains. During the refurbishment projects undertaken in the late 20<sup>th</sup> and early 21<sup>st</sup> centuries, a new driveway was constructed to serve the property and the new garage block to the south. At the same time the garden area was re-constructed and re-planted. These alterations remain today.
- 15.9 As a result of the various additions to the exterior of the property, the current footprint of the house is very different to the original 1868 footprint, such that it would be inappropriate to schedule the exterior of the property on the basis that it is an authentic representation of the former estate.

*Modifications to the garden*

- 15.10 The original Glenholm estate was very large and included outbuildings (washhouse, stable, coach house and sheds) and extensive gardens. None of this remains. In subdividing the original estate, the house was left with a relatively small remnant of the original land, none of which reflects the uses of the former estate.

15.11 Consequently, while the Glenholm Report concludes that Glenholm is "*of particular value as one of a small number of extant places closely linked to the establishment of Remuera...*" and assesses it as having considerable historical value locally, the house in its present state bears little resemblance to the original house built in 1868. As such, the present property does not authentically reflect the history of the property or meet the criteria for scheduling on this basis.

15.12 In light of the above, the Submitter considers that:

- (a) The Glenholm Report overstates the historical significance of the property, given the subdivision history and the vast amount of renovation, demolition and repair work that has been carried out on buildings on the property since the original estate was first formed. While the property has been maintained, none of this work has been carried out with the specific aim of ensuring that the original features and layout of the property are accurately maintained.
- (b) It is accordingly inappropriate for the Council to rely on the Glenholm Report as justification for including the property in PC31.

**Lack of justification for scheduling interior, garage and pool**

15.13 As noted, the Council has not sought to schedule the interior, pool or garage of the property by way of PC31. However, HNZ's submission seeks that the scheduling also includes these features.

15.14 The Submitter opposes PC31 as it relates to the property in its entirety, for the reasons outlined above. Notwithstanding that, and should it be considered (contrary to the Submitter's position) that the exterior should be scheduled, the Submitter also considers it would be inappropriate to extend the scope of PC31 to include the interior of the property and the following newly added parts of the residence: roof, verandahs, conservatory, utility rooms (laundry and pantry/larder), link passageway, first floor terrace and other decks in addition to the pool and garage.

15.15 The Submitter's position in this regard is based on the following:

- (a) Historic renovations to the property altering it from a single dwelling to apartments and then back to a single dwelling, have meant that almost all of the interior elements of the house have been replaced. This has involved stripping the house back to its structural frame. Nearly 100% of the internal elements of the house have then been replaced and the room layouts and configurations changed to meet contemporary family dwelling requirements.
- (b) Only the master bedroom, lounge and dining room retain their original locations and proportions. All other rooms bear no resemblance to the original layout of

the house; they have been modified to provide accommodations such as kitchen, study, cloakroom, dressing room and bathrooms.

- (c) The stairway to the first floor is entirely new and, because of the change in layout to the configuration of rooms, is unlikely to be in the same location as the original once was.
- (d) All ceiling and wall linings have been replaced, including roses, cornices and skirtings throughout the entire house. Some of the new ceilings have been constructed at lower heights.
- (e) Most internal and external doors and windows have been replaced, many in different locations and/or in different configurations. For example, the French doors in the dining room, lounge and study.
- (f) All fireplaces have been removed. New fireplaces and chimney pieces have been installed in some rooms while others have been fitted with gas fires. Any other remaining fireplaces have been permanently blocked-up.
- (g) All fixtures and fittings, including sanitaryware, are new, contemporary, items.
- (h) As noted above, as a consequence of the 2004 fire at the property, the entire original slate roof was replaced with corrugated iron.
- (i) The verandahs, conservatory, utility rooms (laundry and pantry/larder), link passageway, first floor terrace and other decks are all new additions undertaken at various times from the 1980s through to approximately 2008.
- (j) The swimming pool was constructed in approximately 1987.
- (k) The garage was constructed during the 1980s.

15.16 In light of the above, the design and materials used for the interior of the building, as well as its current layout, have little or no connection to those that would have originally been used when the property was first constructed.

15.17 The Glenholm Report did not consider whether the interiors should be scheduled and may well have recommended against this, if it had. It is also noted that except in the most compelling cases, interiors are commonly excluded in recognition that modifications and adaptations ensure the survival of places of value.

## 16. **RELIEF AND DECISIONS SOUGHT**

16.1 By way of relief, the Submitter seeks the following decisions from the Council:

- (a) That those parts of HNZ's and RHI's submissions relating to the property be disallowed, such that the property is excluded from PC31;
- (b) In the alternative (and only in the event that the relief in (a) is declined), should the exterior of the property be scheduled in accordance with PC31, this scheduling should exclude the interior, pool and garage as currently proposed, as well as the roof, verandahs, conservatory, utility rooms (laundry and pantry/larder), link passageway, first floor terrace and other decks; and
- (c) Such further, other, or consequential relief as may be necessary to fully give effect to the submission and/or relief sought in this submission be granted.

16.2 The Submitter could not gain an advantage in trade competition as a result of this submission.

16.3 The Submitter wishes to be heard in support of their submission.

**DATED at AUCKLAND** this 8th day of November 2019

Belinda Sue Parkinson and Graham Matthews by their solicitors and duly authorised agents **BERRY SIMONS**



**Helen Andrews**

**Address for service of Submitter:**

Berry Simons  
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**Further Submission on the Proposed Plan Change 31 to the Auckland Unitary Plan,  
Operative in Part**

**Clause 8 of Schedule 1 to the Resource Management Act 1991**

**To:** Auckland Council  
Private Bag 92300  
Auckland

**Submitter:** Aotearoa New Zealand Investments Limited  
(Address for service provided below)

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1. This is a further submission on Proposed Plan Change 31 ('PC 31') to the Auckland Unitary Plan, Operative in Part ('AUPOP').
  2. The submission is made on behalf of Aotearoa New Zealand Investments Limited ('the Submitter').
  3. The Submitter owns the site, legally described as Lot 1 Deposited Plan 131981, Allotment 255 Section 16 Suburbs of Auckland, Allotment 256 Section 16 Suburbs of Auckland, and Part Lot 9 Deposited Plan 3364, which contains the Remuera Post Office and therefore has an interest in the proposed plan greater than the interest that the general public has.
  4. The details of the further submission are set out in Table 1, attached.
  5. The Submitter wishes to be heard in support of this submission.
  6. If others make a similar submission, the Submitter would consider presenting a joint case with them at the hearing.

Dated this 8th day of November 2019

**Aotearoa New Zealand Investments Limited**

By its planner and duly authorised agent, Planning Focus Limited:



Alex van Son  
Planner / Partner

cc Remuera Heritage Inc. c/- Jennifer Hayman via email: [jennifer@haymanconsulting.co.nz](mailto:jennifer@haymanconsulting.co.nz)

**Address for Service:** Aotearoa New Zealand Investments Limited, c/- Planning Focus Limited, PO Box 911-361, Auckland 1142, Attn: Alex van Son ([avs@planningfocus.co.nz](mailto:avs@planningfocus.co.nz))



TABLE 1

Name of original submitter	Address for service	Original Submission Number	Original submission point number/s	Position	Reasons for opposition
Remuera Heritage Inc. c/- Jennifer Hayman	jennifer@hayman consulting.co.nz	10	10.4	Oppose	<p>This submission seeks amendments to the schedule of the former Remuera Post Office to add values b) Social and g) Aesthetic.</p> <p>The heritage values of the building are considered to be adequately captured by values a) Historical, f) Physical attributes and h) Context, as suggested in PC31.</p> <p>The building is not considered to have any particular social value, with respect to symbolic, spiritual, commemorative, traditional or other cultural value that would warrant the inclusion of value b) Social.</p> <p>The building is not considered to be particularly notable or distinctive for its aesthetic, visual, or landmark qualities to the extent that the inclusion of value g) Aesthetic is considered appropriate.</p>

