

Decision following the hearing of Plan Change 81 to the Auckland Unitary Plan under the Resource Management Act 1991



PROPOSAL – Additions to Schedule 14 Historic Heritage Schedule to the Auckland Unitary Plan - Operative in part (AUP-OP)

This plan change is **GRANTED**. The reasons are set out below.

Plan Change number:	81 - Additions to Schedule 14 Historic Heritage Schedule
Hearing commenced:	Tuesday 9 May 2023, 9.30 a.m.
Hearing panel:	Karyn Kurzeja (Chairperson) Dr Stephanie Mead Juliane Chetham Kitt Littlejohn Richard Knott
Appearances:	<p>For Council:</p> <p>Felicity Wach, Legal Megan Patrick, Team Leader Heritage Policy Tania Richmond, Consultant planner David Bade, Heritage specialist Blair Hastings, Heritage specialist Carolyn O’Neil, Heritage specialist Rebecca Freeman, Heritage specialist Megan Walker, Heritage specialist Rebecca Ramsey, Heritage specialist</p> <p>For the Submitters:</p> <p>Parly Assets Limited:</p> <ul style="list-style-type: none"> • James Brown, Land owner and heritage advocate • Dave Pearson, Heritage • Vijay Lala, Planning <p>Andrew Gibson, Mark Palmer and Mutsuko Yamazaki, Julie Smith and Mace Ward</p> <ul style="list-style-type: none"> • Mark Arbuthnot, Planning • Jeremy Whelan, Architecture <p>Herne Bay Residents Association</p> <ul style="list-style-type: none"> • Marian Kohler • Graeme Burgess, Heritage

	<p>The Catholic Dioceses</p> <ul style="list-style-type: none"> • Bianca Tree, Legal • Michael Butler, Catholic Diocese of Auckland • John Brown, Heritage • Michael Campbell, Planning <p>Hearings Advisor: Cate Mitchell</p>
Hearing adjourned	Wednesday 10 May 2023
Hearing Closed:	20 July 2023

INTRODUCTION

1. This decision is made on behalf of the Auckland Council (“the Council”) by Independent Hearing Commissioners Karyn Kurzeja (Chairperson), Dr Stephanie Mead, Juliane Chetham, Kitt Littlejohn and Richard Knott appointed and acting under delegated authority under sections 34 and 34A of the Resource Management Act 1991 (“**the RMA**”).
2. The Commissioners have been given delegated authority by the Council to make a decision on Plan Change 81 (“PC 81”) to the Auckland Council Unitary Plan Operative in Part (“AUP-OP”) after considering all the submissions, the section 32 evaluation, the reports prepared by the officers for the hearing and evidence presented during and after the hearing of submissions.
3. PC 81 is a Council-initiated plan change that has been prepared following the standard RMA Schedule 1 process (that is - the plan change is not the result of an alternative, 'streamlined' or 'collaborative' process as enabled under the RMA).
4. The plan change was publicly notified on 18 August 2022 following a feedback process involving Iwi, as required by Clause 4A of Schedule 1. Notification involved a public notice as well as letters to directly affected landowners and occupiers alerting them to the plan change. The latter step was aimed at ensuring that landowners and occupiers of properties affected by potentially significant changes were made aware of the changes.
5. The submission period closed on the 29 September 2022. A summary of submissions was notified for further submissions on 5 December 2022. A total of 53 submissions (one of which was late) and one further submission was made on the plan change.

SUMMARY OF PLAN CHANGE

6. The proposed plan change was described in detail in the section 42A hearing report. Specifically, the purpose of PC 81 is to:

“recognise the values of 11 historic heritage places (seven individual historic heritage places and four historic heritage areas) by adding them to Schedule 14.1 and the plan maps, thereby making them subject to the provisions of the Historic Heritage Overlay.”

7. PC 81 was one of five plan changes and two variations notified¹ on the 18 August 2022. The following was notified:
 - it adds seven places to Table 1 Places of Schedule 14.1;
 - it adds four areas to Table 2 Areas of Schedule 14.1;
 - it amends Schedule 14.2 to add statements of significance and maps for the four proposed historic heritage areas; and
 - it amends the plan maps to show the extent of place for each place and area.
8. PC 81 does not seek to amend any objectives and policies in the Unitary Plan. Nor does it seek to introduce any new objectives, policies, rules or zoning to the Unitary Plan. The Unitary Plan policy approach and its purpose and function are not changed by PC 81, and this report does not evaluate the unchanged purpose and functions.
9. Section 4 - Background to and Development of the Plan Change and section 5 – Summary of Plan Change 81 have clearly addressed those matters – and we have not repeated them further here.

MAIN ISSUES RAISED BY SUBMISSIONS

10. The main issues or topics raised in the submissions included:
 - Support the plan change (general or no specific place)
 - Oppose the plan change (no specific place)
 - Support a place being added to Schedule 14
 - Oppose a place being added to Schedule 14
 - Amendments to the Extent of Place
 - Addition of other places to Schedule 14
 - Other amendments to Schedule 14
 - Issues considered to be out of scope of PC 81

¹ Plan change 79: Amendments to the transport provisions, Plan change 80: RPS Well-Functioning Urban Environment, Resilience to the Effects of Climate Change and Qualifying Matters, Proposed Plan Change 81: Additions to Schedule 14 Historic Heritage Schedule, Proposed Plan Change 82: Amendments to Schedule 14 Historic Heritage Schedule, Proposed Plan Change 83: Additions and amendments to Schedule 10 Notable Trees Schedule, Variation 4 to PC60: Open Space and Other Rezoning Matters and Variation 5 to PC66 (Private): 57 and 57A Schnapper Rock Road.

LOCAL BOARD VIEWS

11. The section 42A Report provided² the feedback from the Local Boards. We do not repeat the Local Board comments, and to the extent we are able, we have taken them into account in making our decision.

SCOPE – ARE SUBMISSIONS “ON” PC 81

12. Prior to addressing the statutory provisions and the submissions, and our decisions on them, we address the issue of scope. The Council’s position on scope was addressed in its opening legal submissions. We do not fully agree with them, and set out our position on scope below.
13. The issue of the scope of submissions (if they are “on” the plan change) has been well canvassed in legal submissions and evidence before the Hearing Panel, from both the Council and various submitters. While the Council (and submitters) can have a view on scope, it is the Hearing Panel that determines if a submission (or part of a submission) is in scope or not.
14. The legal principles relevant to determining whether a submission is “on” a plan change (in scope) are well-settled. They are not repeated here in any detail³. Very briefly, determining the issue of scope involves addressing the following two questions (also referred to as ‘limbs’):
 - a. Whether the submission addresses the change to the status quo advanced by the plan change; and
 - b. Whether there is a real risk that persons potentially affected by such a change have been denied an effective opportunity to participate in the plan change process.
15. Determining the first question requires an understanding of the status quo affected by the plan change. This must be derived from a review of the relevant section 32 report and the changes actually proposed to the plan. Although local authorities promoting discrete changes to their plans invariably focus on the specific changes proposed, with the objective of limiting the scope of the plan change and thus submissions that are permissible under the first limb, the actual status quo that is being addressed must be determined by reference to the nature and context of the notified change. In the case of each of PC 81, 82 and 83, where the proposed changes are to add, delete or amend line items to, from or within specific AUP schedules, it is those actions undertaken to or within that component of the AUP that set the status quo being changed and the nature of the changes. Submissions seeking relief of a similar kind (add, delete or amend), to the same part of the plan, will be “on” the plan change for the purposes of the first test in the Hearing Panel’s view.

² Section 42A Report at section 10

³ Refer to our PC 78 Interim Guidance on this matter

16. Whether or not the submission relief passes the second limb, involves other 'natural justice' factors. That is, on a case-by-case basis, the potential for a '*submissional sidewind*', i.e., a without notice impact on a third party's rights, may nonetheless render an otherwise fairly and reasonably made submission point unable to be accepted.
17. For the purposes of PC 81, we have considered all but the final submission point listed in Appendix 6⁴ of the section 42A report as 'out-of-scope' as they fail to meet the first limb test set out above. With regards to **submission 52.1** by Devonport Heritage we understand the Council's position with regards to the first limb of *Motor Machinists*, and we consider that despite not addressing one of the 11 historic heritage places (seven individual historic heritage places and four historic heritage areas (HHA)), PC 81 does propose to add heritage places and areas to Schedule 14, and submission 52.1 does seek to add an historic heritage area to schedule 14. We consider that PC 81 is the most appropriate plan change to consider the relief sought in submission 52.1⁵, as PC 81 involves additions to the heritage schedule. However, we do note that Counsel for Devonport Heritage did appear to concede that the *East Harbour* case cited in the Council Submissions may be directly on point.⁶
18. The Panel is of the opinion that submission 52.1 fails the second limb of *Motor Machinists*. There are approximately 50 properties that the Historic Heritage Area (HHA) proposed by Devonport Heritage would apply over. Devonport Heritage did not provide details of any consultation undertaken with any of the landowners, occupiers or other potentially directly affected persons of the proposed HHA. In addition, we note that no further submissions were filed in response to submission 52.1.⁷ As a result, we find that there is a real risk that persons directly affected by the additional changes proposed in submission 52.1 have been denied an effective opportunity to respond and as a consequence, the submission point is not "on" PC 81.

THE HEARING PROCESS AND EVIDENCE

19. The hearing was held on 9th - 10th May 2023.
20. Prior to hearing from submitters, the hearing panel asked clarification questions of the Council's legal counsel and reporting officers. This included the scope issues and why these 11 places were selected for PC 81. We address these matters below under the submission topic headings.

⁴ Amended Attachment 6 was tabled at the hearing by Ms Richmond and added submission 52.1 by Devonport Heritage to the list of submissions that were considered by Council to not be on the plan change.

⁵ When compared to the purpose of 'companion plan changes 78 and 82.

⁶ Memo from Devonport Heritage on Submissions 52.1 Scope, paragraph 31(d) and (e)

⁷ Council's legal submissions on scope issues in relation to Devonport Heritage's submission 52.1, paragraph 15.

21. Four submitters attended the hearing and presented to us. Parly Assets Limited – landowner of the former Auckland Masonic Temple provided evidence seeking their main relief that the building should not be scheduled. Further, in the event it was scheduled, then only the street front elevation to a depth of 6m should be scheduled and the surrounds not be scheduled.
22. Andrew Gibson, Mark Palmer and Mutsuko Yamazaki, Julie Smith and Mace Ward presented a joint case to decline the Jervois Road Streamline Moderne/Art Deco Block HHA, although the focus of their case was to identify their properties as non-contributing within the HHA. Whereas the Herne Bay Residents’ Association and Marian Kohler presented joint evidence which sought to retain these submitters properties within the new historic heritage area.
23. The Catholic Diocese of Auckland provided legal submissions and evidence in relation to two properties; the first involved opposition to the inclusion of St Benedict’s Convent within Schedule 14, and in the event the building was scheduled - a reduced extent of place as well as further exclusions, with the latter involving a reduced extent of their property at 83 Pūhoi Road, as a part of the proposed Pūhoi HHA.
24. Kāinga Ora – Homes and Communities (Kāinga Ora) submitted a Memorandum⁸ stating:

Kāinga Ora wishes to acknowledge the further work carried out by the Council in considering the matters raised in the primary submission of Kāinga Ora. In particular:

(a) Kāinga Ora agrees with the recommendations of the reporting officer in relation to the Proposed Lawry Settlement Workers’ Historic Heritage Area (HHA); and

(b) Kāinga Ora acknowledges that the reporting officer has not accepted the submission points in relation to the Proposed Parkfield Terrace HHA and while Kāinga Ora maintains its position it does not intend to submit evidence on this point.

In light of the above, we can confirm that Kāinga Ora does not intend to submit expert evidence or attend the hearing for PC81.
25. No other submitters tabled or presented evidence to us. In the absence of any evidence or further information, we have largely accepted the recommendations of the expert planners as set out in the section 42A report, which included a section 32AA evaluation. Where we have disagreed with the planners’ view, we have set that out below.

⁸ 21 April 2023

RELEVANT STATUTORY PROVISIONS CONSIDERED

26. The RMA sets out an extensive set of requirements for the formulation of plans and changes to them. We do not need to repeat the contents of the Plan Change Request and the section 32 Assessment Report in any detail, as they were set out in the section 42A report, and we address the merits of those below. We accept the appropriate requirements for the formulation of a plan change have been satisfactorily addressed in the material before us.
27. We also note that the section 32 Evaluation Report, and the section 32AA Evaluation Report prepared by the council planners, clarifies that the analysis of efficiency and effectiveness of the plan change is to be at a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal. Having considered the application and the evidence, we are satisfied that PC 81 has been developed in accordance with the relevant statutory requirements.
28. Clauses 10 and 29 of Schedule 1 require that this decision must include the reasons for accepting or rejecting submissions. We address these matters below, as well as setting out our reasons for accepting or rejecting the submissions. As stated, these are largely those set out in the section 42A report.
29. Section 32AA of the RMA requires a further evaluation for any changes that are proposed to the notified plan change after the section 32 evaluation was carried out⁹. This further evaluation must be undertaken at a level of detail that corresponds to the scale and significance of the changes¹⁰. In our view this decision, which among other things, addresses the modifications we have made to the provisions of PC 81, satisfies our section 32AA obligations.
30. We also note that we must include a further evaluation of any proposed changes to the Plan Change arising from submissions; with that evaluation to be undertaken in accordance with section 32AA of the RMA. With regard to that section, the evidence presented by the Applicant, Submitters and Council Officers, including the section 32AA included by the council's planner (which we adopt), and this report, including the changes we have made, effectively represents that assessment.

OUR DECISIONS/FINDINGS ON THE SUBMISSIONS

Submission and our decisions

31. We address the submissions below – with any amendments to PC 81 addressed as follows (for ease of understanding) the amendments made:

⁹ RMA, section 32AA(1)(a)

¹⁰ RMA, section 32AA(1)(c)

- Changes in the notified PC 81 are shown in ~~strikethrough~~ and underline; and
 - **Pink text changes** show amendments to PC 81 that we have made based upon submissions received and are shown as ~~strikethrough~~ and underline.
32. The amendments to PC 81 are collated and shown in **Attachment A** (Amendments to Schedule 14.1), **Attachment B** (Amendments proposed to Planning maps) and **Attachment C** (Amendments to Statements of Significance).
33. With respect to further submissions, they can only support or oppose an initial submission. Our decision on the further submission points reflects our decisions on those initial submissions having regard, of course, to any relevant new material provided in that further submission. For example, if a further submission supports a submission(s) that opposes the Plan Change and we have determined that the initial submission(s) be rejected, then it follows that the further submission is also rejected.

SUBMISSIONS SUPPORTING PC 81 (GENERAL OR NO SPECIFIC PLACE)

Sub. No.	Name of Submitter	Summary of the Relief Sought	Further Submissions	Planner's Recommendation
12.1	Ronald Philip Tapply	It is important to protect heritage. Further properties need to be protected, indeed character streets.	None	Accept in part
22.2	Herne Bay Residents' Association Incorporated*	Support all of the proposed plan change.	None	Accept in part
29.1	Madeline Gwenyth Banda*	Support the addition of seven individual historic heritage places and four historic heritage areas of Auckland to the historic heritage schedule as proposed.	None	Accept in part
32.1	Peter Michael Dragicevich	The protection of heritage is vitally important to our city.	None	Accept in part
33.1	Ellerslie Residents' Association*	The association fully supports the addition of seven historic heritage places and four historic heritage areas of Auckland to the historic heritage schedule as proposed.	None	Accept in part
39.1	Jodi Clouston*	Support the plan change to recognise the historic heritage values of 11 historic heritage places.	None	Accept in part

Sub. No.	Name of Submitter	Summary of the Relief Sought	Further Submissions	Planner's Recommendation
41.2	Marian Kohler*	Supports all of the proposed plan change.	None	Accept in part
42.1	Glen McCabe*	Support the addition of seven individual historic heritage places and four historic heritage areas of Auckland to the historic heritage schedule as proposed.	None	Accept in part
45.1	Heritage New Zealand Pouhere Taonga*	Strongly supports the proposed additions of the historic heritage places to Schedule 14 of the Auckland Unitary Plan and planning maps, in recognition of their heritage values.	None	Accept in part
47.3	The Coalition for More Homes	Support PC 81 and the seven individual historic heritage places and four historic heritage areas identified by Auckland Council.	None	Accept in part
50.1	Keith Vernon	Amendments proposed by PC 81 are supported.	None	Accept in part

Findings

34. The submissions in the table above support, or support in part the plan change, without referring to a specific historic heritage place or places, or support all the historic heritage places being included in Schedule 14.1 and the plan maps, in recognition of their heritage values.
35. The submissions marked with * in the table above indicate where the submitter has other submission points seeking approval with amendments or submission points relating to a specific place. Submission points relating to a specific place are addressed later in this decision.
36. Submitters generally noted the importance of protecting heritage places as being important to the City, including the addition of more heritage places to Schedule 14.1.
37. Where a place has been evaluated and found to meet the AUP eligibility criteria to be identified in Schedule 14.1, we consider this to be the most appropriate way of managing the heritage place.

Decisions on submissions

38. **Submissions 12.1, 22.2, 29.1, 32.1, 33.1, 39.1, 41.2, 42.1, 45.1, 47.4 and 50.1**, which generally support PC 81, **are accepted in part**, subject to other submissions seeking specific amendments to specific historic heritage places in PC 81.

SUBMISSIONS OPPOSING PC 81 (GENERAL OR NO SPECIFIC PLACE)

Sub. No.	Name of Submitter	Summary of the Relief Sought	Further Submissions	Planner's Recommendation
11.1	Kirsty	Historic homes should not be able to be demolished and replaced with units etc.	None	Reject
37.1	Geoffrey John Beresford	Withdraw the plan change / significant adverse effects on the environment in terms of ... (ii) loss of heritage/character.	None	Reject

Findings

39. The submissions in the table above oppose PC 81 as notified. Neither of these submissions seek any further or additional decisions or amendments.
40. **Submission 11.1** (Kirsty) opposes the provisions of PC 81 and seeks to have PC 81 declined as the submitter considers we need to preserve and respect Auckland's history.
41. **Submission 37.1** (Geoffrey John Beresford) seeks that the plan change be withdrawn (declined), without referring to a specific heritage place. It is a generic submission that has been made to this plan change as well as plan changes 78, 79, 80, 82 and 83. One of the general reasons given is that the changes will generate significant adverse effects on the environment in terms of several matters, including 'loss of heritage/character'. The submission seeks specific changes to PC 80 but not to PC 81.
42. While the submitter's views are acknowledged, it is not considered appropriate that PC 81 is withdrawn. PC 81 (subject to recommended amendments) is appropriate as it seeks to add historic heritage places to Schedule 14.1 and the plan maps, in recognition of their heritage values so that they are appropriately managed.

Decision on submissions

43. That **submissions 11.1 and 37.1** are **rejected**.

SUBMISSIONS FROM HERITAGE NEW ZEALAND POUHERE TAONGA (NOT RELATING TO A SPECIFIC PLACE)

Sub. No.	Name of Submitter	Summary of the Relief Sought	Further Submissions	Planner's Recommendation
45.4	Heritage New Zealand Pouhere Taonga	That the plan change be approved with modifications as necessary to ensure any exclusions proposed will not impede the ability to consider the place as a whole, and/or prevent the potential for reversal of past unsympathetic modifications and the restoration and recovery of identified heritage values associated with these places.	None	Accept in part
45.5	Heritage New Zealand Pouhere Taonga	That where items added to the Schedule of Historic Heritage that are also on the Heritage New Zealand List/Rārangi Kōrero Heritage NZ would seek that the listing number be included as information on the schedule for ease of identification and direction to users of the plan.	None	Reject

Findings

Exclusions and approach to interiors

44. The table above summarises submissions received on PC 81 from Heritage New Zealand Pouhere Taonga (**Heritage NZ**) where the submission does not relate to a specific historic heritage place and/or is not included in another section in this report.
45. Where a Heritage NZ submission point relates to a specific historic heritage place, these are discussed in the following separate sections in this decision.
46. **Submission 45.4** seeks the plan change be approved, subject to the modifications necessary to ensure any exclusions proposed will not impede the ability to consider the (historic heritage) place as a whole and/or prevent the potential for reversal of past unsympathetic modifications and the restoration and recovery of identified heritage values associated with these places.
47. **Submission 45.4** does not request any specific amendments or relief although paragraph 5.2 of the submission notes that in accordance with good heritage practice, and as acknowledged in the Section 32 Report, it is Heritage NZ'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. Heritage NZ accept that modifications have been made to some of the original fabric and features over time, but 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.

48. We note that the AUP directs the identification of features that do not contribute to or may detract from the values for which the historic heritage place has been scheduled.¹¹ We consider this provides for an appropriate management regime, particularly where there is no need to require an application for resource consent to manage effects on the heritage values of the place. Almost all places included in PC 81 have exclusions listed in Schedule 14.1 for the reasons detailed in the evaluations and the Section 32 Report.
49. 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 Methodology also provides guidance on excluding/including parts of an interior of a building:
- “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 circumstances.”*
50. PC 81 proposes to exclude the majority of interiors of buildings. Only two historic heritage places have part of the interior of the primary feature not listed as an exclusion:
- i. In the case of Ceramic House (former), the interior is proposed to be scheduled, but recent modifications have been excluded. These exclusions are readily identified and have been assessed as having no historic heritage value.
 - ii. In the case of St Benedict’s Convent (former) the interior of the first floor of the convent building is recommended to be scheduled, but the entire laundry building (built in 1962) and the interior of the second floor of the convent building have been excluded.
51. We agree with Ms Richmond that interiors should not be scheduled if it cannot be established that they would meet the AUP eligibility criteria. This requires a recent visual inspection of the interiors of the heritage place, or in exceptional circumstances, recent evidence provided by others may be accepted. This could include photographs, building consent drawings, heritage impact assessments or conservation plans. This evidence must be recent as the interiors of the places proposed to be included in PC 81 can be modified without resource consent. We note that no such evidence has been provided by Heritage NZ.

¹¹ AUP, B5.2.2 (5) and Chapter D17.1 Background

Heritage NZ List/ Rārangī Kōrero

52. **Submission 45.5** seeks the plan change be amended to identify in Schedule 14.1 where a historic heritage place is also on the Heritage NZ List/ Rārangī Kōrero (**the List**).
53. The List identifies New Zealand's significant and valued historical and cultural heritage places. Heritage NZ is required to continue and maintain the list, which is the same as the register established under section 22 of the Historic Places Act 1993.
54. We agree with Ms Richmond that including the Heritage NZ listing number as information in Schedule 14.1 may assist plan users to identify places that are also listed with Heritage NZ. However, the Panel does not consider it is appropriate for the following reasons:
- amendments to include new places in the List would require amendments to the AUP to ensure Schedule 14.1 is up to date;
 - the List is a different tool than Schedule 14.1; it is governed by different legislation (the Heritage New Zealand Pouhere Taonga Act 2014) and places managed under that Act and the AUP are not subject to the same rules;
 - information about places within the List is available online via Heritage NZ's website via a searchable format; and
 - advisory text is included in the AUP Chapter D17 and in the introduction to Schedule 14.1 to inform plan users that scheduled historic heritage places may also be included in the List.
55. We consider it is not necessary to add to this information by including Heritage NZ List numbers in Schedule 14.1.

Decision on submissions

56. That **submission 45.4** is accepted in part and **45.5** is rejected.

SUBMISSIONS FROM KĀINGA ORA (SUPPORT IN PART)

Sub. No.	Name of Submitter	Summary of the Relief Sought	Further Submissions	Planner's Recommendation
46.1	Kāinga Ora	Kainga Ora supports PC 81 in part and seeks amendments as set out in subsequent submission points.	None	Accept in part

57. **Submission 46.1** from Kāinga Ora – Homes & Communities (Kāinga Ora) supports in part PC 81, subject to the amendments as set out in subsequent

submission points **46.2 and 46.3**. Submission points **46.2** (Lawry Settlement Workers' Housing HHA) and 46.3 (Parkfield Terrace HHA) are addressed under each of the relevant subheadings later in this decision.

58. **Submission 46.1** from Kāinga Ora supports the plan change, notably the process of identification and scheduling of historic heritage places where a thorough evidence-based assessment has been undertaken and concludes that identified heritage values hold considerable or outstanding historical significance, such that protection is warranted in accordance with Section 6(f) of the RMA.
59. Ms Richmond confirmed¹² that the historic heritage places proposed to be included in Schedule 14.1 were assessed using the Methodology, which provided a basis for a thorough evidence-based assessment.
60. We note that the Council has made amendments in response to submissions to ensure that identified heritage values of the places included in PC 81 are of considerable or outstanding historical significance, such that protection is warranted in accordance with the RPS and Section 6(f) of the RMA. This includes one of the two places that Kāinga Ora seeks be deleted from the plan change. **Submission 46.1** is therefore accepted in part.

SUBMISSIONS ON ID 02842 HARTSHOLME

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
9.1	Cameron Betts	The history and upkeep of this building means it is greatly appropriate and important to give it historic protected status.	None	Accept
17.1	Donna Scofield	I would like this house to be heritage protected, to lose it in the future would be detrimental to the area and a huge loss.	None	Accept
31.1	Mount Albert Historical Society	8 Allendale Road, Mt Albert makes a significant contribution to Mt Albert.	None	Accept

61. PC 81 seeks to include Hartsholme at 8 Allendale Road, Mount Albert in Schedule 14.1. The plan change, as notified, proposed to add the following information to Schedule 14.1 for the place:

- Hartsholme is identified as a Category B place,

¹² Section 32 report, section 14.3, page 20

- the primary feature is identified as 'Residence',
- the heritage values are (a) historical, (f) physical attributes and (g) aesthetic, and
- the following exclusions are identified: 'Interior of building(s); swimming pool'.

62. The extent of place is proposed as shown below.



Historic Heritage Overlay Extent of Place for Hartsholme, shown by purple cross-hatching

Findings

63. Notably, this property was nominated for evaluation by the landowner.
64. Three submissions set out in the table above supported the addition of Hartsholme to the Unitary Plan historic heritage schedule. The reasons given in the submissions included:
- The history and upkeep of this building means it is greatly appropriate and important to give it protected historic status.
 - Any loss of this house in the future would be detrimental to the area and a huge loss.

- 8 Allendale Road makes a significant contribution to Mount Albert.

Decision on submissions

65. That **submissions 9.1, 17.1 and 31.1** are accepted.

SUBMISSIONS ON ID 02843 ST BENEDICTS CONVENT (FORMER)

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
23.1	Simon Nicolaas Peter Onneweer	These places and areas have high heritage values. Their importance to the local and wider community makes their addition to Schedule 14 essential.	None	Accept
38.1	Catholic Diocese of Auckland	Delete proposed inclusion of 2 St Benedicts Street as a historic heritage place.	None	Reject

66. PC 81 seeks to include St Benedict's Convent (former) at 2 St Benedicts Street, Newton in Schedule 14.1. The plan change, as notified, proposes to add the following information to Schedule 14.1 for the place:

- the former convent is identified as a Category B place,
- the primary feature is identified as 'Convent building',
- the heritage values are (a) historical, (b) social, (f) physical attributes and (g) aesthetic, and
- the following exclusions are identified: 'Laundry building (1962); interior of the second floor of the convent building'.

67. The extent of place is proposed as shown below:



Historic Heritage Overlay Extent of Place for St Benedict's Convent (former), shown by purple cross-hatching

Findings

68. Mr Onneweer has made a submission on five places (**submission 23**). Each historic heritage place has been coded as a separate submission point. The reason for supporting the inclusion of the places and areas in Schedule 14.1 is the same. Mr Onneweer considers these places and areas have high heritage value, as set out in the Plan Change documents. He also considers their importance to the local and wider community makes their addition to Schedule 14.1 Historic Heritage essential.
69. The evaluation prepared of St Benedict's Convent (former) by Carolyn O'Neil, heritage expert for the Council established that it meets the thresholds in the AUP for scheduling as a historic heritage place and that the place should be included in Schedule 14.1 as a Category B place. The submission by Heritage NZ also notes this is one of three places¹³ proposed to be included in Schedule 14.1 that are identified on the New Zealand Heritage List/Rārangī Kōrero as part of the listed Upper Symonds Street Historic Area # 7367.

¹³ The three places are 2, 24 and 29 St Benedict's Street, Newton.

70. **Submission 38.1** is from the landowner, the Catholic Diocese of Auckland. In opening legal submissions, Ms Bianca Tree stated that insufficient comparative analysis had been undertaken in accordance with the Council's Methodology, which guides the process of evaluating the significance of historic heritage places against the AUP criteria¹⁴. It was on that basis that Mr John Brown, Heritage Consultant for the Diocese could not support the listing for Historical, Context and Physical attributes without this assessment.¹⁵
71. Further, that in the event the Panel determines the property should be scheduled, that certain changes to the listing are made¹⁶:
- (i) that the Extent of Place (**EOP**) be reduced to exclude the rear yard;
 - (ii) the 2009 balcony, the 1927 rear covered balcony, and additions and fire escape on the southern elevation, be excluded; and
 - (iii) the interior be excluded in its entirety.
72. Ms Tree submitted that controls on Category B places impose significant restrictions and obligations on owners of historic heritage places. She noted that although 2 St Benedicts Street has already been subject to controls under the SCAB Upper Symonds Street overlay, the proposed scheduling under PC 81 will place significantly more onerous controls and restrictions on the Diocese¹⁷. On that basis, it is important that the EOP is appropriately defined, and that exclusions are listed, as these can materially impact on the use of a site.¹⁸ She advocated that in the event the Panel considers the place be included in the heritage schedule, that it is only listed for its Aesthetic value (as supported by Mr Brown) and that the interior be listed as an exclusion.
73. We note that Mr Brown supports that the EOP be reduced to exclude the rear of the site as well as the other exterior additions, such as the first floor enclosed (c.1927) verandah at the rear, the northern (2009) verandah, and the fire escape on the western elevation. He was also of the opinion that only specific features of the ground floor interior should be scheduled.
74. We agree with Mr Michael Campbell, planner for the Diocese that one of the best outcomes for a historic heritage building that is no longer used for its original purpose is facilitating an adaptive re-use. We note that this is supported in RPS Objective B5.2.1 and Policy B5.2.2.
75. We find that the EOP and listed exclusions in PC 81 will have a material impact on the ability for the Diocese to find a viable adaptive re-use for the building.

¹⁴ Ms Tree's legal submissions, paragraph 29

¹⁵ Ibid, paragraph 58

¹⁶ Ibid, paragraph 4

¹⁷ Ibid, paragraph 47

¹⁸ Ibid, paragraph 44

76. We prefer the evidence of Mr Brown which considers that the EOP proposed is not necessary to reflect the values for which the building has been recognised, and he supports reducing the EOP at the rear of the building.¹⁹ Mr Brown is of the opinion that the immediate surrounds and the street frontage, provides a sufficient extent of place to reflect the identified values associated with 2 St Benedicts Street²⁰. These include the entire subject building (primary feature) and its garden setting, including entrance steps, metal gate and rendered brick boundary wall (other features)²¹. The area to the east could be reduced so that it is closer to the rear of the building without then generating an adverse effect on identified heritage values. In oral evidence he confirmed that the EOP should be in line with the end of the laundry building shown²² as that is the area that is “relevant to an understanding of the function, meaning and relationships of the historic heritage values” in accordance with Policy B5.2.2(2)(b) of the RPS.²³
77. In respect of the exterior exclusions, both heritage experts agreed that the single-storey building, built as a laundry and storeroom (c.1962) and located at the south-eastern corner of the primary feature, should be identified as an exclusion. Although designed by a well-known architect of the period, the modest structure replaced an earlier laundry building on the site and was not considered to contribute to the identified historic heritage values of the place.²⁴
78. In addition to the above, Mr Brown has identified three exterior additions which he considers detract from or are not strongly reflective of, the historic heritage values for which the place has been identified and should also be excluded. These are the upper-level enclosed verandah on the east elevation, the fire escape / balcony on the southern elevation, and the 2009 verandah on the northern elevation.²⁵
79. In terms of these additional exterior features, Ms O’Neil maintained her earlier view and referred us back to her original evaluation²⁶ which concluded that only a small number of recorded physical changes were made to the convent over subsequent years. We prefer the evidence of Ms O’Neil with respect to these exterior exclusions.
80. Mr Brown has also stated that it may be appropriate to identify specific interior features only to provide for some opportunity for adaptation to maintain viable use of a place over time. Specifically, he considered it appropriate to add the interior as an exclusion provided the following interior features are scheduled:

¹⁹ Mr Brown expert evidence,

²⁰ Plan.Heritage – Heritage Submissions Appraisal, page 22

²¹ Ms O’Neil’s evaluation, page 14

²² This was confirmed in a revised planning map provided by the Diocese at the request of the Panel – Amended Appendix C Map

²³ Legal submission, paragraph 68

²⁴ Ms O’Neil’s evaluation, page 15

²⁵ Mr Brown’s expert evidence, paragraph 3.12

²⁶ Ms O’Neil’s Rebuttal evidence, paragraph 20

- a. 1906 Building 'Back-to-back' Fireplace on the ground floor in northernmost bays.
 - b. Primary stairwell 1906 building.
 - c. 1918 extension - Chapel Window with stained glass 'Cross and lily motif'.
 - d. Volume of Chapel apse, arch pilasters, and plaster ceiling.
 - e. Priest's door to robing room, with confession grill.'
81. Mr Butler of the Diocese considers that the specific interior features identified by Mr Brown will be restrictive for maintenance or potential future uses of the building.³⁴ He also advised us that significant maintenance and seismic works are required to the interior of the building, and that the interior may not be publicly accessible in a future use.³⁵
82. We observed that Ms O'Neil has not had access to the first floor of the building and was therefore not able to consider whether the interior of the first floor should also be scheduled.
83. We note that upon the Panel seeking further clarification from the Council officers on this matter, Ms Richmond was of the opinion that in the case of interiors, it should either be "all or nothing". During our site visit to this proposed heritage place, we were able to gain access to the first floor and view the entire interior of this building. Throughout our viewing it was apparent that there was little difference to the quality of the interiors between the ground and the first floor levels.
84. We find ourselves in agreement with Ms Richmond, Mr Butler, Mr Campbell and Ms Tree. It seemed illogical to the Panel to schedule only the ground floor interior when Mr Butler has advised us that the entire interior will require significant maintenance and upgrading to find a viable adaptive re-use. We find that excluding the interior would give effect to Objective B5.2.1(2) and Policies B5.2.2(6) and (9) of the RPS. As addressed in Mr Campbell's s32AA analysis, the exclusion of the interior will assist in enabling an adaptive reuse to protect the building itself.

Decisions on submissions

85. That **submission 23.1** be accepted and **submission 38.1** be accepted in part.
86. That ID 02843 St Benedict's Convent (former) is scheduled for heritage criteria A (historical), F (physical attributes), G (aesthetic) and H (context).
87. That an amendment is required to the historic heritage schedule listed 'Exclusions' to include the entire interior of the convent building as an exclusion, alongside the 1962 laundry building.

88. That a reduction be made to the Extent of Place shown on the planning maps, to be in line with the end of the laundry building, as shown on Amended Appendix C Map.

SUBMISSIONS ON ID 02844 AUCKLAND MASONIC TEMPLE (FORMER)

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
23.2	Simon Nicolaas Peter Onneweer	These places and areas have high heritage values. Their importance to the local and wider community makes their addition to Schedule 14 essential.	None	Accept
49.1	Parly Assets Limited	The building at 24 St Benedicts Street should not be scheduled.	None	Reject
49.2	Parly Assets Limited	If the building at 24 St Benedicts Street is included [in the historic heritage schedule] then only the street front elevation to a depth of 6m is scheduled and the surrounds are not scheduled.	None	Reject
49.3	Parly Assets Limited	If the building at 24 St Benedicts Street is included [in the historic heritage schedule] then the interior is not scheduled.	None	Accept
49.4	Parly Assets Limited	If the building at 24 St Benedicts Street is included [in the historic heritage schedule] then the remainder of the site (outside the 6m frontage) is subject to a height limit of 32.5m, consistent with other sites in the vicinity and with the NPS UD as the site is within a walkable catchment of the City Centre and rail stations.	None	This is outside the scope of PC 81. ²⁷

89. PC 81 seeks to include the former Auckland Masonic Temple at 24 St Benedicts Street, Newton in Schedule 14.1. The plan change, as notified, proposes to add the following information to Schedule 14.1 for the place:

- the former temple is identified as a Category B place,
- the primary feature is identified as 'Building',
- the heritage values are (a) historical, (b) social, (f) physical attributes and (g) aesthetic, and

²⁷ Submission point 49.4 is referenced in the table only to confirm that point is recorded. This submission point is included in Appendix 8 of the Council Hearing Report as an out of scope submission. Under PC78, this matter is recorded as submission point 1551.3.

- the following exclusions are identified: 'Interior of building(s)'.

90. The extent of place is proposed as shown below:



Historic Heritage Overlay Extent of Place for Auckland Masonic Temple (former), shown by purple cross-hatching

Findings

91. **Submission 23.2** by Simon Nicolaas Peter Onneweer is a general submission relating to five places including two areas located within the inner city (submission 23). This has been discussed earlier in this decision at paragraph 68. We also note that the submission from Heritage NZ notes the Auckland Masonic Temple (former) is on the New Zealand Heritage List/Rārangi Kōrero as part of the listed Upper Symonds Street Historic Area # 7367.
92. **Submission 49** is from the landowner, Parly Assets Limited. Submission 49.1 opposes the scheduling of the building at 24 St Benedicts Street in its entirety. Mr James Brown who is the owner of the building and Director of Parly Assets Limited advised the Panel that while he accepted parts of the existing building may meet the (f) physical attributes and (g) aesthetic heritage criteria set out in Policy B5.2.2(1), he did not consider that the building suitably meets the threshold test for scheduling for (a) historical and (b) social, and consequently he concluded the

building does not satisfy B5.2.2(3)(b). In his opinion, Freemasonry does not reflect values that should be supported, recognised or protected in today's society.²⁸

93. Mr Brown further noted the significant renovations made to the ground floor and combined with the Freemasons selling the building without any protective covenant, suggests to him that the building held very little value or association with them.²⁹
94. Mr Brown observed that the building is on a fringe city property and that by adding the property to Schedule 14.1, the future development potential of the property is greatly reduced and will result in a significant economic cost to Parly Assets Limited.
95. Mr Blair Hastings, who was the author of the evaluation recommending the Auckland Masonic Temple (former) be included in Schedule 14.1 has reviewed the two evaluations attached to the submission, one being from Mr James Brown the owner of the building, the other from Mr David Pearson, Heritage Architect. The evaluations attached to the submission dispute in whole or in part that the Auckland Masonic Temple (former) meets the threshold tests for scheduling under B5.2.2.2.
96. In response to Mr Brown's view that the place's historical and social heritage values do not meet the threshold of 'considerable', Mr Hastings maintains his opinion that the place has considerable historical and social value, noting that freemasonry represented an important and not insignificant movement in New Zealand during and after the interwar years. Mr Hastings also notes that whether the Freemasons were used by a particular group or represent the values of a particular group (i.e. men) is not an exclusion indicator in the Methodology. Further, matters relating to the building no longer being in use by the Freemasons do not alter the values of the place.
97. Mr Pearson has undertaken a heritage review of the building's physical attributes and its aesthetic values. It was his opinion that the building has considerable value under the criteria of physical attributes and aesthetic values and is therefore worthy of being scheduled as a Category B building, although not necessarily the entire building.³⁰
98. In his evaluation, Mr Pearson considered that the front façade had considerable significance that made a fundamental contribution to the overall significance of the place. He assessed the two side elevations as having moderate significance (making a notable contribution to the overall significance), while the rear elevation in his view has only some significance and makes only a modest contribution.

²⁸ Mr James Brown's Evidence-in -chief, paragraph 4.2

²⁹ Ibid, paragraph 4.6

³⁰ David Pearson's Summary of Evidence, paragraph 12.

99. It was Mr Pearson's opinion that the front six metres of the building could be retained, with the remainder being demolished without resulting in a significant loss of heritage values. He noted that there would then be the opportunity for the site to be redeveloped to realise its potential while incorporating the remainder of the building into a new development as has happened with other heritage buildings in the Auckland CBD.
100. We note that Mr Vijay Lala, Planner agrees with Mr Pearson that the front 6m of the western façade could meet the considerable significance threshold with respect to criteria (f) physical attributes and (g) aesthetic. However, he considers that the second arm of this Policy (B5.2.2(3)(b)) is not met as that protection of the front 6m of the street facing facade of this building will not in his view result in a place that can be assessed as having considerable significance to the locality or greater geographic area as there is nothing intrinsically linking Freemasonry with this locality other than the fact that they chose to build a temple here and occupy it. He noted they have since relocated elsewhere.³¹
101. It was also Mr Lala's view that the costs of scheduling this place outweigh the benefits. He opined that scheduling the building will effectively prevent further development of the site, regardless of the Council's view that the non-scheduled part of the site can be developed.
102. With respect to this alternative relief being sought, including only the street front elevation to a depth of 6m being scheduled, (along with the surrounds not being scheduled), Mr Hastings identified that the entire building is collectively important to the physical and aesthetic values of the place. He considers the approach proposed is not consistent with the current Methodology. Further, Ms Richmond notes in the Hearing Report that the examples referenced to by Mr Pearson of where only the facades, or the front section of buildings are scheduled, pre-date the place-based approach to assessing historic heritage in the RPS.³²
103. We agree with the evidence of Mr Hastings and find the entire building is important to the physical attributes and aesthetic values of the place. We agree with Mr Pearson, Mr Lala and Mr Hastings that the building meets the considerable significance threshold with respect to Policy B5.2.2(3)(a), in relation to criteria (f) physical attributes and (g) aesthetic. We also agree with Mr Hastings that the building meets the considerable significance threshold of (a) historical and (b) social for the reasons set out in paragraph 96 above.
104. With respect to Policy B5.2.2(3)(b) which requires "*the place has considerable or outstanding overall significance to the locality or greater geographic area*", we prefer the evidence of Mr Hastings for the reasons he set out in the Statement of Significance in his evaluation report, which concludes that this building:

³¹ Mr Lala's evidence in chief, paragraph 4.2

³² Hearing Report, paragraph 17.11

“has considerable historical significance locally and regionally, through its long-standing association with the New Zealand Freemasons. For 78 years it hosted regular local, provincial (or regional), and national gatherings, meetings, and ceremonies for the members of the organisation. Its membership in New Zealand expanded rapidly through and after the difficult Depression and inter-war years, and the members, and the organisation alike, likely had influence in the post-war rebuilding of the nation. Although in decline today, the Masonic organisation is still highly active across the country, as a generally well-known, and far-reaching, charitable fraternity....

The building has considerable significance for its aesthetic value, as it remains a conspicuous, intact, and generally legible, landmark feature along St Benedicts Street. It is an undeniably impressive structure with considerable streetscape value. The symmetrical, ordered, and geometric design of the façade, with its robust columns and fine plasterwork provides an attractive composition sought and admired by the pedestrian and motorist alike.”³³

105. We also note that the s32 report stated:

“The historic heritage places and areas proposed to be included in PC81 have 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 (Policy B5.2.2.(3)).”³⁴

106. Notably, the extent of place (referred to as ‘surrounds’ in the submission) is tightly limited to the building and the footpath rather than the entire site. Further, the interior is listed as an exclusion, and this is not proposed to be amended (in response to the Heritage NZ submission point 45.4.) The Panel has determined that no amendments are required to the proposed schedule for either of these matters.

107. Lastly, with respect to Submission 49.4 and the request that the height limit for the site is 32.5m outside the 6m frontage, this is considered outside the scope of PC 81.

Decisions on submissions

108. That **submission 23.2** be accepted, **submissions 49.1** and **49.2** be **rejected** and **submission 49.3** be **accepted**.

³³ PC 81 – Attachment G Evaluation 24 St Benedicts Street, page 14

³⁴ PC 81 – Section 32 Report, page 26

109. That ID 02844 Auckland Masonic Temple (former) is scheduled for heritage criteria A (historical), B (social), F (physical attributes), G (aesthetic).
110. That following exclusions are identified in the schedule: 'Interior of building'.

SUBMISSIONS ON ID 02845 D ARKELL BOTTLING STORE (FORMER)

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
23.3	Simon Nicolaas Peter Onneweer	These places and areas have high heritage values. Their importance to the local and wider community makes their addition to Schedule 14.1 essential.	None	Accept
45.3	Heritage New Zealand Pouhere Taonga	Heritage New Zealand considers the rarity of the D Arkell Bottling Store as a place type in a regional (and possibly wider context), merits its consideration for a higher status than Category B.	None	Reject in part

111. PC 81 seeks to include the D Arkell Bottling Store (former) at 29 St Benedicts Street, Newton in Schedule 14.1. The plan change, as notified, proposed to add the following information to Schedule 14.1 for the place:
- the former bottling store is identified as a Category B place,
 - the primary feature is identified as 'Building',
 - the heritage values are (a) historical and (f) physical attributes, and
 - the following exclusions are identified: 'Interior of building(s)'.
112. The extent of place is proposed as shown below.



Historic Heritage Overlay Extent of Place for D Arkell Bottling Store (former), shown by purple cross-hatching

Findings

113. Submission 23.2 by Simon Nicolaas Peter Onneweer is a general submission relating to five places including two areas located within the inner city (**Submission 23**). This has been discussed earlier in this decision at paragraph 68.
114. Submission 45.3 by Heritage NZ seeks consideration of whether the D Arkell Bottling Store (former) be included in Schedule 14.1 as a Category A place. Category A places are defined in the RPS as historic heritage places of outstanding significance well beyond their immediate environs.³⁵
115. Heritage NZ consider the historical value of the D Arkell Bottling Store (former) is outstanding due to it reflecting significant developments in the 1870's and 1880's, as well as being part of a relatively well-preserved and rare surviving precinct of this era on the city's urban fringe. In this regard, reference is made to its inclusion in the Upper Symonds Street Historic Area, List No.7367. The submission also

³⁵ RPS Policy B5.2.2 (4)

questions why the physical value is only ‘considerable’ when it is an intact and rare surviving example of a brewery associated building in Auckland.

116. Ms Megan Walker, Heritage expert for the Council considered the points raised in the Heritage NZ submission and maintained her view that the place has considerable local and regional historical value and should be identified as a Category B place, but is not of sufficient significance to be identified as a Category A place. It was Ms Walker’s assessment that Daniel Arkell was an important participant in the development of the brewing industry in Auckland, but she does not consider that Mr Arkell was a ‘major figure’ that would elevate his association with this building to ‘outstanding’. Further, Ms Walker’s opinion is that rarity does not automatically impart significance, noting there are other places on the heritage schedule that are rare building types, but are not identified as Category A places.
117. We note that Ms Walker did agree that greater significance should be afforded to the historical urban environment, and subsequently recommended that this criterion be elevated from ‘moderate’ to ‘considerable’, thereby requiring an amendment to Schedule 14.1 as notified.
118. We further note that Ms Walker maintains that the physical value of the building is considerable, but as a good and rare surviving example of notable architects R Keals and Sons it warrants being elevated to local and regional significance under the criterion (rather than just local as identified in her original report). This does not require an amendment to Schedule 14.1, nor do Ms Walker’s views elevate the significance of this place to a Category A.
119. We had no competing evidence on the matter and we agree with Ms Walker.

Decision on submissions

120. We find that **submission 23.3** be **accepted** and **submission 45.3** be **rejected in part**. **Submission 45.3** is **rejected** to the extent that the category status remains unchanged but accepted to the extent that criterion (h) context is elevated to considerable and thereby recognised in Schedule 14.1. This amendment to PC 81 is shown in **Attachment B**.

SUBMISSIONS ON ID 02846 MACKENZIE’S BUILDINGS

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner’s Recommendation
7.1	Yariv Ederly	The historic area proposal for 114-118 Main Highway makes sense as these are original Ellerslie village buildings that should be preserved.	None	Accept

121. PC 81 seeks to include the Mackenzie's Buildings at 114-118 Main Highway, Ellerslie in Schedule 14.1. The plan change, as notified, proposed to add the following information to Schedule 14.1 for the place:

- Mackenzie's Buildings is identified as a Category B place,
- the primary feature is identified as 'Mackenzie's Buildings',
- the heritage values are (a) historical, (f) physical attributes and (g) aesthetic, and
- the following exclusions are identified: 'Interior of building(s)'.

122. The extent of place is proposed as shown below:



Historic Heritage Overlay Extent of Place for Mackenzie's Buildings, shown by purple cross-hatching

Findings

123. The content of this submission accords with the evaluation that the Mackenzie's Buildings at 114-118 Main Highway meets the threshold for scheduling as a Category B place. We note that the submitter seeks PC 81 be declined but the

submission refers to opposing only specific provisions. The opposition to the plan change is understood to be in relation to submission point 7.2 regarding the Lawry Settlement Workers' Housing HHA. This is discussed in paragraph 158 of this decision.

124. As a consequence, the inclusion of ID 02846 Mackenzie's Buildings in Schedule 14.1 is not a specific matter in dispute.

Decision on Submissions

125. That **submission 7.1** is accepted.

SUBMISSIONS ON ID 02847 CERAMIC HOUSE (FORMER)

126. PC 81 seeks to include Ceramic House (former) at 3 Totara Avenue, New Lynn in Schedule 14.1. The plan change, as notified, proposed to add the following information to Schedule 14.1 for the place:

- Ceramic House (former) is identified as a Category A place,
- the primary feature is identified as 'Ceramic House',
- the heritage values are (a) historical, (b) social, (d) knowledge, (e) technology, (f) physical attributes, (g) aesthetic and (h) context, and
- the following exclusions are identified: 'External ground floor deck and steps to the building; ground floor toilet and kitchen'.

127. The extent of place is proposed as shown below:



Historic Heritage Overlay Extent of Place for Ceramic House (former), shown by purple cross-hatching

Findings

128. The Panel notes that no submissions were received that relate specifically to Ceramic House (former).
129. The inclusion of ID 02847 Ceramic House (in Schedule 14.1) is therefore not a specific matter in dispute and we find that Ceramic House (former) should be included in the heritage schedule.

SUBMISSIONS ON ID 02848 WILSONS PORTLAND CEMENT COMPANY DAM

130. PC 81 seeks to include Wilsons Portland Cement Company Dam at Sandspit Road, Warkworth in Schedule 14.1. The plan change, as notified, proposed to add the following information to Schedule 14.1 for the place:
 - the dam is identified as a Category B place,
 - the primary feature is identified as 'Dam structure, including outlet valve',
 - the heritage values are (f) physical attributes and (h) context, and
 - the place is identified as being subject to additional rules for archaeological sites or features.

131. The extent of place is proposed as shown below:



Historic Heritage Overlay Extent of Place for Wilsons Portland Cement Company Dam, shown by purple cross-hatching

Findings

132. The Panel notes that no submissions were received that relate specifically to Wilsons Portland Cement Company Dam.
133. The inclusion of ID 02848 Wilsons Portland Cement Company Dam in Schedule 14.1 is therefore not a specific matter in dispute and we find that the Wilsons Portland Cement Company Dam should be included in the heritage schedule.

SUBMISSIONS ON ID 02849 PŪHOI TOWNSHIP HISTORIC HERITAGE AREA

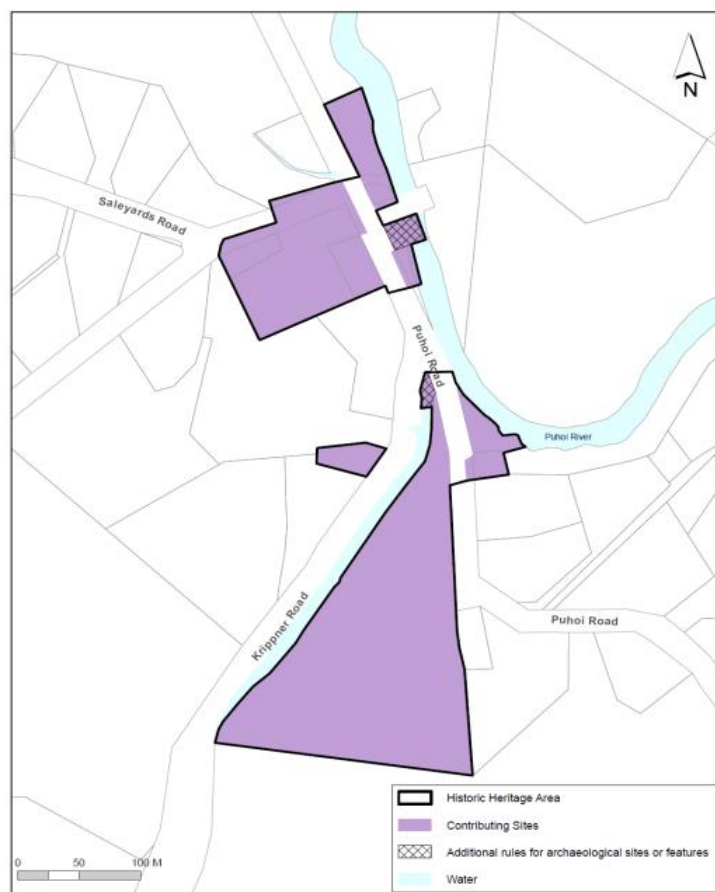
Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
20.1	Puhoi Heritage Museum	Support historic heritage area being added to Schedule 14.1.	None	Accept
38.2	Catholic Diocese of Auckland	Delete the proposed inclusion of 83 Puhoi Ahuroa Road, Puhoi as a Historic Heritage Area.	None	Reject
53.1	The Puhoi Pub 2020 Limited	The removal of the Special Character Areas Overlay from the maps as they relate to Puhoi (and specifically 5 Saleyards Road and Lot 5 DP 23398) are supported due to the inclusion of the Puhoi Township Historic Heritage Area in Schedule 14.1 (via Plan Change 81), which is a more appropriate planning approach for historic Puhoi and avoids two cumbersome overlays of similar controls.	None	Accept

134. PC 81 seeks to include Pūhoi Township Historic Heritage Area in Pūhoi in Schedule 14.1 (**Pūhoi HHA**). The plan change, as notified, proposes to add the following information to Schedule 14.1 for the area:

- the heritage values are (a) historical, (b) social, (d) knowledge, (e) technology, (f) physical attributes, (g) aesthetic and (h) context;
- the following features are identified as exclusions 'Interiors of all buildings contained within the extent of place unless otherwise identified in another scheduled historic heritage place; all stand-alone structures and buildings built after 1939; modern rear and side additions to the general store at 109 Pūhoi Road; the modern southeast corner addition to the convent school at 83 Pūhoi Road'; and
- apply additional archaeological rules to two defined locations within the HHA.

135. We note there are no non-contributing sites and features identified for the Pūhoi HHA.

136. The plan change also seeks to add information to Schedule 14.2 Historic Heritage Areas – Maps and statements of significance. The extent of place proposed is shown on the planning maps and in Schedule 14.2, as shown below (not to scale).



Historic Heritage Overlay Extent of Place Pūhoi Township Historic Heritage Area

Findings

137. **Submissions 20.1** and **53.1** seek that PC 81 be accepted without modification as it relates to the Pūhoi HHA. Submission 53.1 is from the landowner of 5 Saleyards Road, Pūhoi, being the Pūhoi Pub Hotel and Stables.
138. Dr David Bade has evaluated the Pūhoi HHA and has found it to meet the AUP eligibility criteria to be identified in Schedule 14.1, and this is considered the most appropriate way of managing the heritage place. We note that Council has confirmed that as notified under PC 78, the Special Character Areas Overlay Residential and Business - General Pūhoi is proposed to be removed in its entirety.
139. Submission 38.2 is from the landowner of 83 Pūhoi Road, Pūhoi, the Catholic Diocese of Auckland. The Diocese opposes the inclusion of 83 Pūhoi Road in the HHA for the same reasons as for 2 St Benedict's Street, Newton, with the addition of also opposing the additional archaeological rules that apply to specific parts of the Pūhoi HHA. We note that the decision sought also includes reference to 'Ahuroa' Road. We note that this is outside the Pūhoi HHA, so we have assumed this additional reference is an error.

140. Dr Bade identifies in the evaluation report that the entire spatial extent of the property at 83 Pūhoi Road is already subject to the Historic Heritage Overlay as a Category B place (ID 00593 Church of St Peter and St Paul complex, including church, convent, and presbytery). Notably, the historic heritage area boundary aligns with the extent of place for this historic heritage place.
141. Dr Bade notes the church complex is a highly important part of the area. He therefore does not support the submission point to remove the property from the historic heritage area.
142. Mr John Brown, agrees in general with the identification of the Pūhoi Township as an HHA based on the evaluation documentation.³⁶ However he considers that the application of the existing Extent of Place is arbitrarily based on the current land title and that there was no apparent consideration of whether structures or areas within the spatial extent of the legal title have particular relevance to the identified heritage values of the place.³⁷
143. Mr Brown has proposed a more discrete, non-contiguous application of the Extent of Place for the Historic Place listing ID 593, which identifies the area around each of the scheduled buildings that is in his opinion integral to the function, meaning and relationships of the place. While he acknowledged the areas to be excluded provide a contribution to the setting and context, he advised they are not so essential in his view to the understanding of the place that they need to be statutorily managed through application of the historic heritage overlay.³⁸
144. Further changes are proposed by Mr Brown to the non-contiguous Extent of Place for Historic Heritage Place ID 593, and he has identified several items onsite that are modern in origin and in his opinion do not have any specific heritage value and therefore may be defined either as exclusions or non-contributing features to enable more flexible management of the site in the future.³⁹
145. The corporate evidence of Mr Michael Butler advised that the Diocese is supportive of the amendments proposed by Mr Brown because the reduction in the extent of heritage controls across the site will provide more certainty and flexibility to the Diocese in its ongoing management and maintenance of the heritage buildings, while being able to use the site for the work of the Diocese.⁴⁰
146. It was Mr Campbell's opinion that the changes proposed by Mr Brown would amount to an appropriate balance between providing regulatory certainty as well as development flexibility while ensuring that the key components that contribute the identified heritage values are identified and protected.⁴¹

³⁶ Evidence in Chief of John Brown, paragraph 5.1

³⁷ Ibid, paragraphs 5.4 and 5.5

³⁸ Ibid, paragraphs 5.9 and 5.12

³⁹ Ibid, paragraphs 5.17 and 7.2

⁴⁰ Evidence in Chief of Michael Butler, paragraph 58

⁴¹ Evidence in Chief of Michael Campbell, paragraph 8.4

147. In rebuttal, Dr Bade advised the Panel of some proposed amendments to Schedule 14.2. The first amendment was to correct an omission to attribute the design of the convent school (1922) and convent (1923) to Thomas Mahoney in the statement of significance for the proposed Pūhoi HHA. The second proposed amendment involved Revising Map 14.2.18.1 Historic Heritage Area: Pūhoi Township to specifically label the two areas subject to the additional rules for archaeological sites or features, in response to Mr Campbell's evidence. The Panel agrees with Dr Bade that these amendments are administrative matters that are appropriate to be made for completeness and clarity.
148. A third amendment was proposed in response to Mr Brown's evidence which recommends specific features (shown in yellow lines and boxes) be identified as non-contributing features or exclusions. The subject plan included two features not currently identified as non-contributing features. Dr Bade agreed with Mr Brown and now seeks additional text for the modern rear carports of the former Presbytery and former Convent (83 Pūhoi Road) to also be included as exclusions.⁴²
149. Turning to the main matter in contention, Ms Wach for the Council submitted that any request by the Diocese to reduce the extent of the existing scheduled property was a jurisdictional issue and was beyond the scope of PC 81. It was Council's position that as the entire property at 83 Pūhoi Road is already subject to the Historic Heritage Overlay as a Category B place (ID 00593 Church of St Peter and St Paul complex, including church, convent, and presbytery), the historic heritage area boundary should align with the extent of place for this historic heritage place. Ms Wach submitted that any reduction in the extent of place should instead be dealt with through PC 82 – Amendments to the Heritage Schedule. Ms Wach confirmed Ms Richmond's earlier advice to us that if the Diocese's relief was to be accepted it would set up two different management regimes for the land which could cause confusion for plan users.
150. It was confirmed by Ms Tree in her submissions to the Panel that the Diocese now accepts that the property can form a part of the Pūhoi HHA. Further, during questioning from the Panel she advised that no submissions were made by the Diocese on PC 82 with regards to reducing the extent of place on this property. She further submitted that given no changes were proposed to this site within PC 82 that this matter was better addressed in PC 81 where the Pūhoi HHA is proposed to be introduced. It was Ms Tree's proposition that a reduction in the extent of place of both the scheduled heritage place, as well as a reduction in the extent of place of the Pūhoi HHA should be combined together.
151. We find that a reduction of the extent of place of the heritage place itself cannot be achieved through PC 81 given its purpose, and we note this outcome was not within the scope of the relief sought in the submission made by the Diocese. Consequently, we agree with Ms Wach that a reduction in the extent of place of this proposed Pūhoi HHA would be inconsistent with the existing extent of place for

⁴² Dr Bade's Rebuttal Evidence, paragraph 10

this individually scheduled property and we find that it would not be the most appropriate outcome to have these two sets of planning provisions at odds with each other. Further, based on the evidence of Dr Bade we agree that the entire title area of the church property contributes to the heritage values of the Pūhoi HHA and that no reduction in the extent of place is warranted.

Decision on Submissions

152. That submissions **20.1 and 53.1** be accepted and submission **38.2** be rejected.
153. We find that the administrative amendments to Schedule 14.2 map and text proposed for clarity (Attachment 3 to the Hearings Report) are acceptable.
154. That additional text for the modern rear carports of the former Presbytery and former Convent (83 Pūhoi Road) are also to be included as exclusions.

SUBMISSIONS ON ID 02850 LAWRY SETTLEMENT WORKERS' HOUSING HISTORIC HERITAGE AREA

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
2.1	Kristen Spooner	Support area being added to Schedule 14.	None	Reject
7.2	Yariv Edery	Oppose area being added to Schedule 14.	None	Accept
13.1	John C Moffat	Support area being added to Schedule 14.	None	Reject
15.1	Christopher and Jenna Edwards	Support area being added to Schedule 14.	None	Reject
16.1	Stuart Ray	Support area being added to Schedule 14.	None	Reject
18.1	Hyun Jin Hong	Oppose place being added to Schedule 14. There is no historic heritage value of our place [1A Cawley Street] and the street.	None	Accept
19.1	Jan Ray	Support area being added to Schedule 14.	None	Reject
25.1	Mahnaz Afsari	Support area being added to Schedule 14.	None	Reject
26.1	Andre Bourgeois	Support place being added to Schedule 14.	None	Reject
28.1	Braden Longdell	Support area being added to Schedule 14.	None	Reject
29.1	Madeline Gwentyth Banda	Support area being added to Schedule 14.	None	Reject
30.1	Martin Jeremy Boys	Support area being added to Schedule 14.	None	Reject
33.2	Ellerslie Residents' Association	Support area being added to Schedule 14.	None	Reject
34.1	Anita Naran	Support area being added to Schedule 14.	None	Reject
35.1	Gabriella de Souza and Phillip de Souza	Support area being added to Schedule 14.	None	Reject
39.1	Jodi Clouston	Support area being added to Schedule 14.	None	Reject
44.2	David Allan Rogers	Support area being added to Schedule 14.	None	Reject

46.2	Kāinga Ora – Homes and Communities	Delete the proposed Lawry Settlement Historic Heritage Area and associated provisions. Properties holding particular historic heritage significance be individually scheduled.	None	Accept in part
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155. PC 81 sought to include the Lawry Settlement Workers' Housing Historic Heritage Area in Ellerslie in Schedule 14.1 (Lawry HHA). The plan change, as notified, proposed to add the following information to Schedule 14.1 for the area:

- the heritage values are (a) historical, (f) physical attributes and (h) context;
- the following features are identified as exclusions 'Interiors of all buildings contained within the extent of place unless otherwise identified in another scheduled historic heritage place; stand-alone accessory buildings, structures or garages built after 1923; a carpark at 7 Ramsgate Street; stand-alone dwellings to the rear or side of a building constructed prior to 1923 on a cross-leased contributing site';
- apply additional archaeological rules to two defined locations within the HHA; and
- the contributing and non-contributing sites and features.

156. The plan change also seeks to add information to Schedule 14.2 Historic Heritage Areas – Maps and statements of significance. The extent of place proposed is shown on the planning maps and in Schedule 14.2, as shown below (not to scale).



Historic Heritage Overlay Extent of Place for the Lawry Settlement Workers' Housing Historic Heritage Area

Findings

157. A number of the submissions that supported the area being added to Schedule 14 (**Submissions 2.1, 13.1, 15.1, 16.1, 19.1, 25.1, 26.1, 28.1, 29.1, 30.1, 33.2, 34.1, 35.1, 39.1, 44.2**) are from landowners/occupiers within the proposed Lawry HHA and the Ellerslie Residents' Association. The number of submissions in support from landowners reflect a strong level of community recognition of the heritage value of their area. Submissions in support also express a desire to protect and maintain historic heritage within Ellerslie. Other submissions also support scheduling the Lawry HHA as the remaining dwellings represent important political and social ideas in New Zealand and have considerable value as part of a wider cultural and thematic context of state housing across Auckland and New Zealand. Some submissions are concerned that the proposed Lawry HHA is needed given the quickly growing and developing area.
158. There was also some opposition to the inclusion of the Lawry HHA within Schedule 14. **Submission 7.2** is from Yariv Edery, the owner of 29A Findlay Street. Mr Edery expresses the need to provide high-density areas that will help many families to reside in areas that are close to important amenities and community centres. The submitter identifies that most of the land in the Lawry HHA is zoned

for a 'Two Storey Single Dwelling' option (Residential - Low Density Zone). The submitter opposes the proposed change to a "Historic Heritage Extent of Place" zone because the NPS UD proposed change to "Two Storey Single Dwelling Residential Area" makes sense for a reasonable increase in density and is reflective of the historic and current status quo in Findlay, Ramsgate and Hewson Streets.

159. **Submission 18.1** is from Hyun Jin Hong. This submission is specific to his property at 1A Cawley Street. Mr Hong considers his property should be excluded from the HHA as it was built in the 1960's.
160. **Submission 46.2** is from Kāinga Ora. This submission noted that the Lawry HHA incorporates a high proportion of buildings and/or places which are 'non-contributing'. Kāinga Ora therefore considered that further evaluation of the Lawry HHA is needed to confirm whether particular individual buildings and/or places meet the threshold for historic heritage protection and seeks that these be individually scheduled where supported by robust evidence. Kāinga Ora also note that the Lawry HHA as proposed would inappropriately constrain development within a walkable catchment of the Eilerslie Train Station (identified as a rapid transport stop).
161. In response to a request from Ms Richmond for comment on the submissions received on the proposed Lawry HHA, Mr Blair Hastings prepared a memo in March 2023, subsequent to the original evaluation for this area which was undertaken by Ms Elise Caddigan. In his analysis, Mr Hastings agrees with the initial evaluation that the Lawry HHA has historical, physical attributes and context heritage values. However, Mr Hastings' advised that the level of significance identified in the original evaluation did not reflect the quantum of subdivision and development within the area that has been so negatively impactful on these (otherwise proven) values⁴³. The analysis of Mr Hastings is that 38 out of 60 (or 63%) of all sites within the area do not contribute to the heritage value of the Lawry HHA.⁴⁴
162. As a result, Mr Hastings formed the opinion that the Lawry Settlement Workers' Housing Area does not meet the criteria and thresholds for scheduling as a Historic Heritage Area. The reasons he gave for his opinion relate to the cumulative 'quantum of change' that has occurred, which is reflected in the quantum of non-contributing sites within the area which he considers is too degrading of the heritage values for the area to meet the threshold for scheduling as a historic heritage area.⁴⁵
163. Ms Richmond relied on the advice of Mr Hastings and recommended that the Lawry HHA not be included in Schedules 14.1 and 14.2 as it would undermine the

⁴³ Hearings Report, Hastings Memo dated 20 March 2023, Attachment 8, paragraph 10

⁴⁴ Ibid, paragraph 12(e)

⁴⁵ Ibid, paragraph 14

integrity of the AUP. To be eligible for inclusion in Schedule 14.1 historic heritage, places must meet the thresholds and criteria outlined in the RPS⁴⁶.

164. Counsel for Kāinga Ora – Ms Jennifer Caldwell tabled a memorandum dated 21 April 2023 which stated that Kāinga Ora wishes to acknowledge the further work carried out by the Council in considering the matters raised in the primary submission of Kāinga Ora. She noted in particular that Kāinga Ora agrees with the recommendations of the reporting officer in relation to the proposed Lawry Settlement Workers' Historic Heritage Area; and in light of the above, Kāinga Ora would not be submitting expert evidence or attending the hearing for PC 81.⁴⁷
165. We agree with Ms Richmond and Mr Hastings for the reasons set out in Mr Hastings' memo, including those reasons highlighted above and further discussed in the Hearings Report. We note that this addresses **submission 18.1**, as well as in part, the concerns raised in **submissions 7.2** and **46.2**. We have also taken into account the memorandum from Counsel for Kāinga Ora.
166. The Panel acknowledges that there were a number of submitters that supported the Lawry HHA be included in Schedules 14.1 and 14.2 however we note that none of those submitters provided evidence in support of their submissions, despite the Council's change of position in the Hearings Report recommendations. We agree with Mr Hastings that the extent of subdivision, new dwellings and changes to original dwellings has irreversibly reduced the heritage values of the area to a point where justifying scheduling is no longer possible.

Decision on Submissions

167. That **submissions 7.2** and **18.1** are **accepted** and **submission 46.2** is **accepted in part** to the extent that the Lawry HHA is not included in Schedule 14.1 and Schedule 14.2.
168. Accepting the above submissions requires striking through the inclusion of the Lawry HHA in all parts of PC 81. This is shown in **Attachment A, Attachment B** and **Attachment C**.
169. That the following submissions are **rejected** as the proposed Lawry HHA does not meet the criteria and thresholds for scheduling as a Historic Heritage Area due to extent of subdivision and development within the area: **2.1, 13.1, 15.1, 16.1, 19.1, 25.1, 26.1, 28.1, 29.1, 30.1, 33.2, 34.1, 35.1, 39.1 and 44.2**.

⁴⁶ Policy B5.2.2(3)

⁴⁷ Memorandum of Counsel for Kāinga Ora, dated 21 April 2023

SUBMISSIONS ON ID 02851 PARKFIELD TERRACE HISTORIC HERITAGE AREA

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
8.1	Wan Chien Company Ltd	Oppose area being added to Schedule 14.	None	Reject
40.1	Sandra-Li Shorley Donaldson	Oppose area being added to Schedule 14. Oppose 17 Parkfield Terrace being included in an historic heritage area.	None	Reject
46.3	Kāinga Ora – Homes and Communities	Delete the proposed Parkfield Terrace Historic Heritage Area and associated provisions.	None	Reject

170. PC 81 seeks to include Parkfield Terrace Historic Heritage Area in Grafton in Schedule 14.1 (Parkfield HHA). The plan change, as notified, proposes to add the following information to Schedule 14.1 for the area:

- the heritage values are (a) historical, (f) physical attributes and (h) context;
- the following features are identified as exclusions 'Interiors of all buildings contained within the extent of place unless otherwise identified in another scheduled historic heritage place; stand-alone accessory buildings built after 1940'; and
- the contributing and non-contributing sites and features.

171. The plan change, as notified, also seeks to add information to Schedule 14.2 Historic Heritage Areas – Maps and statements of significance. The extent of place proposed is shown on the planning maps and in Schedule 14.2, as shown below (not to scale).



Historic Heritage Overlay Extent of Place for Parkfield Terrace Historic Heritage Area

Findings

172. **Submission 8.1** is from Wan Chien Company Ltd, the owner of 12 Parkfield Terrace. The submitter seeks deletion of the Parkfield HHA because the submitter considers the houses on this street to be of no historical significance. The submitter believes the area lacks value because the houses are workmen's cottages, are of poor quality and require upgrading, and are similar to other cottages elsewhere in the city.
173. **Submission 40.1** is from Sandra-Li Shorley Donaldson, one of the owners of 17 Parkfield Terrace. Ms Donaldson does not support the inclusion of Parkfield HHA in PC 81. Ms Donaldson considers that due to the location within a walkable catchment, high density development should be enabled. The submitter considers that higher density housing should be allowed as Parkfield Terrace is within a "double grammar zone". Ms Donaldson also considers this is not a destination street that the public visit. Having lived in Parkfield Terrace for over 20 years, Ms Donaldson loves the location and considers that lots of people should have the

opportunity to live here. Ms Donaldson does not wish to be forced to own a "historic heritage" zoned home and would not have purchased in this location if the HHA applied at the time of purchase.

174. **Submission 46.3** is from Kāinga Ora, and opposes the inclusion of Parkfield HHA in Schedule 14.1. Like the Lawry HHA above, Kāinga Ora considers that the Parkfield HHA which is also located within a walkable catchment represents wide-reaching, blanket heritage overlays which is not proportionate to the actual heritage values within the area. Kāinga Ora are also of the view that deletion of Parkfield HHA is necessary to ensure that Kāinga Ora can carry out its statutory obligations and to fulfil its urban development functions as required under the Kāinga Ora–Homes and Communities Act 2019, despite Council's records indicating Kāinga Ora do not own land within the proposed Parkfield HHA.
175. Other reasons provided in the Kāinga Ora submission given for opposing Parkfield HHA include:
- Insufficient evidence has been supplied by the Council to warrant historic heritage protection.
 - The proposed scheduling unnecessarily conflates section 6 and section 7 matters of the RMA (inappropriately conflates the concepts of historic heritage and special character/amenity).
176. Ms Rebecca Freeman, the author of the evaluation recommending the Parkfield HHA be included in Schedule 14.1 reviewed the above submissions received. With regards to **Submission 8.1**, Ms Freeman agrees that the buildings in the street were constructed as workmen's cottages, but this does not preclude them from having heritage significance. She notes that heritage values are not limited to grand buildings associated with important people. The way average workers lived plays a significant role in our understanding of the development of Auckland as both a place and as a society⁴⁸.
177. Ms Freeman also agrees that while the cottages may be similar to others in Auckland, consistent intact groupings of these types of cottages in such close proximity to the city, are not common. Part of the significance of Parkfield Terrace is its location in Grafton, much of which was demolished to make way for the motorway. She notes that the values associated with these houses in this area cannot be transferred elsewhere.⁴⁹
178. It is Ms Freeman's view that there is no evidence the houses were constructed poorly or of substandard materials. The timber houses may require upgrading, as most/all houses will over time, but inclusion in Schedule 14 does not prevent this. Ms Freeman also notes the interiors of individual houses are not included in the scheduling and can be modified without resource consent.⁵⁰

⁴⁸ Hearings Report, Freeman's Memo dated 27 February 2023, Attachment 8, paragraphs 9 and 10.

⁴⁹ Ibid, paragraph 11

⁵⁰ Ibid, paragraph 13

179. Turing to **submission 40.1**, the Panel acknowledges that the Parkfield HHA is within the walkable catchments of City Centre, Newmarket Metropolitan Centre and Grafton Train Station, however, the Section 32 Report sets out the land subject to the Historic Heritage Overlay represents an extremely small proportion of Auckland's total land area; less than 2.4% of land area and less than 1% of parcels⁵¹. We further note that with the proposed removal of the Lawry HHA, the land included in PC 81 represents an insignificant increase to the area of land subject to the Historic Heritage Overlay.
180. Further, we note that Ms Richmond has acknowledged that because of the size of each site, the location of the buildings on the site and their typology, it would not be possible to achieve the level of intensity envisaged for residential development within the walkable catchment under the NPS UD without demolition and amalgamation of multiple sites. Ms Richmond went on to note that this is not unique to many inner city suburbs, even those not subject to qualifying matters⁵².
181. It was also Ms Richmond's opinion that while the special character area overlay is not historic heritage under Part 2 of the RMA, the existing AUP provisions and those proposed under PC 78, do not enable the higher density of development that Ms Donaldson considers should apply to Parkfield Terrace.⁵³ We agree with Ms Richmond.
182. In her memorandum, Ms Freeman responded to the comment from this submitter regarding Parkfield Terrace not being a destination street that is visited by the public. Ms Freeman referred to the AUP criteria for evaluating historic heritage places and areas, and noted that none of these directly relate to how well-visited or well-known a place is. Ms Freeman highlighted that most of the places and areas in Schedule 14.1 are privately owned and may not even be visible from the public realm, let alone considered a destination. She considers this does not preclude or reduce their historic heritage value, because historic heritage values are intrinsic to a place or area irrespective of how many people know about them or seek them out.⁵⁴
183. With regards to **submission 46.3**, Counsel for Kāinga Ora – Ms Jennifer Caldwell tabled a memorandum dated 21 April 2023 which stated that Kāinga Ora wishes to acknowledge the further work carried out by the Council in considering the matters raised in the primary submission of Kāinga Ora. In particular, Kāinga Ora acknowledged that the reporting officer has not accepted the submission points in relation to the Proposed Parkfield Terrace HHA and while Kāinga Ora maintained its position, Counsel advised Kāinga Ora did not intend to submit evidence on this point, nor would it be attending the PC 81 hearing.⁵⁵

⁵¹ PC78, Section 32 – Historic Heritage Overlay, page 18

⁵² Hearings Report, paragraph 24.15

⁵³ Ibid, paragraph 24.26

⁵⁴ Hearings Report, Freeman's Memo dated 27 February 2023, Attachment 8, paragraphs 16 - 17

⁵⁵ Memorandum of Counsel for Kāinga Ora, dated 21 April 2023

184. We are satisfied with Ms Freeman’s evaluation that Parkfield Terrace has sufficient value to meet the criteria and thresholds for a historic heritage area, as demonstrated in the evaluation dated May 2022, which identifies considerable historical, physical attributes and context values⁵⁶. We further note that no information has been provided by Kāinga Ora to dispute that Parkfield HHA meets the threshold for inclusion in Schedule 14.1 as a historic heritage area.
185. Ms Richmond has provided a comprehensive planning response to the submission points raised by Kāinga Ora in relation to the Parkfield Terrace HHA, setting out why in her opinion the Parkfield Terrace HHA should be included in Schedule 14.1 and 14.2⁵⁷. We agree with her.
186. Of particular note, Ms Richmond identified that the Section 32 Report acknowledges that Parkfield HHA is within a walkable catchment, where Policy 3 of the NPD UD directs intensification. The NPS UD provides that to achieve well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future⁵⁸ may require modification of intensification within walkable catchments for a matter of national importance that decision-makers are required to recognise and provide for under section 6 of the RMA⁵⁹.
187. Further, with the removal of the Lawry HHA, Parkfield HHA is the only remaining HHA within a walkable catchment proposed in PC 81. With only 22 individual sites within Parkfield HHA, we are satisfied that this represents an insignificant increase in the entire land or number of parcels within walkable catchments.

Decision on Submissions

188. That **submissions 8.1, 40.1 and 46.3** are rejected.

SUBMISSIONS ON ID 02852 JERVOIS ROAD STREAMLINE MODERNE/ART DECO BLOCK HISTORIC HERITAGE AREA

⁵⁶ Hearings Report, Freeman’s Memo dated 27 February 2023, Attachment 8, paragraph 20

⁵⁷ Hearings Report, paragraph 24.21

⁵⁸ NPS UD, objective 1

⁵⁹ NPD UD, 32(1)(a)

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
4.1	Jason Kelly	Oppose area being added to Schedule 14. Do not make our building [189 Jervois Road] heritage.	FS01 Herne Bay Residents' Association Incorporated	Reject
5.1	Eoin Fehsenfeld	Oppose area being added to Schedule 14. Do not place our building [189 Jervois Road] on the historic register.	FS01 Herne Bay Residents' Association Incorporated	Reject
10.1	John Potter	Remove the property at 6/189 Jervois Road from the plan change.	FS01 Herne Bay Residents' Association Incorporated	Reject
14.1	Suzanne Helen Wallace	For protection of asset and the surrounding area, support 2/12/179 Jervois Road, Herne Bay being added to the Schedule.		Accept
21.1	Toby Blizard	Support area being added to Schedule 14.		Accept
22.2	Herne Bay Residents' Association Incorporated	Approve plan change with a minor amendment to the extent of place.		Accept in part
22.3	Herne Bay Residents' Association Incorporated	Strongly supports the specific provisions relating to the scheduling of the Jervois Road Streamline Moderne/Art Deco Block Historic Heritage Area.		Accept in part
22.4	Herne Bay Residents' Association Incorporated	Amend the extent of place of the Jervois Road Streamline Moderne/Art Deco Block Historic Heritage Area, so that it extends to the kerb in accordance with the recommendations made by Burgess Treep and Knight in their evaluation.		Accept in part
27.1	Mark Matthews	Support area being added to Schedule 14.		Accept in part
41.1	Marian Kohler	Approve the plan change with a minor amendment to the proposed extent of place.		Accept in part
41.2	Marian Kohler	Supports the plan change		Accept in part
41.3	Marian Kohler	Strongly supports the specific provisions relating to the scheduling of the Jervois Road Streamline Moderne/Art Deco Block Historic Heritage Area.		Accept in part

41.4	Marian Kohler	Amend the extent of place of the Jervois Road Streamline Moderne/Art Deco Block Historic Heritage Area, so that it extends to the kerb in accordance with the recommendations made by Burgess Treep and Knight in their evaluation.		Accept in part
43.1	Sarah Margaret Murray	Oppose my apartment at 189 Jervois Road being added to the historic heritage schedule.	FS01 Herne Bay Residents' Association Incorporated	Reject
48.1	Andrew Gibson, Mark Palmer, Mutsuko Yamazaki, Julie Smith and Mace Ward	Reject the Jervois Road Streamline Moderne/Art Deco Block Historic Heritage Area.	FS01 Herne Bay Residents' Association Incorporated	Reject
48.2	Andrew Gibson, Mark Palmer, Mutsuko Yamazaki, Julie Smith and Mace Ward	Amend the proposal to remove the properties at 183 Jervois Road, 2/183 Jervois Road, 185/1 Jervois Road and 185/2 Jervois Road, Herne Bay from the historic heritage area.	FS01 Herne Bay Residents' Association Incorporated	Accept
48.3	Andrew Gibson, Mark Palmer, Mutsuko Yamazaki, Julie Smith and Mace Ward	Amend the plan change so that the overlay description recognises the development potential of the Residential - Townhouse and Apartment Building zone and does not place unduly onerous, unnecessary and/or inappropriate constraints on the future development of 183 Jervois Road, 2/183 Jervois Road, 185/1 Jervois Road and 185/2 Jervois Road, Herne Bay.	FS01 Herne Bay Residents' Association Incorporated	Reject

189. PC 81 seeks to include the Jervois Road Streamline Moderne/Art Deco Block Historic Heritage Area in Herne Bay in Schedule 14.1 (Jervois HHA). The plan change, as notified, proposes to add the following information to Schedule 14.1 for the area:

- the heritage values are (a) historical, (f) physical attributes, (g) aesthetic and (h) context;
- the following features are identified as exclusions 'Interior of building(s); stand-alone accessory buildings or garages built after 1945'; and
- the contributing and non-contributing sites and features.

190. The plan change, as notified, also seeks to add information to Schedule 14.2 Historic Heritage Areas – Maps and statements of significance. The extent of place proposed is shown on the planning maps and in Schedule 14.2, as shown below (not to scale).



*Historic Heritage Overlay Extent of Place for Jervois Road Streamline Moderne/Art Deco Block
Historic Heritage Area*

Findings

191. The Herne Bay Residents' Association Incorporated (HBRAI) commissioned Burgess, Treep and Knight Architects to evaluate the group of historic interwar buildings located at 175 – 189 Jervois Road and 2 Salisbury Street, Herne Bay, against the criteria for historic heritage in the AUP. The evaluation formed the basis for HBRAI nominating a historic heritage area for protection.
192. The evaluation was prepared generally following the Council Methodology and by persons recognised as experts in this field. The Council therefore elected to undertake a peer review rather than duplicate an evaluation. The peer review was undertaken by Dr David Bade who had minor differences in opinion with Burgess, Treep and Knight Architects however, overall he agreed that the Jervois Road Streamline Moderne/Art Deco Block place meets the criteria and thresholds for scheduling as a historic heritage area and should be included in PC 81.

193. **Submissions 22.2, 22.3 and 22.4** from HBRAI support their nomination. HBRAI refer to the Council concluding the threshold has been met in all cases and Council determined that scheduling is the best result. HBRAI point out the evaluations and assessments collectively show the Jervois HHA has unique, significant, and inherent values of historic heritage, physical attributes, architectural coherence and cohesion, and aesthetic, character defining, contextual and landmark values and qualities. HBRAI consider that individually, the subject buildings also exhibit most of these values.
194. Mr Hastings carried out a review of the submissions on behalf of Council and agreed with the conclusions of both the evaluation and the peer review, insofar as they relate to the collective value of the contributing buildings within the area. Mr Hastings considered the historical, physical attributes, aesthetic and context heritage values have each been determined to be ‘considerable’, with each value proven to have at least local geographic contextual importance⁶⁰.
195. Where Mr Hastings disagrees with the evaluation, peer review and some of the submitters is the inclusion of the negative or detracting impact of the two non-contributing sites on the collective values of the HHA as a whole⁶¹.
196. Mr Hastings is of the opinion that within such a small area, the collective presence of the three buildings at 183 and 185 Jervois Road, currently included as two non-contributing sites, is so physically and visually disruptive of the aforementioned proven values of the HHA, that the contiguous area proposed would not meet the threshold for scheduling. His specific reasons were:
- a. *They are a significant a percentage of the overall built grouping;*
 - b. *They are located so centrally within what is a ‘straight run’ of buildings;*
and
 - c. *They are so typologically different to the ‘other’ seven buildings within the area.*⁶²
197. As a result, Mr Hastings proposed an amendment to the HHA to exclude the two sites at 183 and 185 Jervois Road. He concluded the remaining seven sites and buildings should form the modified HHA, as a non-contiguous grouping.⁶³ Notably, it was Mr Hastings’s opinion that these heritage values are so existent and proven, that they will remain, notwithstanding the impact of any change adjacent, on any of the modified HHA’s boundaries.⁶⁴
198. Relying on the views of Mr Hastings, it was Ms Richmond’s opinion that submissions seeking the removal of these properties from the HHA must be

⁶⁰ Hearings Report, Hastings Memo dated 31 March 2023, Attachment 8, paragraph 10

⁶¹ Ibid, paragraph 11

⁶² Ibid, paragraph 12

⁶³ Ibid, paragraph 13

⁶⁴ Ibid, paragraph 18

accepted as it is necessary to meet the criteria and thresholds for scheduling a Historic Heritage Area.⁶⁵

199. **Submissions 22.2 and 22.4** also sought that the extent of the overlay include the footpath, as recommended in the Burgess Treep and Knight Architects evaluation and Council peer review. This view is supported by **Submissions 41.1 and 44.4** from Marion Kohler who is a member of HBRAI as well as the submissions from the HBRAI.
200. Mr Hastings agrees with these submission points, and noted the importance of maintaining an uninterrupted view to each building within the modified HHA. He subsequently proposed an amendment to the extent of place so that it includes the area adjacent to each contributing building between its boundary and the road kerb⁶⁶. We note that Ms Richmond also supports this outcome⁶⁷ and we acknowledge that this matter is not in dispute.
201. The Panel acknowledges that submissions **14.1, 21.1, 23.5, 27.1, 36.1 and 41.3** received in support of PC 81 are mostly from residents in the locality, including **submission 14.1** from Suzanne Helen Wallace and **submission 21.1** from Tony Blizzard who are landowners of flats within 179 Jervois Road. Their reasons for supporting the Jervois HHA are similar to the views expressed by the HBRAI.
202. **Submission 4.1** from Jason Kelly, **submission 5.1** from Eoin Feshensfeld, **submission 10.1** from John Potter and **submission 43.1** from Sarah Margaret Murray all oppose the inclusion of 189 Jervois Road within Schedule 14.1. These submitters are all owners of flats within 189 Jervois Road. This property is located on the northern corner of Jervois Road and Salisbury Street. The submitters raise similar concerns regarding the extent of modification to the building, including the rooftop addition. They consider the modifications are not sympathetic to the original design and significantly reduce its heritage value. The submitters are also concerned that the scheduling will impact on their ability to make changes to the building, particularly to provide a healthy place to live through the upgrade of building systems.
203. Mr Hastings agrees that the roof-top addition has had an adverse effect on the aesthetic heritage value of the building. However, he considers the addition is relatively minor and is not wholly unsympathetic with the original form and architectural typology given its styling and set-back. Mr Hastings concluded the building at 189 Jervois Road still presents as a highly representative example of an interwar apartment block in the style of the other six buildings within the HHA (as proposed to be modified).⁶⁸

⁶⁵ Hearings Report, 25.29

⁶⁶ Hearings Report, Hastings Memo dated 31 March 2023, Attachment 8, paragraph 10

⁶⁷ Hearings Report, paragraph 25.13

⁶⁸ Hearings Report, Hastings Memo dated 31 March 2023, Attachment 8, paragraph 23

204. Ms Richmond discussed the impact of scheduling on the ability to make changes to the building. She noted relevant to the matters raised by these submissions that:
- Modifications can be made to the interior of the building without resource consent as interiors of all buildings are listed as an exclusion.
 - The repair and maintenance of buildings within a HHA is a permitted activity (subject to standards).
 - Exterior modifications are subject to a restricted discretionary activity, but policies and assessment criteria in Chapter D17 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.⁶⁹
205. In his memorandum, Mr Hastings confirms works to upgrade the building are not precluded, although they would be subject to a standard resource consent process, through which any 'inappropriate' works, or those which might otherwise degrade the heritage values of the building, and the modified HHA, would be managed.⁷⁰
206. **Submission 48.1** from Andrew Gibson, Mark Palmer, Mutsuko Yamazaki, Julie Smith and Mace Ward seek the decline of the Jervois HHA. The submitters are the owners of the buildings located on 183 and 185 Jervois Road and consider the collective value of the buildings and their contribution to the block is overstated.
207. We note that while their primary relief was to decline the Jervois HHA, the focus of their submission was on the two sites (and three buildings) in their ownership located on 183 and 185 Jervois Road and proposed to be identified in Schedule 14.2 as non-contributing within the HHA.
208. Mr Jeremy Whelan, architect for the submitters agreed that the properties do not contribute to the Jervois Road Streamline Moderne/Art Deco block. He opined that the submitters' properties have low level value and limited architectural merit, and their only significance is that they were subdivided from the original tram barn site and purchased in 1938 and 1944 respectively.⁷¹
209. He was of the opinion that the properties at 183 and 185 Jervois Road should be able to be redeveloped under the current underlying Terrace Housing and Apartment Buildings (**THAB**) zone rules to deliver a competent design for a residential development in a manner that contributes positively to the adjacent grouping of Streamline Moderne buildings while drawing on the design cues from the Jervois Heritage Area.
210. Mr Whelan advised that the operative matters of discretion contained in H6.8.1 also require consideration to be given to the effects of the building intensity, scale,

⁶⁹ Policies D17.3(3) and D17.3(4)

⁷⁰ Hearings Report, Hastings Memo dated 31 March 2023, Attachment 8, paragraph 24

⁷¹ Mr Whelan's evidence-in-chief, paragraphs 3.7 and 3.8

location, form and appearance on neighbourhood character. He further noted that amendments proposed to the Matters of Discretion by PC 78 further strengthen the approach to allow a broader consideration of effects.

211. Mr Mark Arbuthnot gave planning evidence on behalf of the submitters and agreed with the recommendations of the Section 42A report. Having regard to the Historic Heritage Area Evaluation and the Council peer review, he considered the submitters' properties do not display any influences or features of the Streamline Moderne style. He was also of the opinion that they are not interwar multi-unit apartment developments; being one of the key interrelationships of the Streamline Moderne/Art Deco Block (beyond style).⁷²
212. Mr Arbuthnot went on to say the fact that the submitters' properties once formed part of the Tram Barn subdivision and redevelopment is not, in his opinion, of such significance to the heritage values of the Jervois Heritage Area to warrant their inclusion. If it were, he would have expected the heritage area to include the four properties located at 3, 5, 7, and 9 Salisbury Street, which similarly formed part of the Tram Barn subdivision and redevelopment⁷³.
213. He was of the opinion that the inclusion of the submitters' properties fails to meet both of the requirements of RPS Policy B5.2.2(4). He stated the submitters' properties do not form part of a "group 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 must be removed from the Jervois Heritage Area.⁷⁴
214. Mr Arbuthnot further noted if the concern is that the redevelopment of the submitters' properties would adversely affect the values of the Jervois Heritage Area, this is not the test for scheduling under the RPS.⁷⁵
215. We heard evidence from Graeme Burgess, architect for HBRAI that he considers these buildings do not contribute strongly to the heritage values of the site, however, in his opinion, they do not detract from that overall value⁷⁶. Mr Burgess noted the peer review undertaken for Council by Dr David Bade also concurred that the properties at 183 and 185 Jervois Road do not have the same significance as the Streamline Moderne/Art Deco buildings, but are part of the same tram barn subdivision and built around the same period. Dr Bade added that the building at 185 Jervois Road was also built as a duplex, a similar flat type category to the Streamline Moderne/Art Deco buildings as part of the block. He concluded that they should not be omitted from the group, but be included as "non-contributing"

⁷² Mark Arbuthnot's – rebuttal evidence, paragraph 3.8

⁷³ Ibid, paragraph 3.9

⁷⁴ Mark Arbuthnot's evidence-on-chief, paragraph 5.12

⁷⁵ Ibid, paragraph 5.13

⁷⁶ Mr Burgess evidence-in-chief, paragraph 17

properties'.⁷⁷ We note that Ms Kohler, also representing HBRAI, held these same views.

216. Mr Burgess explained that the reason for scheduling the area as a whole was to ensure that the overall heritage values of the place could be managed through the D17 rules, so that any proposed change on any part of the block was assessed to be compatible with those heritage values⁷⁸. It was his opinion that removing the designation from these two properties introduces a much greater risk of creating 'a negative presence' at the centre of the block due to its underlying THAB zoning.⁷⁹
217. Specifically, he stated, removing these properties from the overall grouping removes the requirement to assess the heritage effects (D17 assessment) of any proposal on these sites, and the requirement to assess any possible effects on the heritage values of the proposed scheduled group. This would also allow THAB development on these properties. He considered that THAB development would have a significant impact on the heritage values of the place as a whole, through dominance of bulk and form and possible incompatibility of materials, design and finishes.⁸⁰
218. After carefully considering the expert evidence as well as the answered questions the Panel has determined that we agree with and prefer the evidence of Mr Burgess on this matter for the reasons set out in the above paragraphs and for the reasons set out in the peer review evaluation of Dr David Bade⁸¹. We note that Mr Burgess' opinion is generally consistent with that outlined by Dr Bade in this peer review evaluation which formed a part of the Hearings material provided to us⁸².
219. The Hearings Panel notes that Mr Arbuthnot filed a Memorandum after the hearing was adjourned to provide a response to some questions that the Panel had posed.⁸³ In that memo he submitted that it was inappropriate for the Panel to have any regard to Dr Bade's response to Commissioner Knott's question as to whether he remained by his original position or whether that had changed. This was because Dr Bade had not assessed the submissions or prepared any evidence in respect of this matter⁸⁴. While this observation is correct, we do not understand how this disqualifies us from being able to consider his review. We note that Mr Arbuthnot did not seek leave to file evidence to contradict the content of Dr Bade's review or comments to us at the hearing (which we would have been disposed to allow), preferring instead to rely on his submission as outlined above. We consider the peer review evaluation of Dr Bade to be evidence in this process. Furthermore, the Panel consider it to be of use and we rely on it.

⁷⁷ PC 81 - Attachment O Evaluation Review Jervois Historic Heritage Area, page 8

⁷⁸ Mr Burgess's evidence-in-chief, paragraph 19

⁷⁹ Ibid, paragraph 21

⁸⁰ Ibid, paragraph 29

⁸¹ PC 81 - Attachment O Evaluation Review Jervois Historic Heritage Area, page 8

⁸² PC 81 - Attachment O Evaluation Review Jervois Historic Heritage Area

⁸³ Memorandum dated 12th May 2023 from Mark Arbuthnot

⁸⁴ Ibid, paragraph 4.3

220. In doing so, we find that the requirements of RPS Policy B5.2.2(4) are met in this regard. This policy states that HHAs are described as “*groupings of interrelated but not necessarily contiguous historic heritage places or features that collectively meet the criteria for inclusion*”. We note that each property within an HHA does not need to individually meet the criteria for inclusion, instead it is the common interrelated groupings of the heritage values of the HHA that are important. HHAs may therefore include both contributing and non-contributing sites as set out in the RPS.
221. In this case the properties form part of the entire Jervois Road frontage of the block that was formerly a tram barn (depot) site from 175 Jervois Road to 2 Salisbury Street and we consider there is great benefit in having one continuous area scheduled. Relying on the peer review of Dr Bade these properties contribute to the historical context of this group of interrelated places that collectively meet the criteria for inclusion in Schedule 14.1 Schedule of Historic Heritage in Category A or B. While not containing buildings that are streamline moderne in design, the properties do have some significance from being part of the same “tram barn” subdivision and being built around the same period. We therefore conclude that the properties at 183 and 185 Jervois Road should not be omitted from the Jervois HHA group, but instead be included as “non-contributing” properties.

Decision on Submissions

222. That submissions **14.1, 21.1 22.2, 22.3 22.4, 27.1, 41.1, 41.2, 41.3** and **41.4** be **accepted**, and submissions **4.1, 5.1, 10.1, 43.1, 48.1, 48.2** and **48.3** be **rejected**.

OVERALL DECISION

223. That pursuant to Schedule 1, Clause 10 of the Resource Management Act 1991, that Proposed Plan Change 81 to the Auckland Unitary Plan (Operative in Part) is approved, subject to the modifications as set out in this decision - amendments to the text and plan maps of the Unitary Plan as set out in **Attachment A, Attachment B** and **Attachment C** to this Decision report.
224. Submissions on the plan change are accepted, accepted in part, and rejected in accordance with this decision. The reasons for the decision are those addressed above in the body of the Decision report.
225. The adoption of PC 81, with its amendments:
- Is consistent with the Auckland Unitary Plan (Operative in part) Regional Policy Statement; and
 - Is the most appropriate way to achieve the overall purpose of the Resource Management Act 1991.



Karyn Kurzeja, Chairperson

Date: 12/10/2023

Can then attach the amended section of the plan as an attachment

Attachment A

Amendments to Schedule 14.1 Schedule of Historic Heritage Decisions Version

Notes:

1. Only the entries in Plan Change 81 are shown.
2. Amendments to Schedule 14.1 proposed by Plan Change 81 as notified and confirmed by this decision are shown in underline.
3. Amendments to Schedule 14.1 following the decisions on submissions are shown as pink underline or ~~strike through~~.

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
02842	Hartsholme	8 Allendale Road, Mount Albert	Lot 1 DP 58060	B	Residence	A,F,G	Refer to planning maps	Interior of building(s); swimming pool		
02843	St Benedict's Convent (former)	2 St Benedicts Street, Newton	Lot 22 Deeds Reg 1332; Lot 23 Deeds Reg 1332; Lot 24 Deeds Reg 1332	B	Convent building	A,F,G,H	Refer to planning maps	Interior of building(s); Laundry building (1962); interior of the second floor of the convent building		
02844	Auckland Masonic Temple (former)	24 St Benedicts Street, Newton	SECT 168 SO 470828; road reserve	B	Building	A,B,F,G	Refer to planning maps	Interior of building(s)		
02845	D Arkell Bottling Store (former)	29 St Benedicts Street (also known as 27A St Benedicts Street), Newtown	Lot 15 DP 157; Lot 16 DP 157, road reserve	B	Building	A,F,H	Refer to planning maps	Interior of building(s)		
02846	Mackenzie's Buildings	114-118 Main Highway, Ellerslie, Auckland	Pt DP 19037; road reserve	B	Mackenzie's Buildings	A,F,G	Refer to planning maps	Interior of building(s)		
02847	Ceramic House (former)	3 Totara Avenue, New Lynn	Lot 1 DP 161309; road reserve	A	Ceramic House	A,B,D,E,F,G,H	Refer to planning maps	External ground floor deck and steps to the building; ground floor toilet and kitchen		
02848	Wilson's Portland Cement Company Dam	Sandspit Road, Warkworth	Lot 7 DP 138902; road reserve	B	Dam structure including outlet valve	F,H	Refer to planning maps		Yes	

ID	Area Name and/or Description	Verified Location	Heritage Values	Extent of Place	Exclusions	Additional Rules for Archaeological Sites or Features	Place of Maori Interest or Significance	Contributing Sites/Features	Non-contributing Sites/Features
02849	Pūhoi Township Historic Heritage Area	Refer to planning maps: area includes part of Ahuroa Road, Domain Road, Krippner Road, Pūhoi Road, Saleyards Road and the Pūhoi River, Pūhoi	A,B,D,F,G,H	Refer to planning maps	Interiors of all buildings contained within the extent of place unless otherwise identified in another scheduled historic heritage place; all stand-alone structures and buildings built after 1939; modern rear and side additions to the general store at 109 Pūhoi Road; the modern southeast corner addition to the convent school at 83 Pūhoi Road; <u>the modern rear carports of the former Presbytery and former Convent (83 Pūhoi Road).</u>	Yes, limited to: remnants of the Pūhoi wharf (1877); remnants of the Pūhoi Road bridge (washed away in 1924), as shown in Map 14.2.18.1 Historic Heritage Area: Pūhoi Township		Refer to Schedule 14.2.18	Refer to Schedule 14.2.18
02450	Lawry Settlement Workers' Housing Historic Heritage Area	Refer to planning maps: area includes part of Ramsgate Street, Findlay Street, Cawley Street and Hewson Street, Ellerslie	A,F,H	Refer to planning maps	<u>Interiors of all buildings contained within the extent of place unless otherwise identified in another scheduled historic heritage place; stand-alone accessory buildings, structures or garages built after 1923; at-grade carpark on 7 Ramsgate Street; stand-alone dwellings to the rear or side of a building constructed prior to 1923 on a cross-leased contributing site</u>			Refer to Schedule 14.2.19	Refer to Schedule 14.2.19; buildings on 3, 4, 5 and 7 Ramsgate Street; buildings on 8A, 17, 21A, 25A, 28, 31, 32A and 36A Findlay Street; buildings on 1A, 3, 5A, 6A, 8A, 12A, 14A and 18A Hewson Street; buildings on 1A Cawley Street

ID	Area Name and/or Description	Verified Location	Heritage Values	Extent of Place	Exclusions	Additional Rules for Archaeological Sites or Features	Place of Maori Interest or Significance	Contributing Sites/Features	Non-contributing Sites/Features
<u>02451</u>	<u>Parkfield Terrace Historic Heritage Area</u>	<u>Refer to planning maps; Parkfield Terrace, Newmarket</u>	<u>A,F,H</u>	<u>Refer to planning maps</u>	<u>Interiors of all buildings contained within the extent of place unless otherwise identified in another scheduled historic heritage place; stand-alone accessory buildings built after 1940</u>			<u>Refer to Schedule 14.2.20; plane trees located on Parkfield Terrace road reserve</u>	<u>Refer to Schedule 14.2.20; buildings on 19 Parkfield Terrace, Newmarket</u>
<u>02452</u>	<u>Jervois Road Streamline Moderne/Art Deco Block Historic Heritage Area</u>	<u>Refer to planning maps; area includes part of Jervois Road and Salisbury Street, Herne Bay</u>	<u>A,F,G,H</u>	<u>Refer to planning maps</u>	<u>Interior of building(s); stand-alone accessory buildings or garages built after 1945</u>			<u>Refer to Schedule 14.2.21</u>	<u>Refer to Schedule 14.2.1; buildings on 183 and 185 Jervois Road, Herne Bay</u>

Attachment B

Amendments to Auckland Unitary Plan Planning maps Decision Version

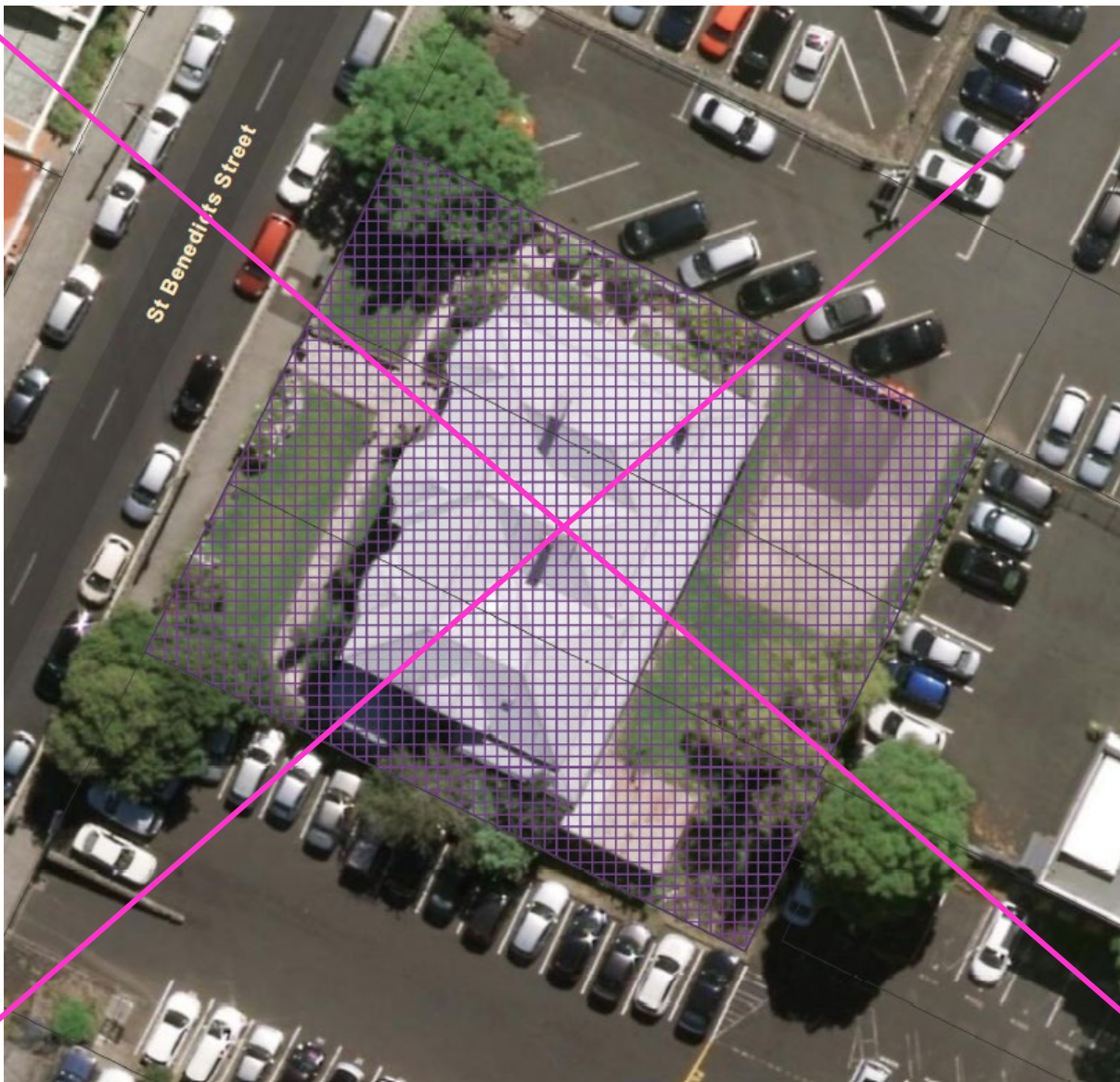
Notes:

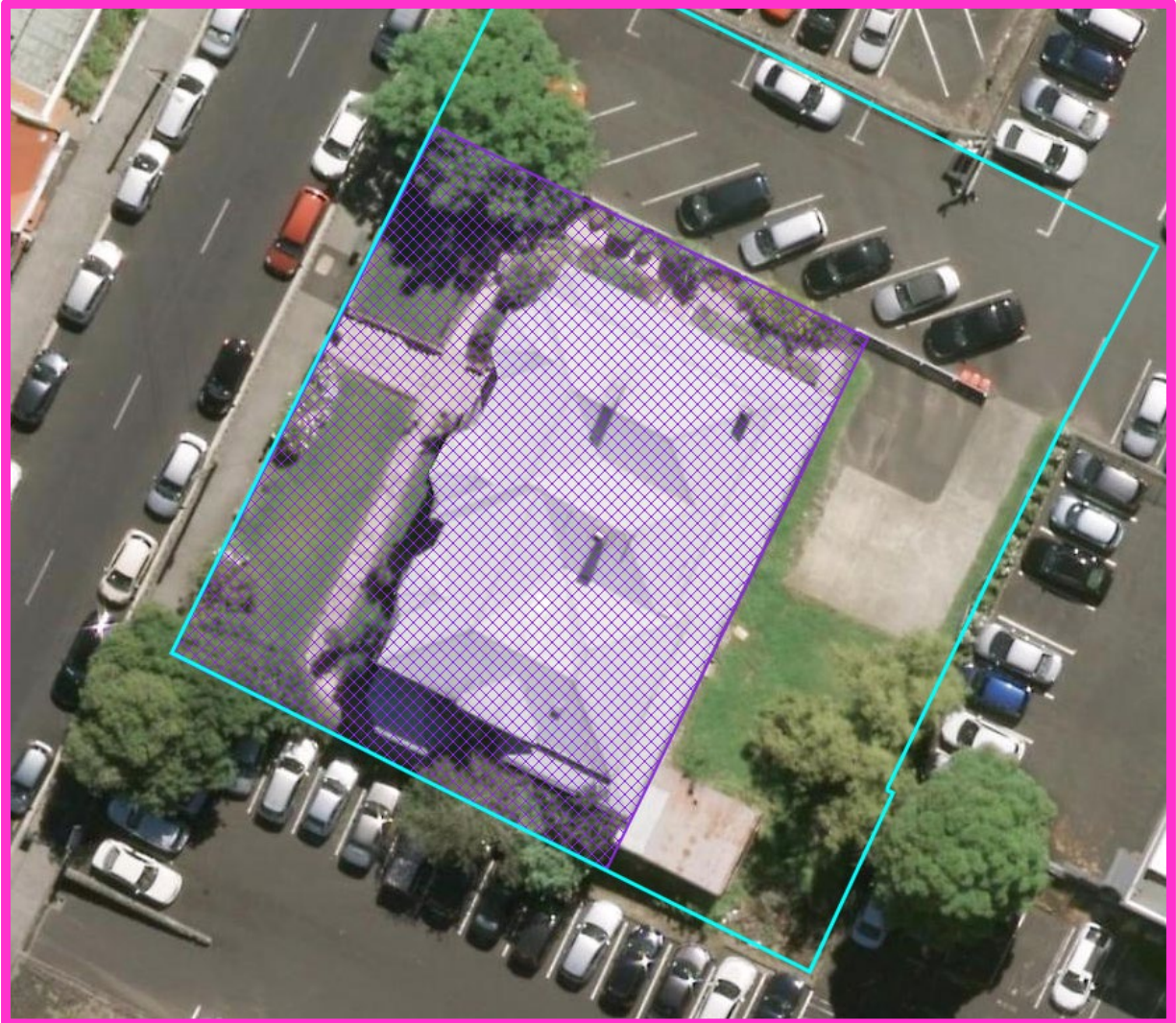
1. Only the amendments to the Auckland Unitary Plan Planning Maps proposed by PC81 as notified and confirmed by this decision are shown.
2. Amendments to the Planning Maps following the decisions on submissions are shown in pink.
3. The description of the map changes in italics does not form part of the plan change.

Local Board Area:	Albert-Eden Local Board
ID:	02842
Place name and/or description	Hartsholme
Subject property:	8 Allendale Road, Mount Albert
Legal description:	Lot 1 DP 58060
Proposed changes:	<i>Add Historic Heritage Overlay Extent of Place</i>



Local Board Area:	Waitematā Local Board
ID:	02843
Place name and/or description	St Benedict's Convent (former)
Subject property:	2 St Benedicts Street, Newton
Legal description:	Lot 22 Deeds Reg 1332; Lot 23 Deeds Reg 1332; Lot 24 Deeds Reg 1332
Proposed changes:	<i>Add Historic Heritage Overlay Extent of Place (see new map on next page)</i>

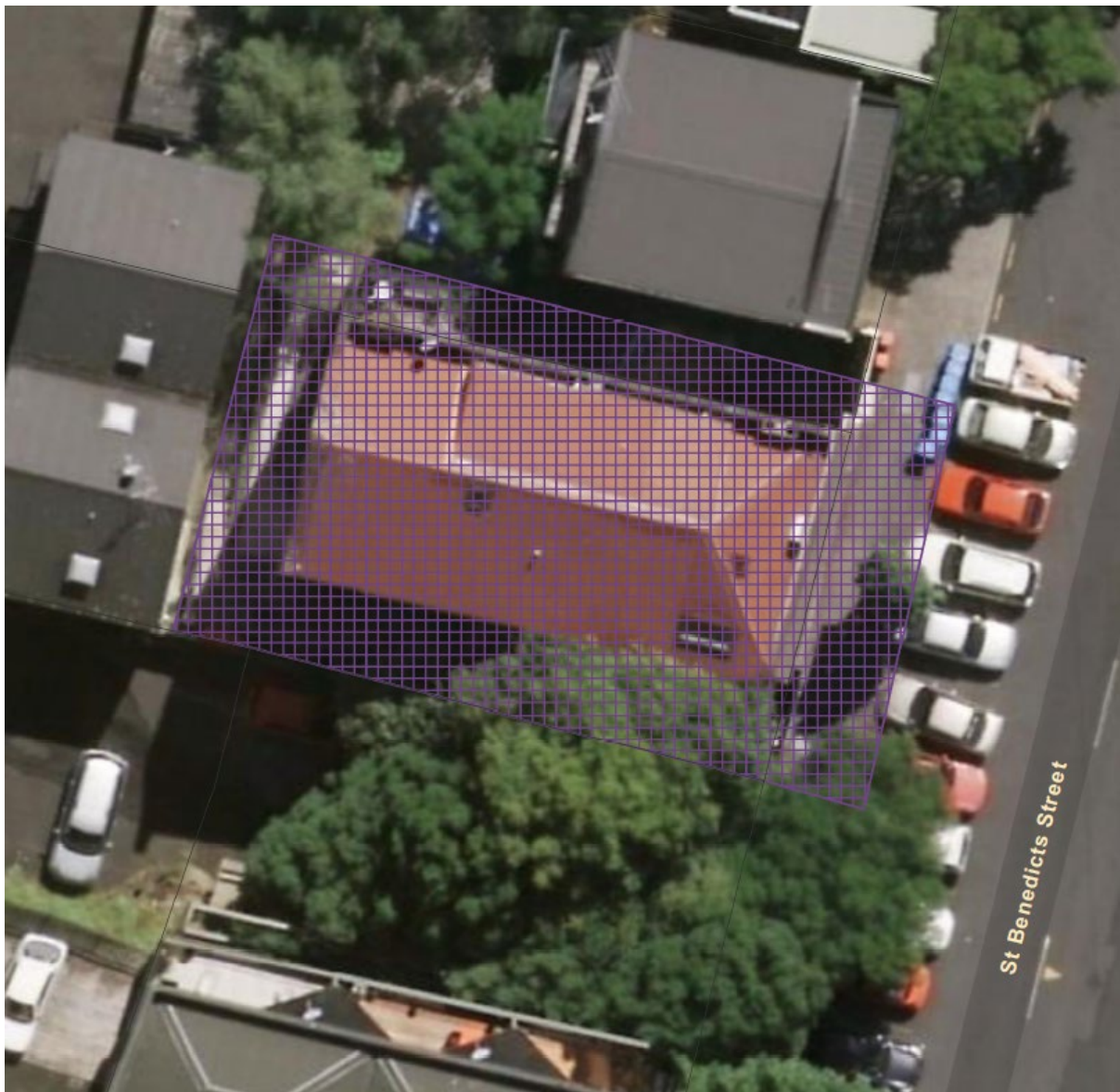




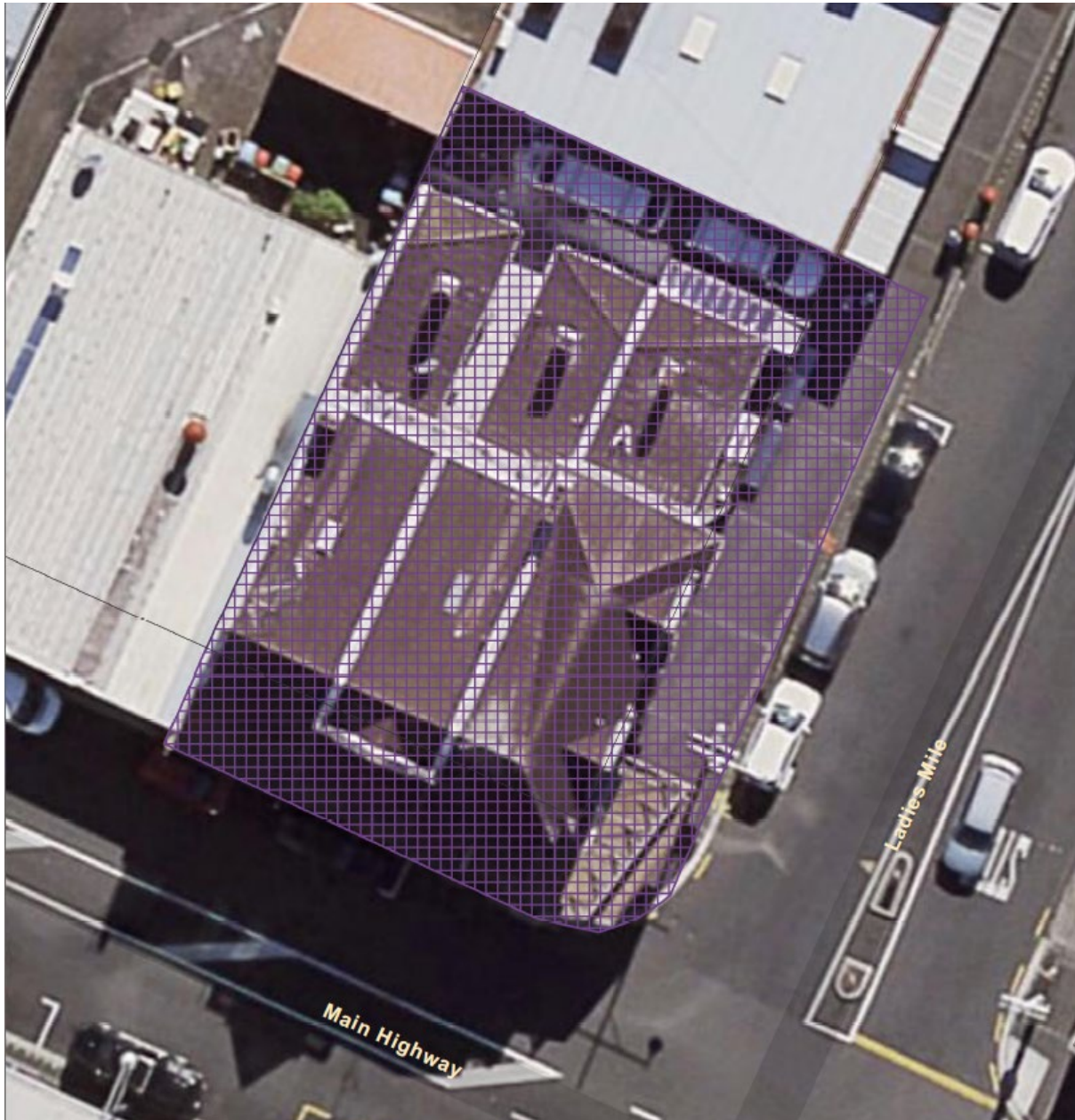
Local Board Area:	Waitematā Local Board
ID:	02844
Place name and/or description	Auckland Masonic Temple (former)
Subject property:	24 St Benedicts Street, Newton
Legal description:	SECT 168 SO 470828; road reserve
Proposed changes:	<i>Add Historic Heritage Overlay Extent of Place</i>



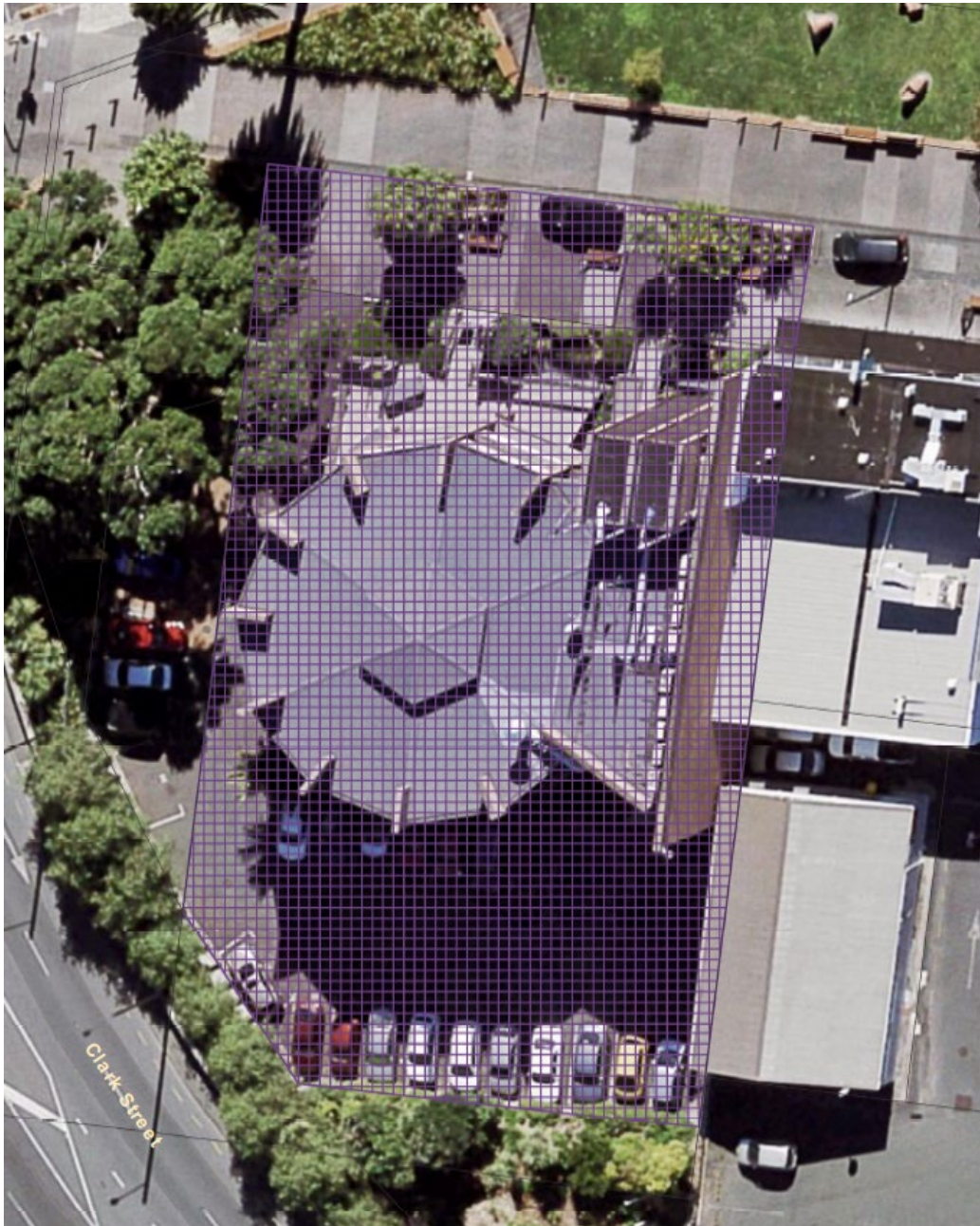
Local Board Area:	Waitematā Local Board
ID:	02845
Place name and/or description	D Arkell Bottling Store (former)
Subject property:	29 St Benedicts Street, Newton (also known as 27A St Benedicts Street, Newtown)
Legal description:	Lot 15 DP 157; Lot 16 DP 157; road reserve
Proposed changes:	<i>Add Historic Heritage Overlay Extent of Place</i>



Local Board Area:	Ōrākei Local Board
ID:	02846
Place name and/or description	Mackenzie's Buildings
Subject property:	114-118 Main Highway, Ellerslie, Auckland
Legal description:	Pt DP 19037; road reserve
Proposed changes:	<i>Add Historic Heritage Overlay Extent of Place</i>



Local Board Area:	Whau Local Board
ID:	02847
Place name and/or description	Ceramic House (former)
Subject property:	3 Totara Avenue, New Lynn
Legal description:	Lot 1 DP 161309; road reserve
Proposed changes:	<i>Add Historic Heritage Overlay Extent of Place</i>



Explanatory note: The extent of place does not include land to the east (numbers 5 and 17 Totara Avenue), as the angle of the aerial photograph indicates.

Local Board Area:	Rodney Local Board
ID:	02848
Place name and/or description	Wilsons Portland Cement Company Dam
Subject property:	Sandspit Road, Warkworth
Legal description:	Lot 7 DP 138902; road reserve
Proposed changes:	<i>Add Historic Heritage Overlay Extent of Place</i>



Local Board Area:	Rodney Local Board
ID:	02849
Place name and/or description	Pūhoi Township Historic Heritage Area
Subject properties:	Pt Allot 36 Pūhoi Village SO 47417, Lot 1 DP 25246, 5 Sales Yard; 7 Sales Yard, Pūhoi, Lot 1 DP 252, 77 Pūhoi Road, 88 Pūhoi Road, 109 Pūhoi Road, Lot 1 DP 25246, 10 Krippner Road, Lot 4 DP 93336, road reserve, Pūhoi River, road reserve
Proposed changes:	<i>Add Historic Heritage Overlay Extent of Place (Historic Heritage Area)</i>



Local Board Area:	Ōrākei Local Board
ID:	02450
Place name and/or description	Lawry Settlement Workers' Housing Historic Heritage Area
Subject properties:	2, 3, 4, 5, 6, 7 Ramsgate Street; 8, 8A, 10, 12, 14, 15, 16, 17, 18, 18A, 19, 20, 21, 21A, 22, 23, 23A, 24, 25, 25A, 26, 27, 27A, 1/28, 2/28, 3/28 4/28, 29A, 29B, 30, 30A, 31, 32, 32A, 33, 34, 1/34, 2/34, 35, 36, 36A, 37, 38, 1/38, 39, 40, 41, 42 Findlay Street; 1, 1/1A, 2/1A, 1B, 2, 3, 3A, 4, 5, 5A, 6, 6A, 7, 8, 8A, 1/9, 2/9, 10, 10B, 11, 12, 12A, 14A, 14B, 16, 18, 18A, 20A, 20B, 22 Hewson Street and 1, 1A Cawley Street, Ellerslie
Proposed changes:	Add Historic Heritage Overlay Extent of Place (Historic Heritage Area)



Local Board Area:	Waitematā Local Board
ID:	02451
Place name and/or description	Parkfield Terrace Historic Heritage Area
Subject properties:	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 Parkfield Terrace, Newmarket; road reserve
Proposed changes:	<i>Add Historic Heritage Overlay Extent of Place (Historic Heritage Area)</i>



Local Board Area:	Waitematā Local Board
ID:	02452
Place name and/or description	Jervois Road Streamline Moderne Block Historic Heritage Area
Subject properties:	175, 177, 179, 181, 183, 185, 187, 189 Jervois Road and 2 Salisbury Street, Herne Bay
Proposed changes:	<i>Add Historic Heritage Overlay Extent of Place (Historic Heritage Area)</i>



Attachment C

Amendments to Schedule 14.2 Historic Heritage Areas – Maps and statements of significance

Decisions Version

Notes:

1. Only the additions to Schedule 14.2 in Plan Change 81 are shown.
2. Amendments to Schedule 14.2 proposed by Plan Change 81 as notified and confirmed by this decision are shown in underline.
3. Amendments to Schedule 14.2 following decisions on submissions are shown as pink underline or ~~strike-through~~.

Chapter L: Schedules

Schedule 14.2 Historic Heritage Areas – Maps and statements of significance

Proposed change/s:

Add the following text and maps for:

14.2.18 Pūhoi Township Historic Heritage Area
(Schedule 14.1 ID 02849)

~~14.2.19 Lawry Settlement Workers' Housing Historic Heritage Area (Schedule 14.1 ID 02450)~~

14.2.20 Parkfield Terrace Historic Heritage Area
(Schedule 14.1 ID 02451)

14.2.21 Jervois Road Streamline Moderne/Art Deco Block Historic Heritage Area
(Schedule 14.1 ID 02452)

Schedule 14.2.18 Pūhoi Township Historic Heritage Area (Schedule 14.1 ID 02849)

Statement of significance

Located in a valley on the banks of Pūhoi River, the Pūhoi township was established in 1863 by German-speaking Bohemian immigrants from the Staab region of the present-day Czech Republic. The town was established as a “special settlement” under the terms of the 1858 Auckland Waste Lands Act, through which the province offered prospective European immigrants free 40-acre blocks, disposing of unsold “waste land” it had acquired from Māori through Crown pre-emption.

The Pūhoi township has outstanding historical value as an intact 19th century “special settlement”, representing a phase in the history of New Zealand when there was considerable effort to change the environment and make-up of the population to be a colony of the British Empire. The township also has significance as one of few settlements established by non-English-speaking settlers from mainland Europe through the Auckland Waste Lands Act (1858) legislation. The great majority were from England, Scotland and Ireland. Indeed, the Pūhoi township was the first Bohemian settlement in New Zealand, and the only one in the Auckland region (one other, smaller, settlement being set up in Ohaupo in Waikato in the 1860s).

The Pūhoi township began to flourish in the 1870s and civic, religious and commercial buildings were built, many of which still exist today. By the early- to mid-20th century the settlement included a church (1881) (including a 1906 presbytery, a 1922 convent school, and a 1923 convent), stables (1883), workers residences (1886 and 1901), a community hall (1900), a hotel (1901), a library (1913), a wharf shed (1924), and a general store (1939). All of these buildings still exist. Other buildings and structures were also built but no longer remain today. However, sites and remnants are still apparent in the township, including the remnants of the 1877 wharf and Pūhoi Road bridge (late 19th century), as well as the (now vacant) sites of the landing spot and first buildings of the settlement (1863), the Schischka boarding house and store (built 1876), the blacksmith premises (1880s), and the first presbytery (1880). The Pūhoi township has considerable context value as a well-preserved example of a colonial New Zealand town dating from the second half of the 19th century, and indeed one of the most distinct and discernible “special settlements” established in the 1860s.

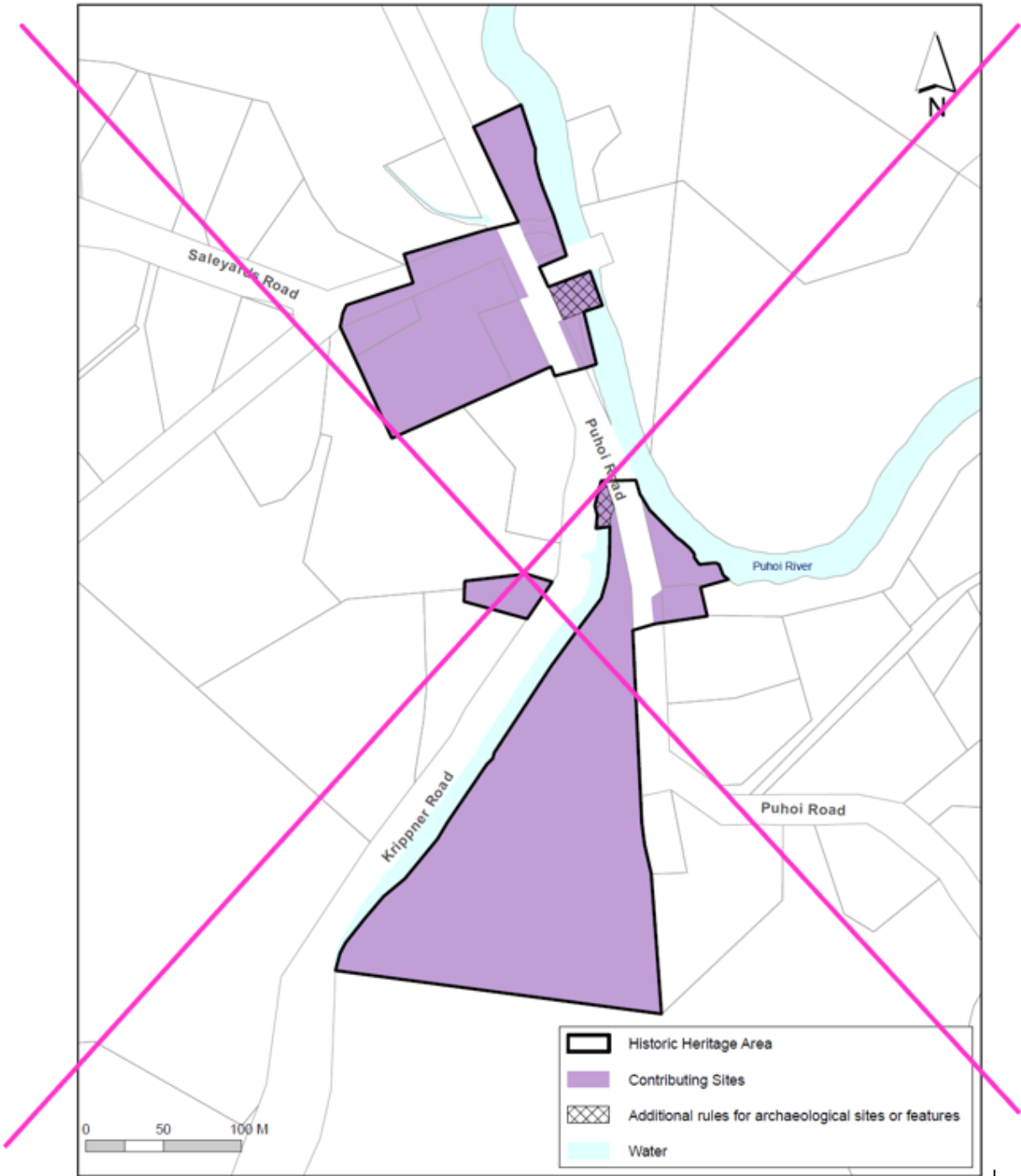
The Pūhoi township is generally characterised by ribbon development along the main roads. The Pūhoi township has a strong rural village character, with buildings located in varied positions and orientations, generally facing the main road. The Pūhoi River is an important and prominent feature, running adjacent to Pūhoi/Ahuroa Road from the bend in Ahuroa Road in the north to close to the intersection between Pūhoi Road and Krippner Road in the south. Two tributary channels from the Pūhoi River are located west of the river under the main road. On the eastern side of Pūhoi Road is reserve (grassed) land, the location of many early buildings (but no longer extant) and memorials to the Bohemian settlers. As a whole, the Pūhoi township has considerable aesthetic value as a picturesque rural settlement, of 19th century origin. Its collection of late-19th to early-20th century buildings and structures, together with trees and the rural and river backdrop, provides strong visual appeal.

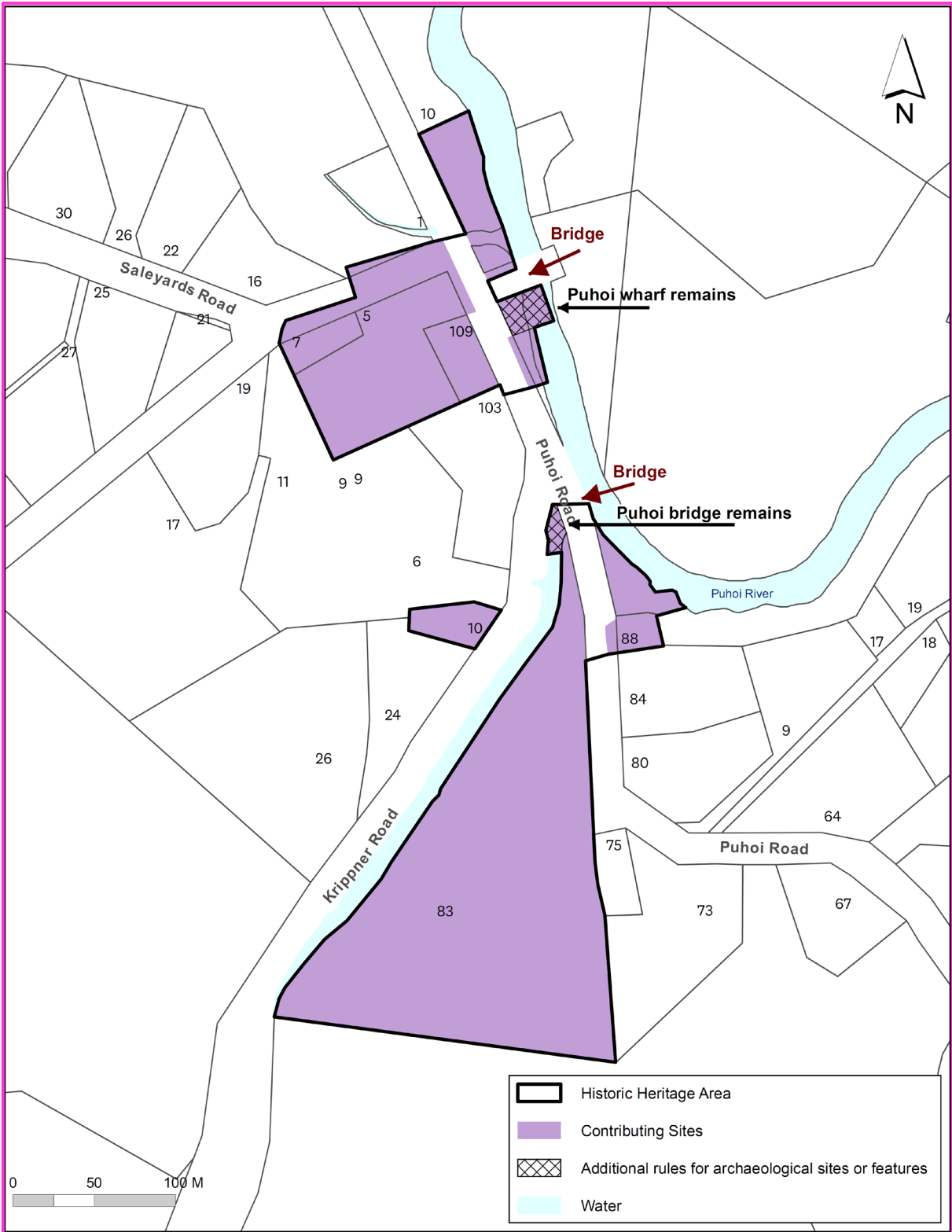
Pūhoi township’s collection of buildings from its key period of development (1863-1939) has considerable physical attributes value. Most of the buildings have had minor additions and

alterations, but these do not substantially affect their physical attribute values. Two of the historical buildings particularly stand out as local landmarks due to their height and picturesque appearance: the Church of St Peter and St Paul – on the northern end of the township – and the Pūhoi Hotel – at the southern end of the township. All the historical buildings are constructed in timber with metal roofs, with the exception of the concrete and plaster Pūhoi Library and the Pūhoi Store. The buildings are generally in a simple vernacular style, similar to other late 19th and early 20th century buildings of their type. However, the Church of St Peter and St Paul – designed by the early notable Auckland architect James Wrigley – and the convent school (1922) and convent (1923) – designed by well-known Auckland architect [Thomas Mahoney \(especially for the Catholic church\)](#) – stand out as architecturally-designed buildings.

Pūhoi has considerable social value and is held in high esteem by the descendants of the Bohemian settlers of the 1860s and 1870s. Jubilee celebrations commemorating the arrival of the first settlers in 1863 were, and continue to be held, through the 20th and 21st centuries, drawing large crowds. Memorials were made to mark occasions, including the Pūhoi Pioneers Memorial Park (1938 – 75th anniversary), the memorial gate to the park (1953 – 90th anniversary), a Wayside Shrine on Pūhoi Road (1953 – 90th anniversary), the Pūhoi landing stone (1988 – 125th anniversary), and a time capsule in the landing reserve (2013 – 150th anniversary).

Map 14.2.18.1 Historic Heritage Area: Pūhoi Township





Schedule 14.2.19 Lawry Settlement Workers' Housing Historic Heritage Area (Schedule 14.1 ID-02450)

Statement of significance

The houses within the Lawry Settlement Workers' Housing area on Ramsgate, Findlay, Cawley and Hewson Streets in Ellerslie are of considerable national significance for their historic values strongly associated with the Workers' Dwelling Acts of 1905 and 1910, which was the first central government-led legislation in the western world providing for the government to build public housing for its citizens. Named after Liberal Government Member of Parliament, Francis (Frank) Lawry, the Lawry Settlement in Ellerslie was established in 1905-6, with its streets being named after other Members of Parliament.

It was the largest planned settlement of its type in New Zealand and with approximately 73 houses built was over double any other similar settlement in the country. There are 38 workers' dwellings remaining on the eastern side of the settlement, making it the largest extant group of state houses from this time period in Auckland. The remaining dwellings of the Lawry Settlement Worker's Housing area represent an important political and social idea in New Zealand and assist in understanding the roots of New Zealand's state housing program that has continued almost uninterrupted for over a century.

Workers' dwellings within the Lawry Settlement are representative examples of early state-designed housing by government architect Woburn Temple, exemplifying the government notion that state housing would be indistinguishable from private housing. Special attention was paid to ventilation and sanitation, and modern conveniences such as hot water and indoor plumbing were included.

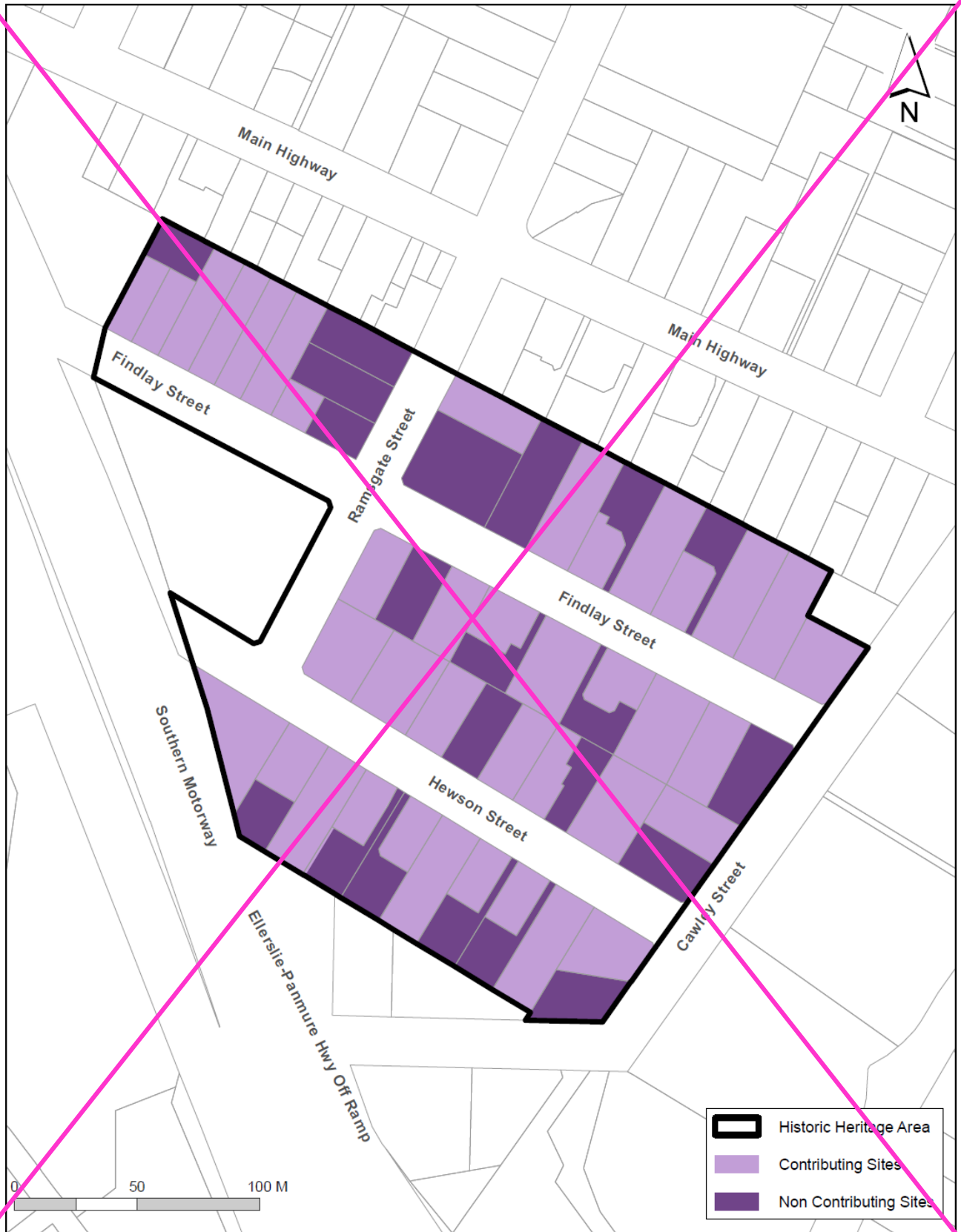
The houses are characterised by their villa and transitional villa style and materiality including massing, roof form, weatherboard cladding, timber joinery and ornamentation and corrugated metal roofing. All dwellings remain single storey and most dwellings have a skillion roof lean to, with some lean to forms extended to the rear. The Lawry Settlement contains seven of Temple's plans that are the only known examples of such in the region.

Distinctive features of Temple's designs remain evident such the cant window. Timber ornamentation including eaves brackets, gable detailing, shingles and fretwork are highly visible, with some designs displaying geometric and arts and crafts influences. Many houses retain at least one decorative chimney which are a significant feature in the streetscape.

Common modifications include infilled and/or extended verandahs, replacement roofing or some replacement windows. Some changes have also occurred to the individual subdivision grain and infill development has occurred behind, and adjacent to, original houses.

The houses within the Lawry Settlement have considerable value as part of a wider cultural and thematic context of state housing across Auckland and New Zealand. Houses on Ramsgate, Findlay, Cawley and Hewson Streets comprise a group of interrelated places which have coherence because of shared age, architectural style and historical associations. The houses contribute to the townscape of Ellerslie and have a streetscape character and sense of place which is reinforced by their rhythm and setbacks, intact historic subdivision boundaries and proximity to the railway.

Map 14.2.19.1 Historic Heritage Area: Lawry Settlement Workers' Housing



Schedule 14.2.20 Parkfield Terrace Historic Heritage Area (Schedule 14.1 ID 02451)

Statement of significance

Parkfield Terrace has significance for illustrating the last phase of residential subdivision and development in Grafton. While the surrounding land had been subdivided beginning in the 1860s, the subject area remained in use as the Bennett and Green Ltd plant nursery until 1911. Parkfield Terrace is now one of the few remaining areas of suburban residential development in the area, following the demolition of much of the housing stock for the construction of State Highway 1. This residential subdivision helps define Grafton as a suburb and demonstrates a historic pattern of development that was once common in the city fringe, but is becoming increasingly rare.

The area is a contiguous grouping of 22 houses along Parkfield Terrace, which is located in the suburb of Grafton, approximately 600m from the edge of the Auckland Central Business District. Parkfield Terrace is a cul-de-sac road extending from Khyber Pass and connecting to Carlton Gore Road via a pedestrian walkway. Bluestone kerbing, footpaths and mature plane trees extend along the road, and these characteristics contribute to its historical value, urban amenity and aesthetic.

The residences included in Parkfield Terrace are one- or one-and-a-half storey timber houses in styles that were popular during the early years of the 20th century, including villas, transitional villas and bungalows. In particular, the area includes good examples of smaller types of these styles, including bungalow cottages and centre-bay villas. Collectively, the area has exceptional consistency in terms of its scale, fabric, massing, rhythm of development, setback and subdivision pattern. The area is almost entirely as built, with only one of the original houses missing (due to being destroyed by a fire). Generally, houses retain a high degree of physical integrity and have had few significant modifications.

The historic subdivision pattern is intact. Lot sizes are small - ranging from 215m²-330m² - as their size was constrained by surrounding development. All houses in the area are located on the full extent of their original site, and none of the land parcels have been formally subdivided. Minor development has taken place in the side and rear yards of sites where the narrow side and rear yards permit. This type of development usually amounts to a small extension to, or replacement of, the original lean-to and a garage or shed.

Houses are built close to the front property boundaries with a small setback of around 1.5-2m. The visual appeal of the houses is enhanced by low timber, brick or stone fencing (usually around 1m), which ensures houses are open to the street. Some houses have small gardens or other plantings in front, which combine with the mature street trees to give the area a strong sense of place.

The context of Parkfield Terrace is that of an urban residential subdivision, close to the City Centre and the amenities in Karangahape Road and Newmarket. This location contextualises the area as a city fringe subdivision, developed with a reliance on public, rather than private, transport.

Map 14.2.20.1 Historic Heritage Area: Parkfield Terrace



Schedule 14.2.21 Jervois Road Streamline Moderne/Art Deco Block Historic Heritage Area (Schedule 14.1 ID 02452)

Statement of significance

The Jervois Road Streamline Moderne/Art Deco Block is a cohesive group of Streamline Moderne/Art Deco-style apartment buildings that represent an important period of development in Herne Bay and inner suburban Auckland. They are the most intact grouping of this type of building from this period in Auckland. Built between the late 1930s and early 1940s, the group consists of nine lots, located between 175 Jervois Road and 2 Salisbury Street, Herne Bay.

All but one of the apartment buildings occupy the entire Jervois Road frontage of the block that was formerly a tram barn (depot) site. The site, between Wallace Street and Salisbury Street on Jervois Road, was a facility that served the Auckland Tram network from the 1880s until 1929. Herne Bay developed as a suburb during this period, and consequently the area around the tram barn has strong Victorian and Edwardian character.

The Jervois Road tram barn was replaced in 1929 by a larger facility in the city. The building was demolished, freeing up the land for subdivision. However, the onset of the Great Depression meant that the property remained undeveloped for almost a decade. In the late 1930s and early 1940s, the properties were finally developed. The developers appeared to share an interest in the popular Streamline Moderne/Art Deco architectural style and were happy to invest in a relatively new (and dramatically different) form of housing: multi-unit apartment buildings.

The row is a highly intact grouping of apartment buildings or 'flats' designed in, or influenced by, the 'Streamline Moderne' typology with the exception of the single storey English Cottage Revival house at 183 and the former duplex at 185 Jervois Road. Varying in size and height, the buildings are all located close to the front of their lot, with a minor setback – most are around 4m from the front boundary. The properties at 183 and 185 Jervois Road are set back a little further (8-9m). The apartment buildings take up most of the area of the lots, with garages (part of the original design) found at the rear. Only one property (183 Jervois Road) has infill to the rear.

The north-eastern half of the block is generally open to the street, with either no wall, or a low masonry wall fronting the street. The south-western half of the block has higher masonry walls fronting the street, with the exception of 2 Salisbury Street which has a hedge.

The apartments are of masonry construction, with textured stucco cladding. Apart from some minor alterations over time, the buildings have retained their original form and characteristics. Notable features of the Streamline Moderne/Art Deco architectural design of the buildings include: fenestration (banks of casement windows), high parapets (and flat roofs), horizontal coloured bands, dimensional lettering (showing the name of each building), and textured stucco finish. Some buildings also have curved flowing façades.

All but one of the buildings are known to have been architecturally designed, most by architect A.C. Jeffries (but also A.S. O'Connor and A.B. Cocombe). These architects were prolific Auckland architects during the interwar period, drawing on architectural fads of the time, including the Spanish Mission and Art Deco styles. The Jervois Road Streamline Moderne/Art

Deco Block buildings are illustrative and highly intact examples of a design type for which they were noted.

The apartment buildings have regional historical significance as they represent the shifting lifestyles of the period and the approach taken at that time to provide a more intensive alternative form of residential accommodation (especially around tram routes).

Forming a highly cohesive and visible group, the apartment buildings are a landmark feature in the locality. Situated in a prominent position along the Jervois Road ridge, they are clearly visible from the street and are considerably significant for their aesthetic and contextual values. The end buildings, “Raycourt” sweeping around the corner of Wallace Street, and “Riverina” on the corner of Salisbury with the Salisbury apartments opposite, are focal points in the local urban landscape. In the Herne Bay context, they are an extraordinary collective grouping of apartment buildings, in an area that historically and to a large extent still is predominantly individual villas on their own lots.

Map 14.2.21.1 Historic Heritage Area: Jervois Road Streamline Moderne/Art Deco Block

