

BEFORE THE INDEPENDENT HEARINGS PANEL

In the matter of the Resource Management Act 1991 (**RMA**)

And

In the matter of the Intensification Planning Instrument (**IPI**) Proposed Plan Change (**PC**) 78: Intensification to the Auckland Unitary Plan Operative in Part (**AUP**)

In the matter of Hearing Topic

011 Qualifying Matters – Special Character

Subtopic: Special Character Business – site-specific matters

PC 78 Expert Witness Conferencing

Planning and Special Character – PC78

011 Special Character Business – site specific (item 3.6)

Date: 11 and 18 May 2023

Time: scheduled time 11 May 10am (in person), 18 May 9am (on-line)

AGENDA

Discussion of following key issues arising from submissions (Samson Corporation Limited and Sterling Nominees Limited #1765)

1. INTRODUCTION

1.1 **Veronica Cassin and Morgan Shepherd** note that the submitter has a long-held reputation for delivering high quality architectural and urban design results within special character areas. **Veronica Cassin**

and Morgan Shepherd also note the submitter's general support of character areas, and all agree that Special Character Areas are an important planning tool.

2. CHANGE CHARACTER DEFINING OR CHARACTER SUPPORTING BUILDINGS

2.1 **All the experts** agree that under D18.4.4 Activity table, there is no difference in activity status for character defining, character supporting and no identified character defining or character supporting buildings except for total or substantial demolition for character defining buildings, which is a discretionary activity (rather than restricted discretionary activity).

505-519 Great North Road, Grey Lynn (1765.6)

2.2 **Veronica Cassin and Morgan Shepherd** consider that the lack of fenestration at first floor level and the contiguous (homogenous) parapet of the Treacy Building is less pronounced than the adjacent terraced building which are more consistent with the dominant character of the Grey Lynn SCA-Business, which features double-storey buildings, with narrow frontages and a regular pattern of fenestration on the upper level.

2.3 Therefore, the building is considered to be a character supporting building in this location.

2.4 **Carolyn O'Neil and Tania Richmond** disagree that the building at 505-519 Great North Road is a character supporting building. Located at the southern gateway to the Grey Lynn SCA-Business, the single-storey, interwar building is a relatively prominent commercial structure built during an important phase of construction during the area's key (primary) period of development (1880s-1930s). Taking into account its substantial footprint, deep parapet, and largely intact collection of shop fronts, **Carolyn O'Neil and Tania Richmond** considers that the building makes a considerable contribution to the character of the area, thereby meeting the definition of a character defining building.

113-119 Parnell Road, Parnell (1765.7)

- 2.5 **Veronica Cassin and Morgan Shepherd** consider that the building at 113-119 Parnell Road is an odd example in the context of the street which features some very fine architectural detailing from the earliest period of Auckland's development history. The subject building is of a later period of significant development and has distinctive mouldings which do not harmonise with better examples of detailing on the adjacent building and elsewhere in the Parnell Road SCA-Business.
- 2.6 While the criteria for assessment might have been met to include this building as character defining, it appears as an outlier when considering the dominant aesthetic of the Parnell Road.
- 2.7 Therefore, the building is considered to be a character supporting building in this location.
- 2.8 **Carolyn O'Neil and Tania Richmond** disagree that the building at 113-119 Parnell Road is a character supporting building. As identified in the Special Character Statement (Schedule 15), the Parnell SCA-Business derives much of its character from the variety of building forms, types and architectural styles associated with its progressive historical expansion and broad period of development (1840s-1930s). It is this diversity, rather than homogeneity, in the area's building types and styles that contribute to its special character values.
- 2.9 Dating from the area's key (primary) period of development, the two-storey building at 113-119 Parnell Road is a relatively intact example of interwar commercial development. Taking into account its scale, traditional features and strong streetscape presence, **Carolyn O'Neil and Tania Richmond** consider that overall the building makes a considerable contribution to the character of the area, thereby meeting the definition of a character defining building.

273 Ponsonby Road, Ponsonby (1765.8)

- 2.10 **Carolyn O'Neil and Tania Richmond** agree this building is character supporting not character defining. As a modestly scaled and detailed building from the area's primary period of development, it is agreed that the building is more appropriately a character supporting building.

267-271A Ponsonby Road (1765.9)

- 2.11 **Veronica Cassin and Morgan Shepherd** consider that although the period (1930s) is later, it is a significant development period for Ponsonby Road and the Audair Building is a good example of its type however they consider that because there are only a few buildings of this period and this type, their streetscape qualities along Ponsonby Road are less pronounced and therefore can only support the character of the area.

- 2.12 Therefore, the building is considered to be a character supporting building in this location.

- 2.13 **Carolyn O'Neil and Tania Richmond** disagree that the building at 267-271A Ponsonby Road is a character supporting building. Dating from the area's key (primary) period of development (1880s-1930s), this conspicuous corner building is considered a notable and highly intact example of its style and type and contributes positively to the identified physical and visual qualities of the Ponsonby Road SCA-Business. **Carolyn O'Neil and Tania Richmond** considers that the building makes a considerable contribution to the character of the area, thereby meeting the definition of a character defining building.

210-212 Ponsonby Road (1765.10)

- 2.13 **Carolyn O'Neil and Tania Richmond** note that two buildings occupy the site. **Carolyn O'Neil and Tania Richmond** agree the building on 210 Ponsonby Road is character supporting not character defining. As a result, both buildings at 210-212 Ponsonby Road are character supporting. The building at 210 Ponsonby Road dates

from the primary period of development but taking into account its ground floor modifications and narrow frontage, it is more appropriately a character supporting building.

107 Ponsonby Road, Ponsonby (1765.11)

- 2.14 **Carolyn O'Neil and Tania Richmond** agree this building is character supporting not character defining. Taking into account the modest design and modifications to this early building, it is more appropriately a character supporting building.

167 Symonds Street, Newton (1765.12)

- 2.15 **Carolyn O'Neil and Tania Richmond** agree this building is character supporting not character defining. Taking into account the building's remodelled facade, which has resulted in a more streamlined appearance compared to some of its more ornate neighbours, it is more appropriately a character supporting building.

207-209 Symonds Street, Newton (1765.13)

- 2.16 **Carolyn O'Neil and Tania Richmond** agree this building is character supporting not character defining. Taking into account the modifications above verandah and its less ornate appearance compared to neighbouring buildings, it is more appropriately a character supporting building.

401B Richmond Road, Grey Lynn (1765.14)

- 2.17 **Carolyn O'Neil and Tania Richmond** agree this building should be neither character defining or character supporting but continues to occupy a site within the SCA-Business Overlay. It is acknowledged that this very modest and utilitarian rear building has undergone change and does not make an active contribution to the streetscape.

433 Richmond Road, West Lynn (1765.15)

- 2.18 **Veronica Cassin and Morgan Shepherd** consider the subject building to be highly modified and lacking traditional details such as stall risers or a traditional parapet form. It lacks the level of integrity

to be supporting of the dominant character in the West Lynn SCA-Business area.

2.19 Therefore, the building is considered to be a 'non-contributing building' in this location.

2.20 **Carolyn O'Neil** confirms that the building is one of several single-storey buildings in the West Lynn SCA-Business and one of four single-storey purpose-built commercial buildings in the area.

2.21 **Carolyn O'Neil** disagrees that the building at 433 Richmond Road is a 'non-contributing' (neither a character defining nor character supporting) building. Dating from the area's key (primary) period of development (1900s-1930s), it is acknowledged that the structure has undergone change over time. This is recognised in its reduced level of contribution from a character defining building to a character supporting building (as notified). Despite its changes, **Carolyn O'Neil** considers that the building's traditional scale, type (residence with attached shop) and configuration remain sufficiently legible to enable the building to make a moderate contribution to, and support the appearance, quality and identity of, the West Lynn SCA-Business. As such, the building is considered to meet the definition of a character supporting rather than a non-contributing building.

2.22 **Tania Richmond** considers that the modifications to the building have reduced its legibility to the extent it is finely balanced as to whether it should be character supporting rather than a non-contributing building.

1C Francis Street, West Lynn (1765.16)

2.23 **The experts** agree this contemporary building should be neither character defining nor character supporting but continues to occupy a site within the SCA-Business Overlay.

3. REMOVE THE SPECIAL CHARACTER AREA OVERLAY – BUSINESS FROM THE NORTHERN HALF OF THE BLOCK BOUNDED BY PONSONBY ROAD, CRUMMER ROAD, MAIDSTONE STREET AND GREAT NORTH ROAD, PONSONBY. (1765.17)

3.1 Submission point 1765.17 seeks

Remove the Special Character Area Overlay – Business from the northern half of the block bounded by Ponsonby Road, Crummer Road, Maidstone Street and Great North Road, Ponsonby, and the consequential removal of the Height Variation Control from this location also. Alternatively, remove just the mapped extent of the Height Variation Control of 13m, so that Rule H10.6.1(1A) applies, noting that the height limit on the northern half of the block will be subject to Rule H10.6.3(1), which requires a 6m setback at 18m and above (due to the residential zoning across Ponsonby Road).

3.2 **Morgan Shepherd** considers that this is an optimal development block that is subject to undue constraints associated with the SCA-Business Overlay.

3.3 **Veronica Cassin** considers that the character defining buildings identified at 2-16 Ponsonby Road, and 13-17 Great North Road should remain within the SCA-Business Overlay. However, the car showroom building at 19-21 Great North Road is highly modified and should be considered a 'non-contributing' building.

3.4 **Carolyn O'Neil and Tania Richmond** do not agree that this block or parts of the block of the Ponsonby Road SCA-Business should be removed from the overlay. **Carolyn O'Neil and Tania Richmond** note that this block marks the important and recognisable southern entry into the commercial area that is reinforced by a landmark corner building and small clusters of character defining or character supporting buildings at either end.

3.5 **Carolyn O'Neil and Tania Richmond** acknowledged that there are a series of non-contributing buildings in the centre of the block. **Carolyn O'Neil** clarified that in accordance with the approach adopted to refine SCA-Business extents, clusters of non-contributing buildings within an area (i.e. not at the edges or on secondary streets) were not excluded

from overlay. This was to ensure that collective values, historic patterns of development, and streetscape qualities could continue to be experienced and managed in accordance with the AUP.

3.6 **Carolyn O'Neil** agrees the car showroom building at 19 Great North Road is highly modified and should be considered a 'non-contributing' building. Noting that this is the address of the car showroom building. With this re-classification, **Carolyn O'Neil** considers the extent of the SCA-Business Overlay be amended to exclude this property.

3.7 **Tania Richmond** considers that part of the submission point seeking changes to height is out of scope of this topic. This is to be discussed in conference Topic 014 Height.

3.8 **Morgan Shepherd** accepts that this submission point (in relation to height) is out of scope.

4. **REFINE THE APPLICATION OF SPECIAL CHARACTER AREAS BUSINESS OVERLAYS (1765.5)**

4.1 Submission point 1765.5 seeks

Refine the application of the Special Character Areas Business Overlays to ensure that vacant land, even within those sites that are identified as having character defining or character supporting buildings within them, are not captured by the extent of the Special Character Area Business Overlays or otherwise exempted from the development controls relating to the Special Character Area Overlays.

4.2 **Morgan Shepherd and Veronica Cassin** propose to address this in evidence, providing examples of where site or parts sites with no buildings could be excluded from the SCA-Business Overlay.

4.3 **Carolyn O'Neil** advised that the removal of individual sites (or parts of sites) within an area has generally been avoided as the SCA-Business overlay is an area-based control. **Carolyn O'Neil and Tania Richmond** do not support the piecemeal exclusion of both vacant lots and areas of vacant land within sites occupied by a building(s) from within the SCA-Business overlay. It is considered

that this will result in a ad-hoc approach that compromises the ability to appropriately manage (maintain and enhance) the special character values and qualities of the SCAs in question.

5. PARTICIPANTS TO THIS OFFLINE JOINT WITNESS STATEMENT

5.1. The participants to this offline Joint Witness Statement, as listed below, confirm that:

- a) They agree that the outcome(s) of the expert conferencing are as recorded in this statement; and
- b) They have read the Environment Court’s Practice Note 2023 and agree to comply with it; and
- c) The matters addressed in this statement are within their area of expertise; and
- d) Each expert by recording their name below confirms their position as recorded in this statement.

| Expert’s name and expertise | Party | Expert’s confirmation |
|------------------------------------|--|------------------------------|
| Carolyn O’Neil (Special Character) | Auckland Council | Yes |
| Tania Richmond (Planning) | Auckland Council | Yes |
| Veronica Cassin (Heritage) | Samson Corporation Limited and Sterling Nominees Limited | Yes |
| Morgan Shepherd (Planning) | Samson Corporation Limited and Sterling Nominees Limited | Yes |