

**BEFORE THE AUCKLAND UNITARY PLAN INDEPENDENT HEARINGS PANEL**

**IN THE MATTER** of the Resource Management Act 1991 and the Local Government (Auckland Transitional Provisions) Act 2010

**AND**

**IN THE MATTER** of Topic 079 Special Character and Pre 1944 Mapping

**AND**

**IN THE MATTER** of the submissions and further submissions set out in the Parties and Issues Report

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**JOINT EVIDENCE OF ELIZABETH HANCOCK, NICOLA LEGAT AND TANIA MACE, ON  
BEHALF OF THE GREY LYNN RESIDENTS ASSOCIATION**

**18 December 2015**

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## **1. CODE OF CONDUCT**

- 1.1** We confirm that we have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and that we agree to comply with it. We confirm that we have considered all the material facts that we are aware of that might alter or detract from the opinions that we express, and that this evidence is within our area of expertise, except where we state that we are relying on the evidence of another person.

## **2. SUMMARY**

- 2.1** We support the roll over of the Historic/Special Character areas in Grey Lynn from the legacy plans.
- 2.2** We support the Pre 1944 Demolition Control overlay in Grey Lynn.
- 2.3** We do not support the recent reduction of the Pre 1944 Demolition Control overlay area where the Council survey result showed a high level of integrity of historic development, hence we do not support the 'high level planning analysis'.

## **3. INTRODUCTION**

- 3.1** This evidence has been prepared by Elizabeth Hancock, Nicola Legat and Tania Mace on behalf of the Grey Lynn Residents Association.
- 3.2** Tania Mace is a freelance historian who has worked in the heritage field since 1995.
- 3.3** Elizabeth Hancock is a journalist and community group member with an interest in heritage and urban issues.
- 3.4** Nicola Legat is a publisher, journalist and local community group member with a long interest in heritage and urban issues.
- 3.5** This evidence has been prepared within a very tight time frame and with limited resources.

#### **4. SCOPE**

- 4.1 We have not participated in mediation sessions relating to this Topic.
- 4.2 We support the Historic/Special Character overlay in Grey Lynn.
- 4.3 We support the Pre 1944 Demolition Control overlay in Grey Lynn.
- 4.4 We consider that the areas identified by Council as having Historic/Special Character do not extend far enough as many areas on the periphery of the identified character areas share the same pattern of historic development and are representative of that development to a high degree, particularly those parts of Grey Lynn not covered by the Historic/Special Character overlay.
- 4.5 We believe that the Pre 1944 Demolition Control overlay no longer extends far enough in Grey Lynn. Council have recently released maps showing a revised extent of Pre 1944 Demolition Control overlay which revealed that the overlay had been removed from parts of Grey Lynn that we believe warrant inclusion in the overlay.
- 4.6 We believe that the Pre 1944 Demolition Control overlay rules have not been enforced properly to date, resulting the loss of character homes that contribute to charming pre 1944 streetscapes within the Pre 1944 Demolition Control overlay. Council needs to take a more rigorous approach to applications to remove or demolish properties within the zone to stop further losses.
- 4.7 We feel that it is vital that steps are taken to notify a plan change that would allow the pre 1944 streetscapes that have been identified in the Pre 1944 Demolition Control overlay to be included and protected within the Historic/Special Character overlay.

#### **5. Spatial Extent of Pre 1944 Demolition Control and Historic/Special Character in Grey Lynn**

- 5.1 Grey Lynn has one of the most intact collections of villa and bungalow streetscapes in New Zealand. It is a gem that requires protection through planning mechanisms if it is to survive for future generations.

## **6. Character Areas**

- 6.1 The Grey Lynn Residents Association applauds the Council for continuing to protect parts of Grey Lynn covered by the Residential 1 zoning in the Auckland City District Plan, through the Historic/Special Character overlay that covers these areas.

## **7. Pre 1944 Demolition Control Overlay**

- 7.1 We strongly supported the Pre 1944 Demolition Control overlay that covered parts of Grey Lynn in our DAUP feedback and PAUP submissions. We believe that Grey Lynn has many largely intact villa and bungalow streetscapes that warrant protection but had somehow been left out of the Residential 1 zone in the Auckland City District Plan, and consequently were not included in the Historic/Special Character overlays in the PAUP. We saw the Pre 1944 Demolition Control overlay as recognition of the heritage value of these streetscapes and we were pleased to see that much of the Pre 1944 Demolition Control overlay was retained after the Council had undertaken a heritage assessment of Grey Lynn.

- 7.2 Council released the revised extent of the Pre 1944 Demolition Control overlay recently. We strongly support the areas that remain within the Pre 1944 Demolition Control overlay in Grey Lynn, but we feel that the overlay has been wrongly removed from some areas: Fisherton Street, Maxwell Avenue, Gilbert Avenue, Sefton Avenue, Rona Avenue, and parts of Barrington Road, Tuarangi Road and Ivanhoe Road.

- 7.3 These proposed deletions include areas that, in our opinion, exhibit a high level of integrity. The removal of the Pre 1944 Demolition Control overlay from these areas may be as a result of the 'High Level Planning Analysis' referred to in the evidence of Ms Rowe, but may also be a result of the thresholds set by the Council criteria.

## **8. High Level Planning Analysis of the Pre 1944 Areas**

- 8.1 Ms Rowe states in her evidence that some areas of the Pre 1944 Demolition Control overlay with high integrity have been deleted in order to meet other planning objectives. At 8.7 of her evidence she sets out the matters considered under the 'high level planning analysis'.

- 8.2 In Grey Lynn Ms Rowe has applied this to Maxwell Avenue, a street with a high level of integrity of historic development. Maxwell Avenue is not directly on any major

transport network and is far enough away from the small set of shops at West Lynn for this also not to be a factor. The deletion of this street and Fisherton Street, a cul-de-sac towards the Surrey Crescent end of Richmond Road, is baffling. In addition, we feel that Gilbert Avenue, Sefton Avenue, Rona Avenue and parts of Barrington Road, Tuarangi Road and Ivanhoe Road also exhibit the highly consistent pre 1944 character that warrants inclusion in the Pre 1944 Demolition Control overlay.

**8.3** We do not support the deletion of any areas found to have a high level of integrity. The remaining pre 1944 areas are a fragile and limited resource. Where these areas remain relatively intact they must be recognised, if only by this overlay.

**8.4** Deletion of sections of the pre-1944 area should be limited to those parts where the pre-1944 character has been compromised or lost. In our opinion the deletion of any areas found to have a high degree of consistency is unacceptable. We do not agree with Ms Rowe's opinion that such areas may be deleted as the character they demonstrate is represented elsewhere. This underlying philosophy of retaining representative examples runs counter to the philosophy of treating the whole as a fragile and limited resource that represents in its entirety.

## **9. Proposed Future Plan Change**

**9.1** The Grey Lynn Residents Association supports the underlying process, as outlined in the evidence of Ms Mein, to further the recognition of the notable or generally intact areas of pre 1944 development, and to proceed with a plan change(s) following the PAUP process.

**9.2** The surviving area of pre 1944 development in Grey Lynn and other parts of Auckland, including the Historic/Special Character areas, is a remarkable resource for Auckland. What was developed by 1944 is all that there ever will be of this resource. We support the Council process of recognising and evaluating the contribution of pre 1944 development to the overall character of Auckland. The areas that still represent that period of development would be greatly affected by change and are a limited resource with a very high collective value to the community of Auckland as a whole.

**9.3** Collectively these places represent the development of Auckland from the mid nineteenth century through to 1944. The individual places are generally

unremarkable, typical of their type and time period, it is their collective value that creates their overall value. Ms Mein includes a diagram in her evidence describing the hierarchy of heritage that has guided Council. At the apex of this diagram is the term World Heritage, applied so far to nothing in Auckland, below this the scheduled places, with the Conservation Areas below them, then the Historic/Special Character areas with the pre-1944 at the base.

**9.4** In our opinion Grey Lynn and the other remaining pre 1944 wooden suburbs of Auckland (both the Pre 1944 overlay areas and the Historic/Special Character areas) and their commercial centres have the potential to become World Heritage. These places are truly remarkable on an international level. Together with the volcanic cones, they are the most outstanding heritage feature of the Auckland urban environment.

**9.5** We consider that any plan change that may follow the PAUP process should recognise the overall collective value of these places and should place them at the apex of Auckland's heritage.

## **10. Risks to pre 1944 Character**

**10.1** The interim advice on Topic 030 issued by the Independent Hearings Panel stated that, at that time, no evidence had been presented to the Panel to suggest that pre 1944 buildings are at any significant risk of demolition or removal, and that no evidence had been presented to indicate that the Pre 1944 Demolition Control overlay areas are at significant risk of losing their character.

**10.2** We strongly dispute this. There is growing development pressure in Grey Lynn and we have already witnessed the removal of dwellings within the Pre 1944 Demolition Control overlay that were integral parts of highly consistent pre 1944 streetscapes. This shows that Council have not stringently applied the Pre 1944 Demolition Control rules to date. Now that the Council heritage assessment has been carried out in Grey Lynn, Council should be well aware of the heritage value of the streetscapes included in the Pre 1944 Demolition Control overlay. We request that Council take a much more rigorous approach to applying the rules of the Pre 1944 Demolition Control overlay so that the predominantly intact character streetscapes of Grey Lynn are not eroded.

- 10.3** The removal of the Pre 1944 Demolition Control overlay from parts of Grey Lynn will increase development pressure. Each demolition or removal has an effect well beyond its site. It is our contention, as stated, that these buildings contribute to the collective value of Grey Lynn. Each removal erodes that overall character, eventually leading to an area no longer demonstrating sufficient pre 1944 character to warrant any form of recognition. This has a cumulative effect that cannot be undone or mitigated.
- 10.4** For this reason the Grey Lynn Residents Association does not support the deletion of areas considered by Council to have a high level of pre 1944 character from the mapping in order to meet other objectives. These areas should not be made easily available for any form of redevelopment.
- 10.5** In the past the rate of change in the areas related to the value. In areas of high value, change has occurred at the highest rate. Over the last few years property prices in Grey Lynn have risen exponentially, with the value of the land exceeding the value of built development, creating considerable development pressure and threatening the predominantly intact pre 1944 streetscapes that give the area such charm.

## **11. Underlying Zoning**

- 11.1** One of the major threats to the heritage value of the areas covered by the Historic/Special Character and Pre 1944 Demolition Control overlays, is the imposition of inappropriate underlying zoning. It is vital that the underlying zoning is compatible with the retention of the existing housing with Single House being the appropriate zoning for the Historic/Special Character and Pre 1944 Demolition Control overlay areas of Grey Lynn.

## **12. CONCLUSION**

- 12.1** We support rolling over of the Historic/Special Character zone in Grey Lynn from the legacy plan and the introduction of the Pre 1944 Demolition Control overlay in the PAUP.
- 12.2** The extent of pre-1944 development in Auckland is limited. What was developed by 1944 is all that there ever will be of this resource. We support the Council process of recognising and evaluating the contribution of pre-1944 development to the overall character of Auckland. We accept that not all areas identified as pre-1944

development will now represent that period of development. The areas that still represent that period of development could be greatly affected by change and are a limited resource with a very high collective value.

- 12.3** The surviving area of pre-1944 development in Auckland, including the Historic/Special Character areas, is a remarkable resource for Auckland. Collectively these places represent the development of Auckland from the mid nineteenth century through to 1944. The individual places are generally unremarkable, typical of their type and time period, it is their collective value that creates their overall value. Ms Mein includes a diagram describing the hierarchy of heritage that has guided Council. At the apex of this diagram is the term World Heritage, applied so far to nothing in Auckland, below this the scheduled places, with the Conservation Areas below them, then the Historic/Special Character areas with the Pre 1944 areas at the base. In our opinion the remaining pre-1944 wooden suburbs of Auckland and their commercial centres have the potential to become World Heritage. They are remarkable and in our opinion they are the most outstanding heritage feature of the built Auckland urban environment. This is a diminishing resource.
- 12.4** Deletion of sections of the pre-1944 area should be limited to those parts where the pre 1944 character has been compromised or lost. In our opinion the deletion of any areas found to have a high degree of consistency is unacceptable. Maxwell Avenue, Fisherton Street, Gilbert Avenue, Sefton Street, Rona Avenue and parts of Barrington Road, Tuarangi Road and Ivanhoe Road have highly consistent pre 1944 character and thus should have been retained within the Pre 1944 Demolition Control overlay. We do not agree with Ms Rowe's opinion that such areas may be deleted as the character they demonstrate is represented elsewhere. This underlying philosophy of retaining representative examples runs counter to the philosophy of treating the whole as a fragile and limited resource that represents in its entirety.
- 12.5** Further work is clearly needed to protect the Pre 1944 Demolition Control overlay zones from inappropriate change that diminishes the character of these streetscapes. The existing Residential 1 Zone from the legacy plan encompassed only some of the character streetscapes in Grey Lynn that warrant protection, and consequently many streets with similarly intact character were not included in the Historic/Special Character overlays in the PAUP. The heritage survey that was subsequently carried out recognised the heritage value of other pre 1944 Grey Lynn streetscapes that have been included in the Pre 1944 Demolition Control overlay. We look forward to Council



notifying a plan change to include these areas within the Historic/Special Character overlay. In the meantime it is vital that the Pre 1944 Demolition Control overlay rules are applied properly so that these areas are allowed to retain the buildings that give them their special character.

- 12.6** It is vital that the underlying zoning of the of the Historic/Special Character and Pre 1944 Demolition Control overlays is consistent with the aim to ensure the survival of these streetscapes.

Elizabeth Hancock

Nicola Legat

Tania Mace