

**BEFORE THE ENVIRONMENT
COURT
CHRISTCHURCH REGISTRY**

**TE KŌTI TAIAO O AOTEAROA KI
ŌTAUTAHĪ**

ENV-2025-CHC-

IN THE MATTER

Of an appeal pursuant to clause 14
of the First Schedule of the
Resource Management Act 1991

BETWEEN

**Health New Zealand – Te Whatu
Ora (Health NZ)**
Appellant

AND

Dunedin City Council
Respondent

NOTICE OF APPEAL

27 August 2025

Instructing Solicitor

Kirsty Shepherd
Health New Zealand – Te Whatu Ora
kirsty.shepherd@tewhatauora.govt.nz

Counsel

Rachel Murdoch
Greenwood Roche
rmurdoch@greenwoodroche.com

**To The Registrar
 Environment Court
 Christchurch Registry**

1. Health New Zealand – Te Whatu Ora (**Health NZ**) appeals against parts of the “Stage 1” decisions of the Dunedin City Council on Plan Change 1 / Change SHB3 to the Partially Operative Dunedin City Council Second Generation District Plan (**Plan Change 1 / Change SHB3 to the 2GP**) (the **Decision**).
2. Health NZ made a submission and further submission (**S252** and **FS3**) on Plan Change 1 / Change SHB3 to the 2GP. A copy of the submission and an excerpt of its further submission relevant to this appeal are included as Appendices A and B.
3. Following a request from the section 42A reporting officer for Plan Change 1 / Change SHB3 to the 2GP, and prior to the SHB3 hearing, Health NZ’s regional head of infrastructure for the South Island, Dr Rob Ojala, tabled a letter dated 9 May 2025 that provided additional information regarding the proposed future use of the Administration Block and site on which it is located. A copy of the letter is included as Appendix C.
4. Health NZ is not a trade competitor for the purposes of sections 308C, 308CA and 308D of the Resource Management Act 1991 (**RMA**).
5. Health NZ received notice of the Decision on 17 July 2025.
6. The parts of the Decision that Health NZ appeals against are:
 - a. the decision to approve the inclusion of the former Dunedin Hospital Administration Block (Change 1 / Change SHB3 to the 2GP reference, **BX055**) (the **Building**) in Appendix A1.1

Schedule of Protected Heritage Items and Sites of the 2GP
(**Heritage Schedule**). Specifically:

- i. Decision 5.3.9¹ [090] a) – that rejects Health NZ’s submission 252.001 which opposes inclusion of the Building in the Heritage Schedule.
- ii. Decision 5.3.9 [090] b) and Appendix 1 (including mapped extent) – that retains the inclusion of the Building in the Heritage Schedule as notified.

7. The reasons for Health NZ’s appeal are that those parts of the Decision do not achieve the purpose and principles of the RMA in that they:

- a. do not promote the sustainable management of resources including that they do not:
 - i. manage the use, development and protection of natural and physical resources which enable people and communities to provide for their social, economic, and cultural well-being and for their health and safety;
 - ii. avoid, remedy or mitigate actual and potential adverse effects on the environment;
- b. do not promote the efficient use and development of natural and physical resources; and
- c. do not represent the most appropriate way to achieve the objectives of the 2GP in terms of section 32 of the RMA.

¹

The decision appears to have embedded a numbering error in relation to BX055 – numbering this section “5.3.9” but located between sections “5.2.8” and “5.2.10”. This is relevant in relation to concluding paragraphs 336(g) and (h) that refer to the “5.2.X” and “5.3.X” decisions. The intention of the decision was to name this section “5.2.9” – and group this decision in the group of paragraphs relating to rejected submissions opposing heritage listings.

8. Without limiting the generality of the above, the specific reasons for Health NZ's appeal are:
- a. Health NZ's statutory function² requires the design and delivery of public health services to achieve the best possible outcomes for all New Zealanders. While the protection of historic heritage values from inappropriate development is an identified matter of national importance at section 6(f) of the RMA, Health NZ considers that the delivery of cost-effective public health services is a critical matter of national importance that warrants careful consideration, if not prioritisation.
 - b. Notwithstanding historic heritage values of the Building as assessed by Dunedin City Council, the inclusion of the Building in the Heritage Schedule imposes obligations on Health NZ that:
 - i. Have the potential to conflict with / impose additional costs on Health NZ's ability to meet existing statutory obligations.

Hospitals (and in some cases other specified health care facilities) are required in the Building Act regime to meet higher building performance standards, for example, the seismic and post disaster recovery requirements.

Given the age, construction and building materials of Health NZ's building stock, it is common for building performance compliance to require costly and invasive building maintenance, strengthening and repairs. While the future use and design of the Building is not yet confirmed, it is necessary that the health estate building

stock is able to be managed in a responsive way, including by enabling building modifications to facilitate temporary and permanent service relocation and decanting to facilitate development. The imposition of heritage protections resulting from inclusion of the Building in the Heritage Schedule will constrain the use, adaptation, repair and modification of the exterior and interior of the Building – potentially requiring resource consent to be obtained for invasive works that may be necessary to achieve building performance compliance. The additional cost and uncertainty of this requirement would be a significant burden for Health NZ and would complicate building asset management – if not effectively sterilising opportunities for agile building management by Health NZ. Health NZ does not consider that this has been adequately considered in the decision to include the Building in the Heritage Schedule.

- ii. Have the potential to add costs and delays to the delivery of the \$20B Health Infrastructure Plan Construction Pipeline and local Project Whakatuputupu, the New Dunedin Hospital.

Hospital development is uniquely complex and extremely costly. This is reflected in Health NZ's strategic approach to delivery of the Building Hospitals Better Programme and 'Kit of Parts' campus design approach. It is critical that health buildings can adapt to changing needs in a cost-effective and efficient manner.

Site wide master planning identifies optimised development and delivery feasibility. The scheduling of the Building in the middle of the existing Dunedin health precinct creates significant challenges in optimising site utilisation and construction feasibility.

- iii. Have not adequately weighed the public cost and public benefit.

The Decision briefly considers the tension between private cost and public benefit of heritage protection. However, information on which the Council relies in making its decisions (including the section 42A report) does not adequately address the public cost – in this case to Health NZ and ultimately the taxpayer – of imposing additional constraints on the management and future use of the Building.

Health NZ does not consider that the benefits of protecting any heritage values associated with the Building will outweigh the significant costs to the public health system associated with the additional constraints that inclusion of the Building in the Heritage Schedule will impose.

9. Health NZ seeks the following relief:

- a. That its appeal be allowed;
- b. That the Building be deleted from the Heritage Schedule and the planning maps of the 2GP; and
- c. Other such orders, relief or consequential amendments as is considered appropriate and necessary by the Court to address that relief and the concerns set out in this appeal.

10. Health NZ attaches the following documents to this notice:

- a. Health NZ's submission and excerpts from its further submission relevant to this appeal (Appendices A and B);
- b. A copy of Dr Ojala's letter on behalf of Health NZ which was provided as part of the Plan Change 1 / Change SHB3 hearing (Appendix C); and
- c. A copy of the decisions-version Plan Change 1 / Change SHB3 to the Dunedin City Council Second Generation Plan (Appendix D).

A list of names and addresses of persons to be served with a copy of this notice, and the date of service, will be provided to the Registrar of the Environment Court in accordance with the requirements of the RMA.

Date: 27 August 2025



K Shepherd / R Murdoch
Legal Counsel for Health NZ

Address of Service for Health NZ:

K Shepherd - kirsty.shepherd@tewhatauora.govt.nz | 021 434 094

R Murdoch – rmurdoch@greenwoodroche.com | 027 299 7441

Copy: land-planning@tewhatauora.govt.nz

Advice to recipients of copy of notice of appeal

How to become party to proceedings

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Act. You may apply to the Environment Court under section 281 of the Act for a waiver of the above timing or service requirements (see form 38).

Advice

If you have any questions about this notice, contact the Environment Court in Christchurch

Appendix A – Health NZ submission on PC1

PLAN CHANGE 1 – MINOR IMPROVEMENTS

SUBMISSION FORM 5

CLAUSE 6 OF FIRST SCHEDULE, RESOURCE MANAGEMENT ACT 1991



This is a submission on Plan Change 1 to the Partially Operative Dunedin City Second Generation District Plan (2GP). Your submission must be lodged with the Dunedin City Council by midnight on 18 December 2024. All parts of the form must be completed.

Privacy

Please note that submissions are public. Your name, organisation, contact details and submission will be included in papers that are available to the media and the public, including publication on the DCC website, and will be used for processes associated with Plan Change 1. This information may also be used for statistical and reporting purposes. If you would like a copy of the personal information we hold about you, or to have the information corrected, please contact us at dcc@dcc.govt.nz or 03 477 4000.

Make your submission

Online: dunedin.govt.nz/2gp-plan-change-1 **Email:** districtplansubmissions@dcc.govt.nz

Post to: Submission on Plan Change 1, Attn: City Development, Dunedin City Council, PO Box 5045, Dunedin 9054

Deliver to: Customer Services Agency, Attn: City Development, Dunedin City Council, Ground Floor, 50 The Octagon, Dunedin

Submitter details (You must supply a postal and/or electronic address for service)

First name: Kirsty

Last name: Shepherd

Organisation (if applicable): Health New Zealand Te Whatu Ora

Contact person/agent (if different to submitter): Maurice Dale

Postal address for service: C/- Boffa Miskell Limited, PO Box 110

Suburb:

City/town: Christchurch

Postcode: 8041

Email address: maurice.dale@boffamiskell.co.nz

Trade competition

Please note: If you are a person who could gain an advantage in trade competition through your submission, your right to make a submission may be limited by clause 6(4), Schedule 1 of the Resource Management Act.

I could gain an advantage in trade competition through this submission: ☐ Yes ☒ No

If you answered yes, you could gain an advantage in trade competition through this submission, please select an answer:

- ☐ Yes ☐ No My submission relates to an effect that I am directly affected by and that:
- a. adversely affects the environment; and
 - b. does not relate to trade competition or the effects of trade competition.

Submission

Submissions on Plan Change 1 can only be made on the provisions or mapping which are proposed to change, or alternatives that are clearly within the 'purpose of proposal and scope of change' statements for the related Change ID given in the Section 32 report and in the summary of changes document. Submissions on other aspects of the 2GP may not be considered by the hearing panel.

You must indicate which parts of the plan change your submission relates to. You can do this by identifying the relevant Change ID and either making a submission on:

- all changes related to that Change ID or alternatives within the associated 'purpose of proposal and scope of change'; or
- specific provisions that are being amended as part of that Change ID.

The specific aspects of Plan Change 1 that my submission relates to are:

Change ID (please see accompanying Plan Change 1 – Summary of Changes document, Section 32 Report, or find the list on www.dunedin.govt.nz/2gp-plan-change-1)

Refer to attached submission

For example: Res13

Provision name and number, or address and map layer name (where submitting on a specific proposed amendment):

Refer to attached submission

For example: Rule 9.5.4.4, or the stormwater open watercourse mapped area at 123 Street

My submission seeks the following decision from the Council: (Please give precise details, such as what you would like us to retain or remove, or suggest amended wording)

- ☐ Accept the change
- ☐ Accept the change with amendments outlined below
- ☐ Reject the change
- ☐ If the change is not rejected, amend as outlined below

Refer to attached submission

Reasons for my views (you may attach supporting documents):

If you wish to make multiple submissions, you can use the submission table on page 3 or attach additional pages.

Refer to attached submission

Hearings

Do you wish to speak in support of your submission at a hearing: ☒ Yes ☐ No

If others make a similar submission, would you consider presenting a joint case at a hearing: ☒ Yes ☐ No

Signature:

K. Shepherd

Date:

18/12/2024

Multiple Submissions Table

Change ID, and provision name and number or address and map layer name where submitting on a specific provision being amended by that Change ID

Decision Sought

- a. Accept the change
- b. Accept the change with amendments outlined
- c. Reject the change
- d. If the change is not rejected, amend as outlined

Reasons for my views

Refer to attached submission		

**HEALTH NEW ZEALAND TE WHATU ORA
SUBMISSION ON PLAN CHANGE 1 TO THE PARTIALLY OPERATIVE
DUNEDIN CITY SECOND GENERATION DISTRICT PLAN**

Clause 6 of First Schedule, Resource Management Act 1991

To: Submission on Plan Change 1
Dunedin City Council
Dunedin 9054

Email: districtplansubmissions@dcc.govt.nz

Submitter: Health New Zealand Te Whatu Ora
C/- Boffa Miskell Limited
P O Box 110
Christchurch 8140

Attention: Maurice Dale
Phone: 027 801 8072
Email: maurice.dale@boffamiskell.co.nz

Health New Zealand Te Whatu Ora (**Health NZ**) makes submissions on Plan Change 1 (**PC1**) to the Partially Operative Dunedin City Second Generation District Plan (**2GP**) in the **attached** document.

Health NZ confirms it could not gain an advantage in trade competition through this submission.

Health NZ would like to be heard in support of its submission. If other submitters make a similar submission, Health NZ will consider presenting a joint case with them at a hearing.

Kirsty Shepherd, Principal Legal Counsel

On behalf of Health NZ Te Whatu Ora

Dated this 18th day of December 2024

Introduction

Health New Zealand Te Whatu Ora (**Health NZ**) is responsible for the provision and improvement of health care services and outcomes across the health system to meet the needs of all people in New Zealand. Health NZ manages all health services, including hospital and specialist services, and primary and community care. The services it provides are essential and directly enable people and communities to provide for their social and cultural wellbeing, and health and safety in a way that contributes to the sustainable management purpose of the Resource Management Act 1991 (**RMA**).

Within Ōtepoti Dunedin, Health NZ operates Dunedin Hospital located at 201 Great King Street and Wakari Hospital located at 371 Taieri Road. Dunedin Hospital is the tertiary hospital for the lower part of the South Island and provides a range of services for a catchment of 289,000 people. Dunedin Hospital is also a University teaching hospital with links to the University of Otago and the Otago Polytechnic Schools of Nursing, Midwifery and Health Sciences. Wakari hospital provides psychiatric hospital services and services for people with intellectual or physical disabilities.

Health NZ is also leading the delivery of Project Whakatuputupu, the New Dunedin Hospital (**NDH**). The project involves the construction of new tertiary inpatient and outpatient facilities across three blocks located at 280 and 360 Cumberland Street, and 81 Castle Street. The Outpatient building is currently under construction.

Health NZ has an interest in the implications that Plan Change 1 (**PC1**) has on the development, use, and upgrading of hospitals and healthcare facilities in Dunedin. This submission relates to changes proposed through PC1 that would result in the listing of 255 Great King Street as a scheduled heritage building in Partially Operative Dunedin City Second Generation District Plan (**2GP**), and other changes that may impact on Health NZ's ability to deliver cost effective and efficient health care services.

Health NZ Submission on Plan Change 1

The Listing of 255 Great King Street as a Scheduled Heritage Building

The Aspects of Plan Change 1 the Submission Relates to:

Change ID: SHB3

Provision name and number of address and map layer name: Planning Maps (scheduled heritage buildings), and Appendix A1.1 Schedule of Protected Heritage Items and Sites.

Submission

PC1 proposes to include the Dunedin Hospital Administration Block (former) located at 255 Great King Street as a scheduled heritage building (reference BX055) on the Planning Maps and in Appendix A1.1 Schedule of Protected Heritage Items and Sites. The heritage protection proposed to be afforded to the building includes the entire external building envelope and central interior stair. Scheduling of the building is proposed on the basis that it meets one or more of the significance criteria in policy 2.4.2.1.b of the 2GP.

Health NZ **opposes** the listing of 255 Great King Street as a scheduled heritage building for the following reasons:

- Hospitals provide essential services and significant public benefits. Given their various operational and functional requirements and the changing needs of the populations they serve, the design, delivery and management of hospitals is uniquely complex and extremely costly. It is critical that health buildings are able to adapt to changing needs in a cost-effective and efficient manner.
- Site wide master planning for hospital campuses identifies the most feasible and appropriate way in which the future use and development of land and buildings around a hospital will be undertaken. In Dunedin, the proposed scheduling and protection afforded to a hospital in the middle of the current health precinct will create significant issues with the ability to make the best use of that site in future.

- It does not consider that the heritage values of the building are of the level of significance to warrant inclusion in the Heritage Schedule.
- At this stage, given the above, it is considered that the costs associated with scheduling the building are not outweighed by the benefits of protecting any heritage values it may have. The scheduling of the building is therefore not the most appropriate way to achieve the objectives of the 2GP and the purpose of the RMA.

Decision Sought from Council

- (a) Delete scheduled heritage building BX055, 255 Great King Street, from the Planning Maps and Appendix A1.1 Schedule of Protected Heritage Items and Sites.

Other Changes Proposed through PC1

The Aspects of Plan Change 1 the Submission Relates to:

Provision name and number of address and map layer name:

Provisions in the following chapters to the extent that they relate to the development, use, maintenance, and upgrading of hospitals and health care facilities:

- Chapter 1.4 – Definitions
- Chapter 2 – Strategic Directions
- Chapter 4 – Temporary Activities
- Chapter 5 – Network Utilities
- Chapter 6 – Transportation
- Chapter 8 – Earthworks
- Chapter 9 – Public Health and Safety
- Chapter 11 – Natural Hazards
- Chapter 12 – Heritage
- Chapter 18 – Commercial and Mixed Use Zones
- Chapter 19 – Industrial Zones
- Chapter 23 – Major Facility Dunedin Hospital Zone
- Chapter 35 – Major Facility Wakari Hospital Zone

Submission

Health NZ neither supports or opposes (is neutral) on all other changes proposed in PC1 that relate to the development, use, and upgrading of hospitals and health care facilities. Hospitals and health care facilities provide essential services and significant public benefits and have specific operational and functional requirements. Health NZ considers the provisions PC1 must enable hospitals and health care facilities to be developed, used, and upgraded to meet the needs of the populations they serve in a cost effective and efficient manner.

This includes (but is not limited to) ensuring the provisions of PC1:

- Provide for an appropriate range of health care services in the amended or new definitions of “hospital” and “healthcare”.
- Apply appropriate requirements to the management of noise, vibration, and other effects from construction and site investigation activities.

- Apply appropriate acoustic insulation requirements for noise sensitive activities.
- Enable high trip generators to establish while appropriately managing effects on the safe, effective, and efficient operation of the transport network.
- Enable hospitals and healthcare activities, including supporting and ancillary activities, in the Major Facility Dunedin Hospital Zone, Major Facility Wakari Zone, Commercial and Mixed Use Zones (particularly the CBC Edge Commercial North Zone), including appropriate built form, amenity, and transport outcomes.

Decision Sought from Council

- (a) Retain or amend the changes proposed though PC1 in the following chapters in a form that provides for the appropriate development, use, and upgrading of hospitals and health care facilities.
- Chapter 1.4 – Definitions
 - Chapter 2 – Strategic Directions
 - Chapter 4 – Temporary Activities
 - Chapter 5 – Network Utilities
 - Chapter 6 – Transportation
 - Chapter 7 – Scheduled Trees
 - Chapter 8 – Earthworks
 - Chapter 9 – Public Health and Safety
 - Chapter 11 – Natural Hazards
 - Chapter 12 – Heritage
 - Chapter 18 – Commercial and Mixed Use Zones
 - Chapter 19 – Industrial Zones
 - Chapter 23 – Major Facility Dunedin Hospital Zone
 - Chapter 35 – Major Facility Wakari Hospital Zone

Appendix B – Excerpt from Health NZ further submission on PC1 (as it relates to stage 1 matters)

PLAN CHANGE 1 – MINOR IMPROVEMENTS

FURTHER SUBMISSION FORM

CLAUSE 8 OF FIRST SCHEDULE, RESOURCE MANAGEMENT ACT 1991



This is a further submission in support of, or in opposition to, a submission on Plan Change 1: Minor Improvements to the Partially Operative Dunedin City Second Generation District Plan (2GP).

Your further submission must be lodged with DCC by 11.59pm on Tuesday 4 March 2025. All parts of the form must be completed.

A copy of your further submission must also be served on the original submitter within five working days after it is lodged with the DCC.

Privacy

Please note that all further submissions are public information. Your name, organisation, contact details, and further submission will be included in papers that are available to the media and the public, including publication on the DCC website, and will be used for processes associated with Plan Change 1. This information may also be used for statistical and reporting purposes. If you would like a copy of the personal information we hold about you, or to have the information corrected, please contact us at dcc@dcc.govt.nz or 03 477 4000.

Make your further submission

Online: dunedin.govt.nz/2gp-plan-change-1 **Email:** districtplansubmissions@dcc.govt.nz

Post to: Further Submission on Plan Change 1, Attn: City Development, Dunedin City Council, PO Box 5045, Dunedin 9054

Deliver to: Customer Services Agency, Attn: City Development, Dunedin City Council, Ground Floor, 50 The Octagon, Dunedin

Further Submitter details (You must supply a postal and/or electronic address for service)

Are you submitting on behalf of an Organisation (required): ☐ Yes ☐ No

First name (required):

Last name (required):

Organisation (if applicable):

Contact person/agency (if different to submitter):

Postal address for service:

Suburb:

City/town:

Postcode:

Email address:

Phone number:

The RMA limits the people that can take part in the further submission process to the following categories (please select which category you belong to) (required)

- ☒ I am a person representing a relevant aspect of the public interest
- ☒ I am a person who has an interest in the proposal that is greater than the interest the general public has
- ☐ Please specify grounds for saying that you come within the selected category (required):

Refer to attached submission

Further Submission

Do you wish to speak in support of your further submission at a hearing (required): ☒ Yes ☐ No

If others make a similar submission, I will consider presenting a joint case with them at a hearing (required): ☒ Yes ☐ No

My further submission relates to (required): *(please specify the original submitter's name and/or submission number)*

Refer to attached submission

Your position (required): ☐ I support this submission ☐ I oppose this submission

The particular parts of the submission I support (or oppose) are (required): *(specify submission point number or otherwise clearly indicate which parts of the original submission you support or oppose)*

Refer to attached submission

The reasons for my support (or opposition) are (required):

Refer to attached submission

I seek the following decision (required): *(explain if you wish the whole (or part [describe part]) of the submission allowed (or disallowed)).*

Refer to attached submission

Signature: K. Shepherd

Date: 4/3/2025

Attachment - Health New Zealand - Further submissions on Plan Change 1 to the 2GP

ID	Name	Accept / reject	Provision	Summary of submission	Submitter relief sought	Further submission	Reasons	Health New Zealand's specific interest
SBH3 - Addition of specified new scheduled heritage buildings								
S272.005	Heritage New Zealand Pouhere Taonga (Christine Whybrew)	Accept	All	Heritage New Zealand Pouhere Taonga is supportive of all heritage places currently on the New Zealand Heritage List/Rārangi Kōrero, and that are not on the New Zealand Heritage List/Rārangi Kōrero, being entered on the 2GP plan heritage schedule.	Retain Change SHB3 (Add specified new scheduled heritage buildings).	Health New Zealand opposes this submission in respect of the Dunedin Hospital Administration Block (former) (BX055) at 255 Great King Street and seeks that it is disallowed in respect of that Block.	For the reasons set out in its submission, Health New Zealand opposes the inclusion of the Dunedin Hospital Administration Block (former) (BX055) in the 2GP heritage schedule. Specifically, it does not consider that inclusion of that Block in the schedule is appropriate in terms of the requirements of section 32 of the Resource Management Act 1991.	Health New Zealand has an interest in this matter that is greater than the general public. The Dunedin Hospital Administration Block (former) (BX055) at 255 Great King Street forms part of the existing Dunedin Hospital campus which is owned and operated by Health New Zealand.
S269.001	Kāinga Ora - Homes and Communities (Brendon Liggett)	Reject	All	Kāinga Ora is concerned with the methodology and assessment used to identify specific heritage buildings through PC1. The Council Heritage assessment applies a bespoke rating to the established significance criteria in Policy 2.4.2.1.b of the 2GP. This rating system is not consistent with that used elsewhere, for example, where a ranking of “meets criteria” would not justify inclusion in a historic heritage schedule. It is also not consistent with the national ranking used by Heritage New Zealand Pouhere Taonga. Areas		Health New Zealand supports this submission to the extent that it concerns the identified issues with methodology and assessment used to justify the scheduling of the Dunedin Hospital Administration Block.	Health New Zealand considers that the assessment for including additional buildings in the 2GP heritage schedule should be undertaken in reference to the established criteria in the Otago Regional Policy Statement and 2GP and use a significance rating that is consistent with those utilised elsewhere in New Zealand.	Health New Zealand has an interest in this matter that is greater than the general public. As set out above, one of the buildings proposed to be included in the historic heritage schedule is part of the existing Dunedin Hospital campus that is owned and operated by Health New Zealand.

ID	Name	Accept / reject	Provision	Summary of submission	Submitter relief sought	Further submission	Reasons	Health New Zealand's specific interest
				that are identified as just 'meeting the criteria' would not typically meet the threshold for section 6 protection under the RMA. As such, Kāinga Ora opposes the newly identified proposed heritage building and seeks its deletion from PC1. An assessment should be undertaken in reference to the established criteria in the Otago Regional Policy Statement and 2GP and use a significance rating that has consistency with those utilised elsewhere in New Zealand. The following schedule ranking approach is considered to have greater consistency with established practice across New Zealand: • Plan ranking A (equivalent to HNZPT Category 1 places nationally significant) • Plan ranking B (equivalent to HNZPT Category 2 places, regionally or nationally) • Moderate value (locally of interest, but not nationally significant under Section 6f), to qualify potentially as an 'other matter' under part 7.				
D16 - Providing for healthcare activities								
S261.004	Kāti Huirapa Rūnaka ki Puketeraki, Te	Accept	All	Kā Rūnaka are supportive of the proposed changes to the way the	Retain Change D16 (Providing for	Health New Zealand	Subject to the matters raised below, Health New Zealand agrees that the proposed	As the national agency responsible for the provision of healthcare

ID	Name	Accept / reject	Provision	Summary of submission	Submitter relief sought	Further submission	Reasons	Health New Zealand's specific interest
	Rūnanga o Ōtākou (Kā Rūnaka) (Michael Bathgate)			2GP manages healthcare activities.	healthcare activities).	supports this submission.	changes to the way in which the 2GP manages healthcare activities are appropriate.	services across Aotearoa, Health New Zealand has an interest greater than the general public.
Earth1 - Geotechnical investigation and driving of piles for building foundations								
S126.003	Fulton Hogan Limited (Helen Caley)	Accept with amendments	4.5.4.1	In general, Fulton Hogan is supportive of providing for higher noise limits on a temporary basis for construction. This allows short-term construction activities to be undertaken efficiently, without requiring a resource consent. These activities are often necessary to construct and maintain the city's infrastructure. Fulton Hogan also supports adding site investigation into the rule.	Retain the addition of site investigation to Rule 4.5.4.1 (Temporary Activities: Construction and site investigation noise performance standard).	Health New Zealand supports this submission in part.	Health New Zealand agrees that increasing the noise limits for temporary construction (including site investigation) will allow those activities to be undertaken more efficiently, and that that is an appropriate sustainable management outcome.	Health New Zealand represents a relevant aspect of the public interest and has an interest in this matter that is greater than the general public. Health New Zealand is responsible for the construction of public health infrastructure, including the New Dunedin Hospital which is one of the largest infrastructure projects in New Zealand. District plan provisions which may inform how health infrastructure is to be delivered in Dunedin (including New Dunedin Hospital) are matters of interest to Health New Zealand.
S248.001	Port Otago Limited (Joanne Dowd)	Accept with amendments	1.4.1 definition of construction	POL supports the inclusion of geotechnical site investigations within the definition of	Amend the definition of construction and	Health New Zealand	Health New Zealand agrees that there is currently some uncertainty regarding the	As above.

**Appendix C – Health NZ further information provided to PC1 section
42A reporting officer**

9 May 2025

Dunedin City Council
PO Box 5045
Dunedin 9054

For the attention of the PC-2025-1 Hearings Panel

c/- governance.support@dcc.govt.nz

Jenny Lapham

PC-2025-1 – Heritage – Health New Zealand Te Whatu Ora Further Information

- 1 Health New Zealand Te Whatu Ora (*Health NZ*) made a submission (#252) and further submission on Plan Change 1 to the Partially Operative Dunedin City Second Generation District Plan (2GP) (PC1).
- 2 Among other matters, that submission opposed the proposed inclusion of the Dunedin Hospital Administration Block (former) (*Building*) located at 255 Great King Street (*Site*) as a scheduled heritage building in the 2GP on the basis that:¹
 - (a) The Building is part of the existing Dunedin Hospital campus, which provides essential services and significant benefits to the Otago and Southland region.
 - (b) Given their various operational and functional requirements and the changing needs of the populations they serve, the design, delivery and management of hospitals is uniquely complex and extremely costly. It is critical that health buildings are able to adapt to changing needs in a cost-effective and efficient manner.
 - (c) The proposed scheduling of (and the consequential protection that would be afforded to) the Building located in the middle of the current Hospital campus will create significant issues and impact Health NZ's ability to make the best use of that Site in future.
 - (d) The costs associated with scheduling the Building are not outweighed by the benefits of protecting any heritage values it may have.
- 3 In response to that submission, the reporting officer for the PC1 Section 42A Report (Heritage) observed that:²

There is no information in the submission on the existing or future use of this proposed scheduled building. My understanding is that psychological services currently operate from this building. I have looked at the Southern District Health Board Site Masterplan (2022), and it appears from viewing Figure 16, 2080 North View, and Figure 18, 2080 Plan View of the masterplan that the proposed heritage building will be demolished and replaced with mainly green space (surrounding an L shaped accommodation building).

¹ Submission of Health NZ on PC1 at pages 2 and 3.

² PC1 Section 42A Report (Heritage) at page 75.

4 The reporting officer then stated that:³

- (a) It would be helpful for the submitter to confirm whether the outcome in the Masterplan is still proposed.
- (b) Additional information at the hearing would also be useful to confirm why demolition of the Building is necessary, rather than refurbishment or adaptive reuse, to allow the Dunedin Hospital to operate efficiently as a medical training and research facility and to meet the health needs of the community.

5 To assist the Panel, Health NZ provides the following responses to those comments.

Southern District Health Board - Health Precinct Masterplan

- 6 The Health Precinct Masterplan referenced by the planning officer was finalised in April 2022. It sets out a vision for the future of health infrastructure in Dunedin which will provide healthcare and support for the ongoing wellbeing of all of those in the Southern district. As the planning officer identified, the Site is proposed in that Masterplan as a potential location for accommodation and open space to support the other hospital facilities within the proposed health precinct.
- 7 As of 2025, no further progress has been made towards implementing the Masterplan as Health NZ's focus has been on the complex task of delivering the now \$1.88b New Dunedin Hospital project amidst significant financial challenges that many large-scale projects have also faced in recent years. Notwithstanding that, the Masterplan illustrates the potential role that the Site could play in the future planning and development of the health precinct in Dunedin, owing in large part to its central location within the existing campus.
- 8 In that context, it remains Health NZ's position that preserving the flexibility to develop its tertiary hospital facilities is essential, and that the proposed scheduling of the Building would create significant additional constraints on the ability for Health NZ to make the best use of that Site in future. Those constraints relate to the additional consenting requirements which would result from the protections imposed by the 2GP on scheduled heritage buildings. Those requirements may ultimately preclude certain activities or may require them to be carried out in a way that would incur additional expense compared to what might otherwise be required if the Building were not scheduled.
- 9 All of those constraints result in increased costs that must be dedicated toward protecting the heritage values of the Building. While, in principle, Health NZ has no objection to that outcome (namely, the protection of heritage values), the challenges facing the physical health estate across New Zealand will require significant investment over the coming years, and Health NZ has an obligation to dedicate its available (and limited) resources as far as possible toward delivering high quality healthcare safely and effectively to New Zealanders. It is for that reason that Health NZ opposes the proposed scheduling of the Building which, if approved by the Panel, risks increasing the costs of adapting that Building and/or the Site to meet future health needs.

Demolition of the Building, rather than refurbishment or adaptive re-use

³ PC1 Section 42A Report (Heritage) at page 76.

- 10 At this stage, Health NZ has not determined that demolition of the Building is necessary to allow the Dunedin Hospital to operate efficiently as a medical training and research facility and to meet the health needs of the community. It is possible that the Building could be refurbished for that purpose. However, any substantial refurbishment is also likely to involve the features of the Building which are proposed for specific protection as part of the proposed scheduling (namely, the entire external building envelope and the central stairway). As such, works involving those features will be subject to the additional consenting requirements imposed by the 2GP, with a resultant increase in cost and complexity for that redevelopment.
- 11 Health NZ therefore remains opposed to the proposed inclusion of the Building in the 2GP heritage schedule and respectfully requests that that proposal is rejected by the Panel for the reasons set out in its submission.

Yours sincerely



Dr Rob Ojala

**Regional Head of Infrastructure, South Island
Infrastructure and Investment**

Health New Zealand

0272136209 | rob.ojala@tewhatuora.govt.nz

Appendix D – PC1 Change SHB3 Decision Report

Decision Report

Dunedin City Council

Plan Change 1 – Minor Improvements (PC-2024-1)
PC1 / Change SHB3
Appendix A1.1 Schedule of Protected Heritage Items and Sites

17 July 2025

Table of Contents

1	Introduction	1
2	Appointments	1
3	This Decision Report	1
4	Process Issues	1
4.1	Submissions	1
4.2	Site visit	1
4.3	Out of Scope submissions	1
5	Determining Buildings for Scheduling	2
5.1	Building CC060 / BX070	4
5.2	Buildings to be Scheduled	4
5.2.1	BX005 Arthur Street School Infant Department (former) at 26 Arthur Street	4
5.2.2	BX013 Cargill Court Apartments at 27 Arthur St	4
5.2.3	BX014 Mason & Wales Architects' Studio at 46 York Place	5
5.2.4	BX030 S & F Bowman House (former) at 10 Claremont Street	5
5.2.5	BX036 Kensington Drill Hall at 24 Bridgman Street	6
5.2.6	BX037 Mobilisation Store and Office at 211 St Andrew Street	6
5.2.7	BX038 RNZNVR Divisional Headquarters (former) at 211 St Andrew Street	6
5.2.8	BX049 (i) and (ii) Chinese Mission Church and Manse (former) at 58, 60 and 60A Carroll Street	7
5.2.9	BX055 Dunedin Hospital Administration Block (former) at 255 Great King Street	7
5.2.10	BX059 Queen Mary Maternity Hospital (former) at 310 Castle Street	8
5.2.11	BX060 – Dunedin Hospital Nurses' Home (former) at 490 Cumberland Street	8
5.2.12	BX071 (i), (iv), (v), (viii), (ix) Cairns' Buildings at 139, 145, 147, 159 and 161, Carroll Street	9
5.2.13	BX067 Salmond Residence (former) at 311 Stuart Street	10
5.2.14	BX079 Dunedin's first state house at 11 Wilkinson Street	10
5.2.15	BX080 Archway Lecture Theatres at 290 Leith Street	11
5.2.16	BX091 Mosgiel Knitwear House (former) at 5 Melville Street	15
5.2.17	BX093 Brinsley Residence (former) at 169 Forbury Road	16
5.2.18	BX112 Hudson/Petherbridge House at 9 Alton Avenue	17
5.2.19	BX121(i) and (ii) Terraced Houses at 22 and 24 Clyde Street, Dunedin	17
5.2.20	BX122 (i), (ii), (iii), (iv) Terraced Houses at 14, 16, 18, 20 Clyde Street	17
5.2.21	BX127 Allan Residence (former) at 46 Gordon Road, Mosgiel	18
5.3	Buildings Not to be Scheduled	18
5.3.1	BX001 Andersons Bay Presbyterian Church (former) at 76 Silverton Street	18
5.3.2	BX015 Rutherford House (former) at 38 Michie Street	19
5.3.3	BX018 JS & MW Campbell House (former) at 58 Grendon Street	19
5.3.4	BX021 W & E Scouler House (former) at 421 Highgate	20
5.3.5	BX023 Highgate Presbyterian Church at 580 Highgate	20
5.3.6	BX028 Melrose House at 24 Melrose Street	21
5.3.7	BX034 Kaikorai Presbyterian Church at 127 Taieri Road	21
5.3.8	BX046 Albert House (former) at 45 Beach Street	22
5.2.9	BX049 (i) and (ii) Chinese Mission Manse (former) at 60 Carroll Street	22
5.3.10	BX069 Inglewood at 62 Queen Street	23
5.3.11	BX076(i) Paired Dwellings at 54 Manor Place	23
5.3.12	BX078 Cintra at 217 Musselburgh Rise	23
5.3.13	BX087 Hanna Residence (former) at 56 Carroll Street	24
5.3.14	BX099 P Hayman & Co Warehouse (former) at 180 Rattray Street and BX118 former Lodge St. John at 25 Gordon Road, Mosgiel	24
5.3.15	BX117 Lookout Point Fire Station at 182 and 184 Mornington Road, Kenmure	25
5.3.16	BX120 Holy Cross College (former) at 91 and 93 Church Street, Mosgiel	26
6	Other Matters	27
7	Statutory Instruments	27
7.1	The 2GP	27
7.2	Other Statutory Instruments	28
7.3	Non Statutory Instruments	28
8	Section 32AA Assessments	28
9	Decisions Outside Scope of PC1 / Change SHB3	28
10	Decisions on PC1 / Change SHB3	29
Appendix 1:	Amendments to the Heritage Schedule	
Appendix 2	Buildings Removed from the Heritage Schedule of Character-Contributing Buildings	

1 Introduction

[001] This Decision Report addresses the heritage building aspects of Plan Change 1 – Minor Improvements (PC-2024-1) to the Partially Operative Second Generation Dunedin City District Plan 2024 (2GP).

2 Appointments

[002] The Dunedin City Council (DCC), acting under section 34A(1) of the Resource Management Act 1991, has appointed a Hearing Panel for PC-2024-1 comprising independent commissioner Rob van Voorthuysen (Chairperson) and councillors Sophie Barker and Jim O'Malley.

[003] The DCC will make the final decision on whether or not to approve PC-2024-1 under clause 17 of Schedule 1 of the RMA.

3 This Decision Report

[004] DCC resolved to conduct the hearing of submissions and further submissions on PC-2024-1 in two stages. The first stage (which DCC refers to as Change SHB3) addressed:

- the proposal to list an additional 146 buildings in the 2GP Appendix A1.1 Schedule of Protected Heritage Items and Sites (**the heritage schedule**)¹;
- adding provisions to manage the development of proposed scheduled heritage buildings in any zone chapters that do not yet contain these provisions (e.g., Dunedin Hospital Zone); and
- the deletion of the 22 buildings² the heritage schedule of character-contributing buildings, only if they are to be included for scheduling as scheduled heritage building.

[005] The second stage will address the remainder of the matters covered by PC-2024-1.

[006] This Decision Report only addresses Change SHB3. We note that Change SHB3 did not amend any of the provisions of Chapter 13 Heritage of the 2GP.

[007] The Hearing for Change SHB3 was held in the Dunedin Art Gallery on 20 and 22 May 2025.

4 Process Issues

4.1 Submissions

[008] The submissions and further submissions were summarised in various sections of the Section 42A Report³ and we adopt those summaries.

4.2 Site visit

[009] We undertook a site visit on Wednesday 21 May 2025 accompanied by DCC Policy planner Bede Morrissey. We primarily viewed the heritage buildings that had been notified for scheduling that were the subject of submissions in opposition.

4.3 Out of Scope submissions

[010] "Appendix A – Out of Scope Submissions" of the Section 42A Report tabulated submissions that were considered to be 'out of scope' by the DCC officers. Out of scope submissions are either not 'on' Change SHB3 (namely they address aspects of the 2GP that are not affected by PC-2024-1) or they address matters related to the executive or operational functions of the Council. Out of scope submissions fall outside the jurisdiction of the Hearing Panel.

[011] Importantly, as we noted earlier, Change SHB3 did not amend any of the provisions of Chapter 13 Heritage of the 2GP. Submissions addressing those provisions are consequently not 'on' Change SHB3.

¹ PC-2024-1 also removed a number of commercial and residential buildings from the 'Character – Contributing Buildings' portion of the heritage schedule

² Listed in Table 3 of the Section 32 Report.

³ Plan Change 1 – Minor Improvements, Heritage, Section 42A Report. Authored by Peter Rawson, DCC Senior Policy Planner.

- [012] In section 7 of Direction 1 we set out a process whereby the tabulated ‘out of scope’ submitters were provided with an opportunity to explain to the Hearing Panel why they did not consider their submissions to be out of scope. No submitters took that opportunity.
- [013] Consequently, we find that the submissions tabulated in Appendix A of the Section 42A Report are ‘out of scope’ and they are rejected.

5 Determining Buildings for Scheduling

- [014] Excluding the buildings proposed to be scheduled through Change SHB3, the 2GP lists 784 scheduled heritage buildings, 50 heritage structures, and 41 scheduled archaeological sites. It also has ten commercial heritage precincts and nine residential heritage precincts, which together contain over 925 character-contributing buildings.
- [015] Change SHB3 as notified would add 146 buildings to the heritage schedule. Only five (Otago Pioneer Women’s Association Memorial Hall - BX002, former Dunedin Hospital Administration Block - BX055, Archway Theatre – BX080, Hudson/Petherbridge House - BX112, and Church of the Holy Name - BX113) have interior aspects protected.
- [016] Submissions opposed the scheduling of 46 of the 146 buildings.
- [017] Appendix “C.7.A Heritage” of the Section 32 Report for Change SHB3 outlined the process used to identify buildings with significant heritage value that were notified for inclusion in the Heritage Schedule. The buildings were identified and assessed against the significance criteria of 2GP Strategic Directions Policy 2.4.2.1.b which are:
- historic and social significance;
 - spiritual/cultural significance, including significance to Māori;
 - design significance; and
 - technological/scientific significance
- [018] The assessment involved one, or in some instances a combination of, the following methods:
- Buildings that had been listed as a historic place by Heritage New Zealand Pouhere Taonga (HNZPT) in accordance with the criteria in Section 66(3) of the Heritage New Zealand Pouhere Taonga Act 2014 since the last District Plan variation;
 - Buildings identified as character contributing within a heritage precinct that demonstrated heritage significance in their own right in addition to their contribution to the heritage precinct;
 - Buildings that demonstrated underrepresented themes as identified in the Dunedin Contextual Thematic History;
 - Buildings that were provided with financial assistance from the Dunedin Heritage Fund and the grant funding was conditional on DCC completing a heritage assessment to determine if the place warranted inclusion in the Heritage Schedule;
 - Buildings that were located on large land parcels and subject to the intensification provisions introduced as part of Variation 2 (e.g. in General Residential 2 Zone) and subject to increased development pressure;
 - Buildings that were located in areas suggested as a heritage precinct through the public submission process at the time the 2GP was notified in 2015 and the precinct was rejected by the Hearing Panel;
 - Buildings that were advanced by heritage advocates, members of the public, or building owners after the 2GP submissions period closed in 2015; and
 - Buildings that were identified by the DCC Heritage Advisor or Team Leader Advisory Services as having a high level of risk or importance to Dunedin.
- [019] If there was no existing research or heritage assessment for a building, the research and assessment was completed by either the DCC Heritage Advisor or an external consultant. The proposed list of buildings was peer reviewed by Mark Mawdsley, the DCC’s Team Leader Advisory Services.

- [020] We note that in order to achieve an appropriate balance between the ‘public good’ of heritage protection and the ‘private costs’ resulting from scheduling a building, DCC’s approach was to primarily identify ‘protected parts of the exterior of a building’, particularly parts that are visible from the public domain. Some interior spaces of buildings were proposed for protection where they had notable qualities, were publicly accessible, or had been nominated by the building owner.
- [021] We consider that DCC’s approach was reasonable.
- [022] Nevertheless, we have carefully considered the matters raised by submitters, particularly where additional heritage assessments were provided by qualified experts. In doing so we had regard to the factors listed in Strategic Directions Policy 2.4.2.2 which are:
- a) importance as part of the relationship between two or more heritage buildings and adding value to the overall heritage value of the group;
 - b) importance in providing a foreground to, and views of, key heritage buildings or groups of buildings; or
 - c) significant heritage values in their own right in terms of the criteria outlined in Policy 2.4.2.1.
- [023] Importantly, we also acknowledge that including a building in the heritage schedule generates public benefits but imposes private costs on the building owners. The public benefits are subjective⁴ and difficult to quantify.
- [024] We agree with the Mr Rawson that buildings that are more visible, such as landmark buildings and those in high traffic (including pedestrian) areas, will arguably result in more public benefits than less obvious buildings and structures (including houses in residential areas) which may have primarily local or neighbourhood benefits.
- [025] Private costs incurred by building owners can be quantified in general terms as set out in the Market Economics Report⁵ and the evidence of its author Greg Akehurst. Those costs include a loss in property value; the loss of development potential; and increased insurance, maintenance and repair costs resulting from the need to comply with the 2GP provisions for scheduled buildings.
- [026] We observe that the Market Economics Report stated that mechanisms such as compensation, voluntary conservation incentives, or adaptive zoning flexibility can reduce the financial burden on the owners of scheduled buildings. However, those mechanisms are largely unavailable in Dunedin, apart from the limited grant funding from the Heritage Fund for restoration, repair or maintenance works that DCC and HNZPT (the fund administrators) deem to be in the public good.
- [027] Consequently, we have borne in mind the costs faced by building owners when a building is included in the Heritage Schedule. This includes matters such as of bringing buildings up to a healthy and habitable standard and avoiding demolition by neglect.
- [028] We now address particular buildings that were the subject of Change SHB3.
- [029] Where there were no submissions opposing the scheduling of a building, we have decided that it is included in the Heritage Schedule.
- [030] In sections 5.2 and 5.3 of this Report we assess the buildings that were addressed in section 6.2 of the Section 42A Report where submissions opposed the listing of a building.
- [031] Before doing so we note the evidence of David Kiddey, Andrew Simms and David Murray, who all spoke about the importance of a building’s contribution to the heritage streetscape of an area. In our view that is an important point to consider and why in many cases the redevelopment of a heritage building aims to retain the street facing façade while modernising or redeveloping the interior. It is the street facing façade that is generally visible to the public and in many cases that is what is important to protect in terms of achieving the public benefit associated with heritage buildings. In that regard we find the issue ‘streetscape’

⁴ Enhanced neighbourhood amenity and more intangible benefits such as cultural preservation, altruistic, and existence values.

⁵ Plan Change 1: Dunedin Heritage Protections, Economic Impact of Heritage Protections on Selected Properties, m.e consulting, 18 March 2025.

highlighted by these three submitters (and others we heard from) aligns with the matters described in Strategic Directions Policy 2.4.2.2(a) and (b).

5.1 Building CC060 / BX070

- [032] The character-contributing building CC060 at 18 Princes Street is deleted from the list of Character-Contributing Buildings in Appendix A1.1 of the 2GP.

5.2 Buildings to be Scheduled

- [033] Having considered the matters raised in submissions and evidence, the buildings listed in Appendix 1 of this Report are to be included in the Heritage Schedule. Our reasons being that we find in favour of Mr Rawson's reasoning that he set out in his respective 'Discussion' sections of the Section 42A Report for each of those buildings.

- [034] However, for the benefit of submitters, in sections 5.2.1 to 5.2.21 we discuss the buildings that we have decided to include in the Heritage Schedule where the owners opposed that scheduling, including for those submitters who chose to attend the Hearing and present their views to the Hearing Panel.

5.2.1 BX005 Arthur Street School Infant Department (former) at 26 Arthur Street

- [035] In their submission the Ministry of Education Te Tāhuhu o Te Mātauranga (S268.003) opposed the scheduling, primarily because the building was located within a Designated site.

- [036] The Ministry did not attend the Hearing.

- [037] No submissions specifically supported the scheduling.

- [038] We note Mr Rawson's advice that there are several schools in Dunedin that have both scheduled heritage buildings and a designation for educational purposes. In this case the Arthur Street building has HNZPT Category 2 listing and is a landmark building that has engendered a high degree of public interest. In terms of Strategic Directions Policy 2.4.2.1(b), we find that the building has social and historical significance.

- [039] Our decision is:

- a) submission 268.003 Ministry of Education Te Tāhuhu o Te Mātauranga is rejected; and
- b) BZ005 Arthur Street School Infant Department (former) at 26 Arthur Street is included in the Heritage Schedule as notified.

5.2.2 BX013 Cargill Court Apartments at 27 Arthur St

- [040] In their submission Gerard and Barbara Wilkins (S80.001) opposed the scheduling, on the basis that the building is not at risk of demolition or major deterioration.

- [041] The Wilkins did not attend the Hearing.

- [042] Three submitters, DOCOMOMO New Zealand (S121.002), Jane Batchelor (S48.001) and Liz Angelo-Roxborough (S231.002) supported the proposed scheduling. DOCOMOMO and Ms Batchelor did not attend the Hearing.

- [043] Ms Angelo-Roxborough, a resident of the building for some 14 years, did attend the hearing and spoke in support of the scheduling and described the buildings design significance and contribution to both streetscape and cityscape, being located on a highly prominent site readily visible to the general public.

- [044] We agree with Mr Rawson that scheduling the building provides a safeguard against future activities that may adversely affect the building's heritage values. We note that all internal work, for example insulation to improve the warmth and comfort of the flats, can be undertaken as a permitted activity. In terms of Strategic Directions Policy 2.4.2.1(b), we find that the building has social and design significance.

- [045] Our decision is:

- a) submission 80.001 Gerard and Barbara Wilkins is rejected;
- b) submissions 121.002 DOCOMOMO New Zealand, 48.001 Jane Batchelor and 231.002 Liz Angelo-Roxborough are accepted, and

- c) BX013 Cargill Court Apartments at 27 Arthur St is included in the Heritage Schedule as notified.

5.2.3 BX014 Mason & Wales Architects' Studio at 46 York Place

- [046] In their submission Mason & Wales Architects (S293.001, S293.002, S292.003) supported the inclusion of the building in the heritage schedule, provided the protection is limited to the street elevation and the rules applying to the building are amended so that earthquake strengthening and 'all other additions and alterations' are permitted activities, provided any such works are designed and coordinated by a registered architect.
- [047] Significant works were undertaken in 2005 and 2023, including exterior and interior repairs, restoration and upgrades to protect and preserve the building and extend its life as a fit for purpose modern workplace.
- [048] DCC proposed to list the building because of its association with Mason & Wales Architects who designed the building and have occupied it since 1972.
- [049] At the Hearing Hamish Muir, a current principal in the firm Mason and Wales and a building owner, advised that he supported scheduling the street facing façade and the first one third of the building (excluding the back portion of the building that spanned a car park).
- [050] In terms of Strategic Directions Policy 2.4.2.1(b), we find that the building only has design significance. In that regard we consider Mr Muir's suggestion to be an appropriate response. Mr Rawson's Reply Report advised that Mr Muir had provided further plans showing the extent of the building that should be scheduled. Mr Rawson recommended that the reference in the Heritage Schedule should read:

The York Place façade and the first 10m of the north-east and south-west wall (between the York Place façade and the undercroft carparking).

- [051] We find that to be appropriate.
- [052] We also agree with Mr Rawson⁶ that controlled and restricted discretionary resource consent processes for earthquake strengthening and additions and alterations, respectively, to that limited portion of the building are not unduly onerous. Consequently, we do not propose any bespoke rules on those matters. Having said that, we acknowledge and commend the extensive and careful renovations that the building owners have undertaken to preserve the building's original fabric and aesthetic.
- [053] Our decision is:
- a) Submissions Mason & Wales Architects 293.001, 293.002 and 292.003 are accepted in part; and
 - b) BX014 Mason & Wales Architects' Studio at 46 York Place is included in the Heritage Schedule with the protection required being "The York Place façade and the first 10m of the north-east and south-west wall (between the York Place façade and the undercroft carparking)".

5.2.4 BX030 S & F Bowman House (former) at 10 Claremont Street

- [054] The building owner Alastair Hepburn (S143.001) opposed the proposed scheduling. Mr Hepburn attended the Hearing and disputed the residential building's historical and social significance, which he considered was based solely on former occupants whom he considered had not contributed greatly to Dunedin's history. We understand that a Mr Chin resided in the house prior to him becoming Mayor. Mr Hepburn described the extensive renovations undertaken to the rear of the house and the difficulty in repairing lead light windows and the slate tile roofing.
- [055] Mr Hepburn suggested that only the street facing façade was worthy of protection.
- [056] No submitters specifically supported the scheduling.
- [057] In terms of Strategic Directions Policy 2.4.2.1(b) and in light of Mr Hepburn's evidence, we find that the building has no spiritual, cultural, technological or scientific significance and limited social and historical significance. It has some design significance as its architect Basil Hooper is one of New Zealand's most

⁶ As set out in his original Section 42A Report.

acclaimed Arts and Crafts architects. Consequently, we find that only the street facing façade should be scheduled, along with the fence and gateway.

[058] Our decision is:

- a) Submission 143.001 Alastair Hepburn is rejected, and
- b) BX030 S & F Bowman House (former) at 10 Claremont Street is included in the Heritage Schedule with protection required being “Claremont Street façade and the Claremont Street boundary fence and gateway”.

5.2.5 BX036 Kensington Drill Hall at 24 Bridgman Street

[059] In their submission the building owner New Zealand Defence Force (S292.001) opposed the scheduling. NZDF intends consolidating its activities into a single site in Dunedin and so it will likely not have use for the Drill Hall, which will be disposed of in accordance with the Public Works Act 1981.

[060] NZDF did not attend the Hearing.

[061] Submitters Brent Patterson (S249.002), Charles Boyes (S256.001), David McBride (S129.001) and Rose Bergamin (S274.001) supported the scheduling. None of these submitters attended the Hearing.

[062] In terms of Strategic Directions Policy 2.4.2.1(b), we find that the building has substantial historic, social and design significance. We share Mr Rawson’s concern that the building may be disposed of and end up in private ownership without having any heritage protection, which risks its heritage values being lost through significant redevelopment or demolition.

[063] Our decision is:

- a) submission 292.001 NZDF is rejected;
- b) submissions 249.002 Brent Patterson, 256.001 Charles Boyes, 129.001 David McBride and 274.001 Rose Bergamin are accepted; and
- c) BX036 Kensington Drill Hall at 24 Bridgman Street is included on the Heritage Schedule as notified.

5.2.6 BX037 Mobilisation Store and Office at 211 St Andrew Street

[064] In their submission the building owner New Zealand Defence Force (S292.002) opposed the scheduling. NZDF intends consolidating its activities into a single site in Dunedin and so it will likely not have use for the Mobilisation Store and Office, which will be disposed of in accordance with the Public Works Act 1981.

[065] NZDF did not attend the Hearing.

[066] Submitters Brent Patterson (S249.003), Charles Boyes (S256.002), David McBride (S129.002) and Rose Bergamin (S274.002) supported the scheduling. None of these submitters attended the Hearing.

[067] Buildings BX037 and BX038 combine to make a large and impressive building with frontage to St Andrew Street, Anzac Avenue and Bow Lane. Rather uniquely, the combined building extends along the full length of the St Andrew Street. In terms of Strategic Directions Policy 2.4.2.1(b), we find that the combined building has substantial historic, social and design significance. We share Mr Rawson’s concern that the building may be disposed of and end up in private ownership without having any heritage protection, which risks its heritage values being lost through significant redevelopment or demolition.

[068] Our decision is:

- a) submission 292.002 NZDF is rejected;
- b) submissions 249.003 Brent Patterson, 256.002 Charles Boyes, 129.002 David McBride and 274.002 Rose Bergamin are accepted; and
- c) BX037 Mobilisation Store and Office is included on the Heritage Schedule as notified.

5.2.7 BX038 RNZNVR Divisional Headquarters (former) at 211 St Andrew Street

[069] In their submission the building owner New Zealand Defence Force (S292.003) opposed the scheduling. NZDF intends consolidating its activities into a single site in Dunedin and so it will likely not have use for

the RNZNVR Divisional Headquarters, which will be disposed of in accordance with the Public Works Act 1981.

- [070] NZDF did not attend the Hearing.
- [071] Submitters Brent Patterson (S249.004), Charles Boyes (S256.003), David McBride (S129.003) and Rose Bergamin (S274.003) supported the scheduling. None of these submitters attended the Hearing.
- [072] Buildings BX037 and BX038 combine to make a large and impressive building with frontage to St Andrew Street, Anzac Avenue and Bow Lane. Rather uniquely, the combined building extends along the full length of the St Andrew Street. In terms of Strategic Directions Policy 2.4.2.1(b), we find that the combined building has substantial historic, social and design significance. We share Mr Rawson's concern that the building may be disposed of and end up in private ownership without having any heritage protection, which risks it heritage values being lost through significant redevelopment or demolition.
- [073] Our decision is:
- a) submission 292.003 NZDF is rejected;
 - b) submissions 249.004 Brent Patterson, 256.003 Charles Boyes, 129.003 David McBride and 274.003 Rose Bergamin are accepted; and
 - c) BX038 RNZNVR Divisional Headquarters (former) is included on the Heritage Schedule as notified.

5.2.8 BX049 (i) and (ii) Chinese Mission Church and Manse (former) at 58, 60 and 60A Carroll Street

- [074] The building owner Mark Thom (S291.002 and S291.003) opposed the scheduling of BX049(i) and BX049(ii) due to concerns it could significantly affect the buildings' sale price. At the Hearing Mr Thom described the renovation he had undertaken on the buildings and advised that "the buildings were unlikely to change in 100 years".
- [075] No submissions specifically supported the listing.
- [076] Mr Rawson advised that the buildings had historic, social, spiritual, cultural and design significance, due largely to their association with the Presbyterian mission to the Chinese community in the nineteenth and twentieth centuries.
- [077] The protection required for the former Chinese Mission Church and Manse (BX049 (i)) is the "Façade to Carroll Street and northeast elevation" while the protection required for (BX049 (ii)) is the "Façade to Carroll Street".
- [078] We note that the Manse (the rear building at 60 Carroll Street) is not readily visible from the street. It consequently makes little if any contribution to the heritage streetscape. On that basis we do not consider that it should be included in the Heritage Schedule.
- [079] We find that the buildings at 58 and 60 Carroll Street satisfy the criteria in Strategic Directions Policy 2.4.2.1(b) and note that the protection is largely limited to the facades of the building, which we do not consider is unduly onerous and in line with our earlier discussion regarding the importance of the heritage 'streetscape'.
- [080] Our decision is:
- a) Submissions 291.002 and 291.003 Mark Thom are accepted in part; and
 - b) BX049(i) Chinese Mission Church at 58 and 60A Carroll Street is included in the Heritage Schedule but BX049(ii) the Manse at 60 Carroll Street is not.

5.3.9 BX055 Dunedin Hospital Administration Block (former) at 255 Great King Street

- [081] In their submission Health New Zealand Te Whatu Ora (S252.001) opposed the proposed scheduling of the former Dunedin Hospital Administration Block. Mr Rawson offered no recommendation because he was unsure if scheduling the building would enable the hospital to continue to operate efficiently and effectively.

- [082] We received tabled evidence from Health NZ representative Dr Rob Ojala⁷.
- [083] Dr Ojala did not attend the Hearing.
- [084] No submitters supported the scheduling.
- [085] Dr Ojala advised that while Health NZ has not determined that demolition of the Building was necessary to allow the Dunedin Hospital to operate efficiently as a medical training and research facility and to meet the health needs of the community, it remained Health NZ's position that preserving the flexibility to develop its tertiary hospital facilities was essential, and that the proposed scheduling of the building would create significant additional constraints on the ability for Health NZ to make the best use of the Site in future.
- [086] Dr Ojala's conceded that it was possible that the building could be refurbished.
- [087] We note Mr Rawson's advice that if the building were to be assessed under HNZPT criteria, it could meet the threshold for a Category 1 historic place. Additionally, public hospitals are not currently represented in the Heritage Schedule.
- [088] In our view the Dunedin Hospital Administration Block makes a dramatic and important contribution to the heritage streetscape of the area. It clearly has similar architectural qualities as the nearby heritage buildings (namely the Lindo Fergusson, Scott, and Hercus Buildings) on Great King Street.
- [089] In terms of Strategic Directions Policy 2.4.2.1(b), we find that it has design, historic and social significance that merit its inclusion in the Heritage Schedule.
- [090] Our decision is:
- a) submission 252.001 Health New Zealand Te Whatu Ora is rejected; and
 - b) the Dunedin Hospital Administration Block (former) at 255 Great King Street is included in the Heritage Schedule as notified.

5.2.10 BX059 Queen Mary Maternity Hospital (former) at 310 Castle Street

- [091] At the Hearing, University of Otago representative Gordon Roy advised that the University now accepted the scheduling of the former Queen Mary Maternity Hospital (BX059) at 310 Castle Street.
- [092] Our decision is:
- a) Submission 251.002 University of the Otago / Ōtākou Whakakaihu Waka is accepted;
 - b) BX059 Queen Mary Maternity Hospital (former) at 310 Castle Street is included in the Heritage Schedule with the listing being "Entire external building envelope excluding the north (north east) wall of the c.1948 northwest wing, the roof plant, and steel framed windows on the internal elevations (overlooking the original obstetric theatre)"; and
 - c) The diagram shown on page 80 of the Section 42A Report is included in the Heritage Schedule.

5.2.11 BX060 – Dunedin Hospital Nurses' Home (former) at 490 Cumberland Street

- [093] At the Hearing, University of Otago representative Gordon Roy advised that the University now accepted the scheduling of the former Dunedin Hospital Nurses' Home (BX060) at 490 Cumberland Street.
- [094] Our decision is:
- a) Submission 251.003 University of the Otago / Ōtākou Whakakaihu Waka is accepted;
 - b) BX060 – Dunedin Hospital Nurses' Home (former) at 490 Cumberland Street is included in the Heritage Schedule with the listing being "Entire external building envelope including the Cumberland Street boundary wall, but excluding roof plant, external fire escape, steel framed windows on the rear (west) elevation of the c.1948 component, pressed metal roof tiles and masonry chimneys."; and
 - c) The diagram shown on page 84 of the Section 42A Report is included in the Heritage Schedule.

⁷ Regional Head of Infrastructure, South Island Infrastructure and Investment, Health New Zealand

5.2.12 BX071 (i), (iv), (v), (viii), (ix) Cairns' Buildings at 139, 145, 147, 159⁸ and 161⁹, Carroll Street

- [095] In his submission the building owner John Horrocks (S53.001, S53.002, S53.003) opposed the scheduling for a variety of reasons, including that 139 Carroll Street (BX071(i)) required earthquake strengthening, replumbing and had coal dust leaching under floor and into building structure. Several of the older features of the property had been removed. Mr Horrocks wanted to have the ability to replace the building with a modern structure to enhance the city view.
- [096] For 145 Carroll Street (BX071(iv)) Mr Horrocks noted that property was destroyed by fire around the year 2000 and was totally rebuilt. The property has extensive cracking on the adjacent pavement and street. There are nearby subsidence issues.
- [097] For 147 Carroll Street (BX071(v)) Mr Horrocks noted the property has extensive cracking on the adjacent pavement and street. There are nearby subsidence issues and the interior of the building itself is on a lean due to subsidence. The old timber piles of the building are deteriorating. Several of the older features of the property have been removed. The exterior timber cladding on the frontage has, at a later date, been covered with concrete stucco.
- [098] Mr Horrocks did not attend the Hearing.
- [099] Mr Rawson noted that this cluster of buildings are all part of the same historic development of representative nineteenth century working class terraced housing, situated adjacent to existing scheduled heritage buildings namely Gladstone Terrace (Schedule No. B393) at 38-50 Melville Street. Gladstone Terrace is listed with HNZPT as a Category 2 historic place.
- [100] DCC's Heritage evidence advised that the dwellings at 145 and 147 Carroll Street formed part of a group of four terraced cottages. By protecting the roof form and principal elevation of 145 Carroll Street, the overall form and presentation of the terrace row could be managed. However, the Heritage Schedule entry should show that 145 Carroll Street has been rebuilt.
- [101] 139 Carroll Street fronts Carroll Street and has been converted to residential accommodation on both floors. The openings on the ground floor of the street elevation have been altered and infilled. The interior has been altered, including the removal of the original woodstoves and the boarding up of the fireplaces. There is some cracking in the brick exterior walls.
- [102] In terms of Strategic Directions Policy 2.4.2.1(b), we are satisfied that the Cairns' Buildings at 145, 147, 159 and 161 have architectural and aesthetic significance as a group of nineteenth-century workers' dwellings and consequently have social and historic significance that merits their scheduling.
- [103] We are less convinced about 139 Carroll Street which has a quite different aesthetic to the workers dwellings. It is also in a more dilapidated state and has been significantly altered. It adds little to the area's heritage streetscape. We find that 139 Carroll Street should not be scheduled and consider that its eventual replacement with a more modern building would not detract from the remaining cluster of workers dwellings.
- [104] Our decision is:
- a) submission 53.001 John Horrocks is accepted;
 - b) submissions 53.002 and 53.003 John Horrocks are rejected;
 - c) Cairns' Buildings at 139 Carroll Street is not included in the Heritage Schedule;
 - d) Cairns' Buildings at 145, 147, 159 and 161 are included in the Heritage Schedule as notified; and
 - e) The Heritage Schedule for BX071 (iv) incorporates the wording "Note: Building was destroyed by fire and rebuilt in 2003."

⁸ Notified as 157A and amended to 159 by the DCC's submission.

⁹ Notified as 157B and amended to 161 by the DCC's submission

5.2.13 BX067 Salmond Residence (former) at 311 Stuart Street

- [105] In her submission the building owner Amanda Williams (S140.001) opposed the scheduling, due to concerns about property devaluation and increased insurance costs. Ms Williams also considered that scheduling was unnecessary as the building was already protected under the 2GP heritage precinct.
- [106] Ms Williams did not attend the Hearing.
- [107] No submitter supported the scheduling.
- [108] Mr Rawson advised that 311 Stuart Street is a character-contributing building in the York Place - Stuart Street - Arthur Street Residential Heritage Precinct (CCB 460) and so the building is managed for its heritage streetscape character. We consider that to be an important function. Under the proposed scheduling, the building would also be managed for its individual heritage values.
- [109] In terms of Strategic Directions Policy 2.4.2.1(b), we are satisfied that the building merits scheduling on the basis of its social, historic and design significance.
- [110] Our decision is:
- a) submission 140.001 Amanda Williams is rejected; and
 - b) BX067 Salmond Residence (former) at 311 Stuart Street is included in the Heritage Schedule as notified.

5.2.14 BX079 Dunedin's first state house at 11 Wilkinson Street

- [111] In its submission Kāinga Ora - Homes and Communities (Brendon Liggett) (S269.001) opposed scheduling the building. Health New Zealand Te Whatu Ora supported Kāinga Ora's submission.
- [112] We received evidence from Joshua Neville, a Principal Planner at Kāinga Ora – Homes and Communities. He stated that scheduling the building would constrain the ability of Kainga Ora to maintain or efficiently use and develop the property in line with its statutory responsibilities to ensure that its public housing stock remains safe, decent and fit-for-purpose.
- [113] Mr Neville attended the Hearing.
- [114] Mr Neville advised that in Dunedin Kāinga Ora manages a public housing portfolio of nearly 1,500 homes.
- [115] Mr Neville considered that the dwelling at 11 Wilkinson Street had no outstanding or representative historic, architectural, or social values. He considered that any value attributed to the property was primarily associative or amenity based. He advised that Kainga Ora was concerned that the identification of 11 Wilkinson Street to be scheduled appeared to be based solely on the merit of it being the first state dwelling in the suburb of Liberton in Dunedin, not of it being of specific heritage value beyond that novelty. Mr Neville contended the while 11 Wilkinson Street was the first to have furniture moved into it, it had not been established that it was the first to have a tenant agreement drawn, nor occupied by residents.
- [116] Mr Neville considered that the building was not an important nor representative example associated with Dunedin in comparison to the 1000s of similar homes that exist of the same era. Nor in his view did it contribute to the understanding of a significant aspect of New Zealand history.
- [117] He advised that the building had an extensive renovation in 2021 and it now had several non-heritage fabric elements readily visible as part of the exterior building envelope. That included roof top ventilation capping, heat pumps, a modified roof, a modified front gable end and new windows. Also, the chimney had been removed, the porch altered, and the false shutters gone.
- [118] It seems to us that recent renovation somewhat counters Mr Neville's argument that scheduling the building would constrain the ability of Kainga Ora to maintain or efficiently use and develop the property, which on his own evidence is only one of 1,490 state owned homes in Dunedin.
- [119] At the Hearing Mr Neville stated that Kāinga Ora was concerned about the precedent effect of the building being scheduled. We are not concerned about that as any proposals to schedule former state houses in other districts would be assessed on their individual merits.

- [120] In terms of Strategic Directions Policy 2.4.2.1(b), we find the building has significant historical significance as arguably being the first state house in Dunedin. In our view that is a part of Dunedin's history which merits its scheduling. In light of the building's recent renovations, we do not consider that scheduling the building would impose unduly onerous costs on Kainga Ora nor detract from its statutory functions to provide housing given there are 1,489 other Kāinga Ora owned buildings in Dunedin.
- [121] Our decision is:
- a) Submission 269.001 Kāinga Ora - Homes and Communities and further submission FS3.002 Health New Zealand Te Whatu Ora are rejected; and
 - b) BX079 at 11 Wilkinson Street is included on the Heritage Schedule.

5.2.15 BX080 Archway Lecture Theatres at 290 Leith Street

- [122] For this building the Hearing Panel was unable to reach a consensus decision. Councillor commissioners O'Malley and Barker considered that the Archway Lecture Theatres should be included in the Heritage Schedule. Independent commissioner van Voorthuysen considered that the Archway Lecture Theatres should not be included in the Heritage Schedule.
- [123] Consequently, by a majority decision the Archway Lecture Theatres are included in the Heritage Schedule.
- [124] We firstly present Councillor commissioners O'Malley and Barker's majority decision to schedule the building, followed by independent commissioner van Voorthuysen's minority or dissenting view.

5.2.15.1 Majority Decision

- [125] The University of Otago (S251.013) opposed the scheduling of the Archway Lecture Theatres.
- [126] DOCOMOMO New Zealand (S121.005) supported the scheduling, but did not attend the Hearing.
- [127] We received evidence from University of Otago representatives and witnesses Chris Alcock, Carmen Taylor, Ian Butcher, Gordon Roy, Grant Roberston, and legal submissions from counsel Phil Page.
- [128] Mr. Alcock made three points for removal of the ALT.
- [129] The first is that the ALT block access to/from Union Street, which affects the connection between the campus' east and west. Union St East is a pedestrianized area which is narrowest at the top of the Union Street crest. The plans for the garden as supplied in Mr. Alcock's written evidence do not widen the pedestrian access at the crest of Union St. We are not convinced that the demolition of the ALT changes the Union St. corridor pedestrian activity.
- [130] The second is that the building is of its time and outside the character of the surrounding buildings. The key heritage values that define the campus' character at Union Street are the gothic buildings and the ALT are completely out of character. We note that the ALT is indeed of its time and has been recognised as such with an enduring architecture award. The CAPS building is of the same architectural design as those across Union Street which are part of the mapped heritage area. However, it is the only building of this architectural type on the South side of Union Street. The ALT is one of many buildings of different design on the South and East section of the site. It is also in a viewing line with two other Ted McCoy buildings. We do not agree that the ALT are completely out of character with the south side of Union Street.
- [131] The third is that by 2010 new teaching pedagogies lead to *"a strong sense that whilst they were useful as a short-term measure in the 1970s, by 2010 the Archway Lecture Theatres had 'had their day'"*. On our site visit we noted all four lecture theaters were booked throughout the teaching week. The University has not supplied any data showing the underutilisation of the ALT. It is difficult to put weight on an argument that, due to the new pedagogy, the ALT are surplus to need and have *"had their day"* when 15 years after they were first assessed at being surplus to requirements they are still in use.
- [132] Mr. Alcock described this conversation with Mr. McCoy at the time of the development of the 2010 Campus Plan. He was instructed by the chair of the committee to consult with Mr. McCoy about the suggestion that the ALT should be demolished. During that meeting Mr. Alcock says that Mr. McCoy said *"I'm fine if you want to get rid of them"*. However, there is no context as to where in the process of the development of the 2010 Campus Plan the conversation was held and we have no way of understanding what Mr. McCoy's

position would have been given he only had one vote on a committee. While it is submitted as endorsement of the demolition of the ALT, Mr. McCoy's statement is hearsay and not provided to us as expert evidence, and we can only give it limited weight.

- [133] Ms. Taylor argued that the ability to demolish the ALT is consistent with the intention of the Campus Zone objectives of the District Plan. In as much it is allowing the University to execute its development plan as desired and, in doing so, operate efficiently and effectively. The ALT is a building of learning which also gives effect to the campus zone objectives and is certainly not contrary to them. The issue of whether they are being used efficiently and effectively must be considered alongside the fact that at present they are being used.
- [134] When referring to the relevant policy framework, Ms. Taylor referenced Policy 2.2.4.2 and Policy 13.2.1.1 stating that while they are not directly relevant to the proposed heritage scheduling, they outline that the underlying strategic goal is to ensure that the urban areas of the city are compact, resilient and that expansion is sustainable. Policy 2.2.4.2 and Policy 13.2.1.1 describes methods for the continuous use of a heritage building. It is unclear how these policies relate to protection from demolition by heritage protection. Demolition is not mentioned in these policies, nor in Policies 13.2.1.2-13.2.1.4 which reference Policy 13.2.1.1. It is our opinion that demolition is contrary to these policies. We also agree that these policies are not directly relevant to the proposed heritage scheduling of the ALT.
- [135] Ms. Taylor also referenced Policy 2.4.1.4. Policy 2.4.1.4 is a height policy that relates to the view from the Central City and Inner Hill suburbs towards the Harbour and the Peninsula and to manage the height of buildings in the CBD. The campus zone is not in the CBD. Regardless, the ALT are not any taller than the surrounding buildings and still would comply with 2.4.1.4. However, this is moot given that Policy 2.4.1.4 is only for CBD.
- [136] Ms. Taylor also referenced Policy 2.4.3.2 including its provision of a pedestrian experience. This policy is also specific to the CBD. The ALT are not in this zone and we consider this policy is not of relevance.
- [137] Mr Butcher presented evidence for the University as an architectural expert. In his written statement he states that he has read and agree to comply with the Code of Conduct for Expert Witnesses (Environment Court Practice Note 2023). Having done so, when describing his report Mr. Butcher states that *"This is not a field report; it is a qualitative and subjective critique that clarifies why ALT was a mistake that needs to be rectified..."* This statement clarifies that in Mr. Butcher's own words his report is qualitative and subjective, and not a "field report" which we take to mean informed by site observations.
- [138] Mr. Butcher's assessment of the views of James Stevens Curl and Branko Mitrović and their criticism of modernism which includes statements such as a) *"...examples of pretentious and incompetent philosophical posturing..."*, b) *"No one knew how long this revolution would last, but its effects were profound as the hippie culture of the baby boomer generation took over..."* and referring to comments in the Heritage Assessment as c) *"Here's an example of the nonsense Mitrović rails against..."* are just three examples which can be found throughout Mr. Butcher's submission. The use of terms such as pretentious, incompetent and nonsense are not consistent with the independent evaluation we would expect of an Expert Witness.
- [139] Mr. Butcher also took issue with the use of the term "speaks" when used in the Heritage Assessment. *"...Archway speaks the Brutalist language of its near McCoy-designed neighbours..."* and the NZIA citation, *"...concrete panels and external spiral stairs speak to a moment in our architectural history..."*. He states, *"But ALT doesn't 'speak'. It is a solid stationary object."* That is a particularly narrow interpretation of how the word "speaks" was used in this context.
- [140] Mr. Butcher makes it clear that the ALT represents a type of architecture he dislikes. It is also clear that Mr. Butcher very much likes the neo-Gothic architecture of the CAPS building and those nearby. However, we struggle to find expert evaluation of heritage values against the 2GP heritage criteria. We therefore do not prefer Mr. Butcher's assessment that the ALT is not worthy of protection.
- [141] With assessing the historical and social components in Policy 2.4.2.1.b Mr. Butcher states:
"ALT's bizarre planning, and being the source of resentment in neighbours, and confusing thousands of students are not attributes that make a positive contribution to the gothic setting as we have explained in

Section 2-3 Doublespeak and Section 2-4 Paradox of our Evaluation & Critique document. ALT therefore does not meet HISTORIC/SOCIAL criteria."

- [142] We feel this assessment is narrow and does not pay account of the many thousands of students who have attended lectures in those theatres over the past 60 years.
- [143] Mr. Roy states the University currently has too much floor space than it requires and that the execution of the University's Strategy Plan entitled Pae Tata requires the University to achieve greater efficiency in space utilisation. To achieve this the University is pursuing space optimisation on multiple fronts including a demolition program to exit end of life buildings where ongoing investment is no longer economical.
- [144] Mr. Roy stated the University has observed a change in its teaching pedagogy which has lowered the demand for tiered lecture theatres. However, no metrics supporting this assertion were submitted. Mr. Roy assessed that the ALT represents the four poorest quality lecture theatres of the 19 theatres the University has. This is not surprising when considering the University has a policy of minimal maintenance of buildings that it has plans to demolish. The ALT has been on that list for 15 years therefore it is not surprising that it is in poor quality.
- [145] Mr. Roy stated that these buildings are not well suited to adaptive use and have a potential to become an unreasonable burden if they become empty. We acknowledge the buildings are not well suited for adaptive reuse. However, Mr. Roy's assertion that they will be empty within three years must be considered against Mr. Alcock's statement that as far back as 2010 due to the same changes in teaching pedagogy the ALT had had their day. Yet in the intervening 15 years they have remained in use and are still in use today. Without formal evidence we believe it is premature to assert that the ALT is surplus to the University's requirements for teaching.
- [146] To ask an owner to occupy an empty building is an unreasonable burden. If it was to transpire that the ALT were indeed empty and surplus to need then the argument for lifting a heritage protection and proceeding to demolition would be stronger. However, this has not yet transpired and to make a decision on the functional utility of a building based on the stated pedagogical plans of the University is premature.
- [147] The Vice Chancellor Hon. Mr. Grant Robinson's stated in his submission that he has publicly announced that as part of a change of use on the Clocktower Building the University's senior executive functions are being moved to the CAPS building. It is noted that the immediate presence of the ALT has the potential to detract from the enjoyment of the newly fitted CAPS building and a garden would enhance the enjoyment of that building. However, the issue which the Hearing Panel is considering is the heritage value of the ALT.
- [148] After accepting the evidence Mr Alcock, Mr Roy, Mr Robertson and Ms Taylor, Mr Rawson has noted that the University may face more than moderate expense if the ALT is scheduled for heritage protection especially if they become redundant within the next three years. Therefore, he recommended that the ALT not be scheduled. However, for the reasons outlined above we have rejected the evidence in submission 251.013 and are not swayed by Mr Rawson's opinion.
- [149] We note that when standing on the Crest of Union Street bridge it is possible to see University College the ALT and the Richardson building in one straight line. From this vantage point it is possible to see the transition in form over time from the first Ted McCoy building built in 1969 to the last built in 1979.
- [150] The ALT is one of a set of three buildings designed by the same architect in direct proximity to each other. They have been given an Enduring Architecture award in 2020 Southern Architecture Awards. Their removal by demolition will be a loss of a recognized example of the modern style during this period of time.
- [151] This must be balanced with the University's position that the demolition of the ALT provides an opportunity to enhance the Gothic revival heritage value of the Union St. East area.
- [152] In our evaluation given the positioning of the ALT to the South and East of the Gothic revival area its presence is less negative on the Gothic revival heritage value on Union Street than its loss would be to the record of late 20th century teaching architecture.
- [153] Therefore, we conclude that the architectural value of the ALT is worthy of heritage protection.
- [154] The decision (by majority) of the Hearing Panel is that:

- (a) submission 251.013 University of the Otago / Ōtākou Whakakaihu Waka is rejected;
- (b) submission 121.005 DOCOMOMO New Zealand is accepted; and
- (c) the Archway Lecture Theatres at 290 Leith Street are included in the Heritage Schedule

5.2.15.2 Minority or Dissenting View

- [155] The University of Otago (S251.013) opposed the scheduling of the Archway Lecture Theatres.
- [156] DOCOMOMO New Zealand (S121.005) supported the scheduling but did not attend the Hearing.
- [157] We received evidence from University of Otago representatives and witnesses Grant Robertson¹⁰, Gordon Roy¹¹, Chris Alcock¹², Ian Butcher¹³ and Carmen Taylor¹⁴ and legal submissions from counsel Phil Page.
- [158] Mr Robertson advised that the University was consolidating its building portfolio so that it can invest in those buildings that best fit the University's identity and future needs and that those needs did not include the Archway Lecture Theatres.
- [159] Mr Roy advised that changes in teaching pedagogy meant that the University will have no use for the quantity of teaching space provided by the Archway Lecture Theatres. Their method of construction with tiered precast floor units means that the building would have no functional adaptive reuse within the University context. Mr Roy also noted that the building was cold and austere, the seating was uncomfortable, the lecture theatres had a confusing configuration and poor acoustics.
- [160] Mr Robertson advised that the Clocktower Building, and the other neo-Gothic buildings nearby (Allen Hall, Marama Hall, the Geology Buildings and the Consumer and Applied Sciences (CAPS) building) were a distinctive and important part of the campus. He considered that the Archway Lecture Theatres were a barrier to Union Street entrance to the campus and detracted from the Gothic heritage precinct.
- [161] Mr Alcock noted that the University Campus Master Plan had a particular focus on reinforcing the Union Street entrance as the urban spine connecting eastern facilities with the heart of the campus at the crest of the Union Street hill. The Master Plan recommended removing the Archway Lecture Theatres. As submitted by Mr Page, removing the Theatres presents a substantial opportunity to enhance the Gothic revival heritage values of the Union Street East entry to campus.
- [162] Interestingly and relevantly in my view, Mr Alcock advised that the Archway Lecture Theatres' designer Ted McCoy had used words to the effect of "*I'm fine if you want to get rid of them*" when told that the University wished to demolish the building. I have no reason to question the veracity of Mr Alcock's evidence.
- [163] Mr Butcher disputed the categorisation of the Archway Lecture Theatres as an example of 'brutalist architecture' and considered that the Theatres disrupted the aesthetic of the existing scheduled Gothic style heritage buildings referred to by Mr Robertson. As submitted by Mr Page, removing the Theatres will remediate that undesirable and adverse "disturbance effect".
- [164] The University proposes to replace the Archway Lecture Theatres with a formal garden space connecting the CAPS building with Union Street and the Gothic heritage buildings of the Clocktower precinct. The University witnesses considered that would result in a substantial enhancement of the University's heritage campus. We were provided with illustrations showing the proposed formal garden space and upgraded Union Street entrance. It is evident to me that should the Archway Lecture Theatres be removed and the formal garden space developed, then the aesthetics of the existing scheduled Gothic style heritage buildings will be considerably enhanced.
- [165] On that point I note that the DCC Heritage advisors considered that the aesthetic qualities of the Theatres did not significantly detract from the established heritage significance of the individually scheduled Neo-Gothic buildings, although it did interfere with the legibility of the CAPS building. However, I prefer the

¹⁰ Vice-Chancellor of the University of Otago.

¹¹ Architect.

¹² Masterplan consultant.

¹³ Heritage Architect.

¹⁴ Planner.

University's evidence on that point given the University witnesses' more intimate knowledge and understanding of the University campus.

- [166] Carmen Taylor considered that the proposed scheduling impinged on the ability to celebrate the broader area's existing protected built heritage (namely the University's Gothic complex), and the ability for the University to maintain and enhance the distinctive character and overall amenity of the campus.
- [167] Ms Taylor also considered that the scheduling of the Archway Lecture Theatres would be contrary to the relevant 2GP Strategic Directions (Objective 2.3.1, Policy 2.3.1.6, Objective 2.4.1, Policy 2.4.1.4 and Objective 2.4.2), as well as subsequent Campus Zone objectives (Objectives 34.2.1 and 34.2.2). The crux of her argument being that the Campus was a 'major facility' and the 2GP provisions sought to enable such facilities to be able to continue to operate efficiently and effectively as a tertiary education and research facility, while maintaining the distinctive character and overall amenity of the campus.
- [168] I acknowledge Ms Taylor's expert planning advice and find that the University's formal garden space proposal would give better effect to the overall scheme of the 2GP that she outlined, than would the scheduling and retention of the Archway Lecture Theatres.
- [169] In that regard I accept Mr Page's submissions that protecting a building that does not contribute to the University's identity and does not enable the University to operate efficiently does not represent integrated management. I also accept his submission that the costs of scheduling outweigh any potential benefits, for the reasons that he listed¹⁵.
- [170] Mr Rawson did not make a recommendation in his initial Section 42A Report.
- [171] However, and importantly in my view, in his Reply Report Mr Rawson advised that he accepted the collective evidence of Mr Alcock, Mr Roy, Mr Robertson and Ms Taylor that scheduling and retaining the Theatres would constrain the University's ability to operate efficiently and effectively. Mr Rawson also advised that the costs to the University of scheduling the building could be high instead of moderate¹⁶, particularly as the University witnesses advised that the Theatres were projected to become redundant within the next two to three years, and after that, remain unused.
- [172] Mr Rawson concluded that the costs of scheduling the Archway Theatres outweighed the benefits, and it should not be scheduled as a heritage building.
- [173] I concur with Mr Rawson's expert planning conclusion and I find that not scheduling the Archway Lecture Theatres and thereby better enabling the University to operate effectively and efficiently and achieve its intended formal garden space proposal will have greater benefits for the City's heritage values than would scheduling the Theatres, primarily as that would enhance the aesthetics of the existing scheduled Gothic buildings.
- [174] In terms of Strategic Directions Policy 2.4.2.1(b) and the evidence presented I find that no substantive weight should be afforded to the building's historic, social, spiritual, technological or scientific significance. Consequently, I find that it would be unduly onerous to include the building on the Heritage Schedule solely in reliance of its disputed design significance.
- [175] I conclude that submission 251.013 University of the Otago / Ōtākou Whakakaihu Waka should be accepted; submission 121.005 DOCOMOMO New Zealand should be rejected; and the Archway Lecture Theatres at 290 Leith Street should not be included in the Heritage Schedule. However, that is not the majority finding of the Hearing Panel. Consequently, it is Councillor commissioners O'Malley and Barker's majority finding that forms the Hearing Panel's decision.

5.2.16 BX091 Mosgiel Knitwear House (former) at 5 Melville Street

- [176] In their submission South Link Health Services Limited (S194.001) opposed the scheduling on the basis that it would inhibit and constrain the potential for South Link Health to expand its future operations.
- [177] DOCOMOMO New Zealand (Julia Gatley) (S121.006) supported the proposed scheduling.

¹⁵ Legal Submissions, paragraph 21.

¹⁶ Moderate costs were initially indicated in the assessment of benefits and costs in Appendix C of the Section 42A Report.

- [178] Neither submitter attended the Hearing.
- [179] We consider that the building is a landmark building in a very prominent site. We note Mr Rawson's advice that the scheduling would not constrain office activity being established. Instead, it is the existing non-complying activity status in the PPH Zone (2GP Rules 18.3.4.15 and 18.3.4.16) that does that.
- [180] In terms of Strategic Directions Policy 2.4.2.1(b), we find the building has significant historical and design significance, accentuated but it's highly visible location on a prominent corner site. It is a strong contributor to heritage streetscape.
- [181] Our decision is:
- a) Submission 194.001 South Link Health Services Limited is rejected;
 - b) Submission 121.006 DOCOMOMO New Zealand is accepted; and
 - c) BX091 Mosgiel Knitwear House (former) at 5 Melville Street is included on the Heritage Schedule as notified.

5.2.17 BX093 Brinsley Residence (former) at 169 Forbury Road

- [182] In their submissions Isabelle Ang and Petrus Yen, the building owners, opposed the scheduling of this building for reasons including limited public benefit (architectural significance overstated, weak historical associations), significant financial impacts (increased maintenance costs, higher insurance premiums, and devaluation of property) and loss of redevelopment opportunities. Four other submissions also opposed the scheduling, stating that the property lacked unique architectural or historic significance and there is no community association with or attachment to the property.
- [183] No submissions specifically supported the scheduling.
- [184] None of the submitters attended the Hearing.
- [185] However, in his tabled statement Mr Yen considered that the justifications for scheduling relied on associations so broad that they could capture a vast number of older properties in Dunedin. He said the building was of a Revival style, being a recreation of earlier forms, and did not reflect any significant innovation or advancement in New Zealand's architectural history.
- [186] The Council's Heritage Assessment noted the building was one of several designed by prominent architectural partnership Miller and White in 1931. The architectural quality of the dwelling was comparable to, or greater than, early twentieth and interwar houses listed by HNZTP in other regions. The assessment also outlined that the building had been occupied by various families over time, some of them being notable Dunedin families.
- [187] In terms of Strategic Directions Policy 2.4.2.1(b) we find the building has no spiritual, technological or scientific significance. However, we find that it has social, historic and design significance that merits it being scheduled. Our finding is accentuated by the building's prominent location on a corner site, making it highly visible to the public, despite the fence and vegetation surrounding much of the site. It contributes positively to the heritage streetscape in the area. In that regard we concur with DCC's Heritage evidence that the overall form and composition of the dwelling, use of quality materials and restrained decoration all contribute to a magnificent presence on a substantial corner site.
- [188] We accept the Mr Rawson's recommendation that the scheduling should exclude the L shaped garage to the east of the dwelling. That will enable some limited development potential to be realised.
- [189] Our decision is:
- a) The submissions of 124.001 Isabell Ang, 113.001 Marcel Choo, 270.001 Weta Family Trust, 125.001 Petrus Yen and 119.001 Sharmaine Pang are rejected; and
 - b) Brinsley Residence (former) at 169 Forbury Road is included in the Heritage Schedule with the listing stating "Entire external building envelope of the c.1931 dwelling, excluding the L shaped garage to the east of the dwelling."

5.2.18 BX112 Hudson/Petherbridge House at 9 Alton Avenue

- [190] David Petherbridge, the building owner, attended the Hearing and supported the proposed scheduling but asked that the interior of the kitchen and the flat off it, and the two external car garages are able be remodeled or adapted with only 'planning consultation'. Mr Petherbridge also advised that the asbestos roof needed to be replaced to protect the house and for health and safety reasons.
- [191] Mr Rawson advised that 2GP Rule 15.3.4.17 requires a restricted discretionary resource consent process for additions and alterations that affect a protected part of a scheduled heritage building. The author said that addressed the request made by Mr Petherbridge that there be 'planning consultation'. However, in our view that is drawing a long bow as requiring a resource consent is more onerous than mere consultation.
- [192] We find that the elements of the building addressed by Mr Petherbridge should be excluded from the listing in the Heritage Schedule. Mr Petherbridge spoke at the Hearing and we asked him to confirm that he was in agreement with the wording of the heritage listing proposed by Mr Rawson. Mr Petherbridge advised that he agreed with that wording.
- [193] Our decision is:
- a) Submission 56.001 David Petherbridge is accepted; and
 - b) BX112 Hudson/Petherbridge House at 9 Alton Avenue is included in the Heritage Schedule with the listing stating "The entire external building envelope and interior excluding the recent fireplace insert in the breakfast room, the kitchen, the later bathroom fittings to the upstairs ensuite, the former maid's flat (identified on the original plans adjacent to the kitchen) and the free-standing garage. The roof is excluded to the extent that it can be replaced with either a membrane or corrugated steel (that matches the corrugated profile of the existing roofing material). The protection includes the iron gates and posts at the entry, and the garden fountain."

5.2.19 BX121(i) and (ii) Terraced Houses at 22 and 24 Clyde Street, Dunedin

- [194] In his submission the building owner Mark Thom (S291.004 and S291.005) opposed the proposed scheduling of the terraced row houses BX121(i) and BX121(ii) due to concerns that it would significantly affect their sale price. However, at the Hearing Mr Thom seemed more sanguine about the proposed scheduling of these buildings than he did for other buildings that he owned (BX049 and BX087). He advised that the terraced row houses "would never be demolished".
- [195] We are satisfied that the buildings satisfy the criteria in Strategic Directions Policy 2.4.2.1(b) and that listing the buildings will not give rise to significantly increased maintenance costs nor jeopardise development potential. The buildings contribute strongly to the heritage streetscape of the area.
- [196] Our decision is:
- a) Submissions Mark Thom 291.004 and 291.005 are rejected; and
 - b) BX121(i) and (ii) – Terraced Houses at 22 and 24 Clyde Street are included in the Heritage Schedule

5.2.20 BX122 (i), (ii), (iii), (iv) Terraced Houses at 14, 16, 18, 20 Clyde Street

- [197] In her submission the building owner Barbara Kennedy (S102.001, S102.002, S102.003, S102.004) opposed the proposed scheduling due to increased costs for maintenance, insurance and compliance, along with limitations on alterations and a reduced market value.
- [198] Ms Kennedy did not attend the hearing.
- [199] No submitter supported the scheduling.
- [200] 14 to 20 Clyde Street are part of a single terraced row, which includes 22 – 32 Clyde Street. In our view the entire row of these terraced houses satisfies the criteria in Strategic Directions Policy 2.4.2.1(b) and that listing the buildings will not give rise to significantly increased maintenance costs nor jeopardise development potential. The buildings contribute strongly to the heritage streetscape of the area.
- [201] Our decision is:
- a) Submissions Barbara Kennedy 102.001, 102.002, 102.003 and 102.004 are rejected; and

- b) BX122 (i), (ii), (iii), (iv) – Terraced Houses at 14, 16, 18, 20 Clyde Street are included in the Heritage Schedule as notified.

5.2.21 BX127 Allan Residence (former) at 46 Gordon Road, Mosgiel

- [202] In their submission the building owners Ian and Shona Harvey (S57.001) oppose the proposed scheduling. Their reasons included maintenance costs, restrictions on what can be done with the property, reduced property values, and lack of compensation or incentives.
- [203] The Harvey's did not attend the Hearing.
- [204] Submitter Andrew Simms (S60.007) supported scheduling and he attended the Hearing.
- [205] The proposed scheduling excludes the rear elevation, freestanding garage, an outbuilding to the rear of the dwelling, the gate posts and iron entry gates. In terms of Strategic Directions Policy 2.4.2.1(b) we find that the building has historic and design significant that merits scheduling.
- [206] Our decision is:
- a) Submission Ian and Shona Harvey 57.001 is rejected;
 - b) Submission 60.007 Andrew Simms is accepted; and
 - c) BX127 Allan Residence (former) at 46 Gordon Road, Mosgiel is scheduled as notified.

5.3 Buildings Not to be Scheduled

- [207] Having considered the matters raised in the original submissions and the evidence presented at the Hearing, we find that a number of buildings that were notified for inclusion in the Heritage Schedule should not be included. We were particularly cognisant of the costs that scheduling a building imposes on the building owner for what is almost entirely, and at times a subjective, public benefit.
- [208] We also had regard to situations where a Certificate of Compliance or a resource consent has been granted by DCC for the demolition of a building. We formed the view that not scheduling such buildings might provide 'a stay of execution' as in most cases the demolition approvals had five years to run. During that time the current owners may have a change of heart or the building might be sold to someone who is willing to retain and preserve the building.
- [209] Conversely, scheduling such buildings might hasten their demise as owners looked to exercise their demolition authorities before they expired.
- [210] Consequently, the existence of a Certificate of Compliance or a resource consent for the demolition of the building weighed strongly in favour of not including a building in the Heritage Schedule.
- [211] We address specific buildings in the sub-sections 5.3.1 to 5.3.15 of this Report that follow.

5.3.1 BX001 Andersons Bay Presbyterian Church (former) at 76 Silverton Street

- [212] The former Andersons Bay Presbyterian Church is a Category 2 Historic Place (no 9695) with HNZPT. However, a certificate of compliance (COC-2024-20) was granted on 27 March 2025 for the demolition of the church and the church hall buildings. There is also an existing resource consent for a multi-unit development on the site (LUC-2022-54) and associated subdivision consent (SUB-2022-14), both of which were granted on 11 May 2022.
- [213] Campbell Paton (S264.001), the building owner, opposed the scheduling and he attended the Hearing. He considered that the building was unsuitable for scheduling due to the unviability of adaptive re-use, heritage conservation, and restoration of the building. The site photographs provided by Mr Paton confirmed that to be the case, as did our own site visit. Mr Rawson acknowledged that the potential costs associated with earthquake strengthening and upgrading the church may be high and the scheduling will impact on known development plans.
- [214] The scheduling was supported by two submitters Brent Patterson (S249.001) and Rose Bergamin (S274.004). Those two primary submissions were supported by further submitter NZHPT. None of these three submitters attended the Hearing.

- [215] On 29 May 2025 Brent Patterson withdrew his submission.
- [216] Mr Rawson initially considered that the benefits and costs of scheduling the church were finely balanced and so made no recommendation.
- [217] However, in his Reply Report Mr Rawson advised that on the basis of the evidence of Campbell Paton, Bruce Chisholm and Emma Petters he now recommended that building BX001 (Anderson's Bay Presbyterian Church (former)) at 76 Silverton Street be removed from the Heritage Schedule.
- [218] In terms of Strategic Directions Policy 2.4.2.1(b), and in light of the evidence received, we disregard any social and spiritual significance attributed to the building. Nor does it have any technological or scientific significance. Consequently, we find that it would be unduly onerous to include the building on the Heritage Schedule and we agree with Mr Rawson that it should not be scheduled.
- [219] Our decision is:
- a) submission 264.001 Campbell Paton is accepted;
 - b) submissions 249.001 Brent Patterson and 274.004 Rose Bergamin and further submission 9.001 Heritage New Zealand Pouhere Taonga are rejected; and
 - c) BX001 Andersons Bay Presbyterian Church (former) at 76 Silverton Street is not included in the Heritage Schedule

5.3.2 BX015 Rutherford House (former) at 38 Michie Street

- [220] In his submission the building's owner Vaughn Malkin (S214.001) opposed the inclusion of the building in the Heritage Schedule. In common with other submitters, he was concerned about a lowering of the property's value and increased insurance and compliance costs.
- [221] DOCOMOMO New Zealand (S121.003) supported the proposed scheduling because the dwelling was designed by Warren and Mahoney in 1959. DOCOMOMO did not attend the Hearing.
- [222] DCC's heritage evidence states that the building has design significance because it is an early design by Warren and Mahoney. However, the building's social and historic significance is minor.
- [223] We note that the private dwelling is screened from public view by a modern concrete block wall, a wooden fence and a large hedge. It is largely obscured from public view and in that regard contributes little to the heritage streetscape of the area.
- [224] At the Hearing Mr Malkin expressed concern with the process by which his dwelling was selected for scheduling. He also disputed the veracity of the heritage assessment with its focus on the interior of the dwelling. He accepted that the house had architectural merit, but contended that architectural (or design) significance did not make a significant contribution to Dunedin's heritage.
- [225] In terms of Strategic Directions Policy 2.4.2.1(b), we agree with Mr Malkin that the dwelling lacks significant historic or social significance. Nor does it have spiritual, technological or scientific significance. Consequently, we find that it would be unduly onerous to include the building on the Heritage Schedule solely in reliance of design significance given that matter would not be readily discernible by the general public.
- [226] Our decision is:
- a) submissions 214.001 and further submission 4.001 Vaughn Malkin are accepted;
 - b) submission 121.003 DOCOMOMO New Zealand is rejected; and
 - c) BX015 Rutherford House (former) at 38 Michie Street is not included in the Heritage Schedule

5.3.3 BX018 JS & MW Campbell House (former) at 58 Grendon Street

- [227] In his submission the building owner John Matheson (S50.004) opposed the scheduling. Mr Matheson attended the Hearing and advised that the property was purchased in 1982 and had undergone extensive renovations both prior to purchase and thereafter. We understand Mr Matheson's main concern to be a

loss in value should the property be sold. He advised that the property was on two titles, but developing the back lot would necessitate demolishing the garage to provide access.

- [228] We agree with Mr Matheson that the residential building does not have the same visual appeal as other residential dwellings proposed for scheduling. It is not a landmark building and does not occupy a high-profile site. It contributes little to heritage streetscape.
- [229] No submissions specifically supported the scheduling.
- [230] In terms of Strategic Directions Policy 2.4.2.1(b), in light of Mr Matheson's evidence, we find that the building has no historical, social, spiritual, cultural, or scientific significance. It has some technological and design interest as it was constructed by Messrs Ellis and Glue using their Simplex method of hollow concrete construction. However, we find that it would be unduly onerous to include the building on the Heritage Schedule solely on that basis given those matters would not be readily discernible by the general public.
- [231] Our decision is:
- a) submission 50.004 John Matheson is accepted;
 - b) BX018 JS & MW Campbell House (former) at 58 Grendon Street is not included in the Heritage Schedule

5.3.4 BX021 W & E Scoular House (former) at 421 Highgate

- [232] In his submission the building owner Stephen Christensen (S31.002) opposed the scheduling. Mr Christensen attended the Hearing and we understand his main concern to be the potential loss in value should the residential dwelling be sold. Mr Christensen considers that apart from the visual aspect of street appeal, the building had few attributes that would warrant scheduling.
- [233] No submitters specifically supported the scheduling.
- [234] Mr Rawson considered that the building had modest historic values, but demonstrated technological significance due to the use of James Annand's patented concrete construction system used in the house. While that may be the case, in terms of Strategic Directions Policy 2.4.2.1(b), we find that it would be unduly onerous to include the building on the Heritage Schedule solely in reliance of technological significance, especially because as Mr Christensen noted, the construction elements of interest are hidden from view and would not be readily apparent to the general public.
- [235] Our decision is:
- a) submission 31.002 Stephen Christensen is accepted;
 - b) BX021 W & E Scoular House (former) at 421 Highgate is not included in the Heritage Schedule

5.3.5 BX023 Highgate Presbyterian Church at 580 Highgate

- [236] In their submission the Highgate Presbyterian Parish (S38.001), who are the building's owners, opposed the proposed scheduling.
- [237] No submissions specifically supported the scheduling.
- [238] Dr John Milnes tabled a statement of evidence for and on behalf of the Highgate Parish Council. He advised that the building was "a very real seismic threat" and "previous seismic reports have indicated that the building has critical structural weakness". Dr Milnes considered that there was a considerable question mark over whether the Parish would be able to fund remedial work to bring the building up to the standard required under the Building Code to make it usable within the strictures of a heritage listed building. He noted that the Congregation had resolved to demolish the structure in a vote supported by over 80% of the members.
- [239] Dr Milnes stated that the adjoining church hall, which had previously served as a community hub and hosted a range of community events was currently unable to be used due to the seismic risk presented by the church building. Demolition of the church building would allow the hall to be utilised by the Parish and the Māori Hill Community and would enable development of the site for the benefit of both.

- [240] DCC's heritage evidence stated that the building had historic, design, and spiritual significance. In light of Dr Milnes evidence, we place little if any weight on the building's spiritual and social significance.
- [241] Mr Rawson considered that the benefits and costs of scheduling the church were finely balanced and so made no recommendation.
- [242] In terms of Strategic Directions Policy 2.4.2.1(b), in light of Dr Milnes' evidence, we find should disregard any social or spiritual significance attributed to the building. Nor does it have technological or scientific significance. Consequently, we find that it would be unduly onerous to include the building on the Heritage Schedule.
- [243] Our decision is:
- a) Submission 38.001 Highgate Presbyterian Parish (John Milnes) is accepted; and
 - b) BX023 Highgate Presbyterian Church at 580 Highgate is not included in the Heritage Schedule.

5.3.6 BX028 Melrose House at 24 Melrose Street

- [244] In his submission Craig Smith (S235.001), the building owner, opposed the proposed scheduling.
- [245] No submissions specifically supported the scheduling.
- [246] At the Hearing Mr Smith described the alterations made to the building which included the removal of notable features. He stated that while the dwelling had some architectural merit, being designed by the firm Mason and Wales, both of those gentlemen were deceased when the house was designed. In his view it therefore lacked architectural significance. Hamish Muir, currently a principal of Mason and Wales, agreed with Mr Smith. Mr Smith also disputed the social significance of the dwelling, stating that the lesser brother Thomas Glendining occupied it, not the more renowned brother Robert Glendining.
- [247] The DCC heritage evidence conceded that the loss of the garden setting negatively affected the overall significance of the building.
- [248] Mr Rawson considered that the benefits and costs of scheduling the building were finely balanced and so made no recommendation.
- [249] In terms of Strategic Directions Policy 2.4.2.1(b), in light of Mr Smith's evidence, we find should disregard any design significance. We also consider it fanciful to suggest that possible "restoration of the dwelling" should be given weight¹⁷. The building has no spiritual, technological or scientific significance and debatable design and social significance. Consequently, we find that it would be unduly onerous to include the building on the Heritage Schedule.
- [250] Our decision is:
- a) Submission 235.001 Craig Smith is accepted; and
 - b) BX028 Melrose House at 24 Melrose Street is not included in the Heritage Schedule.

5.3.7 BX034 Kaikorai Presbyterian Church at 127 Taieri Road

- [251] In his submission Conrad Anderson (S186.001), on behalf of The Synod of Otago and Southland and Southern Presbytery, opposed the proposed scheduling.
- [252] No submissions specifically supported the scheduling. During his presentation to the hearing David Murray spoke strongly about the importance of the church as a landmark. However, as he did not submit on BX034 we have not afforded substantive weight to his comments.
- [253] Mr Anderson attended the Hearing and stated that the building is currently vacant and is surplus to requirements. In terms of possible repurposing, Mr Anderson considered that the costs associated with conversion, ongoing repairs and maintenance were prohibitive. He advised that the roof was in a very poor state and it would cost between \$550,000 to \$680,000 to repair it. A draft seismic report had concluded

¹⁷ As suggested in the Section 42A Report.

that the building required additional costly work to bring it up to the necessary Building Code standard. Even if those works were completed the current owners would not wish to reoccupy the building.

- [254] Mr Anderson contended the building was not a high-profile site, being located next to a busy intersection in a largely commercial area and so contributed little to the area's heritage streetscape. We find it inappropriately speculative to suggest that the building could be sold and redeveloped¹⁸.
- [255] Mr Rawson considered that the benefits and costs of scheduling the building were finely balanced and so made no recommendation.
- [256] In terms of Strategic Directions Policy 2.4.2.1(b), in light of Mr Anderson's evidence, we find we should disregard any social or spiritual significance. The building has no technological or scientific significance. Consequently, we find that it would be unduly onerous to include the building on the Heritage Schedule.
- [257] Our decision is:
- a) Submission 186.001 the Synod of Otago and Southland and Southern Presbytery (Conrad Anderson) is accepted; and
 - b) BX034 Kaikorai Presbyterian Church at 127 Taieri Road is not included in the Heritage Schedule.

5.3.8 BX046 Albert House (former) at 45 Beach Street

- [258] In his submission the building owner Peter McIntyre (S69.001) opposed the scheduling as it imposed significant logistic, financial and time related impositions on any future improvement or redevelopment of the property. Patersons (Jared Brensell) (S117.061) also opposed the proposed scheduling, due to an assessment of the building indicating it has not been properly maintained for approximately 30 years, and it would be difficult to make the building safe again.
- [259] No submissions specifically supported the scheduling.
- [260] A certificate of compliance (COC-2024-15) was granted on 5 November 2024 for the demolition of all the buildings at 45 Beach Street, Dunedin.
- [261] At the Hearing Mr Brensell advised that property developers Blue Sky now owned the building and intended to demolish it. As part of the building pre-dated 1900 the developers were currently undertaking the necessary consultation with NZHTP.
- [262] In his Reply Report Mr Rawson advised that in light of the evidence received he considered that the costs of scheduling the building outweighed the benefits, and it should not be scheduled. We agree.
- [263] In terms of Strategic Directions Policy 2.4.2.1(b), we consider there was no evidence of the building having any historic, social, spiritual, technological or scientific significance. Consequently, we find that it would be unduly onerous to include the building on the Heritage Schedule solely in reliance of design significance, particularly in light of its demonstrable dilapidated state and the current owner's imminent intention to demolish it.
- [264] Our decision is:
- a) Submissions 69.001 Peter McIntyre and 117.061 Patersons are accepted; and
 - b) BX046 Albert House (former) at 45 Beach Street is not included in the Heritage Schedule.

5.2.9 BX049 (i) and (ii) Chinese Mission Manse (former) at 60 Carroll Street

- [265] The building owner Mark Thom (S291.002 and S291.003) opposed the scheduling of BX049(i) and BX049(ii). In section 5.2.8 of this Decision Report, we concluded that the Manse (the rear building at 60 Carroll Street) is not readily visible from the street and it made little if any contribution to the heritage streetscape. On that basis we considered that it should not be included in the Heritage Schedule.
- [266] Our decision is:
- a) Submissions 291.002 and 291.003 Mark Thom are accepted in part; and

¹⁸ As was suggested by the Section 42A Report author.

- b) BX049(ii) 60 Carroll Street is not included in the Heritage Schedule.

5.3.10 BX069 Inglewood at 62 Queen Street

- [267] In their submission Terramark Limited (Darryl Sycamore S188.05) opposed the scheduling of this dwelling. Mr Sycamore did not attend the Hearing.
- [268] No submissions specifically supported the scheduling.
- [269] The building is the subject of land use consent LUC-2024-366, which authorises demolition of the dwelling and its replacement with a new dwelling.
- [270] Mr Rawson considered¹⁹ that scheduling the building would have a low overall benefit and would impact on the owner's development plans and consequently he made no recommendation. In his Reply Report he stated that it would be a perverse outcome if scheduling the building encouraged its demolition, and because scheduling is of low public benefit and moderate cost to the landowner, he concluded that it should not be scheduled. We agree.
- [271] In terms of Strategic Directions Policy 2.4.2.1(b), there was no evidence of the building having any historic social, spiritual, technological or scientific significance. Consequently, we find that it would be unduly onerous to include the building on the Heritage Schedule.
- [272] Our decision is:
- a) Submission S188.05 Terramark Limited (Darryl Sycamore) is accepted; and
 - b) BX069 Inglewood at 62 Queen Street is not included in the Heritage Schedule.

5.3.11 BX076(i) Paired Dwellings at 54 Manor Place

- [273] In his submission the building owner Michael Krekeler (S8.001) opposed the proposed scheduling, due mainly to the increased costs that would be imposed as a result. Mr Krekeler did not attend the Hearing.
- [274] No submitters supported the scheduling.
- [275] Mr Rawson advised that the dwelling would be categorised as Group C and it would be unlikely to meet the threshold for a HNZPT Category 2 historic place. Scheduling the building would yield a low overall public benefit. On that basis we do not consider that the building merits scheduling under Strategic Directions Policy 2.4.2.1(b).
- [276] We note that Mr Rawson did not make a recommendation for this building.
- [277] Our decision is:
- a) Submission 8.001 Michael Kreker is accepted; and
 - b) BX076(i) Paired Dwellings at 54 Manor Place is not included in the Heritage Schedule.

5.3.12 BX078 Cintra at 217 Musselburgh Rise

- [278] In her submission the building owner Pauline Geddes (S221.001) opposed the proposed scheduling. She was of the view that several parts of the house (the back profile, upstairs and front porch) were no longer original, and so could not be considered as historical. Ms Geddes was concerned that scheduling would restrict further alterations when a large number had already been allowed over the years.
- [279] Ms Geddes did not attend the Hearing.
- [280] No submissions specifically supported the scheduling.
- [281] Mr Rawson considered that the alterations should be included in the scheduled protection afforded to the dwelling as they had been done in an "arts and craft style". That may be so, but it does not equate to historical design significance in our view. It was also noted that the dwelling has an association with architect Edmund Anscombe and the use of his patented OK Dry Wall System construction system.

¹⁹ In his initial Section 42A Report.

- [282] We note that the building has limited heritage streetscape appeal, as it sits atop a high retaining wall and is largely obscured from public view by a tall hedge. We find it fanciful to suggest that some of the alterations (such as the aluminum windows and the infilling of the porch) would be reversed if the building was scheduled.
- [283] In terms of Strategic Directions Policy 2.4.2.1(b), we find that the building has limited historic and social significance and no spiritual or scientific significance. Consequently, we find that it would be unduly onerous to include the building on the Heritage Schedule solely in reliance of its design significance.
- [284] Our decision is:
- a) Submission 221.001 Pauline Geddes is accepted; and
 - b) BX078 – Cintra at 217 Musselburgh Rise is not included in the Heritage Schedule.

5.3.13 BX087 Hanna Residence (former) at 56 Carroll Street

- [285] In his submission the building owner Mark Thom (S291.001) opposed the scheduling of BX087 due to concerns it could significantly affect the sale price. At the Hearing he advised that the dwelling currently operates as a boarding house. He would like to set the building up as a series of unit titles. The building is in need of repairs and Mr Thom said he would like to renovate it and it was in no danger of being demolished. He also advised that the building was situated on a large section that had subdivision potential. Mr Thom said he was nearing retirement age and would like to sell the building at some stage.
- [286] Of the several sites proposed for listing that he owned, Mr Thom was most concerned about this one, due largely we understand to its development potential.
- [287] No submissions specifically supported the scheduling.
- [288] Mr Rawson advised that the protection afforded to the building was the “entire external building envelope excluding rear elevation”, which meant the proposed scheduling did not restrict development affecting the building’s rear elevation and there were no restrictions on internal renovations.
- [289] In terms of Strategic Directions Policy 2.4.2.1(b) we note that the building was proposed for scheduling due to its historical and social significance. However, the DCC heritage evidence stated that the significance was derived from the association of the community with the place, and it was acknowledged that the heritage values were not as tangible or legible as other buildings proposed for scheduling. We observe that the building has no spiritual, cultural, design, technological or scientific significance. Consequently, we find that it would be unduly onerous to include the building on the Heritage Schedule solely in reliance of largely social significance.
- [290] Our decision is:
- a) submission 291.013 Mark Thom is accepted; and
 - b) BX087 Hanna Residence (former) at 56 Carroll Street submission is not included in the Heritage Schedule.

5.3.14 BX099 P Hayman & Co Warehouse (former) at 180 Rattray Street and BX118 former Lodge St. John at 25 Gordon Road, Mosgiel

- [291] Dunedin City Council (S197.004 and S197.00) opposed the proposed scheduling of BX099 and BX118 because these buildings were demolished before Plan Change 1 was notified.
- [292] Andrew Simms (S60.004) supported the proposed scheduling of BX118 and attended the Hearing.
- [293] Our decision is:
- a) submissions Dunedin City Council 197.004 and 197.005 are accepted;
 - b) submission Andrew Simms 60.004 is rejected; and
 - c) BX099 and BX118 are not included in the Heritage Schedule.

5.3.15 BX117 Lookout Point Fire Station at 182 and 184 Mornington Road, Kenmure

- [294] The building owner, Fire and Emergency New Zealand (S257.001) opposed the proposed scheduling.
- [295] DOCOMOMO New Zealand (S121.009) supported the scheduling, but did not attend the Hearing.
- [296] In his submission planner Kurt Bowen advised that investigation and design work completed to date had indicated some reasonably substantial modifications to the existing building would be necessary for it to continue to be fit for purpose as a fire station.
- [297] A certificate of compliance (COC-2024-9) was granted on 15 October 2024 for the demolition of all the buildings at 182 and 184 Mornington Road²⁰.
- [298] Mr Bowen pre-circulated written evidence for the Hearing. We note some of his main points were:
- FENZ is subject to legal requirements to provide a high standard emergency response capability. To meet these requirements, FENZ needs to be able to upgrade its facilities, including its fire station buildings, to enable the service to remain fit for purpose;
 - Listing the building in the Heritage Schedule will prevent the facility being able to be upgraded to the standard required for an emergency response operation. It could ultimately result in Lookout Point Fire Station becoming a redundant asset;
 - In 2023 DCC advised that the building was earthquake prone with its earthquake rating being assessed at 22% (NBS). Current earthquake prone building legislation directed that all operational facilities, such as fire stations, that provide post-disaster functions must be strengthened to meet at least 34% NBS;
 - In 2013 FENZ engaged Aurecon to investigate upgrade options which at that time ranged from \$546,000 to \$887,000 plus GST²¹;
 - The fire station also needed upgrades to accommodate larger fire engines and has commissioned reports on renovation options. Mr Bowen tabled architectural plans for a modern, fit for purpose replacement facility that would not be achievable should the existing building be listed in the Heritage Schedule;
 - Relocating the fire station to an alternative site has been considered but was not feasible for a variety of reasons, including cost and finding an alternative site in the local Lookout Point neighbourhood;
 - FENZ categorically does not support DCC's view that that fire stations have heritage values simply because they are fire stations. The Mornington Road station provides a community amenity value, however, that in itself does not extend to a significant heritage value; and
 - FENZ does not dispute who designed the Station²² nor the era that it was designed in, but FENZ considers that the values attached to the design of the Station are not sufficient to outweigh the need for the property to be renovated to best serve FENZ's functional requirements.
- [299] Mr Bowen and FENZ representative Steven Hill attended the Hearing.
- [300] We acknowledge Mr Bowen's evidence and find there is significant the public benefit in having a serviceable fire station in the Lookout Point neighbourhood.
- [301] FENZ representative Steven Hill advised that the building's main doors were too small to accommodation new fire appliances. It was not practical to enlarge the doorways due to the concrete beam construction of the building.
- [302] Mr Rawson advised that a separate freestanding accommodation block located on 182 Mornington Road, which is part of the same facility, is not proposed to be included in the Heritage Schedule. He initially recommended that the fire station building at 184 Mornington Road be scheduled.

²⁰ Mr Bowen provided us with a copy of the COC. We asked for a received a copy of the COC decision document from DCC.

²¹ Mr Bowen tabled a copy of the 2013 Aurecon Report.

²² Mandeno, Fraser and Galbraith

- [303] In his Reply Report Mr Rawson enabling provision of a fit-for-purpose fire station is of importance in terms section 5 of the RMA. He considered that scheduling 184 Mornington Road as a heritage building might restrict FENZ from achieving a fit-for-purpose fire station and have the perverse outcome of encouraging FENZ to demolish the building, in accordance with the approved certificate of compliance.
- [304] Mr Rawson recommended removing building BX117 (Lookout Point Fire Station) at 184 Mornington Road from the Heritage Schedule.
- [305] In terms of Strategic Directions Policy 2.4.2.1(b) we find we should not give any weight to the building's heritage, social, spiritual, technological or scientific significance. Consequently, we find that it would be unduly onerous to include the building on the Heritage Schedule solely in reliance of its design significance. Doing so would inhibit the ability of FENZ to exercise its functions which have a high degree of public benefit. In that regard we concur with Mr Rawson's revised advice.
- [306] Our decision is:
- a) submission 257.001 Fire and Emergency New Zealand is accepted;
 - b) submission 121.009 DOCOMOMO New Zealand is rejected; and
 - c) the Lookout Point Fire Station at 182 and 184 Mornington Road, Kenmure is not included in the Heritage Schedule.

5.3.16 BX120 Holy Cross College (former) at 91 and 93 Church Street, Mosgiel

- [307] The Verdon Chapel is located at 91 Church Street and the former Holy Cross College at 93 Church Street.
- [308] In their submission the Roman Catholic Bishop of the Diocese of Dunedin (S250.001) opposed the proposed scheduling.
- [309] Andrew Simms (60.006) supported the proposed scheduling and attended the Hearing. DCC submitted in support but sought an amendment to include the address for the Verdon Chapel, 91 Church Street.
- [310] A Certificate of Compliance (COC) have been issued for demolition of the entire main building at 93 Church Street except for the central part of the building comprising the 1870's wooden Burns residence. A COC has been issued for reroofing the Verdon Chapel. No COC is held for the demolition of the Verdon Chapel.
- [311] Conrad Anderson represented the Diocese and he attended the Hearing. He advised that the buildings were not a landmark within its context, they were unlikely to be needed for church use for much longer, conversion to accommodate an alternative use suited to its location in the General Residential 1 Zone was likely to be difficult and so its maintenance and active reuse would be unlikely to be achievable into the future.
- [312] Mr Rawson recommended scheduling both 91 and 93 Church Street, stating that 91 Church Street was omitted in error. He suggested that while demolition of the buildings at 93 Church Street can legally occur, it is possible that the Diocese's plans may change and the buildings are retained. In light of Mr Anderson's evidence we find that to be unlikely.
- [313] The DCC heritage evidence considered that the buildings were significant as they were New Zealand's only national training seminary for Catholic Priests, which we understand to represent both historic and spiritual significance.
- [314] In terms of Strategic Directions Policy 2.4.2.1(b) we find that the buildings have no technological or scientific significance. In light of Mr Anderson's evidence we find we should not afford weight to the buildings' spiritual significance. The Holy Cross College buildings are large and visually impressive but have not notable design significance that we are aware of. They have some historical significance due to their association with the Catholic Church. However, we find it would be unduly onerous to schedule them solely on that basis.
- [315] Conversely, we find that the Verdon Chapel has both historical and design significance that merit its inclusion on the Heritage Schedule.

[316] That leaves the 1870's wooden Burns residence. Given its past recognition and exclusion from the demolition COC, we consider it should be retained in the Heritage Schedule

[317] Our decision is:

- a) submission 250.001 Roman Catholic Bishop of the Diocese of Dunedin is accepted in part;
- b) submission 60.006 Andrew Simms is rejected;
- c) submission 197.006 Dunedin City Council is accepted;
- d) BX120 Holy Cross College (former) at 93 Church Street, Mosgiel is not included in the Heritage Schedule; and
- e) BX120 Verdon Chapel and Burns residence respectively situated at 91 and 93 Church Street, Mosgiel, are included in the Heritage Schedule.

6 Other Matters

[318] Several submitters attended the Hearing and spoke in general terms about the importance of heritage building preservation. In terms of issues raised, we agree that a collaborative approach balancing heritage preservation with practical ownership considerations is important. However, it is beyond our scope to consider matters relating to financial rates relief, compliance cost sharing or increased Heritage Fund funding support, however desirable those measures may be. Those matters may wish to be considered further by DCC.

7 Statutory Instruments

7.1 The 2GP

[319] Change SHB3 did not add any objectives to Chapter 2 Strategic Directions or Chapter 13 Heritage of the 2GP. Consequently, with regard to our obligations under s32 of the RMA, we needed to consider whether or not adding the building to the heritage schedule is the most appropriate way to achieve the relevant objectives of the 2GP which are:

Objective 2.4.2 Heritage: Dunedin's heritage is central to its identity and is protected and celebrated as a core value of the city, through the heritage conservation and retention of important heritage items, and the maintenance and active use of built heritage.

Objective 13.2.1: Scheduled heritage buildings and structures are protected.

[320] It is axiomatic that including a building on the heritage schedule would achieve Objective 2.4.2. The obvious risk of not acting²³ in that regard would be the potential loss of the heritage aspects through modification of demolition.

[321] Consequently, where we have found on the evidence that a building merits inclusion on the heritage schedule, we are satisfied that doing so is the most efficient and effective²⁴ means of achieving Objective 2.4.2 and that other practicable options²⁵, such as relying on the voluntary actions of building owners, would be less appropriate.

[322] However, as we noted in section 5 of this Report, when deciding whether or not to include a building in the heritage schedule, we have also had regard to Strategic Directions Policy 2.4.2.1(b) and the evidence received on the matters listed in that policy which reads:

b. *Identify heritage buildings and structures based on the following criteria:*

- i. *historic and social significance;*
- ii. *spiritual/cultural significance, including significance to Māori;*

²³ Section 32(2)(c)

²⁴ Section 32(1)(b)ii)

²⁵ Section 32(1)(b)(i)

- iii. *design significance; and*
- iv. *technological/scientific significance*

[323] In some cases, as set out in sections 5.3.1 to 5.3.15 of this report, in light of evidence received, we have found that the particular circumstances of a building notified for scheduling do not meet the criteria of Policy 2.4.2.1(b) to a sufficient degree to outweigh the costs and practical limitations associated with scheduling.

7.2 Other Statutory Instruments

- [324] The Section 42A Report and some submitter evidence outlined the relevant provisions of the Operative Otago Regional Policy Statement 2019 and the Proposed Otago Regional Policy Statement 2021. We have had regard to those provisions, in particular Objective HCV-HH-O3, Policy HCV-HH-P4 and APP8 of the 2021 document, when undertaking the assessments and making our decisions that are set out in Section 5 of this Report.
- [325] RPS APP8 lists criteria for archaeological, architectural, cultural, historic, scientific, social, spiritual and technological. The 2GP's Strategic Directions Policy 2.4.2.1(b) includes these criteria²⁶, other than architectural which we equate to "design significance".
- [326] The Section 42A Report also addressed the Heritage New Zealand Pouhere Taonga Act 2014 and the nature of "Category 1 places of special or outstanding historical or cultural heritage significance or value" and "Category 2 places of historical or cultural heritage significance or value". We note that inclusion on the New Zealand Heritage List / Rārangi Kōrero does not provide protection to a heritage item. Protection is generally provided through the scheduling of a building in a district plan.

7.3 Non Statutory Instruments

- [327] The Section 42A Report discussed the Ōtepoti Dunedin Heritage Action Plan November 2023 (Revised 2024) and the Dunedin Heritage Fund. We note that the Action Plan states that including significant historic buildings in the Schedule of Protected Items and Sites in the 2GP provides a framework for managing them. The Heritage Fund supports the conservation and the continued use of Dunedin's key heritage places.
- [328] These non-statutory instruments form useful background information. The Heritage Fund is not large enough to be considered a reasonably practicable option for achieving the 2GP heritage objectives. Namely, it is insufficient to purchase the buildings proposed for inclusion in the Heritage Schedule and is not sufficient to offset the range of costs faced by individual building owners if a building is scheduled.

8 Section 32AA Assessments

- [329] A detailed Section 32 Report was produced by the Council.
- [330] In terms of section 32AA, where we have decided that a building should not be included on the Heritage Schedule as notified, we are satisfied that our assessments in section 5.3 of this Report correspond to the scale and significance of the changes that we have made in light of the evidence received.

9 Decisions Outside Scope of PC1 / Change SHB3

- [331] As part of the Hearing, we received submissions and presentations that highlighted concerns about the increased costs imposed on building owners once a building was scheduled. Many of those costs, such as increased maintenance and insurance costs and decreases in property value, fall outside the scope of what DCC can reasonably address.
- [332] However, one matter that DCC can address is the cost of compliance, namely the costs of gaining resource consents and more complex building permits associated with alterations and significant maintenance and repairs to scheduled buildings.

²⁶ Archaeological is not relevant here.

- [333] Buildings are included in the Heritage Schedule because there is public benefit in doing so. However, the associated costs of that fall on the building owner.
- [334] We strongly urge DCC to consider waiving resource consent fees and building consent fees (namely reducing them to zero) for alterations and significant maintenance and repairs to scheduled buildings, where the need for the consent or building permit arises solely from the fact that the building has been placed on the Heritage Schedule.
- [335] We also recommend that DCC considers:
- a) increasing the amount available for the Dunedin Heritage Fund; and
 - b) providing rates relief for Heritage Scheduled buildings as one means of offering more support to the owners of scheduled buildings.

10 Decisions on PC1 / Change SHB3

- [336] Under the powers delegated to us by the Dunedin City Council under section 34A of the Resource Management Act 1991, pursuant to clause 10 of Schedule 1 to the RMA, the Council:
- a) **amends** the 2GP Appendix A1.1 Schedule of Protected Heritage Items and Sites as shown in Appendix 1;
 - b) **amends** the 2GP Appendix A1.1 Schedule of Protected Heritage Items and Sites by deleting the 22 buildings listed in Appendix 2 from the schedule of character-contributing buildings;
 - c) **accepts in part** the submission points listed in section 6.1.1 of the Section 42A Report which support Change SHB3 in its entirety;
 - d) **accepts in part** the submission points listed in section 6.1.2 of the Section 42A Report which support Change SHB3 in its entirety with amendments;
 - e) **accepts in part** the submission points listed in section 6.1.3 of the Section 42A Report which oppose Change SHB3 in its entirety or seek amendments;
 - f) **accepts** the submission points listed in section 6.1.4 of the Section 42A Report which supported the inclusion of specific buildings in the heritage schedule and where no original submissions were received in opposition to the scheduling;
 - g) **rejects** the submissions opposing the scheduling of the specific buildings addressed in section 5.2 of this Report and **accepts** submissions supporting that scheduling;
 - h) **accepts** the submissions opposing the scheduling of specific buildings addressed in section 5.3 of this Report and **rejects** the submissions supporting that scheduling; and
 - i) **accepts, accepts in part or rejects** further submissions not specifically covered by decisions (a) to (h) in accordance with the decisions on the original submissions to which those further submissions relate.

Signed by the commissioners:



Councillor Sophie Barker



Councillor Jim O'Malley



Independent Commissioner Rob van Voorthuysen
Dated: 17 July 2025

Appendix 1: Amendments to the Heritage Schedule

Additions as a result of our decision are shown underlined; deletions as strikethrough. We note that the following Table omits the pictures of the buildings that were included in the Council's "Summary of Proposed Scheduled Heritage Buildings". We understand those pictures will be included when the 2GP is formally updated in accordance with this Decision.

Notified Site Number	Item/Building Name	Address	HNZ Category	HNZ List Number	Protection Required
BX001	Andersons Bay Presbyterian Church (former)	76 Silverton Street	2	9695	Entire external building envelope excluding the adjacent hall
BX002	Otago Pioneer Women's Association Memorial Hall Currently CC071 in 2GP	362 Moray Place	1	9725	Façade to Moray Place and entrance foyer, main stairs, lobby doors and memorial window
BX003	Scoular House (former) Currently CC848 in 2GP	319 York Place	1	9273	Entire external building envelope
BX004	Truby King Harris Hospital (former)	79 Every Street	1	9659	Entire external building envelope
BX005	Arthur Street School Infant Department (former)	26 Arthur Street	2	9717	Entire external building envelope
BX006	Ralph Hotere's Studio (former)	2 Aurora Terrace, Port Chalmers	1	9762	Entire external building envelope excluding the rear addition (laundry/ workshop) as identified in the heritage covenant
BX007	Emily Siedeberg McKinnon House	75a and 75b York Place	1	9100	Entire external building envelope excluding the rear elevation
BX008	Venard Residence	18 Jubilee Street			Entire external building envelope excluding rear elevation and brick garage with tile roof
BX009	C & J Speight House Currently CC875 in 2GP	362 York Place			Entire external building envelope and stone boundary wall and entrance gates
BX010	Haeata Currently CC808 in 2GP	273 York Place			Entire external building envelope and street boundary fence and entry gate
BX011	Challow Dene Currently CC809 in 2GP	275 York Place			Entire external building envelope and street boundary fence and arched entry gate, and retaining walls

Dunedin City Council
Plan Change 1 – Minor Improvements (PC-2024-1)
Appendix A1.1 Schedule of Protected Heritage Items and Sites

Notified Site Number	Item/Building Name	Address	HNZ Category	HNZ List Number	Protection Required
BX013	Cargill Court Apartments	1-13/27 Arthur Street			Entire external building envelope and boundary fence to Arthur Street and Cargill Street
BX014	Mason & Wales Architects' Studio	46 York Place			The York Place façade and the first 10m of the north-east and south-west wall (between the York Place façade and the undercroft carparking). Entire external building envelope excluding rear elevation
BX015	Rutherford House (former)	38 Michie Street			Entire external building envelope and concrete block/timber fence to road boundary
BX016	Misses Johnstones' Residence (former)	7 Drivers Road			Entire external building envelope and boundary wall and gates to Drivers Road
BX017	Cameron House (former)	54 Grendon Street			Entire external building envelope
BX018	JS & MW Campbell House (former)	58 Grendon Street			Entire external building envelope excluding the rear elevation
BX019	Smith Building (former)	220 King Edward Street			Entire external building envelope
BX021	W & E Scouler House (former)	421 Highgate			Entire external building envelope and stone boundary wall and gates
BX022	St Georges Court	1-8/535 George Street, Dunedin			Entire external building envelope including street-side garages, excluding garage doors and rear elevation; entrance gates on street frontage
BX023	Highgate Presbyterian Church	580 Highgate			Entire external building envelope, excluding the hall and extension to the northwest dating from 1997
BX024	Julier/Sharpe House (former)	130 Aramoana Road, Deborah Bay			Entire external building envelope of the 1881 and c.1895 components of the dwelling, excluding the c.2005 addition
BX025	Hercus Building	50 and 58 Hanover Street			Entire external building envelope including the Richard Gross sculptural relief panel, excluding steel framed windows on the rear elevation, roof plant and aerial walkway
BX026	Haynes House (former)	284 Stuart Street			Entire external building envelope and brick and timber boundary fencing to Stuart Street

Dunedin City Council
Plan Change 1 – Minor Improvements (PC-2024-1)
Appendix A1.1 Schedule of Protected Heritage Items and Sites

Notified Site Number	Item/Building Name	Address	HNZ Category	HNZ List Number	Protection Required
BX028	Melrose House	24 Melrose Street, Dunedin			Entire external building envelope excluding the c.1992 single storey extension
BX029	Hosking House (former)	47 Māori Road			Entire external building envelope excluding the rear elevation; timber entry gates
BX030	S & F Bowman House (former)	10 Claremont Street			Entire external building envelope and boundary wall and entrance gates Claremont Street façade and the Claremont Street boundary fence and gateway
BX031	Te Kauri	70 Grendon Street			Entire external building envelope excluding the rear elevation
BX033	FA Cargill Residence (former)	83 Manor Place			Entire external building envelope excluding the rear elevation
BX034	Kaikorai Presbyterian Church	127 Taieri Road			Entire external building envelope excluding the adjacent hall and link between the two buildings
BX036	Kensington Drill Hall	24 Bridgman Street			Entire external building envelope and parade ground, excluding any ACM roof cladding
BX037	Mobilisation Store and Office	211 St Andrew Street			Entire external building envelope
BX038	RNZNVR Divisional Headquarters (former)	211 St Andrew Street			Entire external building envelope, including Hall and former P.W.D Workshop
BX039	J. Louis Salmond's House (former)	1 - 28 Bellevue Street			Entire external building envelope
BX040	Paired Dwellings	2 and 4 Macnee Street			Facades to Macnee Street and Henderson Street, and iron fence at 2 Macnee Street
BX041	Honeyden	1 Macnee Street			Entire external building envelope excluding the rear elevation
BX043	Kippiehoe Currently CC709 in 2GP	30 Tennyson Street			Entire external building envelope
BX045	Bryndwyll	38 Belgrave Crescent			Entire external building envelope
BX046	Albert House (former)	45 Beach Street, Dunedin			Entire external building envelope excluding the carport and garage on Albert Street

Dunedin City Council
Plan Change 1 – Minor Improvements (PC-2024-1)
Appendix A1.1 Schedule of Protected Heritage Items and Sites

Notified Site Number	Item/Building Name	Address	HNZ Category	HNZ List Number	Protection Required
BX047	Woodhaugh Store (former)	79 Malvern Street, Dunedin			Entire external building envelope
BX049 (i)	Chinese Mission Church and Manse (former)	58 and 60A Carroll Street			Façade to Carroll Street and northeast elevation
BX049 (ii)	Chinese Mission Church and Manse (former)	58 Carroll Street			Façade to Carroll Street
BX050	Haynes Warehouse and Offices (former) Currently CC077 in 2GP	24 and 26 Moray Place			Façade to Moray Place
BX051	Littlebourne House Stables	26 Littlebourne Road			Entire external building envelope
BX052	Pukehiki Library	1051 Highcliff Road			Entire external building envelope
BX053	Pukehiki District Hall	1056 Highcliff Road			Entire external building envelope
BX055	Dunedin Hospital Administration Block (former)	255 Great King Street			Entire external building envelope and central interior stair
BX056	Ocean View Hotel (former)	301 King Edward Street			Entire external building envelope of the two-storey c.1874 component, excluding the single storey additions
BX057	Dunedin North Intermediate School (former)	19 Riego Street			Façades to Riego Street, Albany Street and Anzac Avenue
BX058	Santa Sabina Convent (former)	16/73, 17/73 and 18/73 Buccleugh Street			Entire external building envelope of the former convent only
BX059	Queen Mary Maternity Hospital (former)	310 Castle Street, Dunedin			Entire external building envelope excluding the roof plant, the c.1961 northwest wing, and steel framed windows on the internal elevations. Entire external building envelope excluding the north (north east) wall of the c.1948 northwest wing, the roof plant, and steel framed windows on the internal elevations (overlooking the original obstetric theatre)
BX060	Dunedin Hospital Nurses' Home (former)	490 Cumberland Street			Entire external building envelope <u>including the Cumberland Street boundary wall, but</u> excluding roof plant, external fire escape, steel framed windows on the rear (west) elevation of the c.1948 component, pressed metal roof tiles and masonry chimneys.; Cumberland Street boundary wall

Dunedin City Council
Plan Change 1 – Minor Improvements (PC-2024-1)
Appendix A1.1 Schedule of Protected Heritage Items and Sites

Notified Site Number	Item/Building Name	Address	HNZ Category	HNZ List Number	Protection Required
BX061	Curtis House (former)	18 Forbury Road			Entire external building envelope excluding rear elevation
BX063	Fraemont	163 Carroll Street			Entire external building envelope and stone and brick wall to Melville Street and Carroll Street
BX064	Taieri Bank Cottage (Higgins' Cottage)	128 Hartfield Road			Entire external building envelope and upright slab schist fence
BX065	Acetylene Buildings (former) Currently CC070 in 2GP	126, 130 and 132 Stuart Street and 29 Bath Street			Entire external building envelope of both the commercial and former workshop buildings, excluding the lower part of the east elevation obscured by the neighbouring building
BX066	Herbert Haynes & Company Building (former) Currently CC109 in 2GP	20 and 26 Princes Street			Façade to Princes Street
BX067	Salmond Residence (former) Currently CC460 in 2GP	311 Stuart Street			Entire external building envelope excluding rear elevation
BX068 (i)	Gun emplacement #1	1 Domain Avenue and Road Reserve			Entire external building envelope
BX068 (ii)	Gun emplacement #2	1 Domain Avenue and Road Reserve			Entire external building envelope
BX068 (iii)	Magazine	14 Centre Road and Road Reserve, Tomahawk			Entire external building envelope
BX068 (iv)	Observation Post	14 Centre Road, Tomahawk			Entire external building envelope
BX069	Inglewood-	62 Queen Street, Dunedin-			Entire external building envelope excluding rear elevation-
BX070	Hallenstein Brothers' Building (former)	18 Princes Street			Entire external building envelope including the "HB" painted sign on the south elevation, but excluding the lower parts of the south and west elevations that are obscured by the neighbouring buildings
BX071 (i)	Cairns' Buildings-	139 Carroll Street-			Entire external building envelope excluding rear elevation-
BX071 (ii)	Cairns' Buildings	141 Carroll Street			Principal (northeast) elevation and roof form
BX071 (iii)	Cairns' Buildings	143 Carroll Street			Principal (northeast) elevation and roof form

Dunedin City Council
Plan Change 1 – Minor Improvements (PC-2024-1)
Appendix A1.1 Schedule of Protected Heritage Items and Sites

Notified Site Number	Item/Building Name	Address	HNZ Category	HNZ List Number	Protection Required
BX071 (iv)	Cairns' Buildings	145 Carroll Street			Principal (northeast) elevation and roof form <u>Note: Building was destroyed by fire and rebuilt in 2003.</u>
BX071 (v)	Cairns' Buildings	147 Carroll Street			Elevation to Carroll Street, principal (northeast) elevation, and roof form
BX071 (vi)	Cairns' Buildings	155 Carroll Street			Façade to Carroll Street and side wall (northeast)
BX071 (vii)	Cairns' Buildings	157 Carroll Street			Façade to Carroll Street
BX071 (viii)	Cairns' Buildings	157A Carroll Street			Façade to Carroll Street
BX071 (ix)	Cairns' Buildings	157B Carroll Street			Façades to Carrol Street and Melville Street
BX073	Port Chalmers Pioneer Hall	45 George Street, Port Chalmers			Entire external building envelope excluding the rear elevation and external heat pump units
BX074	Glenthorne	39 Melville Street, Dunedin			Entire external building envelope and stone walls and wrought iron fence to Melville Street
BX075	Major Residence (former)	52 Manor Place			Entire external building envelope and stone retaining walls, wrought iron fence and gates
BX076 (i)	Paired Dwellings	54 Manor Place			Façade to Manor Place and east wall
BX076 (ii)	Paired Dwellings	56A and 56B Manor Place			Façade to Manor Place and west wall
BX077	Trengrove Residence (former)	109 Maitland Street			Entire external building envelope excluding the rear elevation
BX078	Cintra	217 Musselburgh Rise			Entire external building envelope
BX079	Dunedin's first state house	11 Wilkinson Street			Entire external building envelope
BX080	Archway Lecture Theatres	290 Leith Street			Entire external building envelope and internal corridor
BX081	Haynes' Residence (former)	5 Smith Street			Entire external building envelope excluding rear elevation; retaining wall and gate to Smith Street
BX082	Harptree	19 Wallace Street, Dunedin			Entire external building envelope excluding the rear extension
BX083	Caledonian Hotel (former)	19 Carroll Street			Façades to Hope Street (including southern end of the building) and Carroll Street, excluding roofing

Dunedin City Council
Plan Change 1 – Minor Improvements (PC-2024-1)
Appendix A1.1 Schedule of Protected Heritage Items and Sites

Notified Site Number	Item/Building Name	Address	HNZ Category	HNZ List Number	Protection Required
BX084	Congregational Church Manse (former) Currently CC113 in 2GP	4 View Street, Dunedin			Entire external building envelope excluding rear elevation
BX085	Moray Place Congregational Church Sunday School (former) Currently CC116 in 2GP	2 View Street, Dunedin			Entire external building envelope excluding the rear elevation
BX086	Temperance Hall (former)	2 Haig Street			Entire external building envelope
BX087	Hanna Residence (former)	56 Carroll Street			Entire external building envelope excluding the rear elevation
BX088	W Nees and Sons Showroom and Warehouse	266 Hanover Street			Façades to Harrow Street, Hanover Street, and Anzac Avenue
BX089 (i)	Otago Motors Ltd Showroom Currently CC599 in 2GP	462 Princes Street			Façades to Princes Street and Carroll Street and north elevation to the intersection of Princes and Carroll streets
BX089 (ii)	Otago Motors Ltd Workshop	7 Carroll Street			Façades to Carroll Street and Hope Street
BX091	Mosgiel Knitwear House (former)	5 Melville Street, Dunedin			Entire external building envelope excluding additions to the side elevation on Melville Street and excluding the wall along the southern boundary
BX092	Burnside Residence (former)	62 Norfolk Street			Entire external building envelope excluding the rear elevation
BX093	Brinsley Residence (former)	169 Forbury Road			Entire external building envelope of the c.1931 dwelling, <u>excluding the L shaped garage to the east of the dwelling</u>
BX094 (i)	Terrace Houses	107 York Place			Entire external building envelope excluding the rear elevation; stone walling to York Place boundary
BX094 (ii)	Terrace Houses	109 York Place			Façade to York Place and stone walling to York Place boundary
BX094 (iii)	Terrace Houses	111 York Place			Entire external building envelope excluding the rear elevation; stone walling to York Place boundary
BX095 (i)	Roslyn Worsted & Woollen Mills (former)	229-233 Kaikorai Valley Road			Entire external building envelopes of all buildings and structures

Notified Site Number	Item/Building Name	Address	HNZ Category	HNZ List Number	Protection Required
BX095 (ii)	Roslyn Worsted & Woollen Mills (former)	237 Kaikorai Valley Road			Entire external building envelopes of all buildings and structures, excluding any cladding that contains asbestos
BX095 (iii)	Roslyn Worsted & Woollen Mills (former)	293 Kaikorai Valley Road and 72 Stone Street			Façades to the west (Kaikorai Valley Road) and south (Stone Street), excluding the single storey extension to the north
BX096	Reid/Il Rudda Residence (former)	89 Carroll Street			Elevation to Carroll Street, the three storey component of the east elevation, and the three storey component of the west elevation. Excludes the rear elevation of the three storey component and the two storey component at the rear
BX097 (i)	Silverwood Terrace	134 Albany Street			Façade to Albany Street
BX097 (ii)	Silverwood Terrace	136 Albany Street			Façade to Albany Street
BX097 (iii)	Silverwood Terrace	138 Albany Street			Façade to Albany Street
BX097 (iv)	Silverwood Terrace	140 Albany Street			Façade to Albany Street
BX097 (v)	Silverwood Terrace	142 Albany Street			Façade to Albany Street
BX097 (vi)	Silverwood Terrace	144 Albany Street			Façade to Albany Street and east wall
BX099	P Hayman & Co Warehouse (former)	180 Rattray Street			Entire external building envelope
BX102 (i)	Stafford Terraces Currently CC198 in 2GP	816 Cumberland Street			Façade to Cumberland Street
BX102 (ii)	Stafford Terraces Currently CC197 in 2GP	818 Cumberland Street			Façade to Cumberland Street
BX102 (iii)	Stafford Terraces	582 Castle Street			Façade to Castle Street
BX102 (iv)	Stafford Terraces Currently CC202 in 2GP	583 Castle Street			Façade to Castle Street
BX102 (v)	Stafford Terraces	584 Castle Street			Façade to Castle Street
BX102 (vi)	Stafford Terraces Currently CC201 in 2GP	585 Castle Street			Façade to Castle Street

Notified Site Number	Item/Building Name	Address	HNZ Category	HNZ List Number	Protection Required
BX102 (vii)	Stafford Terraces Currently CC200 in 2GP	587 Castle Street			Façade to Castle Street
BX102 (viii)	Stafford Terraces Currently CC199 in 2GP	60 Dundas Street			Façade to Dundas Street
BX103 (i)	Semi-Detached Residence	130 Albany Street			Façade to Albany Street
BX103 (ii)	Semi-Detached Residence	132 Albany Street			Façade to Albany Street
BX104	Grindley Residence (former)	45 Clyde Street, Dunedin			Façades to Albany and Clyde Streets and south wall
BX107	Sussex Hotel (former) Currently CC048	140 George Street, Dunedin			Façade to George Street excluding fibre cement roof cladding
BX111	Mosgiel Woollen Mill Manager's House (former)	68 Factory Road, Mosgiel			Entire external building envelope excluding the rear elevation
BX112	Hudson/Petherbridge House	9 Alton Avenue			Entire external building envelope, freestanding garage, iron gates and posts at driveway, and garden fountain; entire interior excluding recent fireplace insert in the breakfast room and recent bathroom fittings to upstairs ensuite <u>The entire external building envelope and interior excluding the recent fireplace insert in the breakfast room, the kitchen, the later bathroom fittings to the upstairs ensuite, the former maid's flat (identified on the original plans adjacent to the kitchen) and the free-standing garage. The roof is excluded to the extent that it can be replaced with either a membrane or corrugated steel (that matches the corrugated profile of the existing roofing material). The protection includes the iron gates and posts at the entry, and the garden fountain</u>
BX113	Church of the Holy Name	400 Great King Street			Entire external building envelope, forecourt brick walls and entry lobby and nave
BX114	Green Island Civic Centre (former)	222 Main South Road, Green Island			Entire external building envelope and clock tower on the corner of Howden Street and Main South Road

Dunedin City Council
Plan Change 1 – Minor Improvements (PC-2024-1)
Appendix A1.1 Schedule of Protected Heritage Items and Sites

Notified Site Number	Item/Building Name	Address	HNZ Category	HNZ List Number	Protection Required
BX115	Islington	218 Bush Road, Mosgiel			Entire external building envelope excluding conservatory extension
BX116	Mosgiel Coronation Hall	97 Gordon Road, Mosgiel			Entire external building envelope excluding rear skillion roof component
BX117	Lookout Point Fire Station	182 and 184 Mornington Road, Kenmure			Entire external building envelope for the fire station and the attached accommodation
BX118	Lodge St. John (former)	25 Gordon Road, Mosgiel			Entire external building envelope
BX119	Mosgiel Hotel	160 Gordon Road, Mosgiel			Two storey component of façades to Gordon Road and Bush Road
BX120	Holy Cross College (former)	93 Church Street, Mosgiel			Entire external building envelope of Burns Residence and associated residential wings, c.1901 chapel, dining room, and auditorium; the Verdon Chapel; dormitory
<u>BX120(i)</u>	<u>Vernon Chapel</u>	<u>91 Church Street, Mosgiel</u>			<u>Entire external building envelope</u>
BX121 (i)	Terraced Houses	22 Clyde Street, Dunedin			Façade to Clyde Street
BX121 (ii)	Terraced Houses	24 Clyde Street, Dunedin			Façade to Clyde Street
BX121 (iii)	Terraced Houses	26 Clyde Street, Dunedin			Façade to Clyde Street
BX121 (iv)	Terraced Houses	28 Clyde Street, Dunedin			Façade to Clyde Street
BX121 (v)	Terraced Houses	30 Clyde Street, Dunedin			Façade to Clyde Street
BX121 (vi)	Terraced Houses	32 Clyde Street, Dunedin			Façade to Clyde Street and north wall
BX122 (i)	Terraced Houses	14 Clyde Street, Dunedin			Façade to Clyde Street
BX122 (ii)	Terraced Houses	16 Clyde Street, Dunedin			Façade to Clyde Street
BX122 (iii)	Terraced Houses	18 Clyde Street, Dunedin			Façade to Clyde Street
BX122 (iv)	Terraced Houses	20 Clyde Street, Dunedin			Façade to Clyde Street
BX123	Christian Brothers Residence (former) Currently CC818 in 2GP	295 Rattray Street			Entire external building envelope and stone boundary wall at Rattray Street boundary
BX124	Bishop's Palace (former) Currently CC810 in 2GP	277 Rattray Street			Entire external building envelope and stone boundary wall and gate at Rattray Street and Bishops Place

Notified Site Number	Item/Building Name	Address	HNZ Category	HNZ List Number	Protection Required
BX125	Helensea	262 Main South Road, East Taieri			Entire external building envelope excluding the rear elevation
BX126	Larnach's Byre	1299 Highcliff Road			Entire external building envelope
BX127	Allan Residence (former)	46 Gordon Road, Mosgiel			Entire external building envelope excluding the rear elevation, freestanding garage, and outbuilding to rear of the dwelling; gate posts and iron entry gates

Appendix 2: Buildings Removed from the Heritage Schedule of Character-Contributing Buildings

Site Number	Building Name	Address	Heritage Precinct
CC048	Commercial building	132 George Street Dunedin	George Street Commercial
CC060	Commercial building	18 Princes Street Dunedin	The Octagon Commercial
CC070	Commercial building	126 Stuart Street Dunedin	Stuart Street Commercial
CC071	Pioneer Womens Hall	362 Moray Place Dunedin	Stuart Street Commercial
CC077	Commercial building	24 Moray Place Dunedin	Moray Place - Dowling Street Commercial
CC109	Commercial building	20-26 Princes Street Dunedin	The Octagon Commercial
CC113	Residential building	4 View Street Dunedin	View Street Commercial
CC116	Residential building	2 View Street Dunedin	View Street Commercial
CC197	Residential building	818 Cumberland Street Dunedin	Dundas Street - Castle Street Residential
CC198	Residential building	816 Cumberland Street Dunedin	Dundas Street - Castle Street Residential
CC199	Residential building	60 Dundas Street Dunedin	Dundas Street - Castle Street Residential
CC200	Residential building	587 Castle Street Dunedin	Dundas Street - Castle Street Residential
CC201	Residential building	585 Castle Street Dunedin	Dundas Street - Castle Street Residential
CC202	Residential building	583 Castle Street Dunedin	Dundas Street - Castle Street Residential
CC460	Residential building	311 Stuart Street Dunedin	York Place - Stuart - Arthur Street Residential
CC599	Commercial building	462 Princes Street Dunedin	South Princes Commercial
CC709	Residential building	30 Tennyson Street Dunedin	View Street Commercial
CC808	Residential building	273 York Place Dunedin	City Rise Residential
CC809	Residential building	275 York Place Dunedin	City Rise Residential
CC810	Commercial building	277 Rattray Street Dunedin	City Rise Residential
CC818	Commercial building	295 Rattray Street Dunedin	City Rise Residential
CC848	Residential building	319 York Place Dunedin	City Rise Residential
CC875	Residential building	362 York Place Dunedin	City Rise Residential