

Plan Change 1 – Minor Improvement (PC-2024-1)

Submission in opposition to proposal to apply heritage listing to 580 Highgate by Dr D. John Milnes for and on behalf of the Highgate Parish Council.

Please note the following:

- That 580 Highgate refers to the structure currently owned and used by the Highgate Parish;
- The Parish refers to the Highgate Presbyterian Parish, a parish of the Presbyterian Church of Aotearoa New Zealand;
- That the report refers to the Dunedin City Council's Section 42A report; and
- That the appendix refers to Appendix E concerning specifically the structure at 580 Highgate.

Heritage listing and the Resource Management Act (RMA)

The Dunedin City Council is proceeding down the route of listing buildings, in opposition to some of their legal owners, just at the time that the New Zealand Government is removing historic heritage from the successors to the Resource Management Act and enhance the property rights of owners of heritage buildings and sites. In the future, heritage (including built heritage) will be handled by an entirely different piece of legislation, the Heritage New Zealand Pouhere Taonga Act. The DCC acknowledges this in its report, yet it seems to be determined to press ahead (despite this clear direction from the government) and uses the old act (in part) to justify its actions. This seems to be an attempt to push through last minute changes before the powers to do so are removed.

Additionally, the DCC acknowledges that the methods of heritage listing vary among territorial authorities. Some authorities act alongside the owners in a conciliatory and negotiated way, accepting that there are owners who do not wish to have their property listed. In such situations not all properties are eventually listed and those that have reached this position with the full agreement of the owner. In contrast the City Council has resolved to act in an adversarial manner, imposing its will by diktat with little to no acceptance that some owners wish to retain freedom of action in exercising their property rights and without due consideration of the implications of the historical listing on the property owner. Heritage New Zealand uses a very different process to that adopted by the DCC, and has much more collaborative approach.

Seismic strength of the Building

None of the reports researched or provided by the DCC discuss the fact that 580 Highgate is a very real seismic threat. It is well known that unreinforced masonry buildings are at risk of failing in an earthquake, as was demonstrated in the 2011 and 2012 earthquakes in Christchurch. Previous seismic reports have indicated that the building has critical structural weakness. The Parish is currently funding from within its own resources a Detailed Seismic Assessment to finally ascertain exactly how the

building relates to the Building code. This report is costing the parish over \$100,000, covered by funds accumulated over the past century. There is a considerable question mark over whether the Parish will be able to fund remedial work to bring the building to code and make it usable within the strictures of a heritage listed building.

If the Parish did decide to sell the building once listed, the “double whammy” of trying to sell an earthquake prone building with a heritage listing would significantly reduce the funds it could expect to receive.

Future development of the Parish

Primarily the building at 580 Highgate is there to serve the purpose of the Parish. Like all Christian congregations, the Parish has had its ups and downs over its life. The building as it stands now is not fit for the Parish’s purpose and is of no use to the Maori Hill community as it cannot be occupied. The Congregation had resolved to demolish the structure in a vote supported by over 80% of the members, yet opposition from a handful of members delayed its implementation and the DCC has now withdrawn its consent. Applying a heritage listing to the building would effectively preclude its demolition or easy future development to suit the needs of its users and owners – the Parish and its members. This is at odds with what the appendix states concerning the importance of the Parish to the spiritual and cultural history of the suburb. This misunderstands the fact that the spiritual and social import is the parish, the people who are its members, and their activities. The building is just that, a structure of bricks and mortar.

The church hall, which has previously served as a community hub and hosted a range of community events is 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 Maori Hill Community and would enable development of the site for the benefit of both.

Some may argue that the Parish should divest itself of the site and rebuild somewhere else. However, such a course of action denies several points. Firstly, why should the owners of the site be forced to move based on a decision made by people who do not contribute financially to the building, who don’t use it, or have any interaction with its purpose? Secondly, by the DCC’s own admission, applying a heritage listing the site will likely result in its market value decreasing should the parish decide to sell. Thirdly, it is highly unlikely that the Parish could secure a site that would suit its needs in Maori Hill (where the Parish wishes to remain), nor in such a prominent position within the suburb. The absurdity of being forced to sell a site it wishes to retain, incur substantial reduction in the selling price in such a sale, and then have to purchase a new site close to what was sold, should be apparent to all.

The financial implications of listing are extremely important. Like most parishes, Highgate’s financial resources are limited. Listing a building has ongoing implications,

increasing the cost of ongoing repairs and maintenance as these are required to remain in keeping with the listed properties of the building. When these costs are combined with the reduction in market value that listing would incur, it is possible that the only recourse to the Parish would be to hold on to the building, unrepaired, undeveloped, and deteriorating.

The DCC's reports state that funding is available for owners of heritage sites, yet makes no mention of the fact that this funding is extremely limited, both in terms of the total value of the fund, and the size of grants. Added to this is the fact that this is a large building, and that on current plans the DCC intends to add a further 146 properties (some of them even larger than 580 Highgate) to an already inadequate fund. The institution making the decision is therefore refusing to financially support its consequences. This fact has been acknowledged by the Ministry for the Environment in its document 'Blueprint for resource management reform' and is, in part, responsible for the changes to the existing RMA.

Architectural style

The appendix states that 580 Highgate is an example of inter-war Gothic style, though goes on to list First Church, Knox Church, St Paul's cathedral and St Joseph's cathedral as the pinnacles and outstanding examples of this style of structure. Very few would disagree with these descriptions, with national heritage listings by Heritage New Zealand.

The 580 Highgate building is in an altogether different class of structure to these buildings. Applying the architectural design classification of interwar Gothic presumes to associate 580 Highgate with the likes of First Church or the two Cathedrals is drawing a long bow. It is clear that the Highgate structure and these others bear little commonality beyond being places of worship. It is not accepted that this sort of classification should form the basis of listing.

Importance to Community

The appendix provides a rather lengthy narrative of the early history of the Maori Hill Presbyterian Parish, and later its metamorphosis into the Highgate Parish. The appendix uses this history to justify listing the building. It states that the historic and social importance is sufficient to justify listing the building. However, what it does not cover, or discuss, is the fact that the vast majority of members of the Maori Hill community are not members of the parish and do not and have not used the building or its facilities. Neither does the body seeking to list the building (the DCC). The appendix says that there has been public debate concerning the value of the building, yet it is clear that most members of this community view its importance as merely a 'pretty building', not one that they intend to support financially in its upkeep nor to support its owners and users in their mission or purpose.

This raises the question of how important to the community is this building really, and is listing 580 Highgate merely a reaction to a few loud and persistent voices? Surely

the only people whose voice should be considered when deciding what to do with a building should be those who own it and pay for its maintenance and upkeep?