

DEVONPORT HERITAGE INC.

SUBMISSION ON:

RESOURCE CONSENT APPLICATION – LN 2127797

MASONIC HOTEL, 29 KING EDWARD PARADE, DEVONPORT.

**PRESENTED BY TRISH DEANS, VICE CHAIRPERSON, DEVONPORT
HERITAGE.**

JANUARY 19TH 2009.

MASONIC SUBMISSION

We're all here this week to talk about an old hotel, the Masonic, and to decide what its future will be. But this is not just any old hotel.

The Masonic sits in the centre of one of the most historic foreshore precincts in the country. It sits at the front-door of Auckland Harbour and it has sat there for 143 years.

In 1866 when it was built Queen Victoria was the monarch and Sir George Grey was the governor. It is older than any New Zealand university.

And since it opened and through all the changes the world has seen since then, the Masonic has operated for the same purpose for which it was built.

Over the next few days you'll hear an outpouring of love and respect for the Masonic, from Devonport people and from others around Auckland.

But this is not a Devonport issue, nor even an Auckland issue. It is a New Zealand issue, and it is about whether we value our history.

For the Masonic is a toanga, recognised by hundreds of people for its history, its standing and its heritage qualities.

The most crucial thing for you to keep in mind when considering this application is that if granted, it will mean the demolition of most of the Masonic Hotel and the despoliation of the adjacent Boarding House.

That if granted, this application will mean two of the most historic, significant and iconic features of the Auckland waterfront will be damaged forever.

Therefore this application hinges on what value should be placed on heritage protection. Does the North Shore City Council's District Plan call for genuine heritage restoration? Or does it call for only a superficial heritage acknowledgment?

The question you must ask is: Does this application constitute genuine heritage protection?

The proposal seeks to protect only the south and east façades and part of the roof of the Masonic - those that are listed as Category A scheduled items in the District Plan.

However this was not the Council's intention when it listed the building in its proposed district plan in 1994.

It is important to remember that at that time, the council actually listed the entire hotel and the boarding house. But when the current owner objected, they were both deleted from the Schedule in 1998.

Devonport Heritage then appealed to the Environment Court and began negotiations with the owner.

These were protracted and difficult as it was the applicant's intention to be able to demolish the hotel and build apartments.

Devonport Heritage was a small lobby group with no funds for a lengthy Environment Court case, and had no support from the Council.

We called in Jeremy Salmond to help and because of enormous resistance from the applicant, Jeremy came up with the Appendix 11 diagram that protects the facade and part of the roof line. It leaves out the Boarding House entirely. We agreed to this inadequate listing simply because it was that or nothing.

Mr Salmond now states clearly in his report that the scheduling which he had a large hand in - 'does not adequately reflect the heritage significance of the whole'.

The Masonic is the only protected building in the council's schedule that is treated in this manner – no other listed building has such a sketch attached to it.

This history is very pertinent to this hearing as it demonstrates that the present listing is no indication of the real heritage value of the building.

Way back in 1975 the Devonport Borough Council listed the Masonic and the Boarding House as historic buildings. And both buildings were listed in the Borough Council's historic register in 1989.

This indicates that successive councils have long considered the Masonic buildings to be historically significant.

The present façade listing is a nonsense and must be seen for what it was: a last-ditch, desperate attempt to preserve something of this historic hotel in the face of the present owner's determination to remove its protection.

It also demonstrates the applicant's long-standing disregard for heritage.

And there is no doubt of historical significance of the Masonic and the Boarding House. The Masonic was built in 1866 and designed by Richard Keals. It's the oldest commercial building in Devonport and the oldest hotel on the North Shore.

The Boarding House is even older and is thought to have been built to house workers in the boatyards on the foreshore.

These two buildings stand as enduring symbols of the time when this corner was the thriving commercial and community centre of Devonport with its own post office, store, church and school.

The Masonic and the Boarding house remain as strong remnants of this history with the added value that they have been continuously occupied and used for the purpose they were built.

This week is the culmination of hours of work by many people in this community to save the hotel and the boarding house from having their heritage integrity and value wrecked.

- We maintain that the proposal - by sticking to this little sketch of the scheduled parts of the Masonic - is Not Sufficient to be called a restoration.

- That this application will NOT ensure the heritage value of the Masonic and the Boarding House will be protected. In fact it will mean the destruction of most of the Masonic's original fabric.

- We are saying that this proposal will DE-VALUE the heritage importance of the site and buildings.

- It is contrary to the intent of the North Shore City Council District Plan, and the effects of it will be more than minor.

Re-development:

We are not against the idea of re-development of part of this site and building some apartments would be appropriate.

However we strongly believe there should be a far greater commercial component than this application proposes.

This would fit in with the cultural history of the Masonic as serving the commercial needs of the community, and it would also be more in accordance with the District Plan's objectives which states in 15.4.1 -

'That to manage the effects of activities in small local centres the policy should be followed of: - 'enabling a wide range of business activities in small local centres'

This view is supported by the council's specialist urban design architect Sarah Lindsay, who says in her report on page 6, that she believes 'business zoned land needs to be protected from the current market pressure which favours residential development.'

She states the site should provide for more commercial uses and proposes that at the very least, the ground floors of units 6 and 7 should be used only for commercial activities.

We believe that far more of the site needs to retain its commercial elements – both floors of the Masonic should be commercial and the ground floors of all the proposed apartments.

This would be in keeping with the activities in the buildings on the opposite corner, it would retain the historic use of the site and be in accordance with the business zoning requirement that commercial activities be retained at the ground floor level.

It is simply inadequate for the Planner’s report to contend that the apartments could be converted to possible commercial use in future. These new buildings are all built and laid out as apartments.

They will be marketed and sold as apartments. You are being asked to approve their use as apartments despite the objectives of the Business One zone.

We believe then that to be consistent with the District Plan’s Business One rules, you must reject the application’s plan to have all but one space turned over to residential use.

Why on earth should this crucial site be changed forever into residential apartments because of a current trend (which may in fact be waning), when the intent of the District Plan is clearly opposed to such large-scale changeover of use from commercial use to residential.

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Now To Turn to Design:

While we support the idea of having some new buildings on this site, we believe the planned new apartments, especially those that front King Edward Parade, will detract from, and detrimentally affect the heritage quality of the Masonic.

In 11.4.1.3 The District Plan’s outlines the assessment criteria for a discretionary activity:

The affect of these factors on the character of the scheduled item and on the feature or features for which it was scheduled. Any significant adverse effect should be avoided, remedied or mitigated.

It is our contention that the height, scale and position of the proposed apartments WILL have an adverse effect on the hotel.

The Masonic must be allowed to remain as the dominant building on the site, but as the plans clearly show, the apartments will crowd and overwhelm the old pub.

This effect will be exacerbated by the heavy materials used in the apartments and by the heavy stone walls which are not consistent with the fencing requirements outlined in Plan Change 21.

We would like to see the height of the apartments lowered and/or have them set-back about one metre from the footpath.

- As this photo of the **Esplanade** apartments show, a change in height really enables the old hotel to breathe and to continue to stand proudly as the significant building that it is.
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There's a great quote from architect Ian Athfield, **"The space you leave over after you build the building is as important as the building itself."**

He also says: **"You should not challenge what is already there."**

We believe this is exactly what the new apartments will do to the Masonic Hotel. They challenge it and detract from it.

- This is an old corner shop on Tainui Road and the apartments are a subtle and non-dominating addition, purely because they are lower and set-back from the old shop.



These examples show that it is easily possible to modify the existing apartment design, to have a hugely improved outcome.

Unlike the two examples, in this proposal the apartments surround and crowd the Masonic and will cause the hotel to lose its majestic standing on the corner. This is simply not good enough treatment for a building that is as historic and significant as the Masonic.

If we go back to the assessment criteria, it says any additions MUST NOT HAVE an adverse effect on the features for which the item was scheduled. We maintain that clearly these apartments WILL have a detrimental effect.

INFRINGEMENTS

There are a large number of infringements especially height and height to boundary and these should be eliminated to reduce the dominance issues of the planned apartments. It is not enough to justify these infringements by arguing that the existing hotel is over-height.

This view is endorsed by the Council's heritage planner Bryan Bennett who writes on page 20 - *'that to ensure there are no dominance issues from the interface between the Business one zone and the residential 3 zone, any building in relation to boundary non-compliances should be eliminated.'*

There is absolutely no justification for such infringements of neighbouring properties .

CARPARKING AND TRAFFIC PROBLEMS

It is interesting that the old boiler house is considered worthy of retention despite it having no heritage significance. Its retention creates a very narrow driveway and a potential safety hazard for pedestrians on Church Street.

While it is a pretty, ivy-covered building, its retention should not come at the cost of safety, or at the loss of far more historically important parts of the site.

The Planner's report deals with the shortfall of carparks and the possibility of a financial contribution in lieu of these.

We would not support any waiver of this contribution for the application as it stands.

The waiver is only ever used for heritage buildings when they are being restored to a high quality and when their heritage value is respected. That is not in the case for this application.

THE BOARDING HOUSE

We are not against the idea of re-siting the Boarding House as historically old wooden buildings were often moved.

However the proposal to hoist it up high, cut a car-park entrance in it and add a new structure onto it, is appalling treatment for a building of such historic significance.

Jeremy Salmond calls it 'an assault' and unacceptable.

Bryan Bennett says it must remain on terra firma and recommends it be relocated on the site of Apartment 9, which we agree would be a far better use and position for this – one of the oldest buildings in Devonport.

The proposed mis-use of this building, even though the applicant's Conservation Plan describes it as being of exceptional heritage significance, demonstrates a clear lack of respect for the integrity of the building.

CONSERVATION PLAN.

As I have said this application hinges on the value that the District Plan and the RMA places on heritage.

Therefore the quality of the Conservation Plan is hugely important.

However there is no doubt this Plan is severely flawed.

We agree with the council and independent heritage experts who attest that there are serious problems with the applicant's Conservation Plan provided by Archifact.

As this is such a crucial part of your decision making we believe there is a strong argument for adjourning this hearing so the deficiencies of the report can be addressed.

We have the Council's heritage planner Brian Bennett writing: "A revision of the Conservation Plan should be undertaken".

He wants to see 'more detailed documentation to demonstrate the proposed conservation measures'.

Mr Bennett also says the Plan fails to provide an assessment of effects on the environment of how the proposed works impact on the heritage values.

This is the basic necessity of any resource consent application, and the lack of it weakens this whole application.

One of the foremost heritage architects in the country, Jeremy Salmond takes great exception to the Conservation Plan's contention that conservation is only required for the scheduled elements.

He says this is not a defensible statement.

He goes on in his report to state 'the Conservation Plan is remarkable for omitting to assign overall heritage significance to the primary architectural elements of the individual buildings'.

He calls for the conservation plan to be rewritten and criticises it for not providing accurate plans and reconstruction drawings of the hotel.

He says: 'There is real deficiency in the documentation since faithfulness to the original building should be a key objective for a heritage building'.

Then we have damning comments from Council's specialist heritage adviser Aranne Donald who was commissioned to peer review the Plan.

She says there are;

some fundamental gaps and inconsistencies in the report,
there are significant shortcomings in the quality and accuracy of the assessment,

She says some dates are wrong, the plan didn't even discover who designed the hotel.

She finally writes: "I would not consider that the conservation plan meets the expected standard"

We support the judgement of the reports by these professionals and the Historic Places Trust, and believe it puts in question the whole value of this application's heritage intentions. You simply cannot ignore the consistent view given by all the heritage experts.

The Conservation Plan was commissioned by the applicant and reflects the superficiality of his commitment to the restoration of the hotel. It clearly indicates that re-development of the site is the driving force of the application and any restoration is of secondary importance.

It maintains only the hotel's façade need be retained while all the heritage experts insist the whole of its original form should be retained.

You cannot possibly decide on this application when the Conservation Plan, on which so much rests, is considered by its peers to be so inadequate.

We believe an adjournment should be considered so this crucial matter can be dealt with.

At the heart of this heritage issue is that the application rigidly sticks to the Appendix 11 sketch.

The applicant maintains, and the Planner's report is of the same view, that only the scheduled parts of the Masonic need to be retained. (App 11 sketch on screen)

But it is a nonsense.

For instance the façade fronting the upper level on King Edward Parade is scheduled, yet all of it is in fact an addition which will be demolished. It's supposed to be protected to the line of the original exterior wall. But that no longer exists! How can you save a line?

This seeks to protect something that isn't there.

Only the part of the roof visible from the street is to be kept, while the whole of the original north and west walls and the roof above them will be demolished.

Can you imagine standing on the street watching as all the back and one side of the hotel is pulled down, along with the front King Edward Ave addition, and builders attempt to hold a little bit of roofing iron up.

This will be a demolition with bits of the ground floor and roof remaining – it's facadism gone mad and must not be supported.

The RMA in 2003 boosted heritage protection up to a **matter of national importance** and the Auckland Regional Policy Statement states that **heritage qualities are not to be devalued or compromised by development or change.**

As Jeremy Salmond states: Heritage buildings are entire objects. Their value subsists in the totality of their form. The notion of scheduling parts of such buildings is now recognised as an inadequate response to the preservation of a diminishing resource of the city's built heritage.

Since this is a non-complying activity, you have the discretion to decide whether this application is contrary to the rules of the District Plan.

You have only to read Cultural Heritage, Activities on scheduled sites - 11.4.1.2(b) to see this clearly. It states:

Conducting or executing any use or work in or on the site of a scheduled item if in the opinion of the council such action endangers or is likely to endanger, damage or destroy a scheduled item, or detract from the features of attributes for which it was scheduled.

The words in or on the site of a scheduled item is the term that will enable you to use your discretion and decide that the whole of the Masonic Hotel and the Boarding House **must** be afforded protection. Because without the bulk of the hotel being retained the scheduled part will be meaningless.

If the back, sides and the roof are gone, the value of the scheduled parts will be destroyed. The features for which the item is scheduled will be destroyed. Irrevocably.

The Boarding House is an integral part of the Masonic site. Work in it, or on it must only be undertaken if it does not 'detract from the features' of the whole.

Jeremy Salmond states 'the building as a whole has distinctive cultural heritage significance and must be treated as a whole'.

We agree with Mr Salmond, the Historic Places Trust, and Bryan Bennett when they say assessment of this application must have regard to elements of the buildings beyond the parts that are scheduled.

To grant consent you will have to be assured that the scheduled parts of the Masonic will not be adversely affected by the loss of the greater part of the building. We maintain that is not possible to do so.

It is obvious that the parts left will be without value if the bulk of the building is demolished.

The Planning report acknowledges the proposal is not fully aligned with the objectives and policies of the District Plan.

The planner is asking you to take the same literal and blinkered approach to restoration as the applicant has done. That is, to stick to the now discredited facadism.

He agrees the whole building *should* be protected, but that this notion of protecting the whole can't be solicited under this resource consent process. But where else if not under this process? This is the only forum where these issues can be considered.

Since this is a non-complying activity, it is exactly your task to consider it within the greater context and intent of the RMA and the District Plan.

We believe this application fails on both counts of Section 104 of the RMA on which you must be satisfied it passes:

One - the adverse effects on the environment (namely a scheduled heritage building) are MORE than minor.

And two – the application will be contrary of the Objectives and Policies of the relevant plan which call for, and expect, a genuine and meaningful protection of built heritage.

Therefore you must either decline the application in its entirety, or grant it only with the conditions that:

- The whole of the Masonic Hotel is protected from demolition and restored.
- The Boarding House is kept at ground level and remains intact.
- The apartments are set-back or reduced in height.
- The commercial component of the application is increased.

If the application is granted in its present form it will result in the loss of two of the oldest, working buildings in Auckland and will make a mockery of the principles of heritage preservation in this country.

If the Masonic Hotel site cannot be given respect and saved for its heritage status, then no historic buildings in New Zealand can be safe from ruin.