Date: Tuesday, 26 February 2019
Time: 5.30pm
Meeting Room: Reception Lounge
Venue: Auckland Town Hall
301-305 Queen Street
Auckland

Ngā Hui a te Rōpū Kaitohutohu Taonga Tuku Iho / Heritage Advisory Panel

OPEN MINUTE ITEM ATTACHMENTS

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Note: The attachments contained within this document are for consideration and should not be construed as Council policy unless and until adopted. Should Councillors require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.
Auckland’s Heritage Counts 2018

26 February 2019

Dr David Bade
Specialist – Built Heritage
Heritage Unit
Plans & Places Department

David.Bade@aucklandcouncil.govt.nz
Passionate locals

People love looking at heritage places

People visit heritage
“there is no important heritage in Auckland”

“too much heritage is protected”

“heritage is not relevant to me”

“heritage prevents development”
AIM:
To highlight the variety and extent of Auckland’s heritage and the social and economic benefits these places have.
Heritage Advisory Panel
26 February 2019

Attachment A

Item 6

Auckland has 64 heritage and historical societies.

59% of protected heritage buildings are still used for their original purpose.

Auckland has 2248 protected heritage places.

42% of Auckland’s protected heritage places are within 5 minutes’ walk of a protected heritage place.

37 heritage trails are published by Auckland Council.

19% of Auckland’s protected heritage places relate to Maori or Ringa history.

66% of Auckland’s protected heritage buildings were built between the 1880s and 1920s.

23,337 properties, protected for their cultural and artistic values.

Over 55,000 people attended an Auckland Heritage Festival event in 2017.

50 special character areas covering Auckland. 
There are 2,248 historic heritage places and 12 historic heritage areas (protected for their significant heritage values, such as historical associations, architecture or social value). 78% of Aucklanders live within 1km of a protected heritage place.
Types of protected heritage places

- **Residential 33%**

- **Approximately 2,900** individual and groups of notable trees, many of which have historical values
- **75** sites and places of significance to mana whenua
  (there are also another 405 archaeological sites of Māori origin in the historic heritage schedule)
- **50** special character areas
  (groups of properties protected for their collective and cohesive values)

**Other 7%** (including industrial and military places)
Breakdown of decade of construction – heritage buildings
vs all Auckland building stock

- All Auckland buildings
- Historic heritage buildings

1840s 1850s 1860s 1870s 1880s 1890s 1900s 1910s 1920s 1930s 1940s 1950s 1960s 1970s 1980s 1990s 2000s 2010s
Only a small % of Auckland is protected for heritage

**0.49%** of Auckland’s land area is protected for its historic heritage

**0.92%** of property parcels in Auckland are protected for their historic heritage

**0.32%** of Auckland’s land area is protected for its special character

**5%** of property parcels in Auckland are protected for their special character
Hedonic price effects research
– the heritage aura effect

Aucklanders value living close to heritage places and in character areas
Heritage buildings can undergo a change of use. Of protected heritage buildings, 41% have a different use from their original purpose (while retaining their heritage values).
There are heritage grants available for owners

### Auckland Council Local Board Heritage Grants

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Grants</th>
<th>Total Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015-2016</td>
<td>25</td>
<td>$77,000</td>
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<td>2016-2017</td>
<td>15</td>
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<td>2017-2018</td>
<td>21</td>
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### Lottery Environment and Heritage Fund

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<td>2017-2018</td>
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### Auckland Council Regional Historic Heritage Grants

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</thead>
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<tr>
<td>2017-2018</td>
<td>8</td>
<td>$82,000</td>
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### Foundation North Grants – Heritage

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<td>2016-2017</td>
<td>15</td>
<td>$585,300</td>
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<tr>
<td>2017-2018</td>
<td>15</td>
<td>$731,200</td>
</tr>
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</table>
Aucklanders are passionate about heritage.

There are 64 heritage/historical societies in Auckland.

Auckland Council provides detailed, informative guides for 37 heritage trails in Auckland.

Journey through historic points of interest in your local area here.
Aucklanders actively participate in the annual Auckland Heritage Festival.

- Over 55,000 people attended events of the 2017 Auckland Heritage Festival, and the great majority (84%) were satisfied with the festival and would recommend the event to others (88%).
- There were over 200 events in the 2018 Auckland Heritage Festival.
A selection of heritage attractions in Auckland:

- Howick Historical Village
  - Nearly 69,000 visits in 2017-2018

- Mansion House Kowau Island
  - Nearly 7,400 visits in 2017-2018

- Paki Homestead
  - Nearly 94,000 visits in 2017-2018

- Ahuriri House
  - Over 11,000 visits in 2017-2018

- Auckland War Memorial Museum
  - Over 890,000 visits in 2017-2018

- Coulthard House
  - Nearly 2,500 visits in 2017-2018

Hokihanga wāhi tōroroanga tāngata i Tāmaki Makaurau

Minute Attachments
What is in store for 2019?

- Improvements/additions
- Heritage volunteer sector
- Heritage price effects: notable trees
- Maori cultural heritage indicators
- Perceptions of heritage from the general public
- What else?


Please send this out through your networks to anyone who is interested.
Auckland’s Heritage Counts 2018
Annual Summary
Kupu Takamua
Foreword

Auckland is fortunate to still have a significant number and variety of important heritage buildings and sites across the region – though too many remain unprotected, and we continue to lose them. Yet while we know these places are highly valued by Aucklanders, the extent and nature of those public attitudes have never previously been recorded or fully understood. In this first edition of Auckland’s Heritage Counts 2018, the scale of heritage in Auckland and the historic, social and economic values are systematically identified, revealing for the first time how and why Aucklanders value their heritage.

The data contained in this document has been collected from a variety of sources, including heritage places, historical societies, heritage grant providers and other similar organisations.

Auckland’s Heritage Counts reported annually, will be an important tool in our race against time to preserve Auckland’s splendid legacy of heritage buildings and places. I thank all those involved in its production.

Michael Lee
Auckland Councillor, 
Chair of the Heritage Advisory Panel

Tirohanga whānui
Overview

This is the first edition of Auckland’s Heritage Counts. The purpose of this document is to raise awareness of Auckland’s heritage, particularly the economic and social benefit to heritage, through highlighting and understanding key statistics and research each year.

In this Annual Summary, we look at:
- Auckland’s large variety of protected heritage places
- How Aucklanders value heritage
- Owning protected heritage places
- How Aucklanders engage with heritage.

If you have any feedback, or wish to be involved in later editions, please contact David Bade, Specialist – Built Heritage, Heritage Unit, Auckland Council, David.bade@aucklandcouncil.govt.nz.

Most statistics come from an analysis of the Auckland Unitary Plan historic heritage schedule and other overlays in the Auckland Council GeoMaps system. Other sources are referenced in footnotes.
Auckland has **2248** protected heritage places

**59%** of protected heritage buildings are still used for their original purpose

Auckland has **64** heritage and historical societies

Auckland has **37** heritage trails, published by Auckland Council

**42%** of all Aucklanders live within 5 minutes' walk of a protected heritage place

**19%** of Auckland's protected heritage places relate to Māori-origin archaeology

Over **55,000** people attended an Auckland Heritage Festival event in 2017

Auckland has **50** special character areas covering **23,337** properties, protected for their cohesive and streetscape values

**66%** of Auckland's protected heritage buildings were built between the 1880s and 1920s
Heritage Advisory Panel
26 February 2019

He rahi ngā mōno wāhi manawanutia o Tāmaki Makaurau kua rāhuitia
Auckland has a large variety of protected heritage places

Protected heritage

The Auckland Unitary Plan (see Glossary) protects Auckland’s heritage for present and future generations.

There are 2,248 historic heritage places and 12 historic heritage areas (protected for their significant heritage values, such as historical associations, architecture or social value).

The map above shows the distribution of these places and areas across the Auckland region.
Heritage Advisory Panel
26 February 2019

Attachment B

Types of protected heritage places

- Residential 13%
- Māori-Origin Archaeology 19%
- Commercial 12%
- Civil/Institutional 9%
- Other Structures 8%
- Churches and other Religious Buildings 8%
- European-Origin Archaeology 4%
- Other 7% (including Industrial and Military places)

The pie graph above shows the variety of heritage places protected in Auckland.

Protected heritage places are significant for a variety of reasons

All protected heritage places in the Auckland Unitary Plan Schedule 14 are evaluated to meet the threshold for scheduling. An overall assessment is made and places must have considerable values in at least one of the eight criteria (see Glossary). Most will have more than one value (which is why all the percentages of the bar chart on the next page add to more than 100).

Reminders of our history are all around us

78% of Aucklanders live within 1km of a protected heritage place
42% of Aucklanders live within a 5 minute walk of a protected heritage place

Find your local heritage place here!
The graph above shows the age range of Auckland’s protected heritage buildings compared with all Auckland buildings.

66% (995) of heritage buildings were built between 1880 and 1929.

These figures are just for heritage buildings and do not include other heritage such as archaeology (see Glossary) which can be a lot older.

Other protected heritage in Auckland

In addition to historic heritage places, there are other heritage features and areas protected in the Auckland Unitary Plan, including:

- **50** special character areas (groups of properties protected for their collective and cohesive values)
- **75** sites and places of significance to mana whenua
  (there are also another 405 archaeological sites of Māori origin in the historic heritage schedule)
- **2,900** individual and groups of notable trees, many of which have historical values

Heritage is at risk from natural hazards

- **242** protected heritage places are in flood-prone areas
- **220** protected heritage buildings require seismic strengthening within 35 years
  Refer to glossary for further details.

Heritage Consents

Auckland Council’s Heritage Unit assesses hundreds of resource consent applications for heritage places (such as heritage buildings and archaeological sites), special character areas (groups of properties), and notable trees each year. These are all assessed according to the rules and policies of the Auckland Unitary Plan. The purpose of these rules is to manage change by conserving the heritage values that make these places and features important.

Complete loss of protected heritage places are rare, but may be granted consent in some circumstances. Since 2010, there have been only three consented demolitions of protected heritage buildings:

- Arana Hotel, 75 Victoria Street West, Auckland Central – emergency works required for health and safety reasons.
- Waieria modernist bathhouse, 37 Waieria Place, Waieria – for condition and health and safety reasons.
- Art Deco residence, 12 Paturea Road, Titirangi – due to its unsalvageable condition.

There has only been one consented demolition for a protected archaeological site:

- Duder brickworks, 2–37 Ngatarawa Road, Devonport – consent was granted for a retirement home complex with a full archaeological excavation a condition of the consent.
Heritage is still being identified in Auckland

The Heritage Unit at Auckland Council manages heritage surveys to identify significant heritage places to protect in Auckland. Since 2010, 32,188.60 hectares of Auckland have been surveyed for heritage (see the map on the next page). These include:

- Regional survey programmes – thematic
- Area and Structure Plan surveys
- Pre-1944 heritage survey.

Although these surveys are extensive, they are not comprehensive. Some may focus on one type of heritage (such as heritage buildings) more than other types of heritage (such as archaeology).

Heritage New Zealand Listed Heritage Places

Heritage New Zealand Pouhere Taonga (a national heritage agency) also maintains a list of heritage places, identifying and providing information on significant heritage places throughout New Zealand. Being on this list does not mean protection, but most places listed in Auckland are protected in the Auckland Unitary Plan. Here is a breakdown of the list for Auckland (see Glossary for definitions):

- There are 157 Category 1 listed heritage places
- There are 375 Category 2 listed heritage places
- There are 11 listed historic areas
- There are 4 waahi tapu
- There are 4 waahi tapu areas.

Search the List

There are also 25 private properties in Auckland that are protected under Heritage New Zealand Pouhere Taonga covenants. These are a voluntary agreement by a property owner for the purpose of protecting and conserving a historic place.

Unprotected heritage

In addition to the heritage protected by the Auckland Unitary Plan, there are also a number of places not protected, but which still have historical importance and value.

A good indication of unprotected heritage is the Auckland Council Cultural Heritage Inventory (CHI), which shows places of historic interest.

There are 17,025 places of historic interest recorded in the Cultural Heritage Inventory (see glossary). These may be protected or unprotected. These are broken down into the following categories:

- Archaeological site 11,643
- Historic Structure 3,557
- Historic Botanical site 1,139
- Māori Heritage Area 72
- Maritime site 729
- Reported Historic site 696

Legend
Heritage Survey Area
Surveys In Progress
Attachment B

Item 6

Auckland Council-owned heritage

Auckland Council owns and manages approximately 320 heritage buildings and over 4,000 other heritage sites (both protected and unprotected). Auckland Council’s heritage buildings are used for a variety of other community services, as shown in the diagram below:

Distribution of Auckland Council heritage buildings in community service/lease

- Park services (local and regional) 28%
- Community centre 25%
- Community centres and venues 17%
- Arts and culture 4%
- Libraries and information 2%
- Active recreation 1%
- Cemeteries and crematoria 1%

Approximately $4 million per year is spent on the maintenance of council-owned heritage buildings by Auckland Council (including rates, utilities and response/scheduled work orders).
Highlights from an economic study into protected heritage places and special character areas in Auckland:

- Economic research analysed residential property transactions in Auckland between 2006 and 2016. Using a hedonic price modelling technique (see Glossary), the specific effect of heritage(special character) factors was able to be observed. Numerous other factors were considered in the model, including household characteristics (such as type of house, its zoning, distance to other amenities such as schools, the city centre, beaches), the suburb and neighbourhood, and the month and year of sale.
- A price premium exists in special character areas in Auckland. Aucklanders are willing to pay an average 4.3% more for a house in a special character area.
- There is also a 6.6% price premium for protected heritage properties if they are within a special character area.
- Over the 2006-2016 period, Aucklanders were found to pay an average of 10.1% less for a protected heritage house. This may be the result of the real and perceived development opportunity costs of protected heritage places. However, over time this trend is declining, and in 2014 and 2016 the effect was closer to 0%.
- There is a "heritage aura" effect in Auckland. Aucklanders tend to be willing to pay more to live close to a protected heritage place. As shown in the diagram across the page, Aucklanders on average pay 1.7% more for a property within 50m of a protected historic heritage place. This shows that Aucklanders value living close to a protected heritage place.

© Historic price modelling research conducted by the Research, Investigation and Monitoring Unit and the Heritage Unit at Auckland Council, 2019.
• Like general house prices in Auckland, both heritage and special character area (SCA) property median sale prices have trended upwards since 2011.  
• Median house prices for both heritage and special character area properties have been well above the overall median for the Auckland housing market.

This does not necessarily mean that heritage houses are more valuable because they are heritage, but suggests that heritage and special character area houses may be more sought after and/or located in more desirable suburbs than other Auckland houses.

• This graph shows the relative difference each year compared to the fourth quarter of 2011.
• The sales of heritage and special character area properties show similar trends to general Auckland property sales.
• The number of protected heritage property sales has not declined compared to 2011, while the number of special character area property sales and general Auckland property sales have dropped below 2011 levels.

7. DPI sales records provided by Treasury & Financial Transactions department, Auckland Council.
Heritage Advisory Panel
26 February 2019

Te ūtonu ki ngā wāhi rāhui manawanuiitia
Owning protected heritage places

Many protected heritage places are privately owned. Here are some interesting facts and statistics relating to protected heritage places.

Heritage protection only affects a small amount of Auckland’s land area:

0.49% of Auckland’s land area is protected for its historic heritage

0.92% of property parcels in Auckland are protected for their historic heritage

0.32% of Auckland’s land area is protected for its special character

5% of property parcels in Auckland are protected for their special character

Heritage buildings can undergo changes, as long as the building retains its heritage values.

41% of protected heritage buildings have a different use from their original purpose (while retaining their heritage values)

One in five heritage buildings have their interiors protected (and subject to rules in the Auckland Unitary Plan). The rest only have their exterior protected.

Heritage grants are offered by Auckland Council and other agencies to assist and encourage the conservation of heritage places.

<table>
<thead>
<tr>
<th>Auckland Council Local Board Heritage Grants</th>
<th>Lottery Environment and Heritage Fund</th>
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</thead>
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<tr>
<td>2017-2018 21 grants totalling $97,000</td>
<td>2017-2018 2 grants totalling $81,000</td>
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<table>
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<tr>
<th>Auckland Council Regional Historic Heritage Grants</th>
<th>Foundation North Grants – Heritage</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015-2016 7 grants totalling $82,233</td>
<td>2015-2016 10 grants totalling $754,500</td>
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<td>2017-2018 15 grants totalling $731,200</td>
</tr>
</tbody>
</table>

In recognition of the important work currently being undertaken on heritage projects across Auckland, a number of awards have been established to reward good heritage conservation and design and design, including:

- Property Council New Zealand Rider Levett Bucknall Property Industry Awards
- Auckland Architecture Awards – New Zealand Institute of Architects
- Devonport-Takapuna Local Board Heritage Awards
Online engagement with Auckland's heritage

- There are over 3,600 followers of the Auckland Heritage Facebook Group. Follow here.
- There were nearly 8,000 page views of the Auckland Council Heritage webpage in the past year.
- 1609 people have signed up to the Te Kahu – Focus on Heritage eNewsletter. Sign up here.

Heritage brings Aucklanders together

Aucklanders actively participate in the annual Auckland Heritage Festival

- Over 55,000 people attended events of the 2017 Auckland Heritage Festival, and the great majority (84%) were satisfied with the festival and would recommend the event to others (86%).
- There were over 200 events in the 2018 Auckland Heritage Festival.

Auckland Council provides detailed, informative guides for Auckland heritage trails in Auckland

journey through historic points of interest in your local area here

Heritage attracts visitors to Auckland

46% of New Zealanders who visited Auckland between July 2017 and June 2018 associated the city with history and heritage.

This compares to 39% of Australians who visited Auckland during that same time period.

Older New Zealanders and Australians associate Auckland with history and heritage:

- 52% of the domestic travel market aged in their 60s associated “history/heritage” with Auckland
- 49% of the domestic travel market aged over 70 associated “history/heritage” with Auckland
- 45% of the domestic travel market aged in their 50s associated “history/heritage” with Auckland
- Only 34% of the domestic travel market aged in their 20s associated “history/heritage” with Auckland.

Aucklanders are passionate about heritage and are active members of organisations and societies related to heritage, such as:

**HERITAGE NEW ZEALAND POHERE TAONGA**

Heritage New Zealand Pouhere Taonga
4,765 (19%) are Auckland members.

**ICOMOS New Zealand**
50 (27%) are Auckland members.

**NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION**

New Zealand Archaeological Association
80 (23%) are Auckland members.

Historical societies and heritage interest groups are run by volunteers passionate about Auckland’s heritage. They work enthusiastically to advocate for protection, research the history of the area, and to highlight heritage for the local community.

Find a list of societies [here](#).

Between 2014 and 2018, there were nearly 2,000 enrolments at the University of Auckland in courses which were related to heritage-specific jobs. There were 54 courses which had a heritage component in the following subjects: Anthropology, Architecture & Planning, Geography, History, and Sociology.

In 2018, nearly 70,000 Auckland secondary school students studied subjects that related to heritage (including history, classics, geography and social studies).

 Enrollment in secondary school subjects relating to heritage (2003-2017)

- Social Studies
- Geography
- Other Social Sciences
- Classics/Classical Studies
- History
- Art History

[Education Counts: subject enrolment, 2017]
A selection of heritage attractions in Auckland

- **Alberton House**: Over 11,000 visits in 2017-2018
- **Howick Historical Village**: Nearly 69,000 visits in 2017-2018
- **Auckland War Memorial Museum**: Over 890,000 visits in 2017-2018
- **Mansion House Kauw Island**: Nearly 7,400 visits in 2017-2018
- **Couldrey House**: Nearly 2,500 visits, in 2017-2018
- **Pah Homestead**: Nearly 94,000 visits in 2017-2018
### Papa kupu

#### Glossary

| **Archeology** | The relics and ruins of our past — may be above or below the land or in water. Some examples of archeology include: Māori pa sites, remains of cultivated areas and gardens, midden deposits, building foundations, and shipwrecks. The Heritage New Zealand Pouhere Taonga Act 2014 defines an archeological site as a place associated with pre-1800 human activity, where there may be evidence relating to the history of New Zealand. Pre-1800 archeology is protected under this legislation. |
| **Auckland Unitary Plan** | Auckland’s planning rule book, with rules and policies determining what can be built and where. |
| **Cultural Heritage Inventory** | A database of heritage places, including archeological and maritime sites, built and botanical heritage areas and places, and sites of significance to mana whenua. The CHI does not afford formal protection to heritage places. |
| **Earthquake-prone building** | If a building is confirmed as earthquake-prone this means that the building, or a part of that building, would likely be impacted by a moderate earthquake. It does not mean that the building is dangerous or unsafe to be in at any other time. A building is deemed earthquake-prone if its seismic strength is assessed as being less than 34% of the design standard for new building in the same location. It would pose a risk to people or other property in a moderate earthquake. Auckland is in a low risk earthquake zone. |
| **Hedonic price modelling** | An economic model which identifies how factors affect price. Regarding house prices, it assumes that the price of a house is determined by the characteristics of the house, property and surrounding environment. (of which heritage protection is but one factor). A price premium can be calculated which identifies what effect a factor makes on house prices. All else being equal. |
| **Heritage New Zealand Pouhere Taonga listed places** | The Heritage New Zealand Pouhere Taonga List is divided into five types:  
1. **Historic Places** — such as archeological sites, buildings, memorials.  
   - Category 1: Historic places of special or outstanding historical or cultural significance or value.  
   - Category 2: Historic places of historical or cultural significance or value.  
2. **Historic Areas** — groups of related historic places such as a geographical area with a number of properties or sites, a heritage precinct or a historical and cultural area.  
3. **Wahi Tapu** — places sacred to Māori for ancestral significance and associated cultural and traditional values.  
4. **Wahi Tapu Areas** — areas that contain one or more wahi tapu. |

#### Heritage values

In the Auckland Unitary Plan, heritage places are assessed against eight criteria to determine whether they are significant enough to be protected:
1. **Historic** — the place reflects important or representative aspects of national, regional or local history, or is associated with an important event, person, group of people or idea or early period of settlement within the nation, region or locality.
2. **Social** — the place has a strong or special association with, or is held in high esteem by, a particular community or cultural group for its symbolic, spiritual, commemorative, traditional or other cultural value.
3. ** Mana whenua** — the place has a strong or special association with, or is held in high esteem by, mana whenua for its symbolic, spiritual, commemorative, traditional or other cultural value.
4. **Knowledge** — the place has potential to provide knowledge through archeological or other scientific or scholarly study or to contribute to an understanding of the cultural or natural history of the nation, region or locality.
5. **Technology** — the place demonstrates technical accomplishment, innovation or achievement in its structure, construction, components or use of materials.
6. **Physical attributes** — the place is notable or representative example of a type, design or style, method of construction, craftsmanship or use of materials or the work of a notable architect, designer, engineer or builder.
7. **Aesthetic** — the place is notable or distinctive for its aesthetic, visual, or landscape qualities.
8. **Context** — the place contributes to or is associated with a wider historical or cultural context, streetscape, townscape, landscape or setting.

#### Protected heritage places and other protected heritage places

For the purposes of this document, protected heritage places are those places which are scheduled as historic heritage in the Auckland Unitary Plan (Schedule 1A). The Resource Management Act (1991) defines historic heritage as ‘natural and physical resources that contribute to an understanding and appreciation of New Zealand’s history and culture’. These places are required to be protected as a matter of national importance. Examples include: individual/groupings of buildings, structures, and monuments; archaeological sites and features; sacred places; streetscapes; and gardens and plantings.

Historic heritage is often categorised into historic heritage (buildings or structures) and cultural heritage (non-built heritage, such as archeology). Other protected heritage places include other places, features and areas scheduled in the Auckland Unitary Plan, including:

- Notable trees — individual trees and groups of trees that are considered to be among the most significant trees in Auckland. Many of these will have historical values. These are listed in Schedule 10 in the Auckland Unitary Plan.
- Sites and places of significance for mana whenua — have tangible and intangible cultural values for mana whenua in association with historic events, occupation and cultural activities. Mana whenua values are not necessarily associated with archeology, particularly within the highly modified urban landscape where the tangible values may have been destroyed or significantly modified. These are listed in Schedule 12 in the Auckland Unitary Plan.

Special Character Area — residential and business areas identified as having collective and cohesive values. These are often streetscapes which have intact groups of buildings with a similar ages, design and construction. They are listed in Schedule 15 in the Auckland Unitary Plan.
Cover Image: View of Auckland taken from Maungawhau (Mt Eden)

Auckland Council disclaims any liability whatsoever in connection with any action taken in reliance of this document for any error, delay, error or omission contained in it.

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