

Court of Appeal Building

43-47 Ballance Street



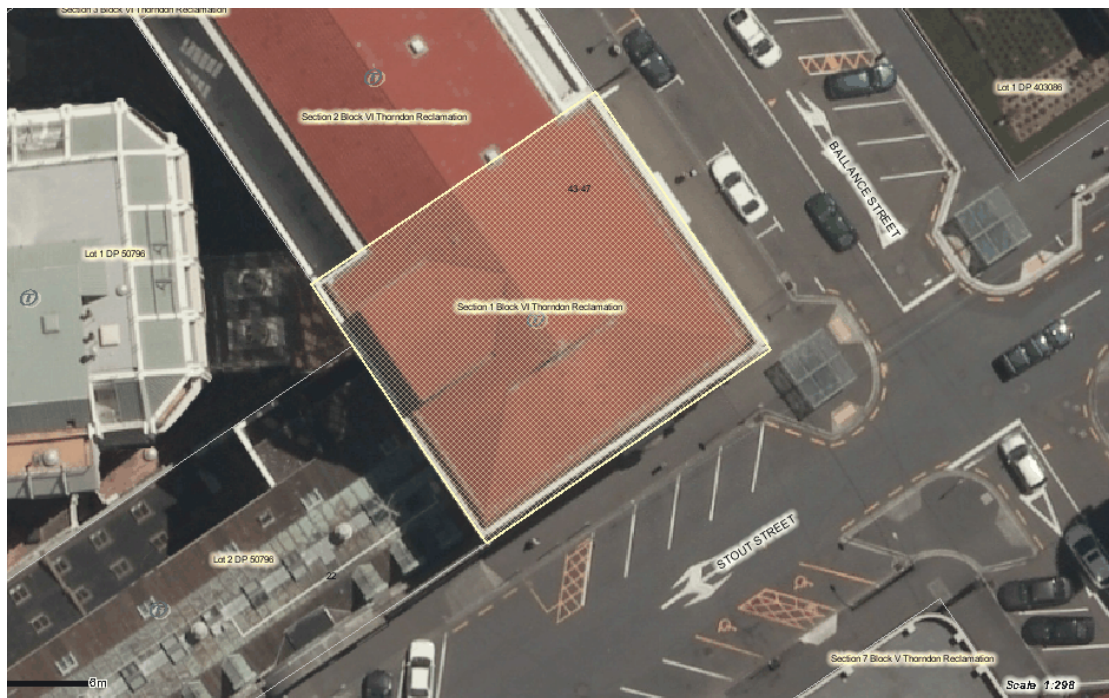
Stout and Ballance Street Perspective – Image: Charles Collins - 2015

Summary of heritage significance

- The facades of the old Court of Appeal are a remnant part of a fine Edwardian Classical 'palazzo-style' building. The aesthetic value of the facades has been somewhat diminished by their integration into the much larger, c.1990s, new Court of Appeal building.
- This is a significant building due to its historical relationship with the Justice Department and with New Zealand's legal history. It housed the first permanent Court of Appeal in New Zealand, and retains a similar function as the District Court. It is also associated with prominent architect Joshua Charlesworth.
- The building contributes to the Stout Street Heritage Area and has group value with its near neighbours for their shared sense of scale, design, and history.

District Plan:	Map 17, reference 22
Legal Description:	Section 1 Block VI Thorndon Reclamation
Heritage Area:	Stout Street Heritage Area
HPT Listed:	-
Archaeological Site:	NZAA Central City R27/270, pre 1900 Reclaimed land
Other Names:	'Civil Service Club',
Key physical dates:	Built: 1907
Architect / Builder:	Architect: Joshua Charlesworth
Former uses:	Commercial offices; Justice – Court of Appeal
Current uses:	Justice – District Court
Earthquake Prone Status:	Outside EQ Policy – SR 266744

Extent: Cityview GIS 2013



1.0 Outline History

1.1 History

Situated on the corner of Ballance and Stout Streets the former Court of Appeal is a prominent element of the Wellington Streetscape, contributing to the character of the 'justice precinct' created by this building, the Supreme Court, and former High Court.

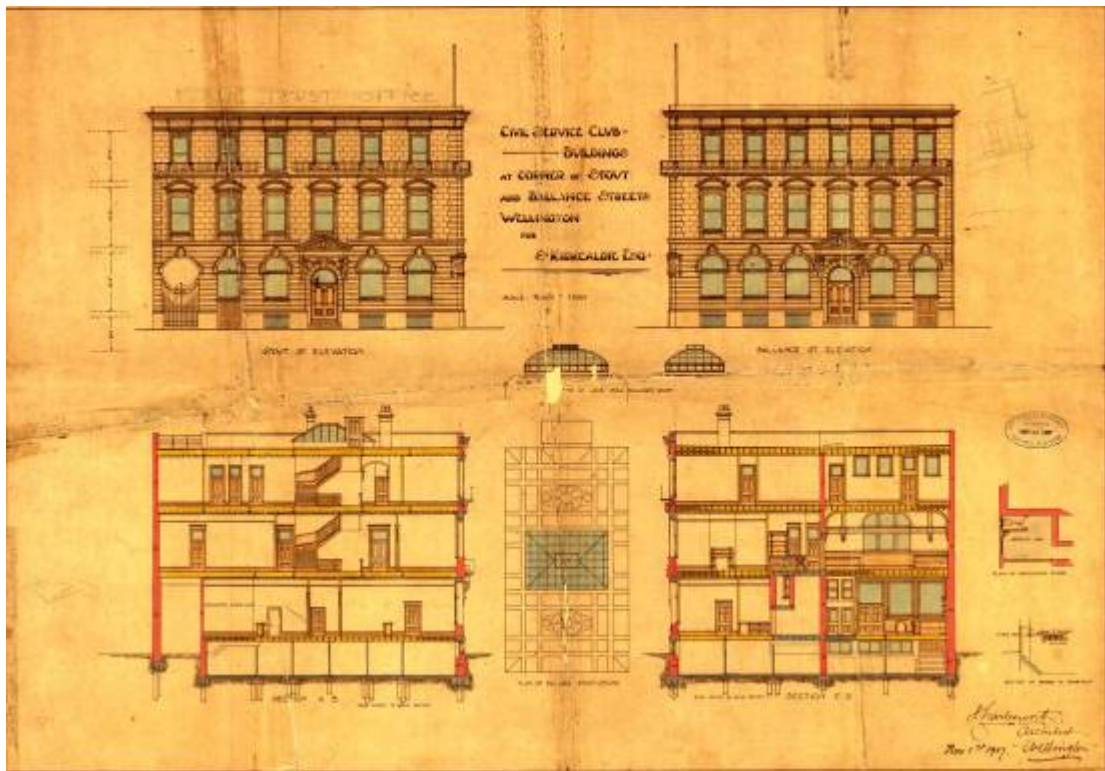
The site that this building occupies formed part of a new reclamation initiated by the Provincial and Central Governments in 1873, creating 51 acres of land south from Pipitea Point to Waring Taylor Street and east to Customhouse Quay. Much of this land was subsequently acquired for governmental purposes, with Waring Taylor Street marking a rough border between the government precinct and the city's commercial and financial districts.¹

The former Court of Appeal building was constructed by Sanders Bros in 1907 to designs by Joshua Charlesworth for owner S. Kirkcaldie as the premises for the Civil Service Club. The ground floor of the building was also used as premises for the Bank of New Zealand between the time of construction and 1917. In 1918, the Public Trustee took over the building and from this date it was used as courtrooms. In 1957 the building was used to house the permanent Court of Appeal in Wellington, and maintained this function until the Court of Appeal was moved to Molesworth Street.

The 1990s saw the construction of the new District Court building in the footprint of the former Court of Appeal. At this time nearly the entire interior of the former Court of Appeal building was demolished and a four storey addition was constructed above the building. The exterior façade was retained but the heritage value of this has been compromised by the loss of the interior features and has been impacted upon by the overbearing and architecturally uninteresting addition.

¹ Wellington City Council, '*Stout Street Heritage Area*', prepared for Plan Change 48 (Wellington City Council, 2006), 4.

1.2 Timeline of modifications (original plans - 00053:142:7887)



- 1907 Corner Ballance Street and Stout Street [43-47 Ballance Street], Civil Service Club (00053:142:7887)
- 1908 43-55 Ballance Street, office premises (00053:145:8070)
- 1987 43-47 Ballance Street, Department of Justice - court building - partial demolition (00059:131:D7432)
- 1996 43 Ballance Street, courtroom fit-out (00078:1217:440)
- 2003 43 Ballance Street, level 7, late consent for alteration to toilets to remove shower and create two toilets for female judges (00078:1099:101575)
- 2003 43 Ballance Street, office building alterations (00078:1797:101525)
- 2004 43 Ballance Street, additions and alterations, level 6 (00078:1329:116838)
- 2005 43 Ballance Street, interior partition changes - level 2 prisoner interview rooms (wellington district court) (00078:1843:127680)
- 2009 43-59 Ballance Street, Commercial- fit out to level 5 and annexes (00078:2876:185525)

1.3 Occupation history

- 1907 - 1918 Civil Services Club, Bank of New Zealand
- 1918 - Present Ministry of Justice – Courts

1.4 Architect

Joshua Charlesworth

“Charlesworth (1861-1925) was born in Yorkshire and the first record of his practice in Wellington was in the New Zealand Post Office Directory of 1885-87. He won a competition for the design of the Home for the Aged and Needy in June, 1887, and in the same year won another for the design of the Nelson Town Hall. Charlesworth set up practice in Wellington in his early twenties, designing many institutional buildings and showing command of the revival styles of architecture. His work includes the Wellington Town Hall (1901), Brancepeth Station Homestead addition, Wairarapa (1905), Te Aro Post Office (1908), St Hilda's Church, Upper Hutt (1909), and seventeen branch banks for the Bank of New Zealand, situated throughout the country (1907-17). Charlesworth was elected a Fellow of the New Zealand Institute of Architects in 1905, and became a life member of the Institute. He was its vice-president in 1909-10, and was the first chairman of a society of architects which was formed in 1912. Charlesworth also belonged to the Yorkshire Society in Wellington and was its president for many years.”²

2.0 Physical description

2.1 Architecture

The external facades of the old Court of Appeal have been subsumed into the much larger, c.1990s, court buildings to form one of Wellington's less successful façade retention schemes.

The old building occupied a corner site at the intersection of Stout and Ballance streets and was a particularly fine example of an Edwardian Classical building in the 'palazzo' style. The surviving facades are of rendered brickwork with reinforced concrete lintels and footings. The building has a basement, although the original basement windows and grills have since been infilled, as has the cart-dock to the Stout Street façade. The ground floor walls are rusticated and the windows have arched heads with label moulds and tall stylised keystones. The main entrances from Stout and Ballance streets are both particularly fine; topped with triangular pediments on cantilevered consoles.

The first floor windows are rectangular in shape with curved pediments and moulded architraves. The second floor windows are separated from the first by a string course and are rectangular with prominent keystones. The parapet features a wide overhanging cornice supported by modillions, and decorated with dentils.

The corner of the building is particularly well defined with a curved panel of rusticated render that runs from dado level above the old basement windows up to the old roof-level cornice. This is flanked at first and second floor levels by rendered quoins.

The overall effect is somewhat marred by the prominent brick ventilators on the Stout Street façade, and the grim one-way glass in the modern metal window frames.

² Historic Places Trust, 'Joshua Charlesworth', *Professional Biographies*, accessed 25 October 2013, <http://www.historic.org.nz/corporate/registersearch/ProfessionalBio/Professional.aspx?ID=42>

2.2 Materials

- Rendered brick
- Concrete footing and lintels

2.3 Setting

The former Court of Appeal (now District Court), despite the additions, maintains a presence on the streetscape, and makes an important contribution to Stout Street Heritage Area. The Stout Street Heritage Area includes the Supreme Court, the Public Trust, the Departmental Building, and the former State Insurance building, and is located in close proximity to the Old Government buildings and the Government Precinct and is prominent in views from the Waterfront to the Parliamentary Precinct.

3.0 Sources

Historic Places Trust. 'Joshua Charlesworth.' *Professional Biographies*. Accessed 25 October 2013.

<http://www.historic.org.nz/corporate/registersearch/ProfessionalBio/Professional.aspx?ID=42>

Wellington City Council. 'Stout Street Heritage Area.' Prepared for Plan Change 48. Wellington City Council, 2006.

Wellington City Archive

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Criteria for assessing cultural heritage significance

Cultural heritage values

Aesthetic Value:

Architectural: *Does the item have architectural or artistic value for characteristics that may include its design, style, era, form, scale, materials, colour, texture, patina of age, quality of space, craftsmanship, smells, and sounds?*

The facades of the old Court of Appeal are a remnant part of a fine Edwardian Classical 'palazzo-style' building. The aesthetic value of the facades has been somewhat diminished by their integration into the much larger, c.1990s, new Court of Appeal building.

Townscape: *Does the item have townscape value for the part it plays in defining a space or street; providing visual interest; its role as a landmark; or the contribution it makes to the character and sense of place of Wellington?*

The building has some townscape value for its prominent site at the corner of Stout and Balance streets. This has been somewhat diminished by its integration into the much larger modern Court of Appeal building.

Group: *Is the item part of a group of buildings, structures, or sites that taken together have coherence because of their age, history, style, scale, materials, or use?*

The building contributes to the Stout Street Heritage Area and has group value with its near neighbours for their shared sense of scale, design, and history.

Historic Value:

Association: *Is the item associated with an important person, group, or organisation?*

This is a significant building due to its historical relationship with the Justice Department and with New Zealand's legal history. It housed the first permanent Court of Appeal in New Zealand, and retains a similar function as the District Court. It is also associated with prominent architect Joshua Charlesworth.

Association: *Is the item associated with an important historic event, theme, pattern, phase, or activity?*

Scientific Value:

Archaeological: *Does the item have archaeological value for its ability to provide scientific information about past human activity?*

This building was constructed in 1907 and was among the first constructions on the Thorndon reclamation. It is included in the NZAA Central City Archaeological area.

Educational: *Does the item have educational value for what it can demonstrate about aspects of the past?*

Technological: *Does the item have technological value for its innovative or important construction methods or use of materials?*

Social Value:

Public esteem: *Is the item held in high public esteem?*

Symbolic, commemorative, traditional, spiritual: *Does the item have symbolic, commemorative, traditional, spiritual or other cultural value for the community who has used and continues to use it?*

Identity/Sense of place/Continuity:

Is the item a focus of community, regional, or national identity?

Does the item contribute to sense of place or continuity?

This building is an important part of the Wellington community and makes a contribution to the wider setting of the Central City, and to its immediate setting the Stout Street heritage area. It contributes significantly to the sense of place and continuity in Wellington.

Sentiment/Connection: *Is the item a focus of community sentiment and connection?*

Level of cultural heritage significance

Rare: *Is the item rare, unique, unusual, seminal, influential, or outstanding?*

Representative: *Is the item a good example of the class it represents?*

The building is a good representative example of an Edwardian Classical 'palazzo' style commercial/civic building.

Authentic: *Does the item have authenticity or integrity because it retains significant fabric from the time of its construction or from later periods when important additions or modifications were carried out?*

The facades are a remnant part of the old Court of Appeal building.

Local/Regional/National/International

Is the item important for any of the above characteristics at a local, regional, national, or international level?

This building is locally significant for its architectural and group values, while its historic associations are nationally significant as the home of the first permanent Court of Appeal in New Zealand.

4.0 Appendix

Research checklist (desktop)

Source	Y/N	Comments
1995 Heritage Inventory		
2001 Non-Residential heritage Inventory		
WCC Records – building file		
WCC Records – grant files (earthquake strengthening, enhancement of heritage values)		
Research notes from 2001 Non-Residential heritage Inventory		
Plan change?		
Heritage Area Report		
Heritage Area Spreadsheet		
Heritage items folder (electronic)		
HPT website		
HPT files		
Conservation Plan		
Searched Heritage Library (CAB 2)		

Background research

Insert any relevant background information into this section. This may include:

- *Additional plans, such as those for alterations*
- *Chunks of text from other sources such as Cyclopedia of NZ, Papers Past*
- *Additional images*