

Annexure 12

List of Submitters and Copies of Submissions

Parliament FAS Project: List of Submitters

No.	Submitter Name	Overall Position
1	Sandra-Lee Monk	Oppose
2	Heritage New Zealand Pouhere Tāonga	Neutral
3	Eldin Family Trust	Oppose
4	Ben Blinkhorne	Oppose
5	Ewen Robertson	Oppose

From: [Website Team](#)
To: [BUS: Consent Submissions](#)
Subject: Submission on notified resource consent application for 514663
Date: Tuesday, 15 November 2022 10:34:31 pm

Submitter details

First name: Sandra-Lee
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Application details

Applicant name: Simpson Grierson on behalf of Parliamentary Services
Site address: 1 Molesworth Street, Pipitea
Service request number: 514663
Submission: I / we object the application
Oral submission at the hearing: I / we do not wish to speak in support of mine / our submission
How long will you need for your presentation:
If others make a similar submission:

Aspects of the application that you support or oppose:
I oppose destruction of the tree marked as 100 on document 3---fas-architectural-drawings.pdf
Page 32 – Layout ID P A2-45. Tree 100 – to be removed

Aspects of the application that you are neutral towards:
all other aspects

The reasons for my / our submission are:
This is a beautiful healthy oak tree. It would be wasteful to kill it.

The decision I / we would like Wellington City Council to make is:
I request every option be considered to relocate this oak - if not in parliament grounds or the Bowen precinct then in some other public space in Wellington.



HERITAGE NEW ZEALAND
POUHERE TAONGA

Tairangahia a tua whakarere;
Tatakihia ngā reanga ō āmuri ake nei
Honouring the past; Inspiring the future

1 December 2022

File ref: 12023-009

Resource Consents Team
Wellington City Council
PO Box 2199
Wellington 6140

Email: consent.submissions@wcc.govt.nz

Tēnā koe

**SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA TO RESOURCE CONSENT
APPLICATION FOR NEW BUILDINGS AT PARLIAMENT – SR 514663**

To: Wellington City Council

Name of Submitter: Heritage New Zealand Pouhere Taonga

1. Heritage New Zealand Pouhere Taonga (HNZPT) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation and conservation of New Zealand’s historical and cultural heritage.
2. **This is a submission on an application from Parliamentary Services for a resource consent:**
 - To develop new buildings, landscaping and paving at the Parliamentary Precinct.
3. **Heritage New Zealand Pouhere Taonga is not a trade competitor for the purposes of Section 308B of the Resource Management Act 1991.**
4. **The specific parts of the application that this Heritage New Zealand Pouhere Taonga submission relates to are:**
 - The adverse impact of the proposed development on historic heritage values.
5. **Heritage New Zealand Pouhere Taonga submission is:**
 - On balance, our submission is neutral. As described in greater detail below, there are some aspects of the proposal that HNZPT can support and others that—because of their

potentially deleterious effects on the heritage values of Parliament House and the Executive Wing (The Beehive), both Category 1 historic places—are worrying. However, the combination of conditions devised to mitigate adverse effects and the laudable parts of the proposal mean that HNZPT remains neutral overall on the resource consent application for the proposal.

6. The reasons for the HNZPT position are as follows:

It should be noted that the earlier HNZPT responses to the proposed development, as included as appendices to the application, included references to the demolition of the Press Gallery and replacement with a new building in that location. This no longer forms part of the current application.

Summary of heritage recognition

The landscape in which the proposed new buildings and features are located is of outstanding and special heritage value, and unique within New Zealand. The significance of the Government Centre Historic Area has been recognised through its entry on the New Zealand Heritage List/Rārangi Kōrero (List No. 7035). The Government Centre Historic Area also includes a number of individually listed Category 1 historic places, including the following:

- Parliament House, List No. 223;
- Executive Wing (the Beehive), List No. 9629;
- Parliamentary Library, List No. 217;
- The Ballance Statue, List No. 211; and
- The Seddon Statue, List No. 230.

These historic places are also included in the District Plan heritage schedule.

Positive aspects of the proposal

The new buildings will not alter the purpose and functioning of the precinct as a whole. They are aimed at improving the utility and performance of the entire site by providing much needed accommodation for Members of Parliament and Ministers at a level which is commensurate with their positions in government.

The new Museum Street Building (MUS) is for Members of Parliament (MPs). The provision of accommodation for MPs close to Parliament House in a purpose-built facility underscores the importance of the government and reinforces the sense that the precinct overall is the symbolic heart of New Zealand's democracy. The ongoing use of the site for MPs within a new building contributes to reinforce the heritage values of the entire complex.

The MUS is located in part of the site that mainly features a carpark with all the attendant aesthetic shortcomings. While provision for cars may be viewed as a necessity, such a function does not result in high quality outdoor space, but rather charmless storage of vehicles with only the historic oak tree for visual relief. It also means that pedestrians are never quite sure where they belong, limiting the activation of that side of the Parliamentary landscape. Because of these factors, the reinvention of this space for a narrow new building surrounded by pleasant landscaping intended to increase pedestrian traffic on that side of Parliament will greatly increase the amenity value of the area.

Regarding the ceremonial landscape and spaces at the front of Parliament House and the Executive Wing, the MUS building is mostly obscured by the two older buildings.

Impacts on proposed new buildings on heritage values

The proposals make changes to places of outstanding heritage: the historic structures, the historic area and to the surrounds of outstanding historic places. The overall aesthetic is changed on the west side of Parliament House and the Beehive. The new buildings will change the ratio of built mass to open landscape. In order to avoid looking like an undistinguished modern building within a varied precinct of architecturally distinctive edifices, mitigating factors for the proposals can reinforce the 'government heritage' character if implemented.

When making additions to existing heritage buildings or adding structures within a defined heritage precinct, it is important to ensure that any new work is of a scale and location that it does not dominate the existing heritage buildings and respects their setting. The proposed MUS is too tall and positioned too closely to Parliament House, which are related issues (more space can accommodate more floors and vice versa). In its current form, MUS obscures views of Parliament House's intricate west façade and overshadows the heritage building.

The MUS sits a bit too snugly, arguably it is jammed in between Parliament House and the recently renovated Bowen State Building. It might be described as providing stepped visual transition between Parliament House and the taller Bowen State Building, and the adjacent and even taller Charles Fergusson Tower, completed in 1975, the heights of which are further accentuated because of their position on a gentle rise up to the west. In addition to its close proximity, the principal mass of the proposed MUS is roughly two storeys higher than Parliament House. The MUS additionally has a two-storey entrance volume pushing east and connected to the heritage building by a bridge at the first floor. In total, all of these elements crowd Parliament House and obscures views of its decorative wester face. Fortunately, the MUS proposal is not so high that it can be seen from most of the ceremonial landscape on the east side of the building.

The connection from new building to Parliament House

The proposed new building includes an enclosed walkway at the first-floor level, which will necessitate the removal of an original window in the former Deputy Speakers lounge and removal of fabric to enable the connection and waterproofing of the bridge.

A walkway is needed by members to cross between the new building and Parliament House. The elevated walkway needs to be of a design that is consistent with the dignity and purpose of Parliament. It does not have to replicate the style and motifs of the older building, but should exhibit a high degree of quality in design and materials. Additionally, the connection to Parliament House constitutes a partial removal of building fabric, which should be kept to an absolute minimum. Important detailing and distinguishing features should be protected. Care should be taken to only very lightly connect to Parliament House so that it can continue to be read in as a whole without the penetration. The penetration should be reversible.

HNZPT agrees with Mr. Bowman¹ that the main issues are the window removal, the impact on original fabric where the bridge is attached to Parliament House, the obscuring of views through the bridge by the principal supports and articulation of the windows in the exterior walls, and the impact on views from and to Parliament House and the Parliament Library. Mr Bowman has suggested some mitigation measures, which are addressed below.

Ballantrae Place Building

The proposed Ballantrae Place Building is of less concern to HNZPT with regards to impacts on heritage, due to both its location within the precinct, and the height and bulk of the building, which are comparatively modest. This building, containing services and the location for deliveries, will be almost entirely hidden from Parliament House by the Museum Street Building. In this regard HNZPT agrees with Adam Wild's conclusion that the effects of the Ballantrae Place building on the heritage precinct are acceptable.²

Oak Tree

While HNZPT acknowledges the value of the historic Oak Tree as noted in the Conservation Plan and referenced in Adam Wild's heritage report, the tree itself is not included in the New Zealand Heritage List/Rārangī Kōrero, and HNZPT does not hold any additional information regarding the historical values of the tree. It is hoped that the tree can be successfully relocated to the new proposed location within Parliament grounds.

Concluding statement

There are parts of the proposal that HNZPT can more strongly support than others. The overall pedestrian activation and relandscaping to make the area more approachable and aesthetically pleasing will only enhance the use and appreciation of the Parliamentary Precinct. The Ballantrae Place building is suitably functional given its purpose and is tucked away from most view from Parliament House. While HNZPT does not fully oppose the concept for the MUS, in our opinion it is either too tall or its too close to Parliament House with the current height. The two-storey entry and the linking first-floor bridge also reduce views and ability to see Parliament House.

Other conceptual proposals – including the reconfiguring the interior of the Beehive drum – would also have adverse effects on heritage. The current proposal may well be the best among a range of others also having adverse effects. Without an assessment of all the concepts to confirm this, it is hard to say whether this is the best outcome. However, it can be said to be a reasonable outcome that will still feature the irreversible loss of open space on the west side of Parliament.

Mitigation measures

The Assessment of Environmental Effects (Peter Coop 28 September 2022) includes a suite of recommended conditions. Proposed condition 2 reads: '*Conditions reflecting the mitigation measures suggested in the heritage report prepared by Mr Ian Bowman*'.

¹ Ian Bowman, "Heritage Impact Assessment Future Accommodation Strategy," p60.

² Adam Wild, "Assessment of Effects on Historic Heritage," [Future Accommodation Strategy], p38.

HNZPT agrees with the intent of this condition, but as worded in the AEE it lacks precision and clarity.

Section 7 of Ian Bowman's report proposes a number of mitigation measures which, taken together, would reduce the impact of the proposal on the heritage values of the Parliamentary Precinct and its constituent parts. HNZPT agrees in general with the mitigation measures suggested by Mr Bowman. Specifically, HNZPT agrees that there should be protection plans in place to safeguard heritage fabric during construction, that a suitably qualified and experienced conservation architect be engaged to provide input into all design work and implementation, and that all work is appropriately recorded.

HNZPT requests the following (or equivalent) conditions be included if consent is granted to the application:

1. That prior to construction commencing Temporary Protection Plans (TPP), including measures to protect existing heritage fabric are prepared and submitted to Council in accordance with best international practice.
2. That all work on scheduled heritage buildings is recorded in accordance with Level I of HNZPT Archaeological Guidelines Series No.1 *Guidelines for the Investigation and Recording of Buildings and Standing Structures*, November 2018.
3. That a qualified and experienced conservation architect be engaged to provide input into all design work and implementation.
4. Prior to any construction work commencing the consent holder shall submit detailed design drawings and specifications to Council for written certification. These drawings and specifications must be in general accordance with the plans submitted for consent; must be prepared by an appropriately qualified person; and, designed to:
 - i. minimise damage to the heritage fabric in accordance with best practice to the extent practicable;
 - ii. minimise aesthetic or structural impact on Parliament House;
 - iii. confirm that the connecting bridge between MUS and Parliament House be structurally independent, designed to be as visually unobtrusive as possible; and attached to the heritage building as lightly as practicable; and
 - iv. use appropriate, high-quality materials.

HNZPT considers that these (or equivalent) conditions will serve to mitigate adverse effects on heritage values to an acceptable level.

7. Heritage New Zealand Pouhere Taonga seeks the following decision:

- Consent is granted, subject to conditions to mitigate adverse effects on heritage values, and proactive and thoughtful consideration of the comments and advice contained in this submission with regard to the issue of MUS building height and proximity to Parliament House during the detailed design stage.

Heritage New Zealand Pouhere Taonga does wish to be heard in support of its submission.

If others make a similar submission, HNZPT will consider presenting a joint case at the hearing.

Yours sincerely



Dr Jamie Jacobs
Director / Kaiwhakahaere Matua
Central Region / Te Takiwā o Te Pūtahi a Māui
Heritage New Zealand Pouhere Taonga

Address for service

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SUBMISSION ON RESOURCE CONSENT APPLICATION BY PARLIAMENTARY SERVICES

To: Wellington City Council

Name of submitter: Trustees of the Eldin Family Trust

1. This is a submission on an application from His Majesty the King (care of Parliamentary Services) for a resource consent with service request number 514663. The application is for a resource consent for land use and associated construction for two new buildings in the Parliamentary Precinct at 1 Molesworth Street, Pipitea.
2. The submitters are the Hon Sir Douglas White KC, John Meads and Dan Williams as trustees of the Eldin Family Trust (“the Trustees”). The Trustees could not gain an advantage in trade competition through this submission.
3. The specific parts of the application that this submission relates to is the construction of the proposed MUS and BAL buildings into Viewshaft 4A (Whitmore Street) of the Operative District Plan (ODP).
4. The Trustees oppose the application to the extent it will result in buildings that intrude into Viewshaft 4A.
5. The background to this submission is the following parts of the applicant’s assessment of environmental effects:
 - 5.1 Appendix 7 assesses the proposal against the rules and standards of the ODP. It asserts that the MUS and BAL buildings will not intrude into Viewshaft 4A because they will not affect the margins and base of the viewshaft or occupy space between the viewpoint and the focal elements.
 - 5.2 Appendix 18 assesses the proposal against the objectives and policies in the ODP. It again asserts that the proposal will not intrude into any District Plan viewshaft as the basis for that assessment.
6. The Trustees disagree with the assertions that the proposal will not intrude into Viewshaft 4A.
7. The application acknowledges that the new MUS building is partially visible in Viewshaft 4A.¹ In particular, the MUS building is proposed to

¹ Assessment of Environmental Effects, Appendix 3, Photograph P A6-04, revision 2.

be located squarely in the viewshaft, spatially between the Beehive building and the backdrop of Tinakori Hill. It decreases the extent of Tinakori Hill that is visible in the viewshaft, and will change the backdrop to the bottom left corner of the Beehive. The MUS building extends to the margin of the viewshaft.

8. This is a clear breach of standard 13.6.3.3.1 of the ODP, which states that “No building or structure shall intrude on any viewshaft as shown in Appendix 11”.
9. The applicant’s stated position is that there is only an intrusion into a viewshaft if the structure will affect the margins and base of the viewshaft or occupy space between the viewpoint and the focal elements. The applicant relies on the High Court decision in *Waterfront Watch* as the basis for this proposition.
10. The *Waterfront Watch* decisions in both the High Court and Environment Court do not stand for that proposition. That case did not relate to a proposal for a new or altered building to intrude into a viewshaft. There is no suggestion in either decision that an “intrusion” is only established if it occupies space between the viewpoint and a focal element or affects the margins and base of the viewshaft.²
11. The Environment Court’s conclusion in *Waterfront Watch* was that there was no intrusion into the relevant viewshaft, because in its assessment there would be no change in the ability to see either focal or context elements from the viewshaft.³ The High Court did not take issue with that assessment.⁴
12. This case is different. The MUS building proposed by the applicant will clearly impact on the views of Tinakori Hill (a context element) and change the backdrop to the Beehive structure (a focal element). It changes the relationship between the Beehive and Tinakori Hill. The new structure therefore intrudes into the viewshaft, and so the construction of the new structure is a discretionary activity pursuant to rule 13.3.8.
13. The applicant has not assessed the environmental effects of the intrusion or its consistency with Policy 12.2.6.7 of the ODP. Nor are there any appropriately certified drawings that allow an accurate assessment of visual effects as required by section 3.2.2.17.

² *Waterfront Watch Inc v Wellington City Council* [2018] NZHC 3453 at [20] and [46]–[48]; *Waterfront Watch Inc v Wellington City Council* [2018] NZEnvC 39 at [24]–[25].

³ *Waterfront Watch Inc v Wellington City Council* [2018] NZEnvC 39 at [24]–[25].

⁴ *Waterfront Watch Inc v Wellington City Council* [2018] NZHC 3453 at [46]–[48] and [54].

14. In light of these deficiencies, the Trustees submit that the resource consent application should be declined to the extent it would result in the MUS building intruding upon the viewshaft.
15. The Trustees wish to be heard in support of this submission. If others make a similar submission then the Trustees will consider presenting a joint case with them at the hearing.
16. The Trustees request pursuant to section 100A of the Resource Management Act 1991 that you delegate your functions, powers and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority.

Dated: 2 December 2022

The Hon Sir Douglas White KC
For the Trustees of the Eldin Family Trust

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Contact person: Duncan Ballinger, Barrister

From: [Website Team](#)
To: [BUS: Consent Submissions](#)
Subject: Submission on notified resource consent application for 514663
Date: Sunday, 4 December 2022 8:00:41 pm

Submitter details

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Application details

Applicant name: Her Majesty the Queen
Site address: 1 Molesworth Street
Service request number: 514663
Submission: I / we object the application
Oral submission at the hearing: I / we wish to speak in support of mine / our submission
How long will you need for your presentation: 10 minutes
If others make a similar submission:

Aspects of the application that you support or oppose:

1. Height and position of the proposed Museum Street Building in relation to the Bowen State Terrace
2. Proposed construction of steps and bleachers in the West Courtyard leading up to the Bowen State Terrace to create a pedestrian thoroughfare between the Museum Street Building and Bowen State Building
3. Noise disturbance and construction dust in the area during the build period

Aspects of the application that you are neutral towards:

The reasons for my / our submission are:

My responses are on behalf of Kāpura, the company that owns and operates Huxley's restaurant and bar which is located on the eastern ground floor of the Bowen State Building. Our leased premises also includes the outdoor bar and dining area on Bowen State Terrace.

1. Height and position of Museum Street Building. Two of Huxley's unique selling propositions are its morning sunshine (venue trades from 7.30am) and its unobstructed views of Parliament House. The proposed Museum Street Building would severely reduce the direct sunlight hours our venue receives and completely block views of Parliament House. This would cause a negative economic impact to Huxley's operation as it would lose two of its key unique selling propositions.
2. West Courtyard steps and Bowen State Terrace pedestrian thoroughfare. Figure 1.15 in McIndoe Urban's Parliamentary Precinct Future Accommodate Strategy (FAS) Urban Design Assessment dated 27 Sep 2022 is a view of the Bowen State Terrace to the north-east. The Bowen State Terrace forms part of Huxley's lease with its landlord Precinct Properties Holdings Limited. When the agreement to lease was signed in Feb 2022 (prior to McIndoe Urban's assessment) our premises plan always included an expansion of

Huxley's footprint into the leased terrace area. Construction of an enclosed outdoor bar and seating area with a retractable roof is now complete. Figure 4.4 of McIndoe Urban's report proposes a pedestrian route directly through our leased outdoor bar area which we are opposed to for two reasons i) it's not possible based on the Huxley's bar/seating configuration ii) if our bar/seating was removed it would have a detrimental impact on Huxley's financial viability.

3. Noise disturbance and construction dust. Highly likely patrons will avoid Huxley's, particularly the outdoor terraced area, during the construction period due to noise and dust associated with construction of the building in such close proximity to Huxley's. This will have an also adverse economic impact on the venue.

The decision I / we would like Wellington City Council to make is:

The decision Kāpura would like Wellington City Council to make is to reject the resource consent application for the Museum Street Building. At a minimum, if the building is granted consent, the West Courtyard link to the Bowen State Building requires significant redesign so it does not impede Huxley's ability to trade from our leased area on the Bowen State Terrace

From: [Website Team](#)
To: [BUS: Consent Submissions](#)
Subject: Submission on notified resource consent application for 514663
Date: Monday, 5 December 2022 4:33:04 pm

Submitter details

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Application details

Applicant name: Her Majesty the Queen
Site address: 1 Molesworth Street, Wellington
Service request number: 514663
Submission: I / we object the application
Oral submission at the hearing: I / we wish to speak in support of mine / our submission
How long will you need for your presentation: 15 minutes
If others make a similar submission:

Aspects of the application that you support or oppose:

I oppose the application in its entirety.

Aspects of the application that you are neutral towards:

Nil

The reasons for my / our submission are:

The applicant has failed to demonstrate a need for this accommodation particularly when there are vacant office space in proximity to Parliament that could be utilised.

The design and construction of this proposal does not meet the governments own Carbon Neutral Government Programme (CNGP) requirements for new buildings.

There will be an unreasonable increase in traffic volumes on Ballantrae Place that will adversely impact the residents of the town houses in this street.

There has been no effort to consult with residents of Ballantrae Place prior to lodging this application.

Residents of Ballantrae Place have been subjected to construction noise and traffic for several years with the development of the Bowen Campus. There have been numerous complaints because of excessive noise and the disruption to residential activities has been excessive. The residents do not wish to experience this for a further period during this construction programme.

The assessment of environmental effects also lacks robustness, it fails to treat the residential community with any respect and care.

The decision I / we would like Wellington City Council to make is:

Decline this application in its entirety.