

## Heritage Advisor Assessment on Resource Consent Application

4 April 2022

Service Request No: 510418

**Site Address: Jervois Quay, Wellington**

### **Introduction:**

Willis Bond Ltd proposes to construct a building on the former Michael Fowler Centre car park, currently and temporarily occupied by the Royal New Zealand Ballet's Dance Centre. The car park sits within the boundary of the Civic Centre (Te Ngakau) Heritage Area.

The area in question is reclaimed land that has been occupied in the past by, among other buildings, the Central Fire Station, the power house for Wellington Tramways, warehouses and a petrol station. The south-eastern part of the site has not been occupied by a building since the demolition of the power house in 1930; it was converted into a park at that time. Most of the rest of the site was cleared by 1966 and used for car parking. It was not reoccupied by any building until the construction of the Michael Fowler Centre (MFC) between 1977 and 1983. The MFC was partly built on Cuba Street and partly on the car park.

The nearest and only building in the heritage area that the site is adjacent to is the MFC. It is a contributor to the heritage area, not a listed building.

The proposed building will occupy only a portion of the site, predominantly on its south side. The site itself runs roughly north-west to south-east. The design broadly divides the building into three wings, the lowest portion is that adjacent to the MFC, the highest, at 36 metres, is the middle/north wing. The building has been designed to allow pedestrian movement through the site from Wakefield Street to Jervois Quay and the waterfront. The considerable space around the building has been set aside for landscaping and recreational use.

Other heritage places potentially affected by this proposal are:

- John Chambers Building, a listed heritage building, on the opposite side of Jervois Quay.
- The former Free Ambulance Building, Odlins Building and Shed 22 – all listed heritage buildings on Cable Street.
- The northern terminus of the Cuba Street Heritage Area, with particular reference to two buildings on the south side of Wakefield Street – Anvil House (138 Wakefield Street) and the Civic Chambers (25 Cuba Street).

A summary of Civic Centre (Te Ngakau) Heritage Area's heritage significance in the WCC's on-line heritage inventory states the following:

- The square at the Civic Centre has, very quickly since its formal opening in 1992, become a place of great importance to Wellington City. As one of the largest single public areas in Wellington it is a very popular place for gatherings and events and is widely used by Wellingtonians and visitors alike. It has acquired

very high social significance for this role. The Square has become an established and familiar feature in Wellington. It seems likely Wellingtonians will continue to use and identify with the square for generations to come and over time the whole square will accrue even greater heritage significance.

- The area ‘contains a number of buildings and features of recent vintage ... and is defined by a collection of important civic buildings, two of which [Wellington Town Hall and City Art Gallery] have very high heritage values.’

### **Further Information Required:**

None required.

### **Legislative Requirements**

As the building is a new structure within a heritage area, the following rules (relevant to heritage) apply:

*21B.2.1 The construction of any new building or any modification to any existing building on a site within a heritage area that is not provided for as a permitted activity in 21B.1, is a Discretionary Activity (Restricted) in respect of:*

*21B.2.1.1 Effects on historic heritage*

*21B.2.1.2 Design, height, siting and coverage and the bulk and massing of buildings (to the extent that these affect historic heritage).*

*21B.2.3 Earthworks which are not a Permitted Activity are a Discretionary Activity (Restricted) in respect of:*

*21B.2.3.1 Effects on historic heritage.*

*[Central Area] 13.4.9 The construction of new buildings and structures, or the alteration of, and addition to existing building that are located in an identified Heritage Area and which exceed the absolute maximum height standards specified in 13.6.3.1.6 or 13.6.3.1.7.*

### **Assessment:**

#### **Applicant**

The applicant’s heritage advisor, Adam Wild, considers that the ‘proposed development responds directly and appropriately to the recognised historic heritage values of the Civic Centre Heritage Area’.

In support of that he states that:

- The proposed form and mass is compatible with the original architectural styles predominant in the CCHA.
- There are no adverse effects on the settings of the two listed buildings, Wellington Town Hall and City Art Gallery.
- The tallest part of the proposed development (the “Lantern”) at eight storeys corresponds to the height of the nearby Municipal Office Building within the heritage area. It is also ‘not significantly higher than the surrounding buildings’.

- The North Wing, while exceeding the absolute maximum height specified for the area, has been ‘carefully managed to reduce the impact on the surrounding Civic Centre Heritage Area, nearby individually-listed heritage buildings, the immediately adjacent MFC building, and the nearby Cuba Street Heritage Area’.

#### Effects on heritage values

The site has been identified as a development opportunity for a considerable period of time. It is located at the south-eastern end of the Civic Centre Heritage Area and is, for all intents and purposes, blocked off from the rest of the heritage area by the MFC. So the effects of the new building on the area are mostly concentrated on the MFC. The building will be visible from other vantage points within the area, more so from elevated floors of buildings, but will be seen mostly as a backdrop to the MFC.

By occupying land that has had no buildings on it since the early 1960s and, in the case of the eastern end, since 1930, this building will be transformational. The site is right alongside the Taranaki/Wakefield/Jervois intersection, highly visible and well-used and, on the whole, not dominated by tall buildings.

The proposed building is designed in three segments or wings and so will not present a monolithic presence. It will occupy a modest footprint relative to the overall site and be surrounded on three sides by landscaping, including a collection of pohutukawa. This will help soften the effect of the new building.

The only major heritage-related issue is the effect of the size of the building on the MFC. The latter is not a heritage building, although its listing is likely only a matter of time. The design guide specifies a height limit of 27 metres on this site to avoid dominating the MFC. Given the fact that the central wing of the building will be a whole nine metres taller than that limit suggests that it will dominate the MFC to some extent. Dominance can also be an effect of bulk; at its closest point, this building will sit within eight metres of the MFC. This portion of the building, the ‘West Wedge’, although it is the lowest of the three segments, will still be five metres higher than the Renouf Foyer.

The design guide states the following:

The Michael Fowler Centre carpark is located on the south eastern tip of the heritage area. Being at the eastern end of the heritage area its principle (sic) relationship is with the Michael Fowler Centre, a building that has, over its life, developed landmark qualities. The height limits specified will provide for the development of the carpark site at a scale that will help to retain the landmark value of the Michael Fowler Centre.

If the design guide is to mean anything, then the size of this proposed building exceeds a threshold of compatibility with the MFC.

Countering that are Central Area rules and policies that allow for the movement of building mass to achieve design outcomes and reduce the impact of single volume structures. Some of these rules require care to be taken with the design of structures alongside listed heritage buildings, which the MFC is not.

With regard to adjacent heritage buildings, the following conclusions are reached:

### *John Chambers Building*

The setting of the John Chambers Building should not be significantly affected by the location and scale of the proposed building. The new building will be set back on its site (to the south), the buildings will be at least 40 metres apart and they will be separated by the road (and any traffic), footpaths and the pohutukawa on the east side of the site.

### *Cable Street Heritage Buildings*

This collection of listed heritage buildings is even further from the building and, as with the John Chambers Building, the road and traffic, traffic islands and trees combine to further reduce the likely effects. There will be no line-of-sight connection between Shed 22 and the new building.

### *Cuba Street Heritage Area*

The presence of the new building will change the setting of the two closest buildings in the Cuba Street Heritage Area, Anvil House and Civic Chambers. It will be larger than either of those buildings and will change the density and lift the general height of buildings in the area. However, given the existing height and bulk of the two buildings, the effect should not be notable.

### *Assessment criteria*

(Note: Only relevant criteria have been assessed).

### *Heritage areas*

*21B.2.1.3 The extent to which the form, mass, proportion and materials of the new building or structure is compatible with the original architectural style predominant in the heritage area.*

Criterion met.

The new building is largely separated from the rest of the heritage area by the MFC, so its presence will be mostly remote and disconnected. In any case, the architecture of the heritage area is eclectic, with buildings from different periods of the 20<sup>th</sup> century; no predominant style is evident.

*21B.2.1.4 The extent to which the new building or structure is positioned or sited to maintain continuity of front façade alignment of buildings in the vicinity.*

Criterion met.

There is no front façade alignment to maintain on either street fronting the site. The building will return a built presence to the north side of Wakefield Street, where it will sit directly on the boundary.

*21B.2.1.5 The extent to which proposals meet the provisions of any relevant Design Guide and particularly in respect of the Heritage Areas within the Central Area, the provisions of the Central Area Urban Design Guide.*

See assessment below.

*21B.2.1.7 Whether professional heritage or conservation advice has been obtained from the HNZPT or any other professionally recognised expert in heritage conservation.*

Criterion met.

An AEE has been prepared for the applicant by conservation architect Adam Wild.

*21B.2.1.8 Whether work is in accordance with a conservation plan prepared for the building or object and peer reviewed by the Council.*

It is understood that a conservation plan has been prepared for Civic Centre (Te Ngakau) Heritage Area but it was not available to inform the preparation of the design of this building.

*21B.2.1.9 Whether the site has or is likely to have significant archaeological values, and whether the effects on those values by the proposal can be adequately avoided, remedied or mitigated.*

Criterion is met.

The area is within recorded archaeological site R27/270 (Central City), the Part Reclamation 'K' 1889 (NZAA R27/456), the 1886 Harbour Reclamation area (NZAA R27/266). And Nearby is also Rhodes Wharf 1841-1886 area (NZAA R27/765).

Although the area occupies a reclamation, there is still the potential for archaeology to be uncovered, particularly given the history of the site. The applicant intends engaging with HNZPT over the potential effects prior to works commencing.

*Earthworks*

*21B.2.3.5 Whether the site has or is likely to have significant archaeological values, and whether the effects on those values by the proposal can be adequately avoided, remedied or mitigated.*

See 21B.2.1.9 above.

*Civic Centre Heritage Area Design Guide*

The Design Guide for the area contains one objective:

*O1.1 To maintain and enhance the values of this area, and its special civic status, by protecting the special configuration of the public space, and protecting and conserving its heritage buildings.*

The relevant guidelines are as follows:

*G1.3 Maintain and enhance the relatively low scale and relationship of existing buildings to the square.*

The building will have only a modest impact on the scale and relationship of existing buildings to the square. Its location on the south-east side of the MFC means that its presence will be confined to views from the north-west end of the square or on upper floors of buildings.

*G1.7 Maintain views into, around, and from the square.*

With the possible exception of the view south-east from within the square, the building will not have a significant impact on views in or out of the square.

*G1.8 Maintain the openness and access to sunlight in the square.*

Again, the building will be sufficiently removed that it will be next to no influence over openness and access to sunlight in the square.

*G1.10 Consider the possibility of uncovering archaeological material when any earthworks or subsurface investigation are planned.*

See 21B.2.1.9.

*Relevant policies in Chapter 12 (response to Rule 13.4.9)*

*12.2.3.2 Promote a strong sense of place and identity within different parts of the Central Area.*

The building will occupy a prominent and distinctive central Wellington site. Its presence will transform the townscape by utilising a site that has had no building on it for at least 60 years.

*12.2.5.1 Any application to exceed the height standards specified in the District Plan will be considered on a site specific basis, acknowledging the context at the time the proposal is being developed. Matters to be considered will include [relevant criteria only addressed]:*

- *whether the proposal reinforces the Central Area's 'high city/low city' urban form.*

The building sits in the 'low city' area. It is no taller than a number of buildings within, say, 100 metres of the site and is therefore appropriately sited for its size in the wider context.

- *whether the height, scale and mass of the proposal is consistent with the scale and form of buildings in the surrounding neighbourhood.*

The building will be consistent in height, scale and mass with a number of the nearby buildings, but distinctly larger than its immediate neighbour, the MFC.

- *whether the proposal will result in a building that will be complementary to, and of a scale appropriate to, existing buildings on adjacent sites.*

The MFC is the only building adjacent to the proposed building. Although the building will be significantly larger by comparison, mitigating that somewhat will be the massing of the building, which will have the tall portion of the building somewhat removed from the MFC, and some of the features of the building, which pick up on design elements of the MFC, including the curve of the 'lantern' segment relating to the roof form of the MFC.

- *the extent to which the height, scale and mass of the proposal acknowledges and respects the scale and form of any adjacent listed heritage item.*

There is no listed item sufficiently close to the proposed building that requires an acknowledgement and respect of scale and form in its massing.

- *whether the height, scale and mass of the proposal respects and enhances the heritage values and sense of place of the heritage area.*

With the site of the proposed building on the south-eastern edge of the heritage area and separated from the bulk of the area by the MFC, the proposal is limited to the extent that it can respect and enhance the heritage values and the sense of place of the area.

*12.2.5.3 Manage building mass in conjunction with building height to ensure quality design outcomes.*

The fragmented design of the building illustrates a deliberate effort to move mass around and break up a single volume structure. This will make for a more visually interesting building.

*12.2.5.4 To allow building height above the specified height standards in situations where building height and bulk have been reduced elsewhere on the site to:*

- *provide an urban design outcome that is beneficial to the public environment, or*
- *reduce the impact of the proposed building on a listed heritage item*

*Any such additional height must be able to be treated in such a way that it represents an appropriate response to the characteristics of the site and the surrounding area.*

While the moving of mass on the proposed building is intended, among other things, to reduce the possible effects of the presence of the building on the MFC, it is, strictly speaking, not a listed heritage item, so that criterion is not relevant. However, despite that, the proposed building will still be a large building that, by its very presence, diminish the status of the MFC. In many other ways, the building will provide a variety of urban design outcomes that could be considered beneficial.

Mitigating against that is the open space provided between the two buildings and on the wider site, the hard and soft landscaping and the opportunities to be offered to pedestrians to move through the site.

## **Part 2 – Purpose and Principles of the RMA**

In addition, Part 2 of the Act requires the Council to recognise and provide for matters of national importance (section 6) particular consideration has been given to 6(f) the protection of historic heritage from inappropriate subdivision, use, and development.

### **Conclusion:**

The proposal to construct a new building at 110 Jervois Quay has four key heritage considerations with respect to the Civic Centre (Te Ngakau) Heritage Area:

- The design guide anticipates development of this portion of the heritage area, but specifically states a height limit of 27 metres to protect the status of the MFC.
- The site is at the far south-eastern end of the heritage area and is sufficiently removed and blocked from the view of the main part of the heritage area that the

effects of any new building are mainly confined to the MFC and heritage buildings outside the heritage area.

- The MFC is not a listed heritage building, which reduces the oversight of some rules and policies contained in Chapter 12 of the design guide.
- The design achieves many of the outcomes required under Chapter 12, thereby mitigating, to some extent, the impact on the MFC.

At nine metres beyond the Design Guide's specified threshold for a new building on the site, the proposed building is undoubtedly going to be a significant presence alongside the MFC. Although attempts have been made to move mass to avoid the worst effects of this bulk on the MFC, I am not persuaded that it will not diminish the status of the MFC. However, balanced against that are the limited impact of the proposal on the wider heritage area, the urban design benefits of the proposal and the additional height allowed under Chapter 12 rules and policies. This reduces the effects of the proposal significantly.

Based on the above assessment the proposal is generally acceptable on heritage grounds.

### **Suggested Changes to Proposal:**

The following conditions/advice notes should be included on the decision:

#### **Suggested Conditions<sup>1</sup>**

- The project can be supported on heritage grounds if the height of the 'lantern' is reduced by four metres.

#### **Suggested Advice Notes**

- This proposal may affect recorded archaeological sites, being R27/270, R27/456, R27/266 and NZAA R27/765. Work affecting archaeological sites is subject to a consent process under the Heritage New Zealand Pouhere Taonga Act 2014. An archaeological authority (consent) from Heritage New Zealand Pouhere Taonga (HNZPT) must be obtained for works to proceed if the archaeological site has the potential to be modified or destroyed. It is illegal to modify or destroy an archaeological site without obtaining an archaeological authority. The applicant is advised to contact HNZPT for further information prior to works commencing.

The proposal **is not** eligible for resource consent fee reimbursement.

#### **Name**

Michael Kelly  
Heritage Consultant

#### **Peer reviewed by:**

Reuben Daubé  
Heritage Advisor RMA

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<sup>1</sup> **Please note:** These conditions are likely to be amended to better fit the standard condition format used by the Consents Planners. If specific wording is required please discuss this with the relevant planner.