

**BEFORE THE INDEPENDENT HEARINGS PANEL AT WELLINGTON CITY I MUA NGĀ  
KAIKŌMIHANA WHAKAWĀ MOTUHAKE NGĀMOTU**

**UNDER THE Resource Management Act 1991**

**IN THE MATTER OF the hearing of submissions on the Proposed Wellington City Plan**

**(Hearing Stream 2)**

**STATEMENT OF EVIDENCE OF AMANDA MULLIGAN AND CHESSA STEVENS  
ON BEHALF OF WELLINGTON HERITAGE PROFESSIONALS**

**Introduction**

1. This Statement of Evidence is given on behalf of Wellington Heritage Professionals in accordance with their submission on the Proposed Wellington City District Plan dated 22 September 2022. The members of this group commissioned us to compile this Statement for Hearing Stream 2 based on our relevant expertise.
2. Where one or other of us has greater expertise in a specific area addressed in this Statement, we have provided a greater degree of input. We have both jointly drafted this statement and both agree with all matters raised in it.
3. Our evidence will address the following matters:
  - a. High Density Residential Zone
  - b. Character Precincts and Design Guides
  - c. Residential Design Guide

**Qualifications: Amanda Mulligan**

4. My full name is Amanda Jane Mulligan. I have about 14 years experience in heritage conservation.
5. I have been a senior policy advisor in heritage policy at Manatū Taonga Ministry for Culture and Heritage since 2019. Prior to this I was a senior heritage advisor at Wellington City Council for several years. I was previously the registrar at Heritage New Zealand Pouhere Taonga. I started my career in heritage conservation at Heritage Victoria in 2009.
6. I hold a Post-Graduate Diploma in Planning and Design (Architectural History and Conservation) from the University of Melbourne for which I received the Dean's Honours Award in 2012.
7. I hold a Bachelor of Arts degree in history from the University of Canterbury.
8. I am a member of the Executive Board and Co-Secretary of ICOMOS New Zealand (the International Council of Monuments and Sites). I am a member of Historic Places Wellington.

9. The areas of my expertise are: heritage conservation, legislation and management; architectural history of Australia and New Zealand.

**Qualifications: Chessa Stevens**

10. My full name is Francesca Louise Stevens. I practise under my abbreviated name, Chessa Stevens. I am Principal Conservation Architect and National Built Heritage Lead at WSP New Zealand Ltd.
11. I hold a Master of Arts with Distinction in Conservation Studies from the University of York, United Kingdom, where I was recognised as the highest achieving student with the Duncan Gillard Memorial Medal.
12. I hold a Bachelor of Architecture with Honours from Victoria University of Wellington, New Zealand.
13. I hold a Bachelor of Arts degree from Victoria University of Wellington, New Zealand.
14. I am a Registered Architect with the New Zealand Registered Architects Board.
15. I am a member of the Executive Board and Co-Secretary of ICOMOS New Zealand (the International Council of Monuments and Sites).
16. I am a member of Historic Places Wellington and Heritage New Zealand Pouhere Taonga.
17. I have approximately fourteen years' experience in architecture, specialising in heritage and historic buildings.
18. The areas of my expertise are: heritage conservation (principles and practice); assessment, management, alteration and adaptation of historic buildings, structures and sites (practice); and heritage management generally (under the RMA).

**Code of Conduct**

19. We confirm that we have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. We complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence. Except where we state that we are relying on the evidence of another person, this written evidence is within our areas of expertise, being the areas identified above. We have not omitted to consider material facts known to us that might alter or detract from the opinions expressed in this evidence.

## **Medium Density Residential Zone (MDRZ)**

20. Wellington Heritage Professionals along with Historic Places Wellington sought a new policy similar to NCZ-P7 for the MDRZ requiring new development to positively contribute to the sense of place, quality and amenity of the zone by ensuring that development responds to the site context, particularly where it is located adjacent to a scheduled site of significant to Māori, heritage buildings, structures or areas, character precincts.
21. In response to these submissions, the author of the section 42A report disagreed that the requested policy is needed because in their view, the permitted activity standards and the Residential Design Guide will assist in ensuring quality development.
22. Our view is that while the Residential Design Guide is useful, it does not carry the same weight as a policy. The MDRZ should include a policy similar to HRZ-P8, subject to the section 42A report author's recommendation to support changes to HRZ-P8 that include the consideration of heritage buildings, structures or areas, and character precincts.
23. The reason for our view is that the management of historic heritage should be based on a place's values, not on the zone that it happens to be in.

## **Character Precincts and Design Guides**

24. We agree that making changes to planning controls to incentivise development is an appropriate way to encourage more housing construction. We do not think that reducing the extent of the character areas will bring the change that Wellington needs. Instead, we think it is likely to lead to permanent and irreversible negative effects on the city's historic heritage and valuable distinctiveness.

### ***s42A Stream 2 – Part 3, Residential Zones – Part 4***

#### *The extent of the character areas should not be reduced*

25. Wellington Heritage Professionals submitted that there is insufficient evidence to support the character content of the PDP, in part because the Pre-1930 Character Area Review was flawed as it overly elevated the importance of original built form over pre-1930 character.
26. Wellington Heritage Professionals therefore submitted that the extent of character areas from the ODP be directly carried over to the PDP as Character Precincts.
27. The author of the section 42A report did not agree that the Pre-1930's Character Areas Review is flawed and made the following points:
  - a. One of the considerations of property specific character was building age.
  - b. The definition of 'character' proposed by the review does not mention original built form. Instead, modifications to a dwelling are considered in assessing the contribution of a particular building, noting that these do not preclude its inclusion in a Character Precinct but may impact on its classification as either primary, contributory, neutral or detractive.

- c. Primary properties are described as being largely intact and predominantly exhibiting the characteristics of a given area.
  - d. Contributory dwellings are described as those where modification has occurred, but most of the characteristics of the area are still visible. It is therefore the degree of modification that is important in assessing character contribution, rather than whether any modification has occurred.
28. Our view is that the methodology of the Pre-1930 Character Area Review is flawed and the comments made by the author of the section 42A report, particularly at point (d) above, outline why. While they note that the definition of 'character' in the review did not mention original built form, the author points out that modifications to a dwelling are considered in assessing the contribution of a particular building.
29. In this way, the methodology inappropriately elevated architectural integrity over the pre-1930s character described in the District Plan. For example, if an 1890s villa in Mt Victoria had a garage added in the 1920s, it could be considered to be a compromised building when, in reality, it is quite indicative of the character of buildings in Mt Victoria.
30. Placing value on architectural integrity in this way (i.e. valuing buildings that have changed least since original construction) does not align with why the character areas have been recognised, which is for their pre-1930 character.
31. As the ODP says: *the date of 1930 has been chosen as buildings older than that date tend to match the characteristic building types of the inner city suburbs. It is recognised that different parts of the same building might be different ages.*
32. Even the casual observer would agree that it is characteristic of many buildings in the character area to have had changes made up to the 1930s.
33. We do not support the adopted approach of identifying areas of concentrated character, based on the Pre-1930's Character Area Review.
34. Our view is that the extent of the character areas in the ODP should be retained.

*The character areas are likely to meet the threshold for heritage areas*

35. Wellington Heritage Professionals submitted that the PDP should apply Greater Wellington Regional Council's 'Guide to Heritage Identification' to assess the Character Precincts for inclusion as heritage areas.
36. The author of the section 42A report disagreed, pointing out that work to identify heritage areas has already occurred as part of the heritage workstream.
37. While this may be the case, we are not aware that any work to assess the heritage values of the character areas has been carried out. Our view is that much of the character areas are likely to meet the threshold for scheduling as historic heritage for their historical and physical significance.
38. In our view, there is an arbitrary distinction made between 'heritage' and 'character' in the ODP that is being perpetuated in the PDP.

39. Wellington's character areas have been identified for their pre-1930s character. This is, by its very nature, heritage character and the character areas have historic heritage value as a 'physical resource that contributes to an understanding and appreciation of New Zealand's history and cultures'.<sup>1</sup>
40. For reasons that are not clear to us, District Plans in Wellington have arbitrarily deemed large residential areas to have 'character' value and reserved heritage area status for smaller commercial areas like Cuba Street, Courtenay Place and the Newtown Shopping Centre.
41. In our view, there is little justification for this approach other than the fact that the character areas have not been assessed for their historic heritage value. As our inner-city suburbs are valuable repositories of built heritage, we should be treating them the same as any other heritage area we value. This would also reduce the complexity of the District Plan.

## **Residential Design Guide**

### ***s42A report for Stream 2 – Part 3, Residential Zones – Part 6***

42. Wellington Heritage Professionals asked for the Residential Design Guide to be amended to include G3.5 and the associated diagrams from the current Central Area Urban Design Guide.
43. The author of the section 42A report considered that the guideline is explicit enough that it does not require diagrams to support it.
44. In our experience in working with district plans, diagrams such as the ones in the current Central Area Urban Design Guide are extremely useful for Council officials and other stakeholders to achieve good outcomes for buildings proposed adjacent to heritage places or within sensitive areas.
45. Scientific research demonstrates that pictures can often convey an idea or concept more quickly, and be more easily understood and remembered, than descriptions given in words.<sup>2</sup> Arguably, this is particularly the case where matters of form, design, and proportion are being considered.
46. Our view is therefore that diagrams should be added to complement the written descriptions.

## **Workability**

47. We anticipate that the panel may be concerned with the regulatory implications of increasing the extent of the character areas from what was included in the PDP.
48. We acknowledge that this will mean that more resource consents will likely be required when changes are proposed in the character areas.
49. We have experience working in jurisdictions with which we frequently compare

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<sup>1</sup> RMA definition of historic heritage.

<sup>2</sup> For example, the research of Allan Paivio, Professor of Psychology at the University of Western Ohio, published in the late 20th century.

ourselves, such as Victoria and the United Kingdom for example, where they much more frequently require planning permits to be applied for changes to places in heritage zones and much more frequently require permits to be notified. These jurisdictions have systems where the cost of planning permission is structured differently than it is in New Zealand.

50. In Wellington, it can sometimes be considered unaffordable to even apply for consent. This is understandable given that as at 14 March 2023, Wellington City Council charges \$2,145 for an initial deposit for a non-notified land use consent. The consent could cost substantially more depending on the number of officer hours used during processing. Planners and advisors are charged out at \$201.50 per hour.
51. Instead of making the system more permissive, our view is that the Council should investigate making resource consent fees fixed and payable up front, depending on the cost of the activities being applied for. See for example the schedule of planning and building fees at the City of Melbourne attached at Appendix 1 and the guide to the fees for planning applications in England at Appendix 2.
52. Appendix 1 illustrates how planning permit fees in Victoria are charged on a sliding scale depending on the cost of your development starting at \$206.40 AUD (approximately \$220 NZD).
53. Appendix 2 notes that in England a planning application for alterations to a single house costs £206 (approximately \$400 NZD).
54. In our view the best way to protect the values of Wellington's character areas is by requiring resource consent for alterations that may affect character values; however, the resource consent fee charging regime adopted by Wellington City Council is a significant impediment.

**Amanda Mulligan**

16 February 2023

**Chessa Stevens**

16 February 2023