

District Plan Submission – Hearing Stream 2

Penelope Borland

Introduction

1. My name is Penelope Borland and I am a resident of Earl's Terrace, Mount Victoria. I have previously lived in a new downtown multi storey apartment for more than a decade from 2003 and moved back to Mt. Victoria in 2018 and so I have recent experience in Wellington of living in both a Te Aro apartment and single storey wooden villa. I originally lived in Port Street, Mt Victoria in the 1980s and returned after nearly 30 years living elsewhere in Wellington for a number of reasons, including moving to a small, friendly, quiet cul de sac and the experience of being in the first Christchurch earthquake.

2. I am a member of LIVE WELLington, a group of citizens from across the city championing density done well with good urban design principles and a focus on the changes proposed for the inner city suburbs. This is however my own submission relating specifically to the area in which I live and know relatively well. I have canvassed the rationale, legislation, relating to upzoning both here and in some other countries and read about the results of the upzoning philosophy on which the NPS-UD legislation was based and its impacts on cities such as San Francisco.

Background and Rationale

3. While I support the expansion of the character precincts recommended in the s42a report I believe that we can and must do better and I encourage you to go back and look at the character precincts and add areas such as mine that clearly warrant inclusion based on logical boundaries and site by site evidence.

4. There is the ability to adjust the character settings without affecting housing capacity requirements. Even if all existing Character areas in the Operative District Plan were to be retained recent projections of population increase and expected demand and the Council's reports to this Hearing mean the impact would be very minor as the DP currently provides for substantial over capacity that is far in excess of predicted demand.

5. While the impacts on capacity of character precincts are minor the impacts of current character areas being upzoned to 6 storeys will irrevocably and negatively detract from quality of life and Wellington as a desirable place to live. This is not only for current residents because of the shading impact of tall buildings in a low rise old area that is dependent on sun largely from the west, creating colder, damper housing that destroys quality of life and will cause native timbers to rot (they need sunlight) but also will negatively affect the very character, distinctiveness and charm of Wellington that forms part of the iconic inner harbour and city scape of Wellington and is recognisable around the world.

6. Mount Victoria is already one of the densest suburbs in New Zealand with 4,463 people per square kilometre. By comparison Auckland ranges between 2000 and 2500 per square kilometre. The NPS-UD was largely aimed at densifying Auckland and Christchurch to a

greater degree rather than at Wellington where the inner city heritage suburbs are already dense, and, unlike those other two cities, most of the character areas are within walkable catchments.

7. The main issue here is the imposition of 6 stories, which was not specified in the NPS-UD consultation document, in fact an example of 3 to 4 stories was given. But the National Policy Statement then promulgated by the Minister then prevented Councils from setting height limits lower than 6 stories in large parts of their cities within walkable catchments unless qualifying matters were invoked and relied upon. This is clearly out of line with the consultation document and was not subject to legislative scrutiny. Both Auckland and Christchurch Councils have made their objections clear to this and made provision for lower impacts on their cities than Wellington's Council.

8. The time is now to get the balance right in Wellington, particularly as capacity presently proposed to be enabled is far in excess of predicted demand, there are clear brownfield areas along main transport routes that are under utilised for high density development and the legislation was a creature of a time before the pandemic when projected growth rates were much higher as were house prices. We now have situation where the sacrifice of so much irreplaceable character in our oldest suburbs is completely unnecessary.

Section 42a (Character Precincts and Design Guides) Report

9. If you have read my original September 2022 submission to the District Plan on Character Precincts you will realize that the relief I was seeking was misconstrued by the Section 42a report. I was seeking inclusion of the area around me – Earl's Terrace, Stafford Street and down through Hawker to meet up with the designated Character Precinct currently beginning in Roxburgh Street and to a certain extent down to Caroline Street. Here is an excerpt from my submission making it clear that my preferred option was inclusion in the character precinct plus a photograph showing the visibility of my area from Waitangi Park which is also echoed in viewshafts across the city and waterfront.

- **“Include Earls Terrace, Lower Hawker Street, Port Street, and Stafford Street in the character precinct (preferred option); or**

the Mount Victoria Townscape Precinct (less preferred option)

Earls Terrace, Port Street, Stafford and Hawker Streets are on the main western ridge line on Matakairangi/Mount Victoria. All these streets are visible from Waitangi Park and downtown Wellington and make an important contribution to the Wellington townscape. 21m high buildings on the perimeter of the town belt on Matakairangi would create the above effects but also a wall of buildings blighting the iconic view known all over the world of the northern slopes of Mt. Victoria. Excessive densification of our neighbourhood would be detrimental for our community and Wellington in general.



Stafford St & Earls Tce, Mount Victoria From Waitangi Park

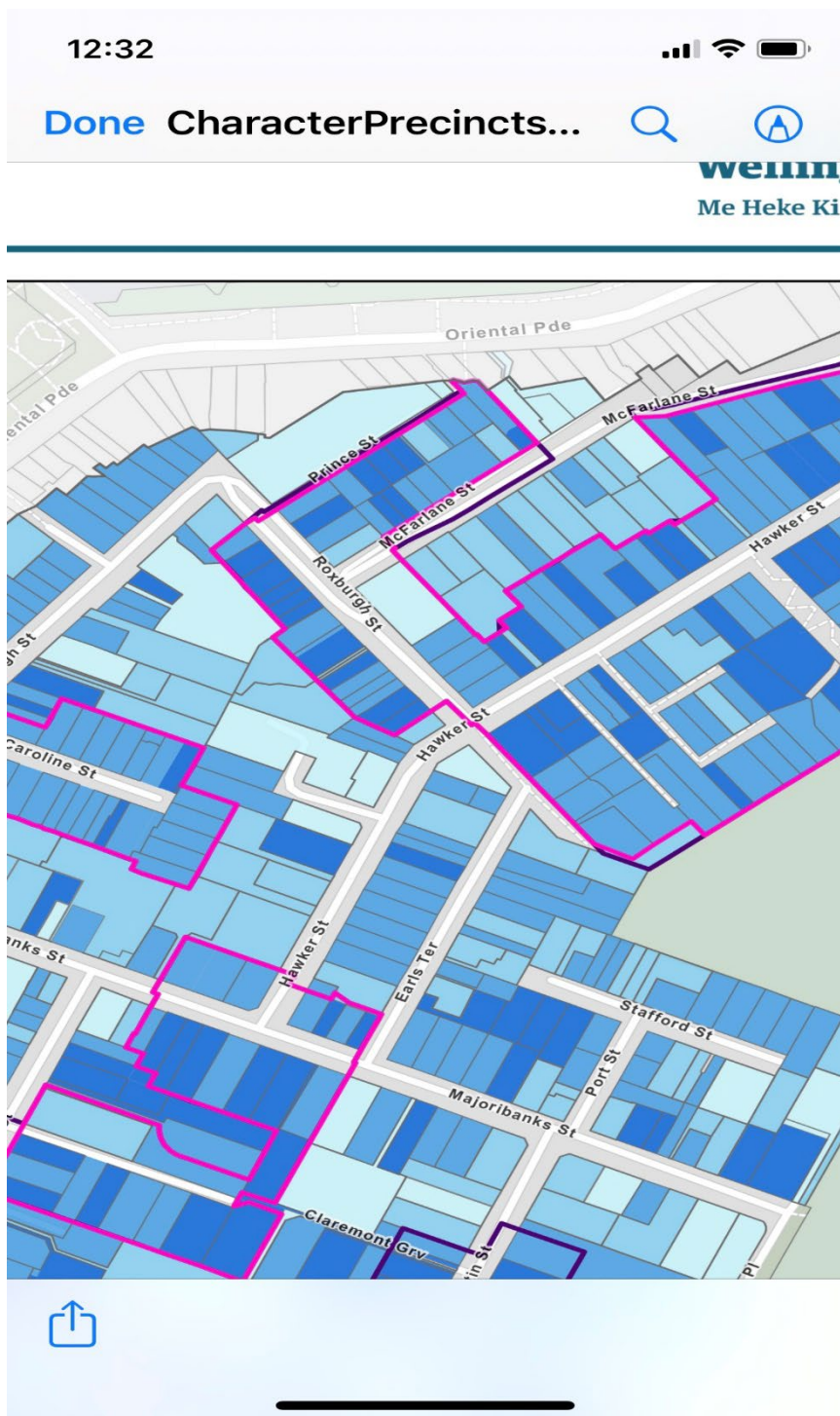
10. Instead the Section 42a report addressed only my second and less preferred option – inclusion within the Mount Victoria North Townscape Precinct. The only reason I suggested this at all is that my area also directly adjoins the Mount Victoria North Townscape and can also be seen, as described in the Section 42a report (p50, 15.0 346) “The area forms the basis for an iconic view towards Mt. Victoria from the city centre and waterfront areas.” The provisions focus on the townscape effects of potential development area in the Mt. Victoria North Townscape Precinct and management of visual effects on this area was considered sufficient to warrant a specific precinct approach even though some dwellings were deemed non-primary or non-contributory.

11. The Section 42a Assessment sections 360 and 361 considered only the inclusion of my area within the Mount Victoria North Townscape Precinct relying heavily on the Urban Perspectives review and finding their was no evidential basis for their inclusion. Much of this relied on the rationale for the creation of the MVNT precinct of high visibility associated with proximity to St. Gerard’s Monastery and the escarpment below. My area is right beside it and also highly visible with long range views from public spaces.

12. Like the MVNT precinct most of the houses were also built prior to 1930 on long narrow, upward sloping sections (in many cases with Town Belt directly above). They also have a common built form and orientation creating a distinctive building pattern with sequential views as you move around the city. The Urban Perspectives report on the MVNT precinct even acknowledges that the surrounding context of the precinct and that different parts of the precinct come into focus depending on the viewpoint location providing “opportunities for the precinct to be appreciated in sequential views where the view of the precinct **and its surrounding context** are constantly changing.” (p 3) It goes on to state that: “It is important that this is taken into account when reviewing the DDP provisions, and particularly the

height provisions for **the sites in the immediate visual context** of the precinct.” This also applies to the immediate area next to the MVNT which can similarly be seen from the city.

13. The Section 42a report did not address my main point that the area of Earls Terrace, Stafford and Hawker Street below should be included with the Character Precinct of Mt. Victoria due to the fact that expert evidence has found that this area warrants inclusion and protection from large scale development. Almost all of the eastern side of Earl’s Terrace is considered as primary or contributory dwellings in Council assessment and it is mystifying as to why it is excluded from being character, especially when it adjoins both designated character precincts and the Mount Victoria North Townscape Precinct under the Proposed District Plan. To clarify, most of the house addresses on Earl’s Terrace are on the Eastern upper side with relatively few Earl’s Terrace address on the downward western side (only 1,3 and 25 that I know of) as these addresses are largely Hawker Street with houses and backyards that back onto Earl’s Terrace and may have a double entrance but they are not designated Earl’s Terrace addresses.



Wellington Council assessment

Strong arguments for inclusion in character precinct

15. If the purpose of Character Precincts in the proposed District Plan is to “minimise the further erosion of character....and ensure that development recognises and responds to the character values of the Precinct” this cannot be achieved by the breaking up into blocks and leaving out of areas like mine, evidentially deemed to qualify for character protection, with a preponderance of 1885 houses that are noted as either primary or contributory. The exclusion of my area also makes no sense against this objective in that it will also negatively

impact on nearby already designated character precincts with the unpredictability of whether much taller buildings are going to pop up around these designated areas eroding their character, outlook, sunshine and amenity values. Being included in a character precinct does not prevent development but ensures new development responds to existing character of those areas through a resource consent process.

16. The mainly 1885 houses in my street, Earl's Terrace, are built of native timbers, close together facing the street with little more than a metre or two between them with steep sloping sections running up the rock face of the maunga to the Town Belt. The narrow street, like many in Mount Victoria, runs north/ south and houses face west towards the city. The morning shadowing of the maunga means that sun doesn't reach the front of many of our houses until 11am or noon in the winter.



Earl's Terrace consists largely of houses built in the C19.

17. As noted in the S42a report (para 62) the definition of character proposed by the Pre-1930's Character Areas Review does not mention original built form. Modifications to a dwelling are considered in assessing the contribution of particular dwellings but they do not preclude inclusion in a character precinct, primary properties described as being largely intact from the original built form and contributory described as where modification has occurred but most of the characteristics of the area are still visible. It is the degree of modification that is a factor taken into account rather than whether any modification has occurred. In the case of Earl's Terrace, for example, I am told that some of the houses, like mine had their verandahs enclosed after the 1930s when the area was favoured by Greek immigrant families and the verandahs were restored around the 1980s when new residents came into the area. Nearly all of the C19 houses in my street are at least strongly contributory and form a clear pattern and streetscape built straight above the street and only metres apart.

18. In addition to the Council's own assessment there are two other key pieces of evidence for for inclusion with the character precinct:

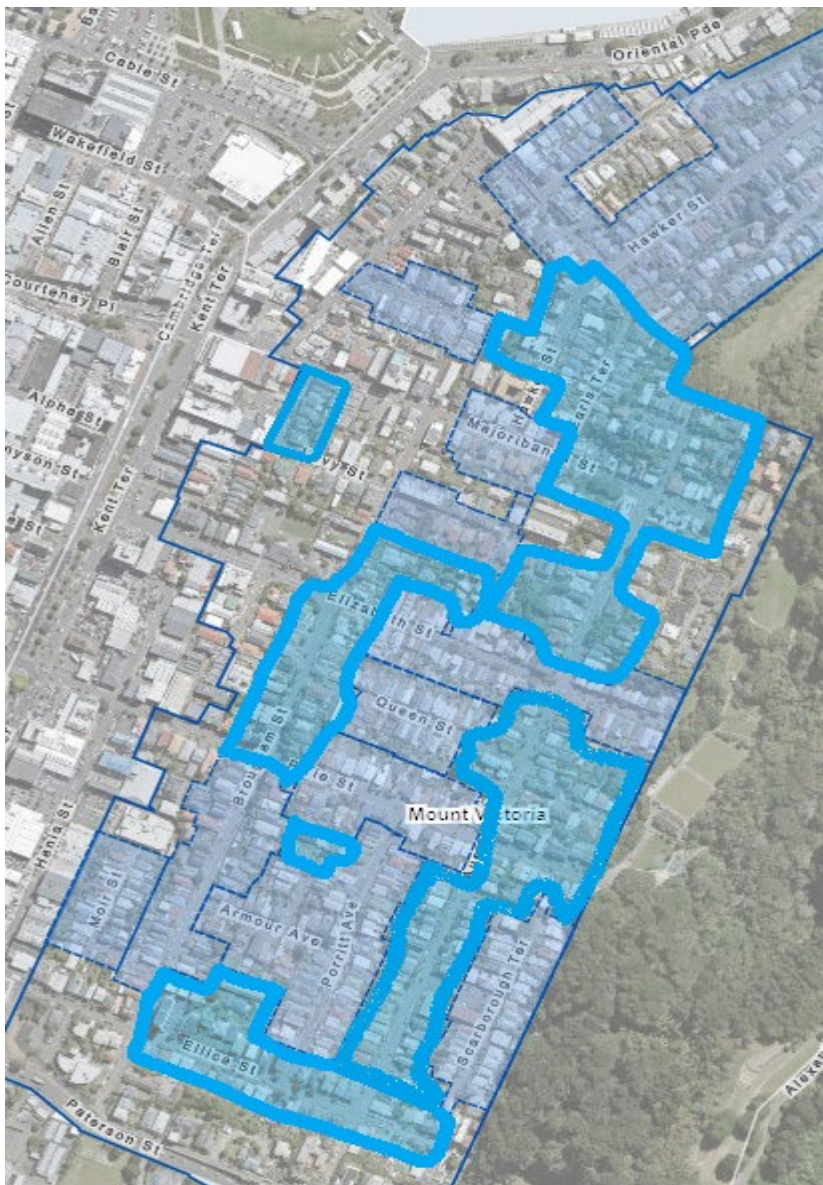
Heritage New Zealand recommendation

19. The government's statutory agency charged with protecting, promoting and managing heritage made a very clear recommendation on the areas worthy of being included in character areas in Mt. Victoria as part of their submission on the Council's Spatial Plan in 2021 **Include Heritage New Zealand recommendations.**

This is also available online (online submission form ID15185)

https://www.dropbox.com/sh/vk9hgfavgafxzw/AABQ_8ZZ-E3cwso-rTC2wOTla?dl=0&preview=Sanitized-DSP-1217-PFG-DraftSpatialPlan-Submission.pdf

20. Heritage New Zealand clearly recommended that the area comprising Earls Terrace/ Stafford/ Port/ Hawker Street be included in the character precinct (see turquoise blue area near top of map)



Heritage New Zealand map recommending addition of areas outlined in turquoise blue in Mt. Victoria should be designated character areas/ precincts. As submitted by Heritage NZ to WCC to be added to Draft Spatial Plan.

21. This Heritage New Zealand recommendation for the addition of the areas outlined in turquoise blue to designated heritage/ character areas (shaded in darker blue) in the Draft Spatial Plan needs to be taken into account to alter the Proposed District Plan. Heritage New Zealand's evidence on these matters has weight as the government's official Crown agency promoting the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand.

Boffa Miskell: Pre-1930 Character Area Review

22. There is reason to believe that some aspects of the 2019 Pre-1930 Character Area Review by Boffa Miskell which was used by WCC as the basis to indicate character contribution and is a strong evidential base may have been misinterpreted in relation to some contributory character areas. Curious as to why some areas in the review maps were unshaded with no key explanation but primary contributory areas were shaded in olive and neutral and/or detractive areas were shaded in pink I contacted Boffa Miskell directly for an explanation and spoke to the main author of the review in January of 2021.

23. He agreed that there was no explanation in the report or map key indication of why there were some areas, including my area, that are not shaded at all. He said that **non shading did not indicate that those areas were not worthy of character protection as they were not neutral or detractive areas**. However because the Boffa Miskell methodology was to group together clusters of related properties where obvious clustering occurred the non shading indicated that the clustering was not as obvious as in clearly detractive or neutral areas or very high concentrated clustering of primary character contribution. The patterns in the non shaded areas were a bit more random and there was a little more ambiguity in terms of the level of obvious coherence. In some cases it was because neutral or detractive dwellings were alongside primary or contributory in the non shaded areas but it didn't mean that the area overall was neutral or detractive especially where there was a **majority of primary or contributory dwellings** and indeed many of those areas warranted character protection. I note that part of at least two areas that were also similarly non shaded in the Boffa Miskell review maps have now been included as Recommended Additions to Character Precincts or the MVNT by the s42a report, part of the southern end of Austin Street and several addresses on MacFarlane Street and I ask that the area I refer to is also included for the reasons I have outlined.

24. In my former submission I did ask for specific addresses for inclusion in the character precinct, but I am uncertain of their complete accuracy here because of the haphazard numbering in some streets e.g. No 1, 3 and 25 Earl's Terrace on the western side need to be included. This is what I asked for in my previous submission:

Earls Terrace: 1,4,6,8,10, 11,12,14,16,18A, 18B,20,22, 24 - all houses in Earls Terrace.

Stafford Street: 1,3,5,7,9,11,13,15,17,19,21,23,25,27,2A,2,8,12,16 – all houses in Stafford

Port Street: 2, 3, 4, 8, Port Street

Hawker Street: 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 26, 30 Hawker Street

This area meets the test of the purpose of MRZ-PREC01, which describes inclusion in Character Precincts as being "based on the consistency and coherence of character of the houses". It should be included in the precinct because of the same reasoning identified in the s42a report (para 86) that the Character Precincts should be increased in the PDP (which

resulted in the new Recommended Additions) as it, the PDP, “does not sufficiently identify concentrations of character...based on the the consistency and coherence of character...in these areas...large areas of concentrated character are omitted in the PDP Character Precinct boundaries.”

Other considerations



25. Access and Infrastructure – Earl’s Terrace, Port and Stafford streets are accessed via narrow, steep streets, among the steepest in Wellington (Port Street 22%, Earls Terrace 17%). WCC officers have told me that fire, tow truck and ambulance services may not be able to access my place in Earl’s Terrace as the road is too narrow (photo above showing narrowness of Earl’s Terrace) for larger vehicles to gain access and there is parking on either side of the street but larger vehicles are barely able to get through one way. In 2021 my property experienced continuous water pouring down the steps behind my house which resulted in my bank slipping and undermining concrete steps and path. The water came from a combination of a property up the hill in Vogel Street and rivulets of water coming down from the maunga. The old water pipes around my area have had serious leaks that have taken months to fix. These streets have and will remain constrained by poor access and infrastructure and therefore should not be zoned for high density or the construction it would involve.

26. Dominance and sunlight: most sections are small, many cheek by jowl with little more than a metre or two between them on either side facing the street front and so large new buildings in front (Hawker Street) or next door will dominate neighbours with privacy and shading effects, in some cases nearly completely blocking winter sun which does not reach some houses in Earl’s Terrace in mid-winter until nearly midday because of the shading effect behind of Matairangi/ Mt. Victoria. Afternoon sun from the west is not only the only winter sun for many of the west (city) facing houses in my area, it is also vital to the warmth,

dryness and integrity of the old native timbered houses, most of which, like mine, were constructed in the 1880s and have been lovingly renovated and well maintained and altered with skylights etc to ensure precious sunlight can come into the house.

- 27 Removing **access to sunlight** with 6 storey buildings in front of houses will result in poor mental and physical health outcomes, damp houses and overall negative impacts on wellbeing. The Proposed District Plan should include sunlight provisions in all residential zone housing areas, rather than a minimum of an hour or two of daylight.
- 28 **Townscape:** our streets are highly visible from the city and Waitangi Park but are not included in the Mt Victoria Townscape Precinct
- 29 **Wind:** many properties are in the extreme wind zone category. Any large building would have major wind effects.
- 30 **Character and heritage:** these streets consist of cottages and villas largely dating from the late C19th and are within an area of concentrated character creating a unique and valuable sense of place and are a vital and cherished part of Wellington's history, community and iconic cityscape.

Finally, I would like to invite Commissioners to take a **walking tour** of my area and see in person its character and imagine the potential impact of upzoning it to 6 stories.

Thank you.

Penelope Borland

