

**Before the Hearings Panel
Appointed by Wellington City Council**

IN THE MATTER of the Resource Management
Act 1991

AND

IN THE MATTER of Wellington Proposed District
Plan

**STATEMENT OF EVIDENCE OF DR JAMES ANDREW JACOBS ON BEHALF OF
HERITAGE NEW ZEALAND POUHERE TAONGA**

WELLINGTON PROPOSED DISTRICT PLAN – HEARING STREAM 3

Heritage Statement

2023

INTRODUCTION

1. My name is James Andrew Jacobs. I hold a Bachelor of History and a Bachelor of the History of Art & Architecture from the University of Pittsburgh, Pittsburgh, Pennsylvania, United States; a Master of Architectural History from the University of Virginia, Charlottesville, Virginia, United States; and a Doctorate in American Studies from George Washington University, Washington, DC, United States.
2. I am the Director Central Region for Heritage New Zealand Pouhere Taonga (Heritage New Zealand) for the Central Region Office. My role oversees regional operations—including heritage listing, architectural and planning advocacy, archaeology, and heritage property management—for Heritage New Zealand from the middle of the North Island south to the top of the South Island. I have been in this role for over five years.
3. Prior to my current position, I worked for 18 years in the heritage conservation field in the United States and New Zealand, work mainly centred on original historical research, analysis, and writing; assessment of heritage values; provision of architectural advice; and teaching at a tertiary level. I present this evidence as an expert, not as the Director Central Region.
4. Although this evidence is not prepared for an Environment Court hearing I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and have complied with it in when preparing my written statement of evidence. I have considered all the material facts that I am aware of that might alter or detract from the opinions I express. This evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

SCOPE OF EVIDENCE

5. Heritage New Zealand made submissions and further submissions on the Wellington City Proposed District Plan (PDP). I have assisted in preparation of the original submission and further submission by providing built heritage and related evidence on the PDP. As Director Central Region, I was also the signatory for the submission and further submission in alignment with the delegation policy of Heritage New Zealand.
6. The scope of my evidence covers:
 - SCHED1 - Heritage Buildings
 - Truby King Historic Area for SCHED3
 - Newtown Shopping Centre Heritage Area

- Demolition by Neglect
7. In preparing this evidence I have read the relevant submissions, further submissions, and the Section 42A report prepared by Council staff and/or consultants, specifically:
- S42A Report by Mr Adam McCutcheon; and
 - Expert evidence (Heritage) of Ms Moira Smith.

TE MATAPIHI CENTRAL LIBRARY

8. I agree with the recommendation by Mr McCutchen, the author of the Section 42A report, and Ms Smith, in her Statement of Evidence - Heritage, to exclude Te Matapihi Central library, a Historic Place Category 1 on the NZ Heritage List/ Rārangī Kōrero ("the List," from SCHED1 - Heritage Buildings.
9. Heritage New Zealand received a public nomination to consider Wellington Central Library for the List on 27 May 2019.
10. Wellington Central Library was nominated by a Wellington property developer, following the library's closure on 19 March 2019 due to changes to government seismic performance guidelines.
11. I acknowledge that resource consent has recently been granted for extensive alterations, including base-isolation, to Te Matapihi Central Library. I further acknowledge that these alterations may impact on the heritage values of the building.
12. In 2022 I provided in-depth heritage advice as part of the design process in my role as Director Central Region for Heritage New Zealand, which balanced the needs to strengthen the building against the values, particularly architectural and aesthetic, for which the building has been recognised as having outstanding significance to the nation.
13. Taking these alterations into account, I agree with the recommendation to review the heritage values of Te Matapihi Central Library following the completion of works. I consider this approach to be consistent with Heritage New Zealand policy to not progress nominations of places that are or will be undergoing alterations. The evaluation of the heritage values of a place considers both professional historical research as well as an assessment of its level of physical integrity, which may change when alterations are made.
14. Following completion of the strengthening and refurbishment of Te Matapihi Central Library, I will also recommend that Heritage New Zealand review its Category 1 historic place Listing, which will evaluate whether enough building fabric remains of the original to convey its significance.

MCLEAN FLATS



McLean Flats and Gordon Wilson Flats, Wellington. Mclean Flats | Blyss Wagstaff | 06/07/2020 | Heritage New Zealand

15. I disagree with the recommendation in the s42A Report, to exclude the McLean Flats from SCHED1 - Heritage Buildings. In my opinion these buildings and their heritage values are inextricably entwined on a single site, and as such they must be considered together.
16. The McLean Flats and Gordon Wilson Flats are jointly a Category 1 historic place (List No. 9783) entered on the New Zealand Heritage List/Rārangi Kōrero (the List), recognised for their special or outstanding significance to the nation.
17. It is incorrect to include one building within a heritage place (Gordon Wilson Flats), and exclude the other (McLean Flats), when the heritage values of both buildings are intrinsically connected. The significance of this pair of buildings is derived from their association with the state housing programme and its thinking about higher density urban housing not long after the initiative was established in 1935. McLean Flats was the first of a planned complex of similar buildings that was part of the period embrace of garden apartment developments. However, by the time work resumed to complete the complex, architectural thinking had shifted globally to more monolithic, high-rise housing for urban dwellers.
18. The buildings have special architectural significance because they are representative of the embedding of Modernist architecture as a characteristic approach in New Zealand's mid-twentieth century public architecture, and together reflect the evolution of Modernism before and after World War Two.

19. In my opinion, both of these themes are under-represented on SCHED1 - Heritage Buildings. The McLean Flats, along with the Gordon Wilson Flats, exemplify such themes and, together, provide for a richer understanding of the development of medium- and high-density public housing in urban areas; the utilisation of a spare Modern aesthetic to visually demonstrate progress and, after the Second World War, reflect what was thought to be an entirely new age; and provide a near-perfect visual story of evolution of the building type and the style in the mid-20th century on a single site.
20. McLean Flats can also be successfully assessed under the criteria set out in Policy 21 of the Greater Wellington Regional Policy Statement - *Identifying places, sites and areas with significant historic heritage values – district and regional plans (Policy 21)*. In the explanation for Policy 21 it states; “A place, site or area identified must, however, fit one or more of the listed criteria in terms of contributing to an understanding and appreciation of history and culture in a district in order to have significant historic heritage values.”
21. In my opinion McLean Flats meets several of these criteria, including historic, physical and social values. I have set out a brief explanation of these values in the preceding paragraphs and these are discussed in greater detail in the List¹ and associated report. I have attached a copy as **Appendix A**.
22. I disagree with lack of consultation with the owner of the McLean Flats regarding the proposed scheduling and associated protections as a reason for excluding the building from the schedule. In addition to WCC efforts, as part of the listing and on-going advocacy, Heritage New Zealand has had numerous meetings with a variety of university staff about the related values of both the places and how the buildings might be adapted for its needs. Victoria University of Wellington (VUW) even raised the question about whether retaining McLean Flats would be enough to tell the nationally significant narrative, undoubtedly this approach was mostly about expediency, but in raising it they acknowledged the values of that part of the complex.
23. In my expert opinion, the McLean Flats should be included in SCHED1 due to its significant historic heritage values; its intrinsic relationship with Gordon Wilson Flats; and in my view the recognition of these values by the owners through their intention to retain the building as part of design concepts for the proposed redevelopment of the site.

¹ Online at <https://www.heritage.org.nz/list-details/9783/McLean%20Flats%20and%20Gordon%20Wilson%20Flats>.

HURSTON



Hurston, Island Bay, Wellington | Miranda Williamson | 10/01/2021 | Heritage New Zealand

24. I disagree with the recommendation in the s42A Report to exclude Hurston from the SCHED1 - Heritage Buildings. The significance of Hurston is recognised through its entry as a Category 2 historic place on the List (List No. 9954). Constructed circa 1887, noted architect William Charles Chatfield designed Hurston for his own family. The Successive generations of the Missionary Sisters of Peter Claver have lived in the house since 1953.
25. Hurston can also be successfully assessed as a significant historic heritage resource using the Policy 21 criteria. Hurston meets multiple criteria as detailed in Policy 21, including architectural, historic, and social values, the latter of which includes spiritual meanings. The building is architecturally significant as an architect-designed, two-storey example of the villa, which dominated residential construction in Victorian and Edwardian New Zealand. Furthermore, the house was created for the architect's own family and acted as a three-dimensional advertisement for his services. Hurston also has historical significance as part of Island Bay's early years of suburban development during a boom in Wellington's population, and spiritual significance as the New Zealand base for the Roman Catholic order of the Missionary Sisters of Peter Claver. This

is traversed in greater detail in the List and associated report. I have attached a copy as **Appendix B**.²

26. I will also comment on the lack of consultation with the owner of Hurston as a reason for excluding the building from the schedule. Heritage New Zealand engaged and consulted with the representatives of the owners—the resident Sisters—during the preparation of the List entry report. We acknowledge that the actual owner(s) live overseas in Rome, which made owner consultation somewhat less straightforward and the leadership of the Missionary Sisters took on that role.
27. I also disagree with the exclusion of Hurston from SCHED1 on the basis WCC does has not undertaken a detailed heritage assessment. The professionally researched history and assessment of Hurston by Heritage New Zealand is sufficient evidence to inform the panel’s decision, prior to council commissioning their own heritage assessment. This assessment clearly demonstrates that Hurston meets one or more of the criteria to be considered to have significant historic heritage values, and therefore identified in SCHED1.³
28. Notwithstanding I can appreciate the caution of the s42A author, yet in my view, the significant historic heritage values identified and described by Heritage New Zealand are evidence to conclude that Hurston should be identified in SCHED1.

GORDON WILSON FLATS

29. I agree with the s42A author to include the Gordon Wilson Flats on SCHED1 – Heritage Building, Item 299. As explained above under McLean Flats, in particular paragraphs 17-19, the two adjacent Modern buildings are jointly recognised as a Category 1 historic place entered on the List, for their outstanding historical significance in the telling of the storey of the alignment of Modernism and public housing in the decades during and following the Second World War.
30. It is relevant to stress that in 2017 the Environment Court upheld an appeal against removing the heritage status of the Gordon Wilson Flats. A Council Panel had previously approved the proposal to remove the building from the heritage schedule and to rezone the site from residential to

² Online at <https://www.heritage.org.nz/list-details/9783/McLean%20Flats%20and%20Gordon%20Wilson%20Flats>.

³ For the panel’s convenience, this is attached as **Appendix B**.

institutional. An important outcome of the court case was that proponents and historians were able to find and document even more layers of significant history for the building.

KAHN HOUSE



Kahn House | Alison Dangerfield | 03/05/2006 | Heritage New Zealand

31. I agree with the recommendation by Mr McCutchen to include the Kahn House, at 53 Trellick Crescent, on SCHED1 - Heritage Buildings. Kahn House is recognised as a Category 1 historic place entered on the List (List No. 7633), a classification that recognises an outstanding level of national significance.
32. In 1999 DOCOMOMO NZ, a global advocacy organisation for Modernism, identified twenty noteworthy Modern buildings in New Zealand, prompting Heritage New Zealand to subsequently consider for began working on getting them added to the List. Kahn House was among the twenty identified by DOCOMOMO and it was listed in 2005.
33. As part of this project, Heritage New Zealand staff engaged with (then) owner Claude Kahn on numerous occasions by phone and in person; informing Mr Kahn of the implications/effects of listing; and interviewing him as part of research for the List entry report. Mr Kahn was formally notified when the List entry proposals went out for public consultation. He did not make a submission and was informed of the final outcome—Kahn House entered on the List.

34. Renowned architect Ernst Plischke designed the Kahn House and it is a benchmark design within his noteworthy career. Plischke was part of an influential group of architects who fled Nazi Europe, a group that also included the globally famous Walter Gropius and Mies van der Rohe. With them they carried the latest ideas in avant garde European Modernism. This design diaspora introduced and became primary proponents of the aesthetically sober and ahistorical mode of design to New Zealand in the case of Plischke (and the United States for Gropius and Mies).
35. European Modernism contrasted with other types of more decorative Modernisms already prevalent in New Zealand: Art Deco and Streamlined Moderne. Over time, countries and regions within countries developed adaptations of the European Modern aesthetic and eventually applied it to virtually every building type. Modernism revolutionised architecture and architectural education globally and Plischke was New Zealand's earliest progenitor.
36. The Kahn House is held in high esteem within the architectural and heritage communities. Completed in 1942, it is among the earliest Modern houses in New Zealand and a rare "textbook representation" of European Modernism in New Zealand for a domestic environment. Many people found such architecture too "cold" for family life and aspects of Modernism only became popular for housing when adapted and softened by architects in the 1950s and 1960s.
37. The Kahn House is one of Plischke's finest domestic designs; a phenomenal survivor from Modernism's earliest years in New Zealand; an important link to the 1930s global spread of Modernism as architects fled Nazi Europe; and is still in ownership of the family that commissioned the house, and because of this maintains a very high degree of integrity.
38. In conclusion, Kahn House has significant historic heritage values and as such should be identified in SCHED1.

134 WILLIS STREET



Commercial Building (134 Willis Street) | Thejas Jagannath | 24/04/2023 | Heritage New Zealand Pouhere Taonga

39. I agree agree with the recommendation by Mr McCutchen to include 134 Willis Street on SCHED1 - Heritage Buildings. 134 Willis Street is a Category 2 historic place entered on the List (List No. 7200).
40. Built circa 1868, 134 Willis Street is the earliest surviving 19th-century commercial building remaining in Te Aro and is representative of the timber colonial town that emerged after the mid-19th century earthquakes and would characterise Wellington through the rest of the century. The building is in a group of the oldest extant buildings in Wellington city along with Old St Paul's, the Thistle Inn, and Dr Boor's Residence and Surgery.
41. Although the building has been altered over the years, it retains its original form, and features important and character-defining portions of historic fabric.
42. Given its significant age and rarity, 134 Willis Street is worthy of scheduling and the protections it provides. It provides a rare window into Victorian Te Aro, which has been almost wholly lost

as Wellington expanded and prospered. As part of this “progress” the early modest timber buildings were demolished for ones thought to have a greater presence and permanence.

TRUBY KING HISTORIC AREA



Truby King House (Former) \ J. Taylor | 01/04/2006 | Heritage New Zealand

43. I agree with the recommendation in the s42A Report to include the Truby King Historic Area in SCHED3 – Heritage Areas. Heritage New Zealand recognised Truby King’s array of building and landscape features with the first listings occurring in 1989 and 1990, all of which were entered on the list as Category 1 historic places, indicating special or outstanding significance to the nation: The Truby King House (List No. 4427); Truby King Mausoleum (List No. 4430); and the former Products Society Building (List No. 4432).
44. Over the next fifteen years WCC continued to buy parcels to add to the park and Heritage New Zealand proceeded with an historic area to present a cohesive story of Sir Truby King and his life’s work. The Truby King Historic Area was entered on the List in 2006 (List No. 7040).
45. The historic area represents a much more comprehensive set of related buildings and other parts of King’s residential estate and associated businesses and organisations. The historic area has strong associations with Truby King himself, the Karitane Products Society, the Plunket movement, and wider themes of improving the health and well-being of children in the 20th

century. The report for the historic area also contextualises the development of the garden landscape as well as the pathways and roads linking together the buildings and landscape.

46. I also agree with Ms Smith's recommendation that Heritage New Zealand amend the List entry report for the historic area to include the garden walls, gates and paths, the glasshouses, and the original rhododendrons and remaining trees planted by Truby King.
47. I disagree with Ms Smith's recommendation to include the site of the former Karitane Hospital in a review of the List entry. It was originally part of Truby King's estate and for this it has some heritage value. However, on balance, with the surprise demolition of the hospital in 2020, I do not think the remaining values associated with the historic ownership and the overall setting are enough to offset the unfortunate, total, and non-reversible loss of the 1920s hospital building.
48. I agree that the still extant items mentioned in paragraph 44 are strongly associated with Truby King and provide a window for understanding of the vision he had for this unique, hillside estate containing both domestic and non-domestic buildings set in a modified natural environment. The garden features and plantings are as important to the formation of this cultural landscape as the principal buildings.

NEWTOWN SHOPPING CENTRE HERITAGE AREA - HEIGHT

49. I disagree with the recommendation by Mr McCutcheon to amend the height limit in the Newtown Shopping Centre Heritage Area from 12m to 18m. The Newtown Shopping Centre Heritage Area is typified by Victorian and Edwardian commercial buildings, with a uniformity of architecture and form, and in my view an increase to the height of 18m will have a detrimental effect on the heritage values.
50. Most of Newtown was sub-divided into sections by 1889 and after the arrival of electric trams along Riddiford Street in 1904 construction boomed. Riddiford Street became even more intensively developed with retail establishments. In short order, Newtown became a self-contained shopping destination of its own that in terms of numbers of retail outlets was only outpaced by Cuba Street and Lambton Quay.
51. I support Ms Smith's recommendation, to retain the existing 12m height limit within the Newtown Shopping Centre Heritage Area. In her evidence, Ms Smith states that 'the values of the heritage area include the harmony of age, scale, and proportion The defining pattern of development in the heritage area is for one, two, and three-storeys high contributing and heritage buildings.

In my view the height standard of 7m to 12m acknowledges this pattern.’ (Paragraph 794). In short, I concur with Ms Smith’s assessment of the area, and the appropriateness of the 12m height standard.

52. Increasing the height limit to 18m will open the potential for the height of new buildings to dominate the existing 2-3 storey buildings and disrupt the defining streetscape pattern. Given the heritage area has a mostly linear form, which features only buildings facing onto Riddiford/Rintoul and Constable corridor. It seems impetuous to risk adverse effects on historic heritage for the sake of the additional height capacity in a relatively small area.
53. The Heritage Design Guide (section G37) discourages facadism by stating that *it is important that the original built form, internal depth and layout is understood and reflected in the new design*. The 42A author has also commented in paragraph 870 of his statement that protection of facades only can lead to adverse effects on heritage values. I agree with Ms Smith (her paragraph 792) that the approach suggested in submission 434 may lead to facadism.

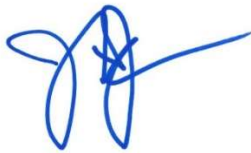
DEMOLITION BY NEGLECT

54. I support the recommendation by Mr McCutcheon to amend the policy for the demolition of heritage buildings and heritage structures by neglect, to include *‘maintenance and repair: including the extent to which it has been regularly undertaken’*.
55. Such a provision is vital for the long-term health and usefulness of a building. Too often I see buildings that are slowly left to deteriorate to a state that leaves only one viable option for the owners – demolition. This is a frustrating situation as a heritage professional, especially when regular maintenance and repairs may have conserved the heritage values and buildings and prevented the loss. I understand the sanctity of private property rights and that an owner cannot be forced to maintain or repair a heritage resource on their property. However, this approach has resulted in the loss of many significant heritage buildings – far, far too many in my opinion.
56. Mr McCutcheon’s recommendation to include consideration of regular maintenance and repair when appraising a demolition proposal recognises this risk. In my view, although it will not provide full protection against the demolition by neglect phenomenon it will at least be a consideration at the crucial decision point.
57. I agree with Mr McCutcheon’s comments at paragraph 176 that part of the question involves considering the money saved by the deferred works over the past years of ownership. I further

anticipate that this will have the effect of encouraging some maintenance over time for heritage building owners, as it will not be enough for owners to argue repair costs are too great and therefore demolition is effectively the only option.

58. Projects and works to restore, adapt, or revitalise heritage buildings are often thought to be too expensive and that it's just easier to tear it down – or to leave it to rot until demolition is the only seemingly viable option. Aside from the intangible values of heritage and its ability to enhance our lives, if cared for appropriately and constantly heritage buildings are no more likely to need costly repairs and upgrades than any other building.

59. For all of these reasons I agree with Mr McCutcheon's recommended addition to HS3-Rec17.

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Dr Jamie Jacobs

24 April 2023

Appendices:

Gordon Wilson and Mclean Flats List Entry Report

Hurston List Entry Report