



WCC Hearing Stream 3: Historic Heritage

Escape Investments Presentation

NPS-UD: Qualifying Matters

3.32 Qualifying matters

- (1) In this National Policy Statement, **qualifying matter** means any of the following:
 - (a) a matter of national importance that decision-makers are required to recognise and provide for under section 6 of the Act
 - (b) a matter required in order to give effect to any other National Policy Statement, including the New Zealand Coastal Policy Statement
 - (c) any matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure
 - (d) open space provided for public use, but only in relation to the land that is open space
 - (e) **an area subject to a designation or heritage order, but only in relation to the land that is subject to the designation or heritage order**
 - (f) a matter necessary to implement, or ensure consistency with, iwi participation legislation
 - (g) the requirement to provide sufficient business land suitable for low density uses to meet expected demand under this National Policy Statement
 - (h) any other matter that makes higher density development as directed by Policy 3 inappropriate in an area, but only if the requirements of clause 3.33(3) are met.

3.33 Requirements if qualifying matter applies

- (1) This clause applies if a territorial authority is amending its district plan and intends to rely on Policy 4 to justify a modification to the direction in Policy 3 in relation to a specific area.
- (2) The evaluation report prepared under section 32 of the Act in relation to the proposed amendment must:
 - (a) demonstrate why the territorial authority considers that:
 - (i) the area is subject to a qualifying matter; and
 - (ii) the qualifying matter is incompatible with the level of development directed by Policy 3 for that area; and
 - (b) assess the impact that limiting development capacity, building height or density (as relevant) will have on the provision of development capacity; and
 - (c) assess the costs and broader impacts of imposing those limits.
- (3) A matter is not a qualifying matter under clause 3.32(1)(h) in relation to an area unless the evaluation report also:
 - (a) identifies the specific characteristic that makes the level of development directed by Policy 3 inappropriate in the area, and justifies why that is inappropriate in light of the national significance of urban development and the objectives of this National Policy Statement; and
 - (b) includes a site-specific analysis that:
 - (i) identifies the site to which the matter relates; and
 - (ii) evaluates the specific characteristics on a site-specific basis to determine the spatial extent where intensification needs to be compatible with the specific matter; and
 - (iii) evaluates an appropriate range of options to achieve the greatest heights and densities directed by Policy 3, while managing the specific characteristics.

Council Recommendations S42 Report

4.13.4.11 Assessment

1273. Ms Smith has reviewed the detailed submissions which included a heritage evaluation by Mr Michael Kelly and Sarah Poff. She identifies that the work has been carried out to a very high standard and is in general agreement that the area has heritage values that are likely to meet the criteria for scheduling.
1274. She recommends that with some further work and research (particularly to identify buildings are contributing and those which do not) a reduced area which omits Bayview Terrace and properties along Oriental Parade could have merit for scheduling in the district plan.
1275. I note procedural concerns that properties be added to the schedule without those owners having the opportunity to make a submission or speak to the hearings panel regarding this. Despite this, the properties can also be added to the Council's Heritage Team's database of nominations for detailed heritage evaluations.
1276. **HS3-Rec307:** That a Heritage Area with the extent submitted by Wellington's Character Charitable Trust is not added to SCHED3-Heritage Areas.
1277. **HS3-Rec308:** That conferencing is undertaken between Ms Smith and Mr Kelly considering agreement between experts to assist in determining the extent of a potential heritage area.

The Heritage Assessment Report

- **1.1 Commission details**
- This report was commissioned by Gareth Morgan, 35 Hay Street, and Felicity Wong, 21 Hay Street, to research the area surrounding Hay Street and assess its heritage values. The report was researched and written by Michael Kelly, heritage consultant and Sarah Poff, landscape architect.



Heritage Assessments incl Coffey House.

- “... most of the houses are relatively modest examples of their type, with many alterations and infill hiding some of the quality in finishes and detailing. “
- “...the area is not entirely consistent, in that new housing and infill have altered the overall appearance of the area. “
- “...The area has individual houses and small pockets that have been relatively unaltered, but mostly the area has been characterised by change. Houses have been demolished and replaced, infill has transformed parts of the area and houses have been added to or altered (some to the point where they are unrecognisable).
- “...Hay and Telford Streets also adjoin the Town Belt and Southern Walkway and are familiar places to Wellington walkers.”



Hay St Heritage

“Generations of Wellingtonians have used the area as [a recreational asset] demonstrating a continuity of use that stretches back to before the turn of the 20th century.”



Hay St Heritage

“The houses that have been built in the study area are good representative examples of hillside homes, of which Wellington has a large pool of examples. In most other respects the place contains typical examples of their kin”



Hay St Heritage

“No persons of great renown are known to have lived in the study area.”



Hay St Heritage

“Oriental Bay became an attractive location to live in and, as the 20th century wore on, this turned even some of the suburb’s most modest dwellings into desirable residences.”



Hay St Heritage

- The area has individual houses and small pockets that have been relatively unaltered, ***but mostly the area has been characterised by change. Houses have been demolished and replaced, infill has transformed parts of the area and houses have been added to or altered (some to the point where they are unrecognisable).*** There are some houses that have largely retained their original appearance – the street elevation – and others that have been added to with care. ***Overall, the level of integrity is moderate.***



Hay St Heritage

"...the area is not entirely consistent, in that new housing and infill have altered the overall appearance of the area."



Heritage Protections Vs Densifications

- Balancing act
- Real world and intergenerational outcomes
- Reject restrictions on Development