

# **BEFORE THE INDEPENDENT HEARINGS PANEL AT WELLINGTON CITY**

UNDER THE Resource Management Act 1991

IN THE MATTER OF the hearing of submissions on the Wellington City Proposed District Plan  
(Hearing Stream 4)

## **Submission of Mt Victoria Historical Society Inc**

Submissions 214, FS39

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### **1. Introduction**

- 1.1 Mt Victoria is unique in Wellington for its high concentration of Victorian and Edwardian wooden dwellings. It is important for its accessibility and visibility, and for the cultural, social and economic stories it tells about the development of Wellington.

It is constantly used in imagery to promote Wellington and has become an iconic view of the city, nationally and internationally recognised, and used in publications from French traveller publication 'Guide Voir', to Air New Zealand magazines, to national newspapers.

- 1.2 Mount Victoria has a distinctive and strong identity for its residents and the city, dating back to its origins in 1840. The current low-rise but historically dense residential area extends well into the area currently designated City Centre Zone and intended for building at least 10 storeys high.

Its natural border to the west is Kent Terrace, which forms the edge of Canal Reserve land and is effectively the 'processional route' to Government House.

- 1.3 In its S42A report, WCC notes that "The CCZ boundary has not changed from the Operative Plan" [pg 10].

We accept this, however we have consistently objected to it, since at least the Council's Review of Suburb and Boundary Names in 2003. We will continue to do so.

## 2. Mount Victoria suburb entirely MRZ

- 2.1 The western edge of the legal suburb of Mt Victoria should not be included in the City Centre Zone.

Cambridge Terrace (or the 'green islands' of the Reserve land between Kent and Cambridge Terraces) forms the logical eastern boundary of a city centre zone.



[PDP zone map, showing Mount Victoria]

- 2.2 The proposed City Centre Zone designation of potentially well-over 10 storeys high extends deep into the current low-rise but also historically dense residential area (for example, in Home and Hania Streets, Roxburgh/Majoribanks Streets).
- 2.3 Allowing building heights of 10 storeys or more will create unacceptable shade over the houses behind them, blocking essential afternoon sun.

This is particularly inappropriate in the case of the Moir Street Heritage Area but also for streets such as Lipman and Levy (which we believe should be part of a Character Precinct) and Roxburgh Street. Houses are likely to become unpleasant to live in and to deteriorate, defeating the purpose of the Heritage Area designation.

- 2.4 Building heights of 10 or more storeys will also wall-off the historic suburb of high tourist and urban landscape values from the rest of the city.

### **3. City Centre Zone definition**

- 3.1 The definition of the City Centre Zone is incompatible with the current, historical, Wellington City Council and Geographic Board definition of Mount Victoria as a suburb.
- 3.2 In CCZ - City Centre Zone - P1 Sch1 - Introduction, the City Centre Zone is defined. Key relevant parts of this definition are:

*"The purpose of the City Centre Zone is to enable and reinforce the continued primacy of the Wellington central city area as the principal commercial and employment centre servicing the city and metropolitan region. The City Centre Zone is the commercial heart of Wellington and the wider region and New Zealand's Capital City.<sup>1</sup> It is also a major employment hub for the region and contains a vibrant and diverse mix of inner city living, entertainment, educational, government and commercial activity. Relative to other areas of the city it exhibits a heightened intensity and scale of development...*

*This distinctiveness is further reinforced by the long established traditional, historical, cultural, and spiritual associations and more recent development interests that the mana whenua of Te Whanganui ā Tara (Wellington), Taranaki Whānui and Ngāti Toa Rangatira, have with many places and sites across the City Centre Zone. Some of the more significant of these include Pipitea Marae and Pā, Kumutoto Kāinga and stream, Te Aro Kainga, Waitangi and Whairepo Lagoons and statutory acknowledgement areas such as the Old Government Buildings and Turnbull House Historic Reserves.*  
*Also centrally located within the City Centre Zone is Te Ngākau Civic Square . . ."*

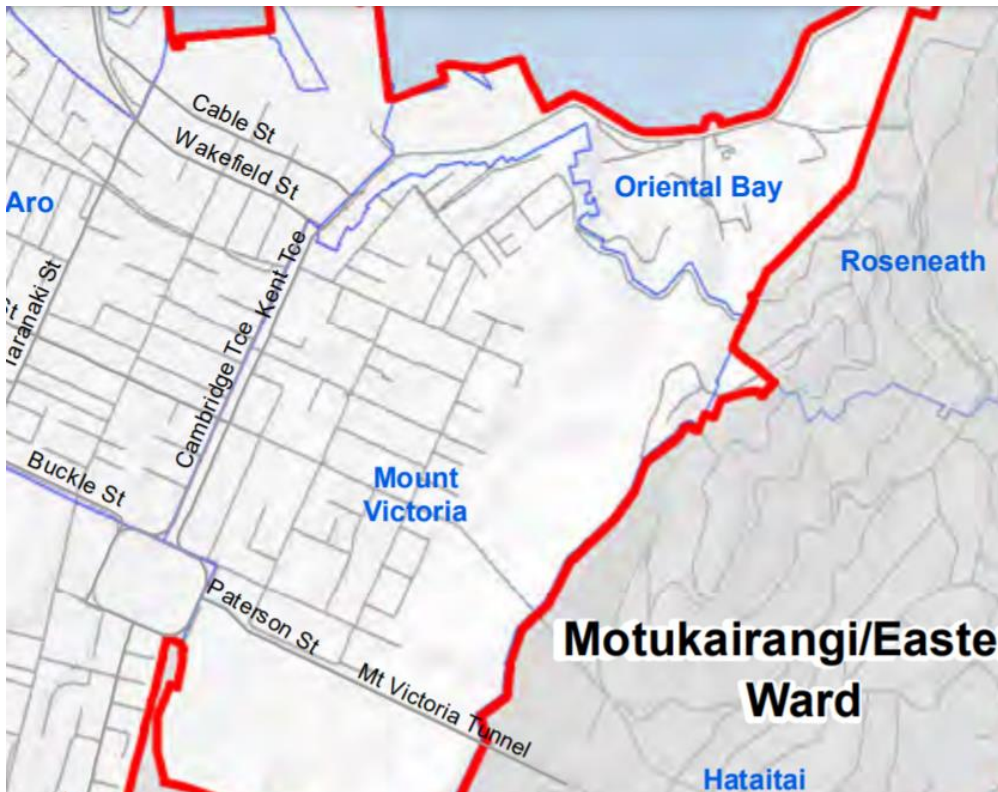
Neither of these is a description of Mount Victoria.

### **4. Suburb identity**

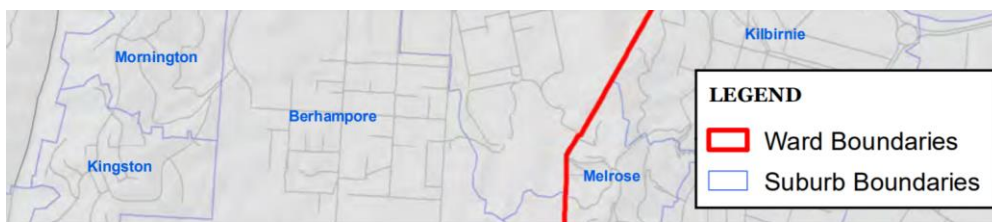
- 4.1 Wellington City Council documents show the western boundary of Mount Victoria along Cambridge Terrace, putting the islands between the two Terraces in Mount Victoria (see below).

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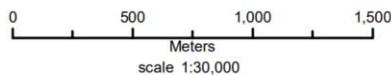
<sup>1</sup> Our underlining



Key:



Ward/Lambton Ward: 2019 - 2022 Triennium  
 Planning Commission



3547/2. CROWN COPYRIGHT RESERVED.  
 +/-30m. Topographic data: Wellington City  
 contours displayed are only approximate and  
 topography 1:500 flown March 2006 or Feb  
 2007. Data compiled from a variety of sources and its  
 use is at the user's discretion.

MAP PRODUCED BY:  
 Wellington City Council  
 12 Manners Street  
 WELLINGTON, NZ

ORIGINAL MAP SIZE: A4  
 AUTHOR: martin2o  
 DATE: 7/06/2019

**Absolutely Positively**  
**Wellington City Council**  
 He Ihaka Ki Pōwhiri

4.2 The suburb of Mount Victoria has a distinctive and strong identity for its residents and the city. This dates back to its origins in 1840, when its main streets were laid out according to the 1840 plan by William Mein-Smith, surveyor for the New Zealand Company, and its development in the late nineteenth and early years of the 20<sup>th</sup> century. 85% of the suburb's housing is pre-1930.

Underlining this distinctive identity are Council statements such as these, in the Proposed District Plan Appendix Character Precincts:

*"It is also the most visible inner-city residential suburb"*  
*"The suburb retains many of the qualities and characteristics of its early development"* [pg 12]

With dwellings close to each other and close to the street, as a result of its predominantly Victorian/Edwardian housing, it has a strong sense of community, with residents actively engaged in making the suburb a supportive, safe and

vibrant to live.

- 4.3 The boundaries of the suburb of Mount Victoria are defined, and the suburb named, by The New Zealand Geographic Board and gazetted by Land Information New Zealand.

**"Authority**

*The Board is responsible for naming geographic features including places which include suburbs and localities – see the Board’s jurisdiction under s.10 of the [New Zealand Geographic Board \(Ngā Pou Taunaha o Aotearoa\) Act 2008](#) (link is external)."*

The screenshot shows the NZ Gazetteer website interface. At the top, the URL is 'gazetteer.linz.govt.nz/place/31852'. Below the URL are search filters: 'Feature class/type: Any', 'Suburb', 'Land District: Any', and 'Territorial Authority: Any'. A 'Clear Search' button is also present. The main content is a map of the Mount Victoria area in Wellington, New Zealand, with the suburb boundary highlighted in orange. The map includes labels for various locations like Queens Wharf, Lambton Harbour, Point Jerningham, and Mt. Victoria. An inset map shows the location of Mount Victoria within New Zealand. To the right of the map is a 'Matches Found 1' section with a 'Details' tab. The details for 'Mount Victoria' include: 'This is an official name', 'Current Status: Approved', 'Feature Type: Suburb', 'Feature Description: Feature shown on: NZMS260 R27 R28 Pt Q27 Edition 3 1996; NZTopo50-BQ31 495268', and 'Other Notes: Suburb boundary extracted from Wellington City Council’s open data and correct as at 23 July 2020.' There is also an 'Events' section with dates like '2020-07-16: NZGB Gazettal 2020-In3108' and '2013-04-15: Recorded Section 4 NZGB Act 2008'. A 'Reference Information' section shows 'Linzone ID: fA417315' and a 'Location' section with coordinates '41.296S 174.785E' and 'Land District: Wellington'. At the bottom of the map area, there is a note: 'You are currently viewing New Zealand. Click [here](#) to switch to the Antarctica view.'

[Geographic Board website: <https://www.linz.govt.nz/regulatory/place-names/find-place-name/making-locality-and-suburb-names-official#:~:text=The%20Board%20welcomes%20Councils'%20advice,the%20Minister%20for%20Land%20Information's>. accessed 22.5.2021]

- 4.4 The New Zealand Geographic Board gives particular importance to the locality and extent of suburbs:

*"The New Zealand Geographic Board Ngā Pou Taunaha o Aotearoa recognises the importance of locality and suburb names and their extents. . . .They [suburbs] are also important for government administration and provide identity and association for local communities – giving a sense of place and belonging.*

*The Board also recognises that populated places are bounded by naturally defined geographic boundaries or infrastructures. . . .*

*Having official suburb and locality names provides certainty, protects community identity, minimises the risk of incorrect naming, and ensures that the official name is used in official publications. . . ."<sup>2</sup>*

<sup>2</sup> Our underlining

4.5 Throughout WCC planning documents, including the Draft Spatial Plan, Mount Victoria references are to the “suburb” of Mount Victoria, which must be understood to mean both the New Zealand Geographic Board and the Wellington City Council defined suburb.

Examples of where Spatial Plan documents referred to Mount Victoria suburb:

## Citywide Estimated Growth Distribution Figures, 25 September 2020

*Table 2: Inner Suburbs Estimated Growth Figures*

Suburb	Additional Dwellings*	Additional Population
Aro Valley	69 – 194	173 – 488
Berhampore	323 – 462	763 – 1089
Mount Cook	79 – 174	200 – 440
Mount Victoria	92 – 188	223 – 454

[https://planningforgrowth.wellington.govt.nz/data/assets/pdf\\_file/0022/14953/PFG-Draft-Spatial-Plan-Growth-Figures-25-September.pdf](https://planningforgrowth.wellington.govt.nz/data/assets/pdf_file/0022/14953/PFG-Draft-Spatial-Plan-Growth-Figures-25-September.pdf)

4.6 When WCC issues resource consents, it classifies consents applied for or granted in the part of Mount Victoria proposed to be zoned City Centre as Mount Victoria. A small sample of such consents is shown below:

Mt Victoria (applied)	9 Edge Hill	14/10/2021		Land Use: Demolition of existing house and replacement with two residential units
Mt Victoria	30 Pirie Street	25/05/2021	487281	Land Use: Demolish existing dwellings
Mt Victoria	15 Pirie Street	25/03/2021	484856	Subdivision: Unit title subdivision
Mt Victoria	37 Hania Street	3/03/2021	483871	Land Use: Demolition of existing building and structures

## 5. Unlimited heights

5.1 While heights are specified for buildings in the City Centre zoned parts of Mount Victoria (28.5m), the Council’s latest iteration of the Proposed District Plan essentially proposes no limits. After several rounds of consultation, and only at Proposed District Plan stage, the Council has introduced unlimited heights for City Centre Zone buildings.

These will supposedly be granted in trade-offs for ‘City Outcomes Contributions’ points but, based on (a) the experience of Mount Victoria Historical Society in relation to council officer decision-making on consents, and (b) evidence of expert submitters to this Hearing such as **Stuart Niven** for Wellington’s Character Charitable Trust, these do not work because:

- a) it sends the message that “the sky is the limit” [Stuart Niven, item 65-67]
- b) concessions are frequently not enduring [Stuart Niven, item 38]
- c) such things as ‘City Outcomes Contributions’ are ultimately at the discretion of council officers and are therefore inconsistent and often subjective

- 5.2 In its S42A report, the Council gives some strange reasons for allowing unlimited heights, including this one:

*From a design perspective, there are benefits to having unlimited building heights. Developers will not have to impact building design outputs by trying to keep within a maximum height limit, avoiding 'pancake' buildings in the areas that have lower height limits like Thorndon and Mount Victoria along the CCZ boundary [item 550]*

Since when did it become the Council's role to determine the internal design standards of a developer's building? Where is the evidence that developers regularly do this to come within DP height limits?

- 5.3 It is notable that, even under the ODP, the Council reports in the S42A Report that:

*"Mt Victoria has the second highest height breaches (5 consents) (23%)" and "Mt Victoria had two consents which breached both height and mass rules." [pg 20-21].*

WCC clearly allows height breaches even without a system which codifies a bargaining system for height concessions.

This makes our case for retaining the whole of Mount Victoria as a medium-density residential zone even more urgent.

## **6. Unjustifiable heights and concessions**

- 6.1 We particularly draw the Panel's attention to the Expert Evidence of **Timothy Helm** for Newtown Residents' Association.

This once again documents the faulty assumptions and methodology on which the Council's extreme upzoning is based.

It highlights the fact that zoning the lower part of Mount Victoria City Zone is not necessary to achieve the required number of dwellings and that planned development of up to six storeys would be sufficient and would also result in a more liveable and appropriate scale for the Kent and Cambridge Terrace boulevard.