

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

IN THE MATTER of the Resource Management
Act 1991

AND

IN THE MATTER of Wellington City Proposed
District Plan

**STATEMENT OF EVIDENCE OF DEAN RAYMOND ON BEHALF OF
HERITAGE NEW ZEALAND POUHERE TAONGA**

WELLINGTON CITY PROPOSED DISTRICT PLAN – HEARING STREAM 2

Planning Statement

16 March 2023

INTRODUCTION

1. My name is Dean Raymond, and I am employed as Manager and Planner for Heritage New Zealand Pouhere Taonga (HNZPT) based in the Central Region Office, Wellington. I have outlined by qualifications and experience in the statement I prepared for Hearing Stream 1.
2. 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 this 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

3. HNZPT made a submission and further submissions on the Wellington Proposed District Plan (PDP). I was involved in preparing the original submission on the PDP and also the further submission. The HNZPT submission included a submission point on the Character Precincts as part of the residential zone chapter. I have been asked by HNZPT to assist by providing planning evidence on the PDP.
4. In preparing this evidence I have read the relevant submissions, further submissions, and the Section 42A reports prepared by Council staff and/or consultants. With regard to certain topics I rely on the expert evidence prepared by Dr. James Jacobs.
5. The scope of my evidence covers:
 - Character Precincts as a qualifying matter;
 - The spatial extent of Character Precincts;
 - Transition / interface of Character Precincts;
 - Heritage vs character;
 - Objectives, policies and rules; and
 - Character precinct additions rezoned from high density to medium density
6. As a general comment, in my opinion the PDP has reached an appropriate balance of protection of heritage and character values along with enabling housing development and intensification. The balance between housing intensification and retention of character will

be further enhanced by the addition of extra areas of Character Precincts as recommended in the 42A report.

CHARACTER PRECINCTS AS A QUALIFYING MATTER

7. I agree with the 42A author in paragraphs 37 to 44 (Part 4) that the provisions of sections 77I and 77L of the RMA have been appropriately applied in determining the proposed Character Precincts as a qualifying matter. The identified Character Precincts have been clearly and rigorously identified as having 'special characteristics' which warrant special provisions in the District Plan; i.e. a lesser density of development. As required in legislation, the areas have been subject to a site-specific analysis, and the character precinct approach has been comprehensively justified.
8. I agree with the author, in both his conclusion and his reasoning, that the PDP has achieved an appropriate balance in the use of a qualifying matter to identify Character Precincts (paragraph 50).
9. I also agree with the author's statement (paragraph 51) that the Character Precincts tool is the most appropriate spatial layer to manage development within the identified areas.
10. I do not agree with the submission of Kāinga Ora¹ to replace the Character Precincts with a 'Character Areas' chapter. In my view, the character overlay approach suggested by Kāinga Ora will not result in maintaining the identified character values of these areas. Rather, my reading of the suggested approach is that all new buildings would be a permitted activity, except for buildings between the road and the primary elevation of a residential building (refer to CA-R2 and CA-R3 - Appendix 3 of the Kāinga Ora submission). This would not result in the retention of the identified character values of these areas.
11. Kāinga Ora have also requested that the areas identified as Character Precincts in the PDP will all be zoned high density residential. If this permissive approach were to be adopted it would undoubtedly result in the destruction of the character values which have been comprehensively identified in the PDP and supporting documents, and confirmed by the 42A author for this hearing.

¹ Submitter #391

SPATIAL EXTENT OF CHARACTER PRECINCTS

12. HNZPT submitted in support of the Character Precincts being included in the PDP, but requested that the spatial extent of the precincts be extended, based on the findings of the 2019 Boffa Miskell report. Examples of streets which may meet the threshold for being included in Character Precincts were provided in Berhampore, Mt Cook, and Newtown.
13. I note that all three streets provided as examples have been included in the recommended additions to Character Precincts.
14. Some submitters² have referenced the HNZPT submission on the Draft Spatial Plan. This submission requested that further areas be considered as character areas, based on the information provided in the 2019 Boffa Miskell report. I note that a substantial proportion of the areas identified in the HNZPT Spatial Plan submission have been included in the additional areas recommended in the 42A report.
15. I agree with the 42A author's recommendation (paragraph 86) that the extent of the Character Precincts should be increased. I agree that the spatial extent as notified 'does not sufficiently identify consistent concentrations of character'.
16. The extended precincts, as recommended in the 42A report, more closely align with the evidence of the values of character areas. The areas with a high degree of character were identified in 2019 by Boffa Miskell, and this has been refined and confirmed as described in the 42A report.
17. In my opinion the adopted methodology, as shown in Appendix 6, is appropriate and thorough. I have also verified the character of these areas by walking the streets and carefully observing the relevant characteristics. I undertook these site visits in association with qualified conservation architects with experience in character and heritage residential buildings, which aided my interpretation of the character and streetscapes I was observing.

² Historic Places Wellington (Submitter # 182) & Wellington's Character Charitable Trust (Submitter # 223)

18. I also agree that the recommended extensions result in more 'logical' boundaries of Character Precincts. The recommended extents show more coherent blocks of Character Precincts, rather than the more disjointed 'patchwork' of precincts shown in the notified plan.
19. I have taken note of Dr Jacobs' statements on the spatial extent of the Character Precincts. In his statement he presents thorough and convincing reasoning of the importance of retaining the integrity of the proposed Character Precincts. I agree with his statement (paragraph 10 of his evidence) that 'reconnecting the discontinuous and isolated Character Precinct remnants ... is essential for maintaining and understanding the character values of the precincts'.

TRANSITION / INTERFACE OF CHARACTER PRECINCTS

20. The transition or interface between Character Precincts and higher density areas is an important planning issue, as very high buildings abutting low-rise character dwellings has the potential for significant adverse effects in terms of character and amenity.
21. The 42A author refers to HRZ-S3, which provides for a reduction in the height recession plane where a property abuts the medium density zone, amongst other identified places. The recession plane in HRZ-S3-3 is 5m and 60 degrees, compared to the 'default' control of 8m and 60 degrees.
22. I agree with the author that this control is appropriate to help manage the effects of high buildings adjacent to character areas, while not overly restricting the development potential of the high density sites.
23. I note that the boundary between Character Precincts and other zones, including the CCZ, will be addressed as part of a separate hearing stream.

HERITAGE VS CHARACTER

24. In my view the PDP is clear in the distinction it makes between historic heritage and character. This is specified in the definitions of the two terms, and in the introduction to Character Precincts (MRZ-PREC01).

25. It is clear that the Character Precincts do contain historic heritage values, due to the age of the suburbs and the buildings in these locations. However, I agree with the 42A author (paragraphs 184, 186) that the historic qualities of the precincts are only one aspect of the values and qualities which has led to these areas being identified as Character Precincts.
26. The criteria for identifying historic heritage is broader than the physical and architectural values of the Character Precincts. The definition of historic heritage and the criteria contained in Policy 21 of the Regional Policy Statement outline the range of qualities and values which need to be considered when assessing whether a place or area is formally identified as 'historic heritage'. I also note that the PDP includes several residential historic areas, some of which overlap with the identified Character Precincts.
27. Dr Jacobs makes some interesting comments on this topic, drawing from his experience of working within a jurisdiction which does not differentiate in the same way between character and heritage – where they are viewed as *intimately related two sides of the same coin*. In particular I take note of his comment that if the added historical layers of people, events, and social movements were to be taken into account, the areas recognised as character could equally be seen as heritage.
28. Having regard to the issues related to the relationship between character and heritage, I have reached the same conclusions as the 42A author, and I agree with the recommendation in paragraph 191.

OBJECTIVES, POLICIES AND RULES

MRZ-PREC01: Character Precincts

29. The 42A report addresses some specific and detailed submissions on the Character Precinct provisions of the PDP in paragraphs 193 to 297. I concur with the analysis and recommendations in this section. Specifically I support the recommended changes to MRZ-PREC01-P2 and MRZ-PREC01-R4. Both of these changes, while relatively minor, in my view, will help remove ambiguity and enhance the clarity of the plan provisions.

Policy – HRZ-P8: Residential buildings and structures (ISPP)

30. In Part 2 of the 42A report (paragraph 263) the author recommends an addition to HRZ-P8, including a clause that residential development should be responsive to the site context,

including heritage features or a character precinct. I agree with the assessment that this provides a clear policy direction and logically supports the more restrictive height in relation to boundary standard for sites adjoining scheduled heritage or Character Precincts.

Standards – HRZ-S3: Height in relation to boundary (ISPP)

31. In paragraph 523 of the 42A (Part 2) the 42A author recommends an addition to HRZ-S3 to specifically include Character Precincts in the list of places where the height in relation to boundary standard is 5m and 60 degrees. The standard already applies to places adjoining the Medium Density Residential Zone.
32. In the plan as notified all Character Precincts are located within the Medium Density Residential Zone, and if no additional areas are added to the precincts the amendment to HRZ-S3 would not be necessary. However, the recommended additions to Character Precincts include a number of areas zoned High Density Residential in the PDP, and therefore in my opinion the amendment would be desirable if these additional areas are included. However, if these areas are re-zoned to MRZ, the amendment to HRZ-S3 would not be necessary.

CHARACTER PRECINCT ADDITIONS TO BE REZONED TO MEDIUM DENSITY RESIDENTIAL

33. In my opinion it would be more logical that the areas which are recommended to be included in Character Precincts be rezoned from HRZ to MRZ. Although this re-zoning has not been addressed in any of the 42A reports, it may be within scope in terms of the submission points from Wellington’s Character Charitable Trust and Historic Places Wellington, and a number of other submitters who have requested rezoning from HRZ to MRZ for sites or areas surrounding identified Character Precincts. I have also taken note of the advice from James Winchester (advice to Panel dated 8 March 2023) that the recommendations of the Panel are not limited in scope to matters made in submissions.
34. If the Character Precincts are extended to include areas zoned HRZ in the PDP, then both the HRZ and the precincts provisions (which are contained within the MRZ chapter) would apply to these sites. The policies and all other provisions specific to Character Precincts are contained within the medium density section of the plan. This would in my view be confusing and at times contradictory. For example, HRZ-R12 states that demolition of any building is a permitted activity, whereas MRZ-PREC01-R4 makes demolition of any pre-1930 building a

restricted discretionary activity. Another example of a conflict is HRZ-S2 which provides for 21m high multi-unit housing developments compared to MRZ-S1 which specifies a 11m height limit for any building in a character precinct. Both sets of provisions would theoretically apply, with the more restrictive rule or standard having precedence.

35. My recommendation is that **all the areas recommended to be included in the Character Precincts are also rezoned to MRZ**. I have compared the recommended additions to Character Precincts (Appendix 1 to Character Precincts 42A report) with the zoning as shown in the PDP, and the following areas are currently zoned high density and have been recommended to be included in the Character Precincts:

Aro Valley	<ul style="list-style-type: none"> • Aro Street west of Epuni Street • Boston Terrace and the western end of Maarama Crescent • Properties on Palmer Street and Abel Smith Street
Berhampore	<ul style="list-style-type: none"> • Western side of Rintoul Street between Luxford and Herald Streets
Mount Cook	<ul style="list-style-type: none"> • Myrtle Crescent • Wallace Street between Howard Street and Finlay Terrace / Hargreaves Street • Southern end of Wallace Street and adjoining area
Mount Victoria	<ul style="list-style-type: none"> • Northern portion of Austin Street • Brougham Street between Elizabeth and Pirie Streets • Austin Street and surrounds between Elizabeth and Ellice Streets • Ellice Street between Brougham and Austin Streets
Newtown	<ul style="list-style-type: none"> • Western edge of Newtown (rear sections off Hanson Street) • North side of Stoke Street • West side of Owen Street between Mein Street and Constable Street • Western portion of Harper Street and adjacent properties on Daniell Street
Thorndon	<ul style="list-style-type: none"> • Hobson Street and Hobson Crescent • Westley Road

36. For ease of reference I have also produced a marked up map showing these affected areas – Appendix 1 to my evidence.

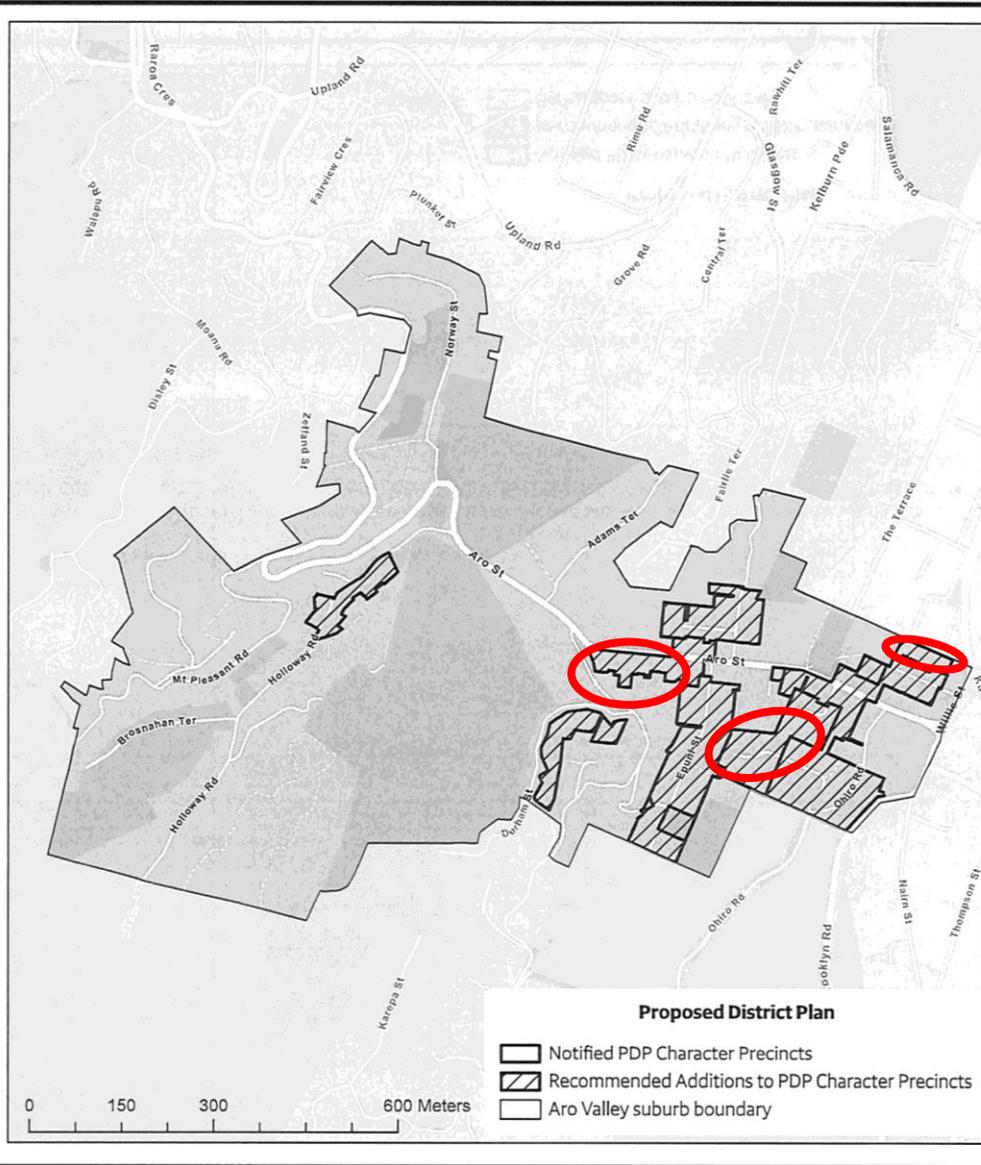
37. The consequences of re-zoning these properties from HRZ to MRZ, if the recommendation for character precinct extensions is adopted, are in my view not substantial. Comparing the planning provisions of the HRZ, MRZ and the Character Precincts, the Character Precincts contains the most restrictive provisions. An additional change from HRZ to MRZ would have little effect on the applicable regulatory framework; however it would make the applicable provisions clearer and more logical.

A handwritten signature in black ink, appearing to read 'D. Raymond', written in a cursive style.

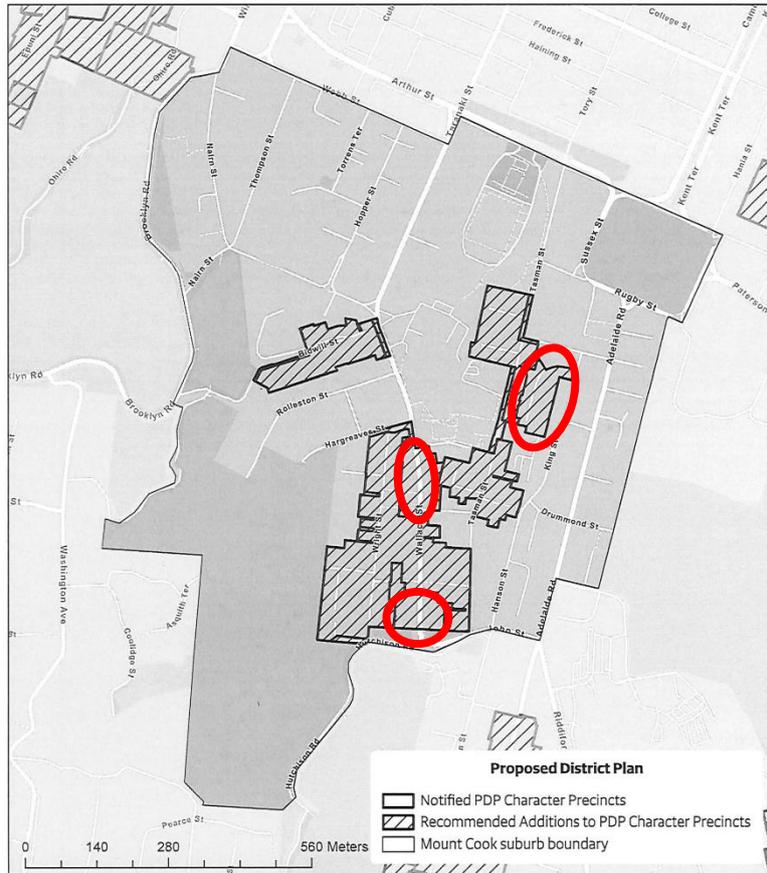
Dean Raymond

16 March 2023

APPENDIX 1 – AREAS RECOMMENDED TO BE REZONED FROM HRZ TO MRZ



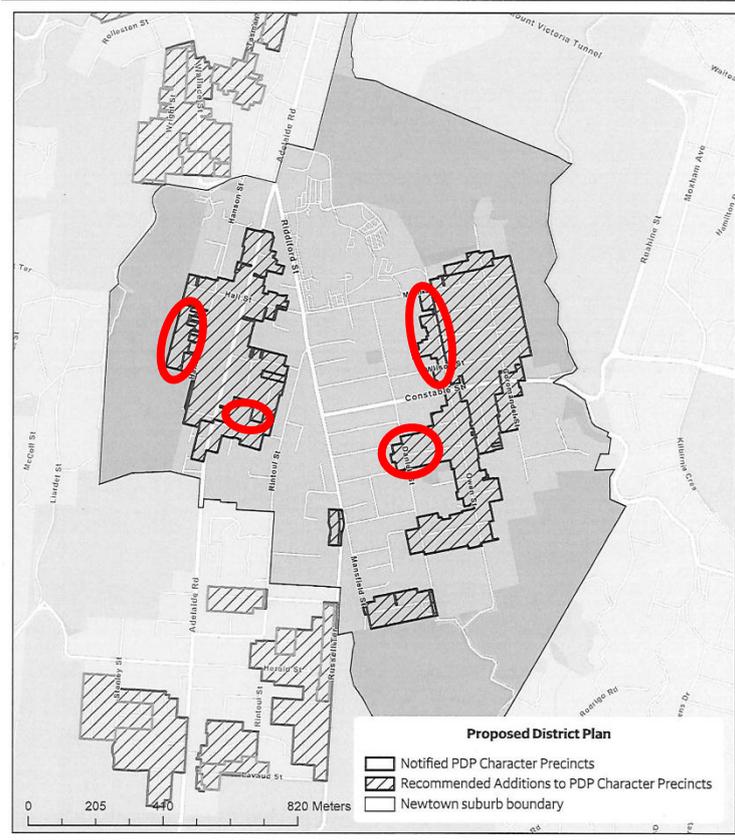
Aro Valley



Mount Cook



Mt Victoria



Newtown

