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Submission on the proposed National Policy Statement – Urban Development

This submission is made on behalf of an organisation, **Mt Victoria Historical Society Inc.**

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This submission addresses only issues which can be considered the direct mandate of Mt Victoria Historical Society.

Mt Victoria Historical Society

The Society was incorporated in 1996. Its aims are to research and share the history of the suburb of Mt Victoria and promote interest in, and preservation of, its unique heritage.

For 23 years the Society has been actively promoting and advocating for the protection of the heritage of Mt Victoria, through participation in local and territorial authority, and central government, processes. Perhaps its most significant case was as a key party to the Basin Bridge Board of Enquiry and High Court Appeal, contributing to the flyover proposal being declined. This is particularly relevant to the issue of the National Policy Statement, we believe, because of the precedent it set for protection of local heritage values, and will be referred to again in our submission.

Mount Victoria

Mount Victoria is one of the oldest suburbs in New Zealand, laid out by Mein Smith of the New Zealand Company in 1840. It has an extraordinarily high number of its original Victorian and Edwardian housing stock still extant. The Mt Victoria Heritage Study Report produced by Wellington City Council in June 2017 includes the following statements:

“Mt Victoria is a suburb of great importance to the history of Wellington. Established within the first few decades of Wellington’s founding, the suburb is home to places and areas of architectural and historical value. Most of the suburb’s first houses have gone but research undertaken for this project has found a number of houses built in the 1870s; further research on the suburb is likely to reveal more houses of this age.”

“The project identified seven areas within Mt Victoria that displayed relatively high levels of physical integrity in terms of the Victorian/Edwardian character for which the

suburb is recognised. In addition research found that when assessed against district plan criteria 39 of the 42 houses researched also had heritage value. Although some of the houses proved to be less significant than they might first have appeared, most of these places and areas have high heritage value and would be strong candidates for listing in the District Plan.”

The Mt Victoria area is defined in Wellington City Council’s District Plan as subject to a Pre-1930s demolition rule. A recent assessment shows that of 1031 properties, 85% pre-date 1930 and 79% (all but 3% of the pre-1930 stock) are identified as making Primary or Contributory contributions to the character of Mt Victoria¹.

The Residential Design Guide (last Amended 19 November 2014) which forms part of the District Plan states:

“Mt Victoria is a highly visible inner city residential suburb that forms an important backdrop to the city. Mt Victoria has a distinctive character that makes a considerable contribution to Wellington’s collective identity. The significance of Mt Victoria is derived from:

Historical Continuity . . .

Northern Mt Victoria – an important visual backdrop to the city . . .

Heritage significance . . .

Distinctive character . . .”

and defines seven areas of special character within Mt Victoria.

The Council and the city acknowledge its importance in helping to define the character and sense of place of Wellington, and most of this derives from the scale, density, style and materials of its historic housing.

In addition, Wellington City Council’s District Plan confirms that in Mt Victoria development is already intensive: “Most dwellings in the [Inner Residential] area were built around 1900 and development is intensive, with higher population densities than other Residential Areas.

This forms the context for our feedback on the National Policy Statement on Urban Development (NPS-UD) below.

¹ Boffa Miskell Ltd, Pre-1930 Character Area Review, 23.1.2019, https://planningforgrowth.wellington.govt.nz/_data/assets/pdf_file/0011/1811/w18043-001-pre-1930-character-Area-FULL-Review-FINAL-20190122.RTS.pdf, accessed on 9.10.2019

1. Future Development Strategies (FDS)

We are very concerned that central government proposes requiring local authorities to “identify locations for intensification based on demand for housing, and proximity to services, amenities, infrastructure and employment”[pg 21].

This would appear to immediately threaten any area, such as Mt Victoria, that happens to be close to services, amenities, infrastructure and employment because it implies that there cannot be any counter-balancing reasons to not allow demolition of heritage buildings to intensify for the sake of intensification.

There is mention of identifying “where urban development should be avoided (e.g. sites of significance to Māori including wāhi tapu, highly productive land and areas of significant indigenous biodiversity)”, but a) this notably does not mention post-European settlement heritage and b) could be over-ridden by the purpose of this section being to require identification of locations for intensification based on demand for housing etc.

The draft PIC confirms that it is currently not proposed that heritage preservation be a valid factor to consider in developing a FDS.

The draft P1D does say that every FDS must identify areas where “urban development must be avoided” but a) it is not made clear enough that this could include heritage or other concerns and b) it could presumably be overridden by requirement for local authorities to “identify locations for intensification based on demand for housing, and proximity to services, amenities, infrastructure and employment”.

One of the purposes of the FDS is described as being to “strengthen the role of the FDS to inform RMA plans and strategies prepared under other legislation.” It should be noted, however, that the Basin Bridge Board of Enquiry and the High Court Appeal decisions both concluded that the RMA supports protection of Mt Victoria’s heritage. It would be therefore be wrong if an FDS over-rode provisions of the RMA.

2. Making room for growth

We are concerned that the NPS-UD would “give direction” on “quality environments”, even though it mentions that it “could” include “reflecting historical and cultural heritage in the urban environment” [pg 27]. This is not covered in the draft proposed objectives and policies which follow, however.

Heritage should be referred to in the policies as a factor which should inform decisions.

3. Amenity values

It is certainly true that “cities offer different kinds of amenity for the diverse communities that live in them” etc., however part of the rationale underpinning this section is bizarre.

How can future, potential community members have input into deciding amenity value when, by definition, amenity values are “natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes”? No person or organisation involved in planning today can speak for people who do not exist about an environment that does not exist. The amenity values to these non-existent individuals cannot be accorded greater value than the amenity values of people living in the environment now. Those living in an area, who regard the characteristics of its historic built environment as having amenity value, must have the right to stand up for its preservation.

It is also offensive to assume that there is an innate bias against change. Objecting to destruction of heritage is not objecting to change for the sake of it, or out of fear of something different; it is objecting to the loss of values which help define our culture, roots and place in the world.

4. Zone descriptions

We support the concept of zone descriptions being included in strategies [pg 33]. (By another name, this would appear to be what already happens in Wellington.)

The only concern would be that other directives of the FDS e.g. a requirement to intensify based only on “demand for housing, and proximity to services, amenities, infrastructure and employment”, could be used to determine or override these zone descriptions.

5. Providing for intensification

We have considerable concern about the Government assuming powers to “direct local authorities to enable higher-density residential development in specified areas. The most directive policies would only apply in major urban centres . . . for example where there is, or is intended to be, good access to jobs and proximity to public and active transport links or town centres, and where there is high demand for more intensive development (as indicated by prices)” [pg 35].

This would erode local democracy and the ability of communities to determine the character of their cities. It could result in destruction of local character and heritage of national significance.

Again, if Government can direct intensification simply on the basis of “good access to jobs and proximity to public and active transport links or town centres, and where there is high demand for more intensive development (as indicated by prices)”, this could lead to the destruction of any remaining, inner-city heritage areas of New Zealand cities.

The statement that there is “a political bias towards local propertied interests. Restrictions on intensification often reflect the interests of current property owners (who may not want

change in their neighbourhood) over the needs of the wider community” is simplistic and offensive.

The document explains that “The proposed objectives and policies are intended to shift the focus to intensification in all areas that can maximise the benefits, unless there is a good (evidenced) reason not to.” It should be explicitly stated that heritage is a valid reason – if supported by evidence – not to intensify.

6. Options for directing intensified development

We strongly oppose the proposal that central government might consider an prescriptive approach to forcing intensification. [P6C Option 2, pg 37].

We believe this is undemocratic and puts at risk unique local character, particularly heritage.

7. More directive intervention

We are very concerned that central government might direct local authorities over specific details of their urban planning, simply in order to ensure intensified housing. Some direction to improve planning consistency across New Zealand is possibly warranted but central government should not be determining the character and shape of our cities.

We have strong local democracy systems (currently being vigorously exercised through the local authority electoral process) and the purpose of these is to allow the people who live in a area to have a say in their environment.

8. Conclusion

As Mt Victoria Historical Society and other parties to the Basin Bridge Board of Enquiry and the subsequent High Court Appeal successfully argued, Part 2 of the Resource Management Act 1991, requires:

5(2) . . . managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being . . .

6(f) the protection of historic heritage from inappropriate subdivision, use, and development

7 . . . all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to . . .

(aa) the ethic of stewardship

Wellington City Council’s Planning for Growth Survey 2019 noted that appropriate management of character protection was the most discussed issue. Adamant opposition to character loss was expressed in response to two of the scenarios presented, with the main

sentiment being that the essence of what makes Wellington a great city would be lost if character was not protected².

It is important that a drive for intensification is not allowed to destroy important heritage areas of national and local significance simply because they happen to be located in inner-city areas.

Historical urban areas are part of the memory of a city, and history would be discontinuous without them. The great liveable cities of the world are not great because they bowed to the demands of developers; they are great because governments and inhabitants defended the places that make those cities unique and encouraged a harmonious mix of the old and new.

² WCC Planning for Growth 2019, https://planningforgrowth.wellington.govt.nz/_data/assets/pdf_file/0015/2931/Wellington-Future-Growth-GR-FINAL-18-06-2019-2.pdf, accessed on 6.10.2019