



Website:

www.historicplaceswellington.org

Email:

wgtm@historicplacesaotearoa.org.nz

Mail:

P.O. Box 12426

Wellington 6144

Inquiry on the Natural and Built Environments

Bill & Parliamentary Paper

Submission by Historic Places Wellington

Historic Places Wellington (HPW) is a not for profit society dedicated to the preservation of historic places in the wider Wellington region. We aim to promote the identification, protection and conservation of historic places and to inform, advise and educate the public of their significance. Where possible, we work cooperatively with local councils, Heritage New Zealand Pouhere Taonga and other organisations concerned with the preservation of historic heritage.

HPA wishes to be heard in oral submissions to Select Committee.

General: RMA Reform

HPW supports the reform of the Resource Management Act (RMA), and in particular the introduction of regulatory bottom lines for environmental protection, including fresh water, air quality, and other key standards.

Those standards must also include bottom lines for cultural heritage preservation.

The system needs reform, but the result must also be to empower communities, not silence them.

Some local control has to be retained - the key urban issue is to build homes where needed, but retain a proper level of local control about individual decisions that respect and protect heritage and historic character.

Terms: Cultural Heritage

HPW makes no comment about the use of the new term "cultural heritage" to replace "historic heritage".

Heritage: A Matter Of National Importance (NPF)

Cultural Heritage, including cultural landscapes, is at the forefront of providing environmental context with our ancestors and future generations, both tangibly and intangibly.

Cultural Heritage is also at the forefront of meeting climate change goals by retaining existing significant buildings within our environmental contexts rather than being sent to landfills.

Accordingly, HPW strongly calls for the inclusion of heritage as a matter that must be included in every National Planning Framework. Cultural heritage must be a mandatory topic in the NPF and for consideration in NBA plans. (Cultural heritage should be listed in clause 13 of the Bill - see below).

Objective

HPW is concerned about the resource management reform objective to better enable development and housing supply. All developed countries, including New Zealand, have a serious issue with the affordability and availability of housing.

Planning is however just one issue among a number of competing ones that affect that, others are: historically low interest rates, tax-free capital gains making house investment highly profitable, proportionate increase in rentals versus owner occupier, land banking, decreasing household size, consumer demand patterns, dual house ownership (apartment plus weekender), relatively reduced amounts of greenfield development, high building costs and skill shortages.

The bill does not consider the other elements that create successful communities, such as the need for schools, shops, offices, industry, health centres, museums, etc to support and sustain the people that live in the houses that are proposed to be built.

Definitions

The reference to “surroundings” is not specific and is tied to a thing. A wider definition is required.

Replace clause 3(b)(iv) with the following:

“iv. cultural landscapes”

Include a definition of ‘cultural landscapes’ as follows (based on the definition of ‘cultural landscapes’ in the ICOMOS New Zealand Charter):

- a) ‘means an area possessing cultural heritage value arising from the relationships between people and the environment; and
- b) includes –
 - i. cultural landscapes that may have been designed, such as gardens, or have evolved from human settlement and land use over time, resulting in a diversity of distinctive landscapes in different areas; and
 - ii. associative cultural landscapes, such as sacred mountains, that may lack tangible cultural elements but have strong intangible cultural or spiritual associations.

This terminology is more precise and is used internationally and should replace the reference to “associated surroundings” in the Bill.

Clause 5: Purpose of the Act

HPW recommends that the description of the Act's purpose be expanded to clearly and explicitly state that the purpose is to: 'protect and enhance both the natural and the built environments'.

HPW does not support legislation which enables the inappropriate subdivision, use or development of cultural heritage.

Clause 7: Environmental Limits

Add cultural heritage to the list of environmental limits that must be prescribed in clause 7(4) as follows:-

"Cl.7(4) Environmental limits must be prescribed for the following matters:

(a) air:

(b) biodiversity, habitats, and ecosystems:

(c) coastal waters:

(d) estuaries:

(e) freshwater:

(f) soil:

ADD

"(g) cultural heritage, including cultural landscapes."

Our cultural heritage is part of our identity as a nation. Once significant elements of our cultural heritage are destroyed they are gone forever. Like the natural environment they are a limited resource that cannot be replaced. Built heritage contains embodied energy and is made with resources sourced from elements from the natural environment. Its destruction can have a negative effect on the natural environment, as well as to the social, cultural and economic fabric of a community.

Clause 8 Environmental Outcomes

HPW supports the existing s.6(f) of the RMA relating to "Matters of National Importance" which includes:

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

Heritage is a matter of **national importance**.

Those assets are an irreplaceable resource, and should be conserved so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

In clause 8 (h) of the Bill delete ...”that is proportionate to its cultural value.”

Amend clause 8(h) to read:

“h. cultural heritage is identified, protected, and conserved.”

There is no justification to make heritage intervention and management only proportional to its value, while not making natural environmental intervention also proportional to its value. Heritage value is arguably higher than natural values since there’s a great deal less of them in a relatively sparsely populated country like New Zealand.

Clause 13: Topics the NPF Must Include

The NPF should be required to contain topics relating to cultural heritage including:

a. Cultural heritage importance for wellbeing

Heritage buildings should be retained, respected and protected as a precious cultural resource, with a great many societal, economic and environmental benefits.

Heritage buildings are important for urban **wellbeing**, and provide an important sense of identity and place. Heritage buildings are critical to maintaining wellbeing and identity, and memory.

HPW calls for the work which has been done on a draft National Policy Statement on Heritage to be included in the NPF. Considerable work has been undertaken by the Ministry of Culture and Heritage over recent years to support such an initiative. Work completed on an NPS on heritage should be included in the NPF.

b. Heritage Orders

Although the RMA makes provision for the use of heritage orders to protect heritage listed buildings, the provision has not been used for many years since the Fourth Labour Government.

The problem is that once a heritage order is applied to a building, the owner may enforce the compulsory purchase of the building by the organisation imposing the order. A contingency funding arrangement is needed to compensate building owners subject to any heritage order in order for the power to make heritage orders to be used in practice.

Alternatively a temporary heritage order should be available in which to provide time to resolve the issues and funding.

This matter and the following matter need to be urgently addressed under the National Planning Framework.

c. Demolition by Neglect

There is a serious system gap in the current regulatory framework whereby property owners of heritage listed buildings can neglect to maintain or repair buildings so they are effectively “demolished by neglect”.

This matter must be addressed in the NPF by including a provision such as:

“Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.”

That provision is included in the English National Policy Planning Framework.

d. Adaptive Reuse of Old Buildings for Housing

Adaptive reuse of heritage buildings and areas can contribute hugely to **intensified housing** – e.g. Dunedin commercial centre.

Adaptive reuse of existing buildings (including heritage listed buildings) represents a major opportunity to deliver new affordable housing in an environmentally, socially, culturally and economically sustainable manner.

Refurbishing existing buildings for use as housing is very often a significantly cheaper option than building new housing from scratch.

Recent research by Historic England (2019) cites the potential double benefit of reduced carbon emissions in the built environment and the delivery of new dwellings through the adaptive reuse of existing buildings for use of housing.

The research illustrated that between 2010-2018 “...there were 60,400 more pre-1919 homes than there were 8 years prior, as a result of the conversion of existing historic homes into multiple dwellings and through the conversion of non-domestic historic buildings into homes.”

In the UK over 12% of all new housing in England in 2018/19 resulted from change of use from a non-domestic use to residential. (Historic England (2019)). It also cited the additional environmental benefits of this adaptive reuse strategy, including reducing other negative environmental impacts such as waste production, resource depletion, water pollution, land-take, erosion and health impacts.

e. Heritage Buildings Embody Carbon

Heritage (& old) buildings have embodied energy that mean restoring or repurposing them is a **climate friendly** action. MBIE’s ‘Whole-of-Life Embodied Carbon Emissions Reduction Framework’ (August 2020) recommends the introduction of ‘whole-of-life’ embodied carbon analysis, which will mean that the carbon reduction benefits of reusing and recycling existing buildings can assist in achieving New Zealand’s target of becoming carbon neutral by 2050.

By providing calculations of the whole life-cycle-cost - the total timeframe of the building’s life, the materials it is constructed from, and the energy used during construction - we establish the true carbon footprint of a building. This can then be translated into a financial cost that is inherent in the building, which would be a true comparison for the cost of building replacement. The replacement building would need to provide a better outcome for it to be considered a better “cost” decision – culturally, environmentally as well as financially. How the materials are manufactured, how long will they last, the energy consumption they require to function, how they are maintained, the labour

taken to construct, what happens to these materials when they are discarded, etc, should all be taken into account when assessing the true environmental cost of the built environment.

Built heritage is made in materials that cannot be sourced or afforded in the present time such as solid stone masonry, kauri, rimu, matai. In calculating the costs as noted above, it is clear that an entire house built of kauri is extremely unaffordable now and its destruction is a poor environmental choice, in particular to send that material from an existing build to landfill.

The Royal Institute of British Architects (RIBA) have recently supported the adaptive reuse of existing buildings (favouring refurbishment of old buildings rather than scrapping them), as a key enabler in driving down carbon emissions derived from the built environment, citing the significant negative environmental impact of building demolitions.

Similarly, the UK's 'RetroFirst' campaign (developed by the Architects Journal) champions the reuse and refurbishment of existing buildings as a means to reduce carbon emissions and waste from the building sector. The campaign targets three means of reform: tax (reverse VAT rates so that renovation works are charged at 5% and new build is charged at 20%), policy (promote the reuse of buildings and materials through changes to planning and building regulations) and procurement (start by requiring all publicly funded commissions to consider refurbishment before demolition and rebuild).

f. Adaptive Re-Use Minimises Waste

Modern heritage protection and management practice incorporates an environmentally sustainable practice in the built environment by promoting ongoing repairs and maintenance plans and the adaptive reuse of buildings.

HPW sees heritage protection as a vital element in reducing the carbon footprints of the built environment. This concept has been recognised internationally as a priority in making the built environment, not only more environmentally sustainable, but also more economically, socially and culturally sustainable.

The Building Research Association of New Zealand (BRANZ) notes that:

“The construction and demolition industry is one of the largest waste-producing industries in New Zealand. Construction and demolition waste may represent up to 50% of all waste generated in New Zealand, with 20% of the waste going to landfill and 80% going to cleanfill sites.

Disposing of these materials to landfill means that, as well as not being recovered for further use, they are contributing to adverse environmental effects. These include harmful chemicals leaching into soil and waterways, plus methane emissions into the air, as the waste breaks down and rots.”

g. Heritage Incentives

HPW calls for the government to look at a range of initiatives, including direct funding and tax initiatives, to incentivise and support private sector investment in the adaptive reuse of existing buildings in order to deliver more sustainable and affordable housing. These strategies could assist government in delivering its key focus of increasing housing supply and affordability, relatively quickly.

The above matters must be addressed in the topics which must be included in the NPF.

Accordingly add in Cl.13 a reference to: “section 8(h), (cultural heritage)”

Clause 13: Section 8(l) & Section 8(k) Topics in NPF

HPW calls for the existing NPS-UD to be reviewed before being adopted within the NPF. In particular:

a. NPS-UD Density & six storey heights

HPW calls for the provision in Policy 3 (which enables six storey height limits within walkable catchments) to be reduced to 3 storey. Imposing top-down, one size fits all rules on local communities that enable development of six storeys is undemocratic and unnecessary. Density is desirable but Wellington is already a very dense city in its old inner suburbs, and six storey heights are not appropriate to be adjacent to native timber single story cottages and villas.

Six storey buildings will be sun stealers and amenity robbers, and lead to the destruction of important heritage and character urban fabric.

b. Introduce Flexibility

The NPS-UD specification on density and height limits should allow for flexibility in local application so long as the same capacity is enabled across the city. Prescribing the urban form in too rigid a manner will remove local decision making, and the ability of local communities to decide how cultural heritage important to that community is best preserved.

c. Brownfields First

HPW calls for the adoption of a “Brownfields First” approach to urban development in which former industrial 'brownfield' sites and under-utilised commercial sites are used for housing development ahead of increased housing density and heights in old heritage suburbs in Wellington.

Brownfields First is a policy adopted by the UK Labour Party.

HPW calls for the NPS-UD to be amended so that it is not a 'developers' charter' imposed on communities from top down planning rules.