

**BEFORE THE INDEPENDENT HEARINGS PANEL**

**IN THE MATTER OF:** An application for land use consent,  
pursuant to section 9(3) RMA for  
Partial Demolition and Additions and  
Alterations to All Saints Church

**AND**

**IN THE MATTER OF:** A hearing by Palmerston North City  
Council

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**JOINT WITNESS STATEMENT OF EXPERTS – HERITAGE ASSESSMENT**

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4 December 2020



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## **INTRODUCTION**

1. This joint witness statement relates to an application for land use consent, pursuant to section 9(3) RMA for Partial Demolition and Additions and Alterations to All Saints Church and is on the topic of Heritage Assessment.
2. It follows on from expert conferencing on 1 December 2020 where the experts met to discuss issues falling within their expertise in terms of heritage assessment for the application.
3. The expert conferencing was held on 1 December 2020 by way of audio-visual conferencing and completed by way of email exchange.
4. Attendees at the conference were:
  - a. Chessa Stevens (Reporting officer for the Council);
  - b. Jamie Jacobs (expert witness for Heritage New Zealand);
  - c. John Brown (expert witness for the Applicant).

## **CODE OF CONDUCT**

5. We confirm that we have read the Environment Court Practice Note 2014, and in particular the Code of Conduct for Expert Witnesses, and we complied with it.

## **PURPOSE AND SCOPE OF CONFERENCING**

6. The scope of the issues covered at this conference included those questions identified at Annexure A.

## **KEY FACTS AND ASSUMPTIONS**

7. The key facts and assumptions that are agreed upon by the experts are discussed as part of responding to questions identified in Annexure A.

## **METHODOLOGIES AND STANDARDS**

8. The methodology or standards used by the experts in arriving at their opinions are discussed as part of responding to questions identified at Annexure A.

## **AGREED ISSUES**

9. The issues that are agreed between the experts are set out at Annexure A.

#### **DISAGREEMENT AND REASONS**

10. The issues upon which the experts cannot agree and the reasons for their disagreement are set out at Annexure A.

#### **PRIMARY DATA**

11. The material regarded by the experts as primary data is as follows:

- a. Palmerston North City District Plan (PNCDP);
- b. The Resource Consent Application, including the application form, record of title, and all appendices;
- c. RFI response letters prepared by the Applicant, including appendices;
- d. Heritage New Zealand Pouhere Taonga's (HNZPT's) submission in opposition to the Application.

#### **OTHER MATERIAL**

12. Published standards that the experts have relied upon in coming to their opinions are as follows:

- a. Heritage New Zealand Pouhere Taonga's (HNZPT's) *Sustainable Management of Historic Heritage Guidance Series*;
- b. *ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value*.

#### **RESERVATIONS**

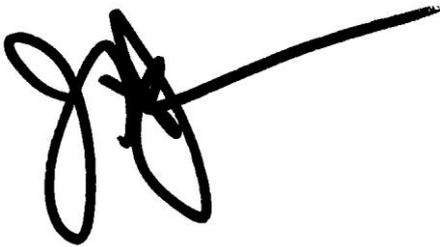
13. Where this Joint Witness Statement includes reservations by one or more participants these have been noted in Annexure A.

Date: 4 December 2020



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Chessa Stevens



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Jamie Jacobs



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John Brown

**ANNEXURE A**

**In the matter of All Saints Church**

**Expert conferencing – Heritage Assessment**

<b>Issue</b>	<b>Agreed Position</b>	<b>Disagreements, with reasons</b>
<p>Do the experts agree that the summary of the Church’s heritage values as identified in Appendix G to the application (pp. 43-50) is representative and generally appropriate as a baseline for the assessment of the proposal’s effects on historic heritage? If not, why?</p>	<p>The experts agree that the assessment of the church’s heritage values summarised in Table 5 of the Heritage Impact Assessment is an appropriate baseline for the assessment of the proposal’s effects on historic heritage.</p> <p>The experts agree that economic use is not, in and of itself, generally considered to be a heritage value. It is recognised that heritage places are assets that have the potential for economic value even while economic value is distinct from heritage value(s). The economic value of heritage places are influenced by heritage characteristics, function/use, and location, and, taking the long view, the retention of heritage places and their continued use over time can have economic value at the individual property level and more broadly in neighbourhoods, areas, precincts, and city/townscapes.</p> <p>The experts agree that the values are rated individually (high, moderate or low) but no value is considered to be more important than another and that this is appropriate.</p>	<p>The experts also interpret what have been defined as “use values” in a different way. JB noted that the PNCDP emphasises use values and the need to consider these, so he has done so. JJ and CS noted the importance of use in ensuring that the church is retained and maintained, and that there are values associated with continuity of use, but disagree with JB that in increase in use options should be assessed as an increase in use value.</p>

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	<p>The experts agree that, as a Category 1 listed Historic Place, the church is recognised as having outstanding national significance and that this is appropriate.</p>	<p>The experts disagree about the way in which the Category 1 listing should be considered as a baseline.</p> <p>JB's posed the question "what is the threshold on whether the building would be delisted"? and whether or not the proposal should be evaluated based on whether the values of the building would be diminished to such an extent that it would no longer meet the threshold for a Category 1 listing was discussed.</p> <p>JJ and CS do not think that it is appropriate to use a threshold for listing or de-listing as a benchmark against which to measure the impact of the proposal. Removal of the baptistery in and of itself would not likely result in its removal from the list. However, as a key feature of the design (both spatially and as an architectural feature) its loss and reduction of heritage values, which are based on its architecture and as a work of Clere, could very well demote it to a Category 2. Additionally, considering the loss of the baptistery as "minor" or "acceptable" overall represents a process whereby heritage values are chipped away over time.</p>
<p>Do the experts agree that the partial demolition of the existing church will result in the overall retention of significant heritage values, authenticity and integrity? If yes, what are those significant values; and if no, why?</p>	<p>The experts agree that it is important to retain the building because of its heritage value, and to return it to use as a church.</p>	<p>The experts disagree about the extent to which the baseline values are impacted by the proposal.</p> <p>JB's position is that the heritage values of the will be retained by the proposal because the extent of fabric to be removed is not significant; and that the authenticity and integrity of the building is maintained to the extent that it would not warrant reduction of Category 1 status from the PNCDP schedule. There are churches with more significant alterations that exist on HNZPT's list but are still considered to be worthy of recognition and JB has</p>

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	<p>The experts agree that the partial demolition will have a negative effect on the building's heritage values, authenticity and integrity.</p> <p>The experts agree that seismic strengthening of the church is essential to retaining and maintaining its heritage values.</p>	<p>looked at this as a benchmark. While part of the exterior wall of the baptistery is lost in the proposal, the internal wall (with arches) will remain, and the stained glass and font will be retained (albeit relocated).</p> <p>JJ's position is that the loss of the baptistery needs to be weighted. In terms of a percentage of fabric being lost, it is true that the loss may not be significant, especially if you consider relocation of the font and stained glass windows as being retention. However, the proposal will result in destruction of the baptistery which is a major component of the design and a central feature of the primary façade. While the Conservation Plan recognises that the entire exterior has high heritage values, the street front is arguably more significant than the other elevations because of its visibility and the role it plays in the streetscape; and therefore the loss of the baptistery, as a key design feature of the exterior and the front façade and as an important spatial component, is a considerable negative effect.</p> <p>CS agrees with JJ that the extent of the impact of the partial demolition is not limited to considering the percentage of fabric that is being lost, but needs to be considered holistically and in terms of the effect on the building's heritage values.</p> <p>JB acknowledges the negative effects of the partial demolition, but his position is that the proposal overall will result in the retention of significant heritage values because there is a balance between the negative impacts and positive enhancements.</p>

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		<p>This discussion highlighted a key point of difference between the experts regarding the approach to considering the effects of the proposal.</p> <p>CS and JJ consider strengthening of the building to be a separable portion of the proposal because the partial demolition and extension are not necessary to achieve the strengthening, and the strengthening alone will enable the building to be returned to use. CS and JJ agree that the partial demolition and extension negatively impact on the building's heritage values, its authenticity and integrity.</p> <p>JB has considered all aspects of the proposal in toto, and emphasised the Diocese's position that the proposal cannot be broken down into parts because they will not consider undertaking strengthening alone.</p> <p>This is a key reason why the experts have arrived at different conclusions about the extent of negative effects.</p>
<p>Do the experts agree that the proposed additions are generally sympathetic to the identified heritage values of the Church? If not, why?</p> <p>(Refer also to discussion below regarding streetscape, scale and visual dominance)</p>	<p>The experts agree that any addition to the front of the church will have an impact on how the building is experienced from the street and in terms of procession into the building.</p> <p>The experts agree that the proposed additions have a negative impact on the physical heritage values of the church – in particular, on the building's design and townscape values.</p> <p>The experts agree that the proposed additions may enable more diverse use of the building.</p>	<p>JJ noted that HNZPT have supported the addition of a canopy at the front of the building on the basis that it will be reversible, and that it does not require demolition of the baptistery wall.</p> <p>JB has approached the scheme as a whole and he has arrived at the conclusion that while there are adverse effects the overall impact of the proposal is acceptable when the positive impact of retaining the building, returning it to use and improving use outcomes are taken into account.</p> <p>JJ and CS understand why the church wants to introduce public space, but do not agree that increasing use opportunities beyond</p>

Issue	Agreed Position	Disagreements, with reasons
		<p>use of the building as a church enhances the heritage values that are defined in Table 5. Strengthening alone will put the building back into use, and so this part of the project definitely provides a benefit. But any other increase in use options is not a relevant heritage consideration.</p>
<p>Related to the above, can the experts assist us with an understanding of the extent to which the proposed additions and alterations avoid features of particular heritage significance?</p>	<p>The experts agree that the baptistery is a feature of particular heritage significance, and that the adverse effect of removing it will therefore also be significant and is considered to be permanent.</p>	<p>The experts disagree about how the high adverse effects of the baptistery removal should be considered.</p> <p>JB's position is that the significant adverse effects are acceptable in the context of the overall proposal, and that they are moderate permanent adverse when overall mitigation is taken into account</p> <p>CS noted that the impact on the primary elevations is a key issue. Not only do the proposed additions and alterations not avoid the baptistery, they do not avoid impacting on elevations which are considered to have high heritage significance.</p> <p>JB's position is that this has been mitigated by keeping the addition towards the corner of the building. JJ noted that two thirds of the street front façade are still impacted and that, with demolition of the baptistery, the combined impact of the additions and alterations remain significantly adverse.</p> <p>JB noted that the position of the addition along the front façade rather than on the corner was driven by the church's particular desire to create the central opening into the building which they consider to be essential.</p>
	<p>The experts agree that the "west" window is a feature of particular heritage significance.</p>	<p>JB's position is that the proposed addition avoids the window, but CS and JJ disagree because of the canopy design, particularly the vaulted section above the west entrance.</p>

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	<p>The experts agree that the building parapets and finials are significant, and that these elements are not avoided as part of the proposed seismic strengthening. However, the experts also agree that the proposed treatment of these elements is generally acceptable because it is outweighed by the positive effects that will result from the strengthening.</p> <p>The experts agree that it will be essential to manage the detailing and construction of seismic improvements through conditions if a consent is granted.</p> <p>The experts agree that the tower is the most dominant architectural element of the building that is critical to its landmark value, and an important aspect of its townscape value.</p> <p>The experts agree that the additions and alterations avoid the tower, and that negative effects on the building's landmark values are therefore largely avoided.</p> <p>The experts agree that the building's townscape values are negatively impacted by the proposed additions, to varying degrees</p>	
<p>Do the experts agree the extent to which the proposal is consistent with the Conservation Plan prepared by Mr Ian Bowman? If not, why?</p>	<p>The experts agree that the proposal is not consistent with aspects of the Conservation Plan. In particular, the experts agree that the proposal is not consistent with the policies regarding changes to exterior elevations.</p>	<p>The experts disagree about the extent to which the proposal is not consistent with the Conservation Plan.</p>

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	<p>In terms of use, the experts agree that, by returning the building to use as a church, the proposal is broadly consistent with the Conservation Plan in that the original use of the building will be retained.</p> <p>The experts also agree that keeping the building in use as a church is a positive outcome for heritage, but disagree about the extent to which this should be qualified.</p> <p>The experts all agree emphatically that the building continuing to be unstrengthened and unused is not a good heritage outcome.</p>	<p>JJ and CS believe that removing the baptistery disregards the values of this space that are associated with its past use. This represents what might be considered as a slippery slope whereby the Diocese can argue that any changes to the church should be acceptable to accommodate changes in liturgical or spiritual practice as long as the building remains in use as a church overall. CS and JJ are concerned that if modern uses don't fit with the building's heritage values, the Diocese have, and can, decided to discount the heritage values in favour of changes in practice.</p> <p>JB's noted the Diocese understands the Conservation Plan, but has a clear view about what they consider to be significant, and that they have taken the position that if they cannot get approval for the proposal as a whole, the building will not be strengthened and returned to use. This would mean that use values cannot be accessed. He has considered returning the building to functional use to be a substantial positive effect.</p> <p>JJ and CS do not think it is necessary for the partial demolition and addition to be tied to the strengthening, and that to argue this would be forcing a position whereby they are left with no choice but to agree to works that negatively impact heritage values when this could be avoided. They noted that strengthening alone would generally be consistent with the Conservation Plan.</p>
<p>If consent is granted for the proposal, do the experts agree the specific matters that should be managed by conditions for the purposes of avoiding, remediating or mitigating</p>	<p>All experts agree completely that conditions are essential if the proposal is to be granted a resource consent. In particular, the experts agree that the following are necessary:</p>	

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<p>effects on historic heritage? If so, what are those matters? If not, please provide reasons for difference in opinion.</p>	<ul style="list-style-type: none"> <li>• a condition that requires detailing for, and construction of, the seismic strengthening, the junctions between the addition and the existing building, and the cuts/reveals created by demolition to be reviewed and approved by the consenting officer and heritage advisor and monitored onsite;</li> <li>• a condition that requires recording of the existing building prior to any works that includes drawings and photographs and is sufficient to enable reconstruction of fabric that is removed;</li> <li>• a condition that requires demolition to be carried out in such a way as to ensure that there is maximum retention of fabric, and that this fabric is stored by the church onsite for possible reconstruction in the future;</li> <li>• a condition that requires a construction management plan, including a temporary protection plan, to be prepared and approved by the consenting officer and the heritage advisor before any works commence onsite;</li> <li>• a condition that requires the consent holder to confirm the position of any relocated elements within the proposed works with the consenting officer and heritage advisor before any works commence onsite.</li> </ul> <p><b>Experts also agreed on a suggested advice note regarding archaeology:</b> Work affecting archaeological</p>	

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	<p>sites is subject to an archaeological authority process under the Heritage New Zealand Pouhere Taonga Act 2014. Under the Act, it is unlawful to modify damage or destroy an archaeological site without prior authority from Heritage New Zealand Pouhere Taonga. It is the responsibility of the consent holder to consult with Heritage New Zealand Pouhere Taonga about the requirements of the Act and to obtain the necessary authorities under the Act should these become necessary, as a result of any activity associated with the consented proposals <i>prior to works commencing</i>. An authority is required whether or not the land on which an archaeological site may be present is designated, a resource or building consent has been granted, or the activity is permitted under Unitary, District or Regional Plans. The Applicant is advised to contact HNZPT and/or commission an archaeological assessment prior to works commencing</p> <p>The experts agreed that we are not able to assess the impact of the junction between the existing building and the extension because that detail has not been provided.</p> <p>All experts were concerned that the proposal as it has been presented in the Application indicates that the extension will be reliant on the existing building for structural support. The experts agreed that the structure should be self-supporting and that appropriate weathertightness and seismic separation detailing will be required. The experts agreed that it would be possible to manage this through consent</p>	

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	conditions, provided that those conditions were appropriately rigorous.	
Do the experts agree that the proposed addition provides active street frontage and enhances the visual quality and design of the Church at street level? If not, why?	<p>The experts noted that this question was directed at the urban design discipline, rather than heritage, but were unanimous that it should also be considered as a question relating to heritage values given the Diocese’s position that demolishing the baptistery wall is essential and that the reason for this is to create a visual connection from the street to the interior of the building.</p> <p>The experts agreed that the visual connection to the church interior is interrupted by the proposed porch in front. JJ and CS were more emphatic that the proposal does not allow any strong lines of sight from the street into the church.</p>	<p>JB noted that the Diocese want to create a more welcoming entry and that the proposal achieves this. CS and JJ disagree.</p> <p>JJ noted the comparison between All Saints’ and the Cathedral of the Holy Spirit with regards to entrance functionality is inappropriate as this church was always designed to have double doors that open directly into the body of the church, where All Saints’ was not; and, notwithstanding this, the proposed alteration of All Saints will result in a more circuitous and less direct route into the church than currently exists. CS agrees.</p>
Do the experts agree whether the proposed additions and alterations respect the scale of the existing building and avoid visual dominance? If not, why?	<p>The experts noted that this question was directed at the urban design discipline, rather than heritage, but were unanimous that it relates to the heritage assessment criteria under the PNCDP.</p> <p>The experts agree that the proposal avoids the tower, and that the tower is the most visually dominant feature of the building.</p> <p>The experts agree that the addition interrupts the views and experience of the building when it is approached from the west. The extension into the footpath was also noted.</p>	<p>The experts disagreed about the extent to which the addition is dominant when viewed from the west.</p> <p>JB’s position is that the impact is minor with regard context/townscape values. This is mainly because the change is appreciated kinetically for a relatively short period, compared to the recognition of the church as a landmark from its tower, when viewed at distance.</p> <p>CS would not say that what is being proposed addition “avoids visual dominance” or “respects the scale of the building” when it is viewed from an up close position (ie, from the street in front or slightly down the road. JJ agreed that from an objective</p>

Issue	Agreed Position	Disagreements, with reasons
		standpoint it cannot be denied that the pedestrian will interact with the building in a different way.
Do the experts agree whether the proposed additions and alterations reflect the architectural style and character of the building? If not, why?	<p>The experts noted that this question was directed at the urban design discipline, rather than heritage, but were unanimous that it relates to the heritage assessment criteria under the PNCDP.</p> <p>The experts all agree that the proposed additions are distinctive and that there is no risk of them being misinterpreted as an original part of the building.</p> <p>The experts all agree that the quality of the detailing and construction needs to be exceptional in order for the addition to be in keeping with the quality of the construction of the church building itself and that conditions are necessary to ensure this.</p>	<p>JB noted that there is a tension within heritage practice between making additions and alterations appear to be seamless with the original building, and making additions and alterations appear completely different. His position is that the Applicant has followed the legitimate practice of designing additions to be very different to the historic building, but that it reflects the architectural style and character of the building through the use of gothic-like forms and geometry.</p> <p>CS and JJ agreed that the proposed additions and alterations did not reflect the architectural style and character of the building. While they acknowledged that there was some connection that may be drawn between the tree like forms of the addition and the typical gothic interior, this is tenuous. CS noted that the design that Clere's design for All Saints' has a very linear gothic exterior and there is quite a conflict in the forms of the church and the extension when viewing from the outside.</p>
Do the experts agree that the proposal has been informed by a thorough analysis of the alternative options available to the proposed partial demolition of the Church, including social, cultural, economic and environmental costs and benefit? If not, what are the differing views in this respect and the reasons for the differing views?	<p>The experts noted that this question was directed at the urban design discipline, rather than heritage, but were unanimous that it relates to the heritage assessment criteria under the PNCDP.</p> <p>The experts agree that the Applicant has looked at some alternatives and they have demonstrated this.</p>	<p>The experts disagree on the extent to which the Applicant has considered alternative options and the authenticity with which they have been considered.</p> <p>JB noted that he has challenged the Diocese throughout his involvement with the project, and they have chosen the proposal that they believe will achieve what they want. There has been a long gestation with alternative designs, they came to an approved design which was scaled back under JB's advice, they have iteratively worked through the process but are not</p>

Issue	Agreed Position	Disagreements, with reasons
		<p>changing their position on the need for a central entrance and therefore the demolition of the baptistery.</p> <p>JJ and CS noted that because it appears the Diocese early on came to the conclusion that their proposal required a central entrance and destruction of the baptistery, it is possible to question the sincerity and seriousness with which the Diocese and their designers approached other options for the entrance. Such exploration seems to have been solely at the request of HNZPT, and possibly others, rather than part of a holistic design process.</p>