

**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

**APPLICANT:** Wellington Diocesan Board of Trustees

**CONSENT AUTHORITY:** Palmerston North City Council

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**ADDENDUM TO SECTION 42A REPORT OF CHESSA STEVENS – HERITAGE ASSESSMENT**

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Dated 22 January 2021

1. This document sets out summary comments extracted from my Section 42A Report and responds to some of the points that have been raised by the Applicant and by the Panel over the course of this Hearing. At the relevant points I will refer to a PowerPoint presentation.

### **Passion of the Church Community**

2. I would firstly like to acknowledge the very genuine, considered and well delivered presentations given yesterday by members of the All Saints' parish. The ways in which they spoke of what the building means to them, and the value they attach to it, has been moving and their passion for retaining the building is evident. As a conservation architect – that is, a registered architect with post graduate qualifications and experience specialising in building conservation – and as heritage practitioner, this is a wonderful thing to hear.
3. I would also acknowledge the difficulty of bringing a community of diverse opinion to a point of agreement – Anglican or otherwise. It is no small feat.
4. I will make further comments regarding my position as it relates to the view of the Applicant that their spiritual values are primary, but in doing so it is not my intention to undermine or offend – it is my intention to comment impartially within the area of my expertise as a conservation architect and heritage practitioner in this case.
5. I do not claim to be an expert on Anglican theology, spirituality and practice. However, I would also like to be clear that I am not ignorant of it either. In addition to the research and deep reading that I do in relation to every proposal that I assess, I was also raised in the Anglican faith and was educated for a time at an Anglican school. Further to this, I studied the origins of Christianity as part of my Bachelor of Arts degree, alongside studying the history of church architecture as part of my Bachelor of Architecture and Masters in Conservation of Historic Buildings.

### **Fabric Conservationists and the ICOMOS Bias**

6. The Applicant has used the term “fabric conservationists” to describe me, my colleague Mr Bowman, and Dr Jacobs of Heritage NZ. This is, no pun intended, a fabricated term. We are necessarily concerned with the conservation of historic fabric, but it is part of an overall framework under which we consider the impact of a proposal on the heritage values of a place, as I will address further.
7. There have been associated allegations made by the Applicant that, as a member of ICOMOS, I have been biased in my assessment of heritage effects because of my obligations to the organisation. Let me be quite clear. Members of ICOMOS New Zealand are subject to the ICOMOS Code of Ethics. I draw particular attention to Section 3 of this Code:

*It is a member's responsibility to ...*

- a. *give professional advice and evidence that is consistent with the ICOMOS NZ Charter.*
  - b. *strive to ascertain the facts of a situation and maintain unbiased and objective judgement with reference to information and professional advice given.*
  - c. *strive to attain and maintain a high standard of professional competence.*
8. There is no conflict between this Code of Ethics and the Code of Conduct for Expert Witnesses under which we have an overriding duty to provide impartial assistance based on the relevant matters within our area of expertise.
9. As a member of ICOMOS, Mr Brown is subject to exactly the same Code of Ethics as any other member, including myself - and to insinuate that he is capable of providing an unbiased assessment but I and others taking part in this Hearing are not due to our commitment to ICOMOS is incorrect.
10. Mention has also been made of the applicability of the ICOMOS NZ Charter in assessing the heritage effects of the proposal. I believe Mr Jacobs gave a very succinct summary yesterday with regards to the role of the ICOMOS NZ Charter as “the baseline for heritage practice in NZ and aligned with best practice globally. This is not to say that the Charter supersedes what’s included in law – but that it guides heritage professionals in how to go about their work and fills in some of the gaps in the current legislation where decision making in relation to heritage is required”.

### **Values Assessment and Framework**

11. Mr Brown correctly noted that there is no national standard for assessing heritage values, and the effect of a proposal on heritage values, in New Zealand. This is problematic for practitioners, and leads to complexities when comparing the assessment of one practitioner against another.
12. Generally speaking, in assessing heritage values, I will refer to the RMA definition of historic heritage, the ICOMOS NZ Charter definition of cultural heritage, the Heritage NZ assessment criteria as given in their Sustainable Management of Historic Heritage Guidance series, and the criteria in the relevant District Plan and/or Regional Plan where they exist (some Plans do not include heritage assessment criteria). In my experience this is a generally accepted approach, and is similar to that which Mr Brown has taken in his Heritage Impact Assessment.

13. As our Joint Witness Statement confirms, we are largely in agreement about the heritage values of All Saints', being: high emotional, historical, design, cultural, continuation, representative and townscape value, and moderate technological value.
14. Use is not generally defined as a heritage value per se, although a place certainly has heritage values that are associated with its use, and the ongoing use of a heritage place is recognised as a way of ensuring that it is retained and maintained. Economic use is not a heritage value. My comments in relation to economic use in paragraph 68 of my Section 42A Report were made specifically in relation to Assessment Criterion R17.7.2 a. which calls for the extent to which any alteration or addition would enable a better or economic use of the building and/or land to be considered.
15. All Saints' has a high level of authenticity in both its design and materials, being relatively intact and unchanged since construction; and a moderate level of authenticity in its setting due to the changes on the site and in the local streetscape that have occurred over time. I note that the Applicant's experts and some submitters have referred to the fact that the design may be seen as unusual for the time, and to the fact that it hasn't changed in 100 years, as being reasons to support changes to the building. In fact, these aspects of the building are a critical part of its heritage value, authenticity and integrity.
16. Theological and liturgical principles and practices contribute to the emotional, historic, cultural and continuation values of the building, but are not recognised as heritage values in and of themselves in any of the documents I have cited – being the RMA, the ICOMOS NZ Charter, the guidance of Heritage NZ, or the District Plan. This statement is not intended to offend – it is simply a reflection of the fact that heritage values are different to the values of the church congregation. And it is my role to assess the impact of the proposal on heritage values.
17. I have delivered what I believe to be an impartial assessment of the Application within my area of expertise.
18. It has been intimated that I have missed a step in my assessment process – that it is correct to assess the level of the values, the impact of the proposal on those values, and then the proposal under the relevant District Plan criteria; and that, by not doing so, I was therefore at risk of incorrectly assessing the magnitude of the impact on the building's values. This is not the case. I would direct you to paragraphs 58 to 60 of my Section 42A Report in which I give my evaluation of the extent to which the values are impacted.
19. Essentially, Mr Brown and I agree on what you might call the baseline values, with some small exceptions, and on the adverse effects on those values - but disagree on the extent of those adverse effects and the extent to which mitigation reduces those adverse effects.

20. I have not considered tangible or physical values at the expense of intangible values. Nor have I ignored or underrated some values and given priority to others. I would contend that it is the Applicant that is asking you to give priority to those heritage values that specifically relate to their theological, liturgical and spiritual values above others. As I have pointed out, heritage values and the values of the church are not the same – heritage values encompass a much wider range of considerations, of which the values of the church are included but cannot be given weight over other values within a heritage impact assessment.
21. I would also note that the preservation of architectural values does not exclude the preservation of theological, liturgical and spiritual values.
22. I would also note that the Reverend Dixon's asserted yesterday that he felt that so called "heritage architects" have treated the congregation as hillbillies, and that I showed no interest in what the church congregation wanted to achieve during my site visit, which was an insult. I do not believe that these contentions are true, and I find them equally insulting.

### **Allowing Change to Heritage Buildings**

23. The Reverend Dixon stated yesterday that "we do not want to be forced into a dead building that doesn't accord with the life that we have as a church" and that change to the building is therefore required. Some of the Applicant's experts have also contended that heritage practitioners don't allow buildings to be changed, or that the perfect solution for us is to keep buildings exactly as they are for all time. That is not the case, and displays a fundamental misunderstanding of heritage practice. Adaptations to heritage buildings and places are certainly an appropriate response in some circumstances, but not necessarily all circumstances. It depends on the extent of intervention required, and the extent to which those interventions impact on the heritage values of the place. This is clearly explained in the ICOMOS NZ Charter Article 21.

### **Consideration of the Interior & Offending the Liturgical Exemption**

24. The question about the extent to which the effects of the proposal on the interior of All Saints' can be considered as part of the Application have been discussed, and I believe clarity has been achieved on that matter. I acknowledge the exceptional heritage values that the church interior possesses, but cannot consider this as part of my assessment as a council officer in this case.
25. As has also been discussed, nothing prohibits the congregation from changing how they use the interior of the building. For example, they could move the font to practice baptism in a

different part of the church without needing to go through a Resource Consent process. They could use the Baptistery for alternative functions without needing to go through a Resource Consent process.

26. This is also relevant to the “liturgical exemption” that has been cited by the Applicant. There is no statutory ability for us to control how the building is used for the church’s spiritual practice – they are able to exercise freedom in this regard.
27. Associated with this, I refer to Mr Maassen’s accusation that I have offended the liturgical exemption through my report and conclusions. I reject this. As has been clarified through questioning over the last two days, the liturgical exemption does not mean that we are not able to, or indeed required to, assess the impact of the proposal on heritage values under the District Plan rules.

### **Comment on Partial Demolition**

28. I cannot present a legal position on the applicability of Policy 1.4, suffice it to say that, based on my experience and understanding of the terminology as a conservation architect and heritage practitioner, the Application does include partial demolition, specifically partial demolition of the Baptistery wall and areas on the western side of the building where new doorways are proposed.

### **Breaking Down of the Application into Parts and/or Staging**

29. With regards to the position I articulate in paragraphs 8, 24 and 57 of my Section 42A Report that I see the Application as having two distinct parts, I would like to make the following key points.
30. Firstly, this approach allowed me to quickly identify which parts of the proposal I felt had a less than minor effect on heritage and which parts of the proposal I felt had a more than minor effect on heritage, and focus the report accordingly.
31. Secondly, the proposal can be divided practically, and this is demonstrated by the fact that the strengthening scheme that has been carried through to the proposal was developed independently of, and prior to, the design of the addition with very little changes made.
32. Thirdly, the Applicant’s position that not granting the proposal as a whole – or, in other words, carrying out strengthening and deferred maintenance without the partial demolition and addition - will not have the same benefits to the congregation and the diocese, or enable it to carry out its mission, is acknowledged. It is evident that they feel very strongly about this, and

I do not refute the strength of that feeling nor the motivations behind it. My position is that, if strengthening and deferred maintenance were to be carried out, whether that be as a singular piece of work or as the first stage of a sequence of work, the heritage values of the church would be maintained to at least the same extent as they would if the partial demolition and alterations were included, but would largely avoid the adverse effects on heritage that the proposal presents. This is discussed in paragraph 61 of my Section 42A Report.

33. Further, I find it very difficult to understand why there would be no value to the congregation or the wider diocese in strengthening and deferred maintenance works alone. I caveat this by saying that this is based on my understanding of the congregation's design objectives and the reasons that underlie these - namely the eight mission objectives as set out in their Application - and on my evaluation of what I have heard in the two days of this hearing so far. It is very clear to me that the existing building is highly valued by the congregation, and that they are deeply saddened by their current inability to use the building since 2013. Therefore, I think it is self-evident that there would be some value to the congregation and the wider diocese, and indeed to the community of Palmerston North and the wider country, in carrying out the strengthening and deferred maintenance only as this will allow the building to be used once again.
34. Put more succinctly, returning the building to use by carrying out seismic strengthening and deferred maintenance would not be rehabilitating the building "for purely heritage reasons" – it would have the obvious positive impact of enabling the congregation to use it, albeit that it may not be able to use it in the way that it would if the partial demolition and addition were carried out.
35. The panel has asked some questions about the possibility of staging the works, and I would support this approach, whether this be through separate proposals subject to separate consent processes, or through a process of consent conditions, though the former would be preferable in my opinion.

#### **The Impact of the Proposal in the Context of Assessment Criteria R17.7.2b, c, d of the District Plan**

36. With regards to assessment criteria b, c and d under R17.7.2, Dr Gjerde has discussed some of the key issues that I have also raised in my Section 42A Report in relation to the ways in which the addition sits against the existing building. I have some additional points, as well as some points in relation to visibility, and I would now like to refer to a brief PowerPoint presentation that I have prepared with visualisations that will support my position as it is laid out in my Section 42A Report. (Refer to the attached document).

## **The Impact of the Proposal in the Context of Assessment Criterion R17.7.2e**

37. Attention has been drawn to R17.7.2 criterion e - the extent to which alterations to street elevation are minimised and alteration to features of particular heritage significance are avoided. I have discussed this at length in paragraphs 85 to 97 of my Section 42A Report and will not repeat that discussion here. However, I note that the proposal neither minimises alterations to the street front nor avoids features of particular significance. The Applicant's attempt to justify the loss of fabric on the grounds that it is a small percentage of the whole demonstrates a misinterpretation of this criterion. It is not about the amount of fabric that may be impacted or lost, but about the significance of that fabric.

## **Analysis of Alternatives**

38. It remains my opinion, based on the Applicant's expert evidence and supported by the submissions given in support of the Application, that the church's position on the requirement for a central entrance, and therefore the removal of the Baptistery, was made before options were explored in any depth, and that they were not willing to compromise on this.

39. It also remains my opinion that it is open to the parish to explore other ways in which it may achieve its missional objectives that do not include the partial demolition or addition as they are proposed. I acknowledge Mr Maassen's contention that it is not possible to postulate against hypothetical alternatives; however, I also note that it is not the role of reporting officers for Council to propose alternative designs; and, further, Mr Forrest has postulated against hypothetical alternatives in his evidence, which he acknowledges.

## **Mitigation**

40. I address the mitigation being offered in the Application in paragraphs 143 to 152 of my Section 42A Report.

41. In particular, I would like to clarify three points relating to yesterday's evidence and questioning regarding mitigation.

42. First, I do not agree that changes that were made to reduce the adverse effects of "Version 1" of the proposed addition cannot be considered as mitigation for the effects that the proposal, being Version 2, will have on the building. This simply makes no sense. I am not saying that I think that Version 2 does not have a lesser impact than Version 1 – but this has no direct impact on lessening the adverse effects of Version 2.

43. Second, the seismic strengthening and deferred maintenance that form part of the overall proposal are not, in my opinion, mitigation. They offer positive outcomes for heritage, but these do not mitigate the negative outcomes that result from the addition.
44. Third, I would like to comment on reversibility. I will comment on this in two parts – the attachment of the addition to the existing building, and the demolition of the Baptistery wall.
45. The reversibility of the addition was discussed as part of joint conferencing and we essentially agreed that the addition, if structurally self-supporting, could be reversed - although there would be repairs required. The extent of the repairs required cannot be accurately anticipated at present due to there being insufficient detail in the design as it is presented in the Application on which to judge this. We agreed in joint conferencing that detailing is something that could be managed through a process of conditions, though I would like to highlight that the potential extent of damage that will be caused to the existing building when the extension is joined to it is considerable, and I referred to this in my PowerPoint presentation.
46. It is much more difficult to reverse the removal of fabric than it is to reverse the addition of fabric. This is one of the essential differences between the reversibility of the addition – albeit that it will involve the removal of some original fabric for detailing as mentioned – and the Baptistery wall. As was discussed yesterday, the degree to which the demolition of the Baptistery wall (and of other fabric required in the proposal) can be reversed is highly dependent on multiple factors including (but not limited to): taking an accurate record of the fabric prior to and during deconstruction, and the long-term storage of both materials and that record as well as the original drawings.

### **Summary Conclusion Statements**

47. The heritage values of All Saints' Church are as follows: high emotional, historical, design, cultural, continuation, representative and townscape value, and moderate technological value.
48. Use is not generally defined as a heritage value per se, although a place certainly has heritage values that are associated with its use, and the ongoing use of a heritage place is recognised as a way of ensuring that it is retained and maintained. Economic use is not a heritage value.
49. Theological and liturgical principles and practices contribute to the emotional, historic, cultural and continuation values of the building, but are not heritage values in and of themselves.
50. All Saints' has a high level of authenticity in both its design and materials, being relatively intact and unchanged since construction; and a moderate level of authenticity in its setting due to the changes on the site and in the local streetscape that have occurred over time.

51. I do not dispute that seismic strengthening and deferred maintenance works (such as replacing the roof) are necessary to enable the building's ongoing use which, in turn, will facilitate its preservation and the protection of its heritage values. While the proposed strengthening scheme will have some negative impacts on the building's heritage values, these are not so significant that they outweigh the positive effects. Furthermore, some additional mitigation for the negative effects of strengthening may be applied through conditions on the consent if it is granted. Therefore, if the Application were for the proposed strengthening works only, it would be supported on heritage grounds.
52. I disagree with the assessment of adverse effects made by Mr Brown as it relates to the proposed partial demolition and additions. Using the scale of effects given in his HIA, I consider that the adverse effect of the Proposal on design values, representative/townscape values, and authenticity is 'critical' (rather than moderate or significant) and permanent.
53. The degree to which fabric removal impacts on the heritage significance of a building is not determined by quantity. Some physical fabric is more significant than other fabric because of its authenticity, integrity, and contribution to design values. Therefore, the degree to which fabric removal impacts on heritage significance must be determined by the significance of, and contribution being made by, that fabric; not by quantity. It cannot be boiled down to a quantitative exercise.
54. The proposed partial demolition and addition will alter parts of All Saints' that have the highest level of heritage significance, being the north and west elevations, the baptistery, and the entrances either side; and will result in the permanent removal of highly significant historic fabric.
55. Further, the proposed addition is not compatible with All Saints' in terms of design, form, scale, mass or materials, especially when viewed from the exterior. It interrupts and obscures, rather than being sensitive to and compatible with, the architectural style and character of the existing building envelope.
56. In these ways, the proposed partial demolition and addition negatively impact on the building's tangible (physical) values, as well as its level of representativeness and authenticity.
57. The proposed strengthening would have a beneficial effect on all of the building's heritage values to at least the same extent as the complete proposal while also avoiding the adverse impacts that the proposed partial demolition and addition will have.
58. It is evident from the Application and subsequent evidence presented by the Applicant that the "necessity" of creating a central street-front entrance into the church, and the corresponding partial demolition of the baptistery, was decided many years ago. Indeed, they have clearly stated that this has long been one of their key objectives as they see it as the only way of adapting the building to achieve their missionary goals. Any compromise on this

was out of the question before design work began, and before any alternatives were considered.

59. I believe there are alternative ways to sufficiently address the inadequacies that the Applicant believes exist with the current building but that avoid or reduce the negative impact on heritage values as compared to the proposed design. There are multiple ways of achieving a more welcoming entrance without demolition, and with a more discrete, less dominating and less obtrusive addition in more compatible materials. I do not believe that alternatives have been adequately or authentically explored by the Applicant.

60. I do not agree that the mitigation being offered by the Applicant sufficiently reduces the negative impacts that will be caused by the proposed partial demolition and addition. In particular, I note that recording is not a substitute for retention. Nor is reversibility which, while it is certainly to be encouraged, requires a long term commitment to retain the documentation and materials that would allow an authentic reversal of which there is no guarantee.



Chessa Stevens  
Principal Conservation Architect and Heritage Consultant