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**Evaluating the Effectiveness of Conformance-Based Plans:
Attributing Built Heritage Outcomes to Plan Implementation Under
New Zealand's *Resource Management Act***

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Abstract

Little is known about the effectiveness of district plans in protecting built heritage, which is a matter of national importance under New Zealand's *Resource Management Act 1991* (RMAct). This is despite the fact that the RMAct directs planning agencies to evaluate the effectiveness of plan provisions. This lack of evaluation is not unique to New Zealand or merely symptomatic of heritage planning. Instead, it is a shortcoming in planning theory and practice internationally; a well recognised impediment being that planning lacks a suitable evaluation approach. This thesis aims to address this deficiency by proposing a methodology for evaluating plan effectiveness and applying it to the built heritage provisions of two district plans.

The methodology adopted has been shaped by the theory-based and realist evaluation approaches, as developed in the field of programme evaluation. Both approaches share a common ontology regarding claims of causality, which stresses 'knowledge in context'. Thus, a central endeavour of the research is not only to identify the environmental outcomes arising from plan implementation, but also to understand how and why the implementation context promoted or inhibited the achievement of plan goals. In so doing, the causal and implementation theories underpinning the plans' heritage provisions are exposed, modelled and tested.

The findings reveal that plan implementation failed to prevent the loss of built heritage values in many instances. While the plans' causal theory was largely sound, key aspects of the implementation theory were not realised during the development control process. Plan quality was a significant factor, as was the commitment and capacity of developers to comply with the plans. The institutional fixation on consent processing speed rather than environmental outcomes was a further impediment. Overall, the theory-based approach provided a useful framework for determining plan effectiveness and holds promise for evaluating plan issues other than built heritage.

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CHAPTER 1

Setting the Scene

Introduction

It is widely agreed that public interest in historic heritage and, in particular, concern for its retention and conservation has increased dramatically since the Second World War (Hall and McArthur, 1996; Harvey, 2001; Lowenthal, 1998; Tunbridge and Ashworth, 1996). This global phenomenon is mirrored in the growing trend to include heritage protection as a component of the statutory planning process. Accordingly, planning in New Zealand as in other countries involves recognising and protecting elements of the past that are valued today, which is achieved through the preparation and implementation of land use plans.

This has been viewed as an increasingly worthwhile pursuit as reflected by the growing emphasis on heritage protection in New Zealand's evolving planning legislation. So much so that under the present *Resource Management Act 1991* (hereafter RMAct) the protection of 'historic heritage' is a matter of national importance. Consequently, much effort has been expended on identifying resources of historic value, preparing plan policies and methods to secure their protection, and implementing the provisions. However, there has been no equivalent attempt to evaluate the effectiveness of plan provisions and the extent to which outcomes for heritage align with plan intentions. In this thesis I aim to address this shortcoming by developing and testing a methodology for evaluating the effectiveness of plans prepared under the RMAct in achieving their stated heritage goals.

Persistent Doubt about the Effectiveness of New Zealand's Heritage Protection Regime

Many commentators have contended that successive planning regimes have failed to afford adequate protection for heritage. For instance, under the former *Town and Country Planning* legislation (hereafter TCPAct) critics decried the

dominance of private property rights in deliberations about heritage protection (Dennis, 1979; Lewis, 1985; Neave, 1981). In particular, decisions by the Planning Tribunal (now Environment Court) continually emphasised that landowners should be compensated when their development rights were restricted by provisions in a plan. This in turn encouraged councils to shy away from protecting heritage, notably historic buildings, for fear of being ordered to recompense unhappy owners. Even those councils that did attempt to protect built heritage were often knocked back by court decisions that viewed heritage provisions in plans as a negative and dubious planning objective.

A review of the TCPAct by the Department of Conservation (1989) confirmed that councils were the agency best placed to implement the national mandate for heritage protection given their access to local communities of interest. The review, however, also concluded that the Planning Tribunal's emphasis on private property rights was a significant barrier that needed to be addressed and recommended that the compensation provisions in the TCPAct be removed. They also identified other deficiencies in the system, such as a lack of capacity within councils to deal with heritage issues, confusion regarding the respective roles of local authorities and the national heritage agency, the New Zealand Historic Places Trust, and a lack of commitment from central government to adequately fund the sector.

A number of these concerns were addressed during the term of the Fourth Labour Government (1984 to 1990), which sought to replace the TCPAct with a substantially different planning statute – the RMAAct.¹ This legislative change was part of a massive overhaul of the public sector, including the environmental administration, whereby the state-led, welfare-oriented system of government was replaced with a market-led, neoliberal model that promoted economic growth via a less protectionist and more open economy. Reflecting this rationale, the RMAAct introduced a more enabling planning framework that changed the emphasis from the regulation of *activities* to the avoidance, remediation or mitigation of the

¹ Labour was voted from office in 1990 before the RMAAct was enacted. The incoming National Government eventually passed the RMAAct in 1991 under the direction of Simon Upton, the Minister for the Environment at that time.

adverse effects of activities. The RMAct also introduced the concept of sustainability by way of the Act's guiding principle, the sustainable management of natural and physical resources. Importantly, the new Act clearly stated that compensation would not be payable in the event that provisions in a plan impeded the development potential of a property (Randerson, 1997). Instead, the RMAct set up procedures for landowners to seek amendment to or removal of provisions that prevented the reasonable use of land (section 85). Heritage provisions were also generally considered to be stronger under the RMAct than the TCPAct and, thus, there was a general air of expectation that the new planning regime would enable more effective protection of heritage (Rainbow and Derby, 2000).

However, several studies and two national reviews in the 1990s showed that many of the problems identified prior to the environmental reforms remained unresolved. For instance, two studies evaluated the quality of heritage provisions in RMAct plans and found that like their predecessors under the TCPAct they tended to be permissive, relied on rules (that is, regulation) rather than non-regulatory, incentive-based methods, and identified only a limited range of heritage resources for protection, typically historic buildings (Ministry for the Environment, 1997; Woodward, 1996).

Additionally, both the Parliamentary Commissioner for the Environment (1996) and the Department of Conservation (1998) investigated the operation of the heritage sector and found: poor council capacity for dealing with heritage issues; poor integration between agencies; a lack of financial incentives for private landowners; and a general lack of national guidance on implementing the RMAct's heritage mandate. Successive governments responded to these findings by establishing the Ministry for Culture and Heritage to coordinate the government's heritage functions, increasing the status of historic heritage protection in the RMAct to that of a matter of national importance, providing additional resources to the Trust, and introducing a modest incentives fund.

Failure to Evaluate the Effectiveness of District Plan Heritage Provisions

To date, however, there has been no concerted attempt to assess the performance of the planning system with respect to heritage protection at the local level, notably the effectiveness of land use plans. This is despite the fact that plans are the predominant means by which heritage protection in New Zealand can be achieved. In other words, while attention has been diverted to the performance of the national legislative and institutional system as a whole, a similar level of focus has not been forthcoming with respect to the impact of the system ‘on the ground’. Similarly, while there is evidence that heritage provisions in plans lack teeth, there has been no related research to demonstrate the influence (or lack of it) that plans exert in controlling the adverse effects of development. In short, the inputs into the system for heritage protection have been well and truly examined, yet the outcomes have not.

This is despite the fact that evaluating the effectiveness of land use plans is an important, if mostly ignored, component of planning systems in New Zealand and elsewhere. The rational approach to plan-making recognises the need for monitoring and evaluation following plan implementation so as to inform plan-makers and the public about the environmental impact of their plans and the extent to which observed outcomes satisfy plan goals. In theory, this information allows plan-makers to make optimal choices between policy alternatives in order to address planning issues (Kaiser et al., 1995).

This ‘feedback’ component has been incorporated in the RMAct by way of section 35, which amongst other things requires local authorities to monitor and evaluate the effectiveness of policies, rules or other methods contained in their plans. To do this, local authorities are expected to “gather such information, and undertake or commission such research, as is necessary” (section 35(1)). There is not, however, a strong culture of evaluation within New Zealand’s local government and this aspect of the RMAct remains largely unimplemented (Crawford, 2006; Miller, 2003). This is true for heritage protection as well as other substantive planning issues addressed in plans. This situation is also

reflective of planning practice internationally where it has been recognised for some time that planners conduct their business without knowledge of the impacts (Calkins, 1979; Carmona, 2003; Dalton, 1990; Gilg, 2005; Gleeson, 2003; Healey, 1986; Talen, 1996a; 1996b; 1997).

A number of institutional reasons help to account for this, such as political resistance to evaluation for fear of exposing poor performance (Weiss, 1998). However, a more critical barrier is a dearth of methods for attributing changes in environmental quality to the implementation of plans (Leggett, 2002; Talen, 1996a). In other words, how are councils to know whether or not environmental outcomes have been reached because of their planning endeavours or despite them? Complicating the attribution issue is what Healey (1986) has termed 'multi-causality', which recognises that environmental quality can be influenced by any number of human and natural processes. Talen (1996b) has further argued that plans are capable of manipulating only certain aspects of land development and so establishing the extent to which plans 'caused' environmental change is problematic. In Talen's (1996b) view, the best we can hope for is to establish *associations* between plan intentions and actual outcomes. In this way, the evaluation question is simplified to 'were goals achieved or not?' thereby avoiding the more complicated matter of linking causes to effects, that is, plan implementation to environmental outcomes.

Theory-Based Evaluation as a Useful Framework

Researchers in the field of *programme* evaluation have been more ambitious than those in *planning* evaluation with respect to understanding the effectiveness of interventions. Programme evaluation is aimed at social issues, such as education, health and crime, and researchers have been working for four decades to develop a methodology that avoids simply making associations between programmes and outcomes, but which helps to explain how the associations came about (for example, Chen, 2005; 1990; Chen and Rossi, 1989; 1987; 1983; 1980; Pawson and Tilley, 1997; Suchman, 1967; Weiss, 1998). The methodology that has emerged is known as *theory-based evaluation*.

In particular, theory-based evaluation aims to expose the factors that promote or inhibit successful implementation so that programme designers are best placed to improve programme effectiveness. To do this, evaluators have argued that better conceptualisation of the assumptions underpinning programmes is necessary with respect to how they are expected to cause desired outcomes. The evaluator's task is then to investigate whether or not the programme's underlying assumptions play out in practice. Put differently, programmes are envisaged as being theories of cause and effect and the evaluator's job is to determine the accuracy of the theory. The approach also stresses the need to take into account the implementation theory of a programme, that is, the administrative environment deemed necessary for the programme's causal theory to have maximum effect. Together, the causal and implementation theories make up a programme's 'theory of change' (Weiss, 1998).

A criticism of the theory-based approach, however, is that it is difficult to know whether the model that has been developed is indeed a true depiction. Critics argue that any number of different models may adequately explain the workings of a programme. In response, Weiss (1998) has argued that the theories do not have to be right, but rather that their value is in reflecting the beliefs of the people involved in programme development and implementation. In this way, determining whether the suppositions underscoring a programme are correct or not is an important step towards improving effectiveness. Moreover, exposing a programme's causal and implementation theories offers a starting point for investigating the effectiveness of programme implementation, without which the evaluator risks being "drowned in tidal waves of shapeless data" (Miles and Huberman, 1994, p.155).

Adaptability of the Theory-Based Approach for Plan Effectiveness Evaluation

Since RMAct plans have a rational cascade of causal links in its provisions (as set out in section 75), it is ready-made for theory-based evaluation. The cascade encapsulates: 1) issues (or problems) that require some form of action; 2) objectives that describe the intentions of the plan with respect to addressing the

issues; 3) policies that express the general course of action to be taken to achieve the objectives; 4) specific methods to implement the policies, such as rules; and 5) anticipated environmental results or outcomes sought, which in turn provide the benchmark for evaluating the success of the plan in countering the issues (Ericksen et al., 2003; Ministry for the Environment, 1994; Willis, 2003).

Because of this cascade, RMAAct plans have been characterised as ‘conformance-based’, which in theory means that council decisions on development applications should be in conformity with plan provisions (Laurian, Day and Berke et al., 2004). The conformance-based view of plan implementation assumes that the plan represents a clear understanding about the issue or problem in question and its causes, and that the plan methods (rules and non-regulatory instruments) are necessary and sufficient for countering the issue or problem. Indeed, the idea that plans, like programmes, are expressions of cause-effect relationships has been inferred by Houghton (1997, p.3-4), who recognised that, in order to evaluate a plan’s performance, an evaluator needs to have “a sound understanding of the ways in which the policy under scrutiny may produce its intended effects.”

Proponents of the theory-based approach advise that evaluators must work with key personnel who understand the plan so as to tease out the ways in which it is expected to perform. Other sources of information can be used to establish the plan’s theory, such as reviewing relevant documentation, observing the plan in action (that is, its implementation), canvassing the social science literature for relevant explanations, and applying logical reasoning (Davidson, 2005; Lipsey and Pollard, 1989; Patton, 1997; Rogers et al., 2000; Rossi et al., 1999; Trochim, 1985; Weiss, 1997b). Thus, developing the plan’s theory of change involves constructing a model of how it is hypothesised to work using a variety of research methods.

Research Question and Objectives

The purpose of this thesis is to progress planning theory and practice with respect to plan effectiveness evaluation under the RMAAct generally, and for built heritage protection in particular. I have narrowed the evaluation parameters to the issue of

built heritage (as opposed to other categories of heritage protected in plans) the main reason being that plans deal more comprehensively with built heritage and are likely to have had an appreciable influence on outcomes. As well, the research focuses on outcomes arising from the resource consent process,² as this is the predominant means by which plan provisions are implemented (Heather and Baumann, 2004; Vossler, 2000).

With this in mind, the following overarching question will be pursued:

Research Question 1

How can local authorities know whether or not, and why, their district plan provisions for built heritage protection have been effective?

In addressing this guiding question, the following objective will be achieved:

Research Objective 1

To develop and apply a methodology for evaluating district plan effectiveness, in order to ascertain whether or not, and why, district plan provisions for built heritage have been successfully implemented, by:

Task 1: Reviewing the planning and other relevant international literature to identify a methodology suitable for evaluating the effectiveness of built heritage provisions in district plans.

Task 2: Choosing appropriate research methods to implement the evaluation methodology.

Task 3: Applying the evaluation methodology and research methods in two ‘real-life’ case study areas.

Explanation

The overarching research question and objective attend to the methodological challenge faced by councils when considering the effectiveness of their district

² The resource consent process in New Zealand is akin to the development control and permitting processes of the UK and USA respectively.

plans. A central aim is to identify and explain the main factors that influence plan implementation both positively and negatively. The methodological approach I will use is adapted from theory-based evaluation developed in the field of programme evaluation. It involves four major steps, the first being to construct the plans' theory of change with respect to how they intend to influence the development control process, in order to produce positive outcomes for built heritage. The result will be what Chen (2005; 1990; 1989) called a *normative model*, which is one that depicts how the plan is expected to work. The second step requires assessing the correspondence between plan goals and resource consent outcomes via field surveys. This will illustrate the extent to which consents granted by the councils comply with the district plans, but it will not reveal whether and how the plan influenced the outcomes.

Thus, the third step involves examining the process followed for resource consents that led to intended and unintended outcomes, in order to determine when and why the plans' theory of change played out in practice. The final step entails synthesising the findings from the first three steps in order to isolate the key factors that influenced the successful implementation of the district plans' built heritage provisions. Selected case studies will be used to examine plan implementation within a local context, which is a prerequisite for understanding and explaining why outcomes are achieved (Yin, 2003). Two councils are considered sufficient for this purpose given that the thrust of the research is to develop and test a methodology rather than to undertake a comparative analysis.

In order to answer the above overarching question and meet the overall research objective, four sub-questions and their corresponding objectives will be pursued. The sub-questions and their objectives reflect the four steps outlined above.

Research Sub-Question 1(a)

How are district plan provisions intended to influence environmental outcomes for built heritage?

Research Objective 1(a)

To construct a model of the plans' causal and implementation theories for built heritage, in order to make explicit the ways in the plans' are expected to influence outcomes via the resource consent process, by:

Task 1: Conducting workshops in each case study area to tease out the plans' causal and implementation theories.

Task 2: Analysing documentation relevant to the plans, as well as reviewing planning and other relevant literature, to provide further insights into the plans' causal and implementation theories.

Task 3: Constructing a model of the plans' causal and implementation theories.

Explanation

In accordance with the theory-based evaluation methodology, this objective seeks to make explicit the causal and implementation theories that underpin the district plans' provisions for built heritage. To this end, workshops will be conducted to understand why built heritage protection is a matter dealt with in plans and to elucidate the causal reasoning regarding how plan implementation is intended to engender desired outcomes. In support, documentation related to the plans will be analysed and relevant empirical findings outlined in the planning and other literature will be reviewed.

Research Sub-Question 1(b)

How closely do resource consent outcomes correspond with the district plans' goals for built heritage?

Research Objective 1(b)

To assess the extent to which outcomes from resource consents in the two case study councils correspond with their district plans' anticipated environmental results for built heritage, in order to gauge whether or not the plans' goals have been realised in practice, by:

Task 1: Selecting a sample of heritage buildings from the two case study areas for which resource consents have been granted.

Task 2: Compiling information from council files that describe the consent applications, including copies of the approved development plans.

Task 3: Engaging an architectural historian to judge the quality of the consent outcomes against the plans' assessment criteria.

Task 4: Analysing the data to determine the extent to which consent outcomes comply with the district plans.

Explanation

This question seeks to compare the quality of resource consent outcomes against the relevant district plan assessment criteria by way of the above objective. In doing so, the association between plan goals and outcomes will be revealed, thus satisfying Talen's (1996b) expectations of plan effectiveness evaluation. The sample size for each case study will need to be sufficient to capture the range of outcomes arising from plan implementation, including intended and unintended effects. Similarly, the sample will need to include resource consents granted for the different activities that are regulated by the plans. Specialist input will be sought from an architectural historian to assess the consent outcomes in each case study area.

Research Sub-Question 1(c)

How does the plan implementation process influence the attainment of environmental outcomes?

Research Objective 1(c)

To explore in detail the resource consent process that led to both intended and unintended outcomes, in order to understand when and why the plans' theory of change was realised in practice, by:

Task 1: Selecting a small number of consents from the wider samples that led to very good and very poor outcomes.

Task 2: Developing a narrative of the implementation process that unfolded for each consent by reviewing consent documentation and interviewing key informants involved in the process.

Task 3: Substantiating the validity of the plan's causal and implementation theories based on the analysis of the documentation and interviews.

Explanation

The purpose of the third sub-question and objective is to undertake in-depth analysis of the process followed for a small number of resource consents. Only consents that resulted in exemplary and unsatisfactory outcomes will be chosen so as to allow an examination of the reasons why consents clearly did or did not achieve compliance with the district plans. A particular focus will be to understand whether or not and why the plans' causal and implementation theories were realised in practice.

Research Sub-Question 1(d)

What factors promote or inhibit the successful implementation of the district plan's built heritage provisions?

Research Objective 1(d)

To identify and explain the main factors that promoted or inhibited successful implementation of the district plan's built heritage provisions, in order to learn about plan effectiveness, by:

Task 1: Contrasting the empirical results of the case studies with the models of the plans' causal theory.

Task 2: Contrasting the empirical results of the case studies with the model of the plans' implementation theory.

Task 4: Drawing conclusions about the effectiveness of the plans' theory of change and influencing factors.

Explanation

The fourth and final sub-question and its objective seek to synthesise the findings gained from the previous three sub-questions and objectives so as to draw conclusions about the effectiveness of the plans built heritage provisions. To do this, the intended influence of the plan provisions (as encapsulated in the causal models) will be compared to the findings from the two case studies, in order to determine whether the plans' causal theory was sound in practice. Similarly, the implementation conditions deemed necessary for the plan provisions to be effective (as set out in the model of the plans' implementation theory) will be compared to the actual implementation process, in order to isolate the factors that helped or hindered plan implementation. In addressing this sub-question, the objective is to isolate the substantive and contextual factors that assisted or impeded realisation of the plans heritage goals.

The overarching research question and objective guiding the research are dealt with throughout the body of the thesis, as demonstrated in Table 1.1. The four sub-questions and their corresponding objectives are dealt with in Chapters 5, 6, 7, and 8 respectively. The content of the chapters is outlined in more detail below.

Table 1.1: Research Questions, Objectives and Corresponding Chapters						
Research Question	Chapter 3	Chapter 4	Chapter 5	Chapter 6	Chapter 7	Chapter 8
1	Objective 1					
1(a)			Objective 1(a)			
1(b)				Objective 1(b)		
1(c)					Objective 1(c)	
1(d)						Objective 1(d)

Chapter Layout

In fulfilling the research agenda set out above, the thesis unfolds in the following manner. Chapter 2 develops the research problem further by tracing the evolution of heritage protection in New Zealand and, particularly, the incremental changes

made to the planning system to address its perceived ineffectiveness in protecting heritage. I make the point that despite some lengthy and detailed reviews, concern has focused on administrative and legislative shortcomings (systemic problems) not the actual effectiveness of plans, which is the focus of my thesis.

The evaluation approach, research methodology and specific methods for addressing the overarching research question and meeting its corresponding objective are set out in Chapters 3 and 4 respectively. In Chapter 3, I put the research problem in a wider context by illustrating that the failure to evaluate plan effectiveness is an international problem. Second, I identify the key barriers, a main one being a lack of methods for attributing observed outcomes to plan implementation. Third, I present the theory-based evaluation approach as a means for addressing the attribution problem, and set out the process for undertaking such an evaluation as described in the literature. Fourth, I explain the rationale and applicability of theory-based evaluation to plan effectiveness evaluation.

In Chapter 4, I present my research strategy. It justifies my choice of built heritage as the topic of study and explains the case study strategy that is adopted. I also detail the specific research methods, including those used to: 1) select the two case study councils; 2) select a sample of resource consents; 3) assess the outcomes of the consents; 4) analyse a wide range of documents; 5) undertake interviews with key informants; and 6) analyse the data.

In Chapter 5, I address directly the first of the four research sub-questions (1(a)). Using the theory-based evaluation methodology as the framework, I model the district plans' causal theory by comparing the effect of development on built heritage without planning controls to the outcomes expected following implementation of the plans' regulatory and non-regulatory methods. I also specify the plans' implementation theory, which sets out the implementation conditions deemed necessary for the plans' causal theory to work. I therefore set out to achieve research objective 1(a) in this chapter.

I then address the second research sub-question (1(b)) in Chapters 6. I examine the extent to which resource consents granted under the heritage provisions of the

two case study councils complied with the assessment criteria in the plans. I then illustrate the range of outcomes that resulted ‘on the ground’. In this way, conclusions can be drawn about the degree to which the plans’ anticipated environment results have been realised in practice. In this way I aim to meet research objective 1(b).

Next, in Chapter 7, I explore the third research sub-question (1(c)). It extends the results outlined in Chapter 6 by exploring the reasons why intended and unintended outcomes were achieved via the resource consent process. To this end, I examine the extent to which the plans’ causal and implementation theories were played out during the decision-making process that unfolded for a number of resource consents in each case study area. In doing so, I intend to fulfil research objective 1(c).

The fourth and last research sub-question (1(d)) is dealt with in Chapter 8. I tie together the empirical findings from Chapters 5, 6 and 7 by identifying the contextual conditions that led to intended and unintended outcomes and, equally, the reasons why the plans’ theory of change worked in some instances but not others. I thereby seek to achieve research objective 1(d). The implications of the findings for improving the effectiveness of the plans’ heritage provisions are set out.

Finally, in Chapter 9 I revisit the research problem and the aims of the thesis established in Chapter 1. I summarise the methodological approach taken and the results obtained. I restate the pros and cons of the evaluation approach used to attribute plan outcomes for built heritage to plan implementation. Additionally, I discuss the circumstances in which theory-based plan evaluation will be most beneficial. In doing this, I demonstrate how the overarching research question has been answered and thereby the extent to which the thesis makes an original contribution to knowledge. Finally, I identify further areas of research.

CHAPTER 2

Protecting Historic Heritage in New Zealand: An Evolutionary Tale in Need of an Outcome

Introduction

Before focusing directly on the overarching research question and objective, which starts in Chapter 3, I now elaborate upon the research problem summarised in Chapter 1. A primary goal is to demonstrate that, despite ongoing changes to legislative and institutional arrangements for heritage management, concerns have regularly been expressed about the effectiveness of protection measures with particular regard to the land use planning system. However, no research to date has been undertaken specifically to determine whether or not plans prepared under successive planning statutes have achieved their heritage protection goals.

In pursuing this issue, I briefly discuss the growth in interest in heritage management and then outline how this has been reflected in New Zealand's planning legislation, namely the TCPAct and RMAAct. I trace the evolution of heritage management under both planning statutes and examine claims made in numerous studies that local authority heritage management is not achieving the protection required by law. Finally, I illustrate that councils are failing to evaluate the effectiveness of their heritage provisions, despite this being an integral component of the RMAAct.

The Rise of Heritage

For the past half-century the impacts of human activity on the environment have been increasingly scrutinised at global, national, regional and local levels (Carson, 1962; International Union for the Conservation of Nature, 1980; Thomas et al., 1956; World Commission on Environment and Development, 1987). This inquiry has emerged from a growing awareness of, and concern about, the far-reaching negative

environmental consequences of human actions. The extent of this alarm is perhaps best exposed by the contemporary debate on the role humans are playing in speeding up climate change.

Reflecting environmental concerns overseas, New Zealand initiated legislation aimed at conserving natural resources (*National Parks Act 1952*; *Water and Soil Conservation Act 1967*) and reducing adverse effects on land, air and water (*Soil Conservation and Rivers Control Act 1941*; *Clean Air Act 1972*). Furthermore, a vigorous environmental movement emerged in the 1960s in response to several high profile disputes, notably the government's proposal to construct a power station in Fiordland National Park that would have flooded a large area of indigenous forest. These incidences, along with a growing international environmental movement, brought concern for the environment to the public conscience (Memon, 1993).

At the same time, similar forces were working to improve the status of resources recognised as having historic and cultural value, commonly denoted as 'heritage' and increasingly referred to in New Zealand as 'historic heritage'. Commentators agree that public interest in heritage and, in particular, concern for its protection and conservation has increased dramatically since the Second World War (Hall and McArthur, 1996; Harvey, 2001; Lowenthal, 1998; Tunbridge and Ashworth, 1996).

Statutory recognition for New Zealand's historic heritage initially centred on two key Acts introduced in the 1950s. The first was the *Historic Places Act 1954* (hereafter HPAct),¹ which created the National Historic Places Trust (known from 1963 as the New Zealand Historic Places Trust). Based on the system employed by England's National Trust, the HPAct aimed to "preserve, make or record for posterity, places, objects, things of national or local interest, either historically or architecturally." The impetus for this new legislation has been attributed to a growing interest in New Zealand's history (Bassett, 1997) and a greater appreciation of early European

¹ While provision was made in the *Scenery Preservation Act 1903* for the acquisition of land of historical interest, considerably more effort and money was spent on identifying and purchasing land of natural interest (Leach, 1991).

buildings and structures (McLean, 2000). The gifting of the Waitangi Treaty House by Māori to New Zealand in 1932 and the nationwide centennial celebrations in 1940 marking the signing of the Treaty of Waitangi are considered to have increased awareness of the development of post-colonial New Zealand. Perhaps as a consequence, the Bill had wide public and political backing (Bassett, 1997; McLean, 2000; Working Party, 1983).

The HPAct 1954 and subsequent amendments in 1975 and 1980 mandated the Historic Places Trust to care for properties acquired by the government, provide grants to private owners as a means of encouraging conservation, identify historic buildings, sites and areas of significance to both Māori and Pākehā and to record these on a national register, and to administer a consenting procedure for the modification, damage or destruction of archaeological sites (Allen, 1994; Barber 2000; Challis, 1995; McLean, 2000). Further, changes introduced in the 1980 amendment gave the Historic Places Trust the power to compel local authorities to protect buildings through the imposition of protection notices in the district schemes prepared under the Town and Country Planning legislation (Department of Conservation, 1989). This amendment was notable for two reasons. First, until this time the Historic Places Trust had been limited to lobbying local authorities to protect historic heritage without any means of compulsion (Department of Conservation, 1989). Second, the amendment emphasised that the land use planning system was being increasingly recognised as a vehicle for protecting heritage.

Town and Country Planning Legislation

The second significant piece of legislation to deal with heritage protection was the TCPAct 1953.² Greater responsibility for land use planning was devolved to local government under this legislation compared to the 1926 Act. For instance, local

² New Zealand's first planning statute, the *Town Planning Act 1926*, included "the preservation of objects of historical interest" as one of the matters to be dealt with in town and regional planning schemes, but the Act proved largely impotent due to a lack of buy-in from both central and local government (Memon, 1991; Miller, 2002; Robinson, 1968).

authorities were given the power to approve their planning schemes (now known as district schemes) whereas previously this function was in the hands of the centrally controlled Town Planning Board (Memon, 1991). Moreover, rights of appeal were introduced in the TCPAct 1953 that allowed occupiers and owners of properties unhappy with a council's implementation of the Act to take their case to the newly formed and independent Town and Country Planning Appeal Board. Local authorities were also required to consider all aspects of land use, development and conservation in their district schemes (Williams, 1985, p.2).

In regard to this latter point, district schemes were required to address “the preservation of objects and places of historical interest”,³ but only where this was considered “appropriate to the circumstances” thus implying that heritage protection was optional (Perry and Galletly, 1984). Regulations made under this Act in 1960 included specific provisions for the protection of historic resources by way of a model Code of Ordinance. The model ordinance provided a means of registering objects and places considered worthy of preservation in the district scheme and, once listed, the written consent of council was required to destroy, remove or damage such an item (Robinson, 1981). In practice this meant that an owner had to apply for a resource consent to undertake work that was contrary to the listing or else apply for a plan change to delete the listing altogether (Palmer, 2005). However, providing for objects and places of historic merit was fraught in practice due to a lack of controls in district schemes over design matters. In other words, while councils could identify historic buildings in the district schemes, protection by way of controls over the use and development of such items were limited.

Following a review of the legislation, the 1953 TCPAct was amended in 1972 and then consolidated and re-enacted in 1977 (Robinson, 1981). The changes further enhanced the role of local authorities and their constituents in land use planning. New provisions gave increased recognition to Māori values, extended the rights of ‘third parties’ to participate in planning matters, and allowed for both public

³ Neither the 1953 nor 1926 TCPAct elaborated on what constituted an historic ‘object’ or ‘place’.

notification and in-house decision-making regarding development proposals, as well as a right of review of decisions made. Furthermore the status of the Appeal Board was increased and it was renamed the Planning Tribunal (Williams, 1985). The 1977 Act also provided additional central government policy guidance to local authorities by enlarging upon the ‘matters of national importance’ that councils had to address in their district schemes (Robinson, 1981).

The 1977 TCPAct gave increased emphasis to historic heritage by broadening the categories that could be protected in district schemes. As a result, the Second Schedule of the Act enabled councils to protect buildings, objects and areas of architectural or historical importance, and sites of significance to Māori (Rainbow and Derby, 2000). Zones to preserve areas of architectural or historic merit were made available and ordinances gave councils the means to protect such areas by way of design policies and objectives. Consent was required for any proposal that was inconsistent with the provisions for the special zones. In addition, a number of the matters of national importance had relevance (even if implicitly) for heritage, namely: (a) the conservation, protection, and enhancement of the physical, cultural, and social environment; (b) the wise use and management of New Zealand’s resources; and (c) the relationship of the Māori people and their culture and traditions with their ancestral land (section 3, TCPAct 1977).

Effectiveness of TCPAct and District Schemes

In sum, the incremental changes to New Zealand’s TCPAct legislation were characterised by a continued move away from centralised control and a coercive planning mandate, towards greater devolution of responsibility to local authorities and a more cooperative style of governance. At the same time, the public were afforded greater opportunities to participate in the planning processes and rights of appeal became an important component. There was also increased recognition of historic heritage as a matter to be addressed by local authorities in their district

schemes. But what of the effectiveness of the TCPAct and district schemes in securing positive outcomes for historic heritage?

In assessing the performance of councils under the 1977 legislation, Williams (1985, p.42) believed that:

Most district schemes recognise the need to retain examples of our built environment which represent the various decades of development since early colonisation. The areas of special identity vary from historic cottages, as listed in Lyttelton Borough Scheme, and stately homes in Dunedin, to large buildings and monuments of national importance in Wellington and the Provincial Chambers in Christchurch.

This view was partially supported by a study of district scheme provisions commissioned by the Historic Places Trust, which revealed that by the late 1970s 61% of all 233 local authorities had a register of historic buildings and/or ordinances that set out the controls councils had placed over their use (Neave, 1981). Nevertheless, the quality of the district schemes varied with the registers “ranging from the excellent and extensive to the manifestly useless” (Perry and Galletly, 1984, p.100). Additionally, non-regulatory methods for achieving protection were not common with only one-third of all councils providing design advice to owners, monetary incentives to encourage conservation, and/or finance to purchase buildings at risk (Neave, 1981).

Heritage Provisions Unpopular with the Planning Tribunal

The lack of financial inducements offered by councils, either to help offset the private costs of preserving historic buildings or to purchase a building outright, was seen as a major obstacle to achieving protection under the TCPAct. For instance, under the TCPAct 1953 the Planning Tribunal considered that registering a building in a district scheme had the same effect as a designation under the Act, which was the mechanism used for identifying land reserved for or affected by public work such as roads, schools or hospitals (Robinson, 1981). As such, an owner who felt their

right to use a registered building had been infringed was able to apply for reparation under the compensation provisions established for designations.

In considering such claims, the court saw its role as simply deciding on whether a building warranted registering in a district scheme, rather than whether the building should actually be preserved (Perry and Galletly, 1984). The court believed it was up to the community of concern to show its commitment by proffering the money needed to retain at risk buildings. Accordingly, “What the board will do is try to weigh historic value against cost of preservation, and thus community rights and benefits against individual rights and benefits. If the community will not put up the money the owner’s rights will prevail” (Perry and Galletly, 1984, p.101-102). Balancing the public benefits of protecting historic buildings against the cost to owners of upkeep and loss of development rights remained a vexed issue under the 1977 TCPAct (Palmer, 2005).⁴

Given the Planning Tribunal’s stance, it is perhaps no wonder that a critique of case law under the TCPAct found that its deliberations limited the potency of district schemes in protecting built heritage, particularly in the absence of compensation for owners (Dennis, 1979). In this regard, four interrelated trends in the decisions were evident:⁵

1. *If Council’s wish to register buildings for preservation they must be prepared to acquire such buildings and compensate the owners where there is conflict between the Public Interest and the Private Interest.*
2. *That the cost to the Council will at least be comparable to the loss the owner suffers in not being able to redevelop his or her property to its fullest development potential.*
3. *That the Town and Country Planning Tribunal does not perceive ‘preservation’ as a planning objective which has much weight in its own right.*

⁴ This has been derided by Memon (1991, p.19) who characterised town and country planning in New Zealand as being “undertaken within the confines of a Common Law legal framework with an inherent bias towards protecting private property rights.”

⁵ The cases quoted were *Arundale Centre v Waitemata County Council* (1972) 4 NZTPA 344; *Christchurch Club v Christchurch City Council* (1972) 6 NZTPA 235; *Landmark Society v One Tree Hill Borough Council* (1975) A1532; *Regent Theatre v Dunedin City Council* (1971) 4 NZTPA 101; *New Zealand Historic Places Historic Places Trust v Wellington City Council* (1979) 6 NZTPA 538.

4. *That the Tribunal is concerned that private property rights be protected* (Dennis, 1979, p.7).

The Planning Tribunal was of the view that registration in district schemes and controls on how a building could be used was a negative approach that did nothing to actually take care of historic buildings or ensure that they were preserved. For instance, registration might lower the value of the property and thus inhibit an owner's ability to obtain loan finance in order to maintain the building (Dennis, 1979; Robinson, 1981). Moreover, even if compensation was made available the Planning Tribunal concluded that it had no jurisdiction to force an owner to accept the money or use it for preservation.

Weak Institutional Commitment and Capacity to Protect Heritage

In practice, then, the effectiveness of district schemes in achieving their heritage protection objectives has been strongly questioned. Dennis (1979, p.6), for one, lamented that "At a rate often horrifying, the historic buildings that provide us with visual evidence of our past are being demolished and allowed to fall into such disrepair that eventual salvation becomes impossible." In support, Lewis (1985) undertook a study of 17 historic buildings across the country that had been demolished amidst public acrimony. The findings offered a number of insights into the reasons why these buildings were destroyed, including: 1) a lack of financial inducements for private owners; 2) incompatibility between existing uses of heritage buildings and those that are provided for in district schemes, particularly generous zoning and density allocations; 3) regulations that set minimum requirements for earthquake strengthening thereby placing a financial burden on building owners to 'upgrade', and lending further support to their argument to demolish; and 4) capacity issues, particularly for the Historic Places Trust whose ability to influence outcomes was seen as limited due to underfunding.

In addition, a review of historic places legislation undertaken by the Department of Conservation in 1989, as part of the reforms initiated by the Fourth Labour

Government (discussed later in this chapter), found areas for concern in the relationship between the Historic Places Trust working under the HPAct and local authority functions under the TCPAct. The review declared that clarification was needed regarding the respective roles of the Historic Places Trust and councils, particularly as both bodies had statutory responsibilities to identify and protect heritage. In the Department of Conservation's view, a completely centralised protection system, that is under the Historic Places Trust, was not desirable as they saw heritage being inextricably linked to land use issues and thus local participation was needed to decide how best to utilise local resources. But in the councils' experience their powers to protect heritage was limited, particularly by decisions of the Planning Tribunal. The Department of Conservation concluded in their review that the scales needed to be tipped away from private property rights in favour of preservation if any ground was to be made in securing adequate protection for historic resources. The Department of Conservation (1989, p.11) further noted that capacity issues were a limiting factor in councils and that they "have been hampered by shortages of expert advice and trained staff, conflicting priorities, and uncertainty about how far their powers extend".

In light of these shortcomings, it is perhaps unsurprising that Rainbow and Derby (2000, p.134) claimed that, under the TCPAct, "very few [councils] developed planning expertise or were effective in stopping alterations or redevelopments that were prejudicial to historic places." Hopes of a more effective protection regime were raised when the RMAAct was enacted in 1991, but, as revealed in the following section, the optimism was short lived.

A Paradigm Change: Enter the RMAAct

Rather than the incremental adjustments seen under the TCPAct, the changes that brought about the RMAAct involved a radical reorganisation of New Zealand's environmental management regime, initiated by the Fourth Labour Government during their term in power from 1984 to 1990. Over this period, central government

departments were restructured, local government functions and boundaries were altered, and resource management legislation was overhauled. In regard to the latter, over 50 statutes were repealed (wholly or in part) and replaced by the RMA Act, demonstrating that an important rationale behind the changes was a more integrated approach to environmental decision-making. Sir Geoffrey Palmer, the Minister for the Environment during the Fourth Labour Government's second term (1987-1990), was left in no doubt that the changes were considerable: "...our environmental administration has been completely overhauled between 1984 and 1990... I'm not just talking about four new tyres and a paint job. We've had a new engine and rebuilt the chassis while we were at it" (Palmer, 1990, 12-13).

This reorganisation was part of a much larger manipulation of the public sector, which was driven by the ambitions of the Fourth Labour Government to open up the economy in line with the neoliberal thinking adopted in other western nations. In essence, the reforms were influenced by the view that economic growth and living standards would benefit from a less protectionist and more competitive economy, as well as a desire to allow the market to determine the allocation of resources. This meant that,

At the heart of Labour's economic strategy [was] a fundamental questioning of an activist role for the State and an attempt to shift the mix of market and non-market activities in a "more-market" direction. In ideological terms this amount[ed] to a move away from the eclectic combination of corporatist, paternalistic and socialist tendencies which characterized the post-war era, towards a form of market or economic liberalism (Boston and Holland, 1987, p.6).

This ambition was seen as central to the reform of the environmental and planning regime and dictated the final shape of the institutional arrangements for resource management (Grundy and Gleeson, 1996; Memon, 1993; Memon and Gleeson, 1995).

Alongside the strong influence of Labour's neoliberal ideology, environmentalists also supported a reduced role by the state (Buhrs, 2000; Papadakis and Rainbow,

1996). Many sought increased transparency in decision-making by government departments and improved accountability for actions taken. There was a desire to see a separation of development and conservation roles within agencies in order to reduce conflicts of interest. Many of the changes pushed for by the environmental lobby were in fact enacted by the government via the comprehensive state sector and legislative reforms. In effect this meant that “the role of the state with regard to the environment... shrunk from one of heavy and direct involvement to the provision of institutional frameworks (legislation, allocation of responsibilities)” (Buhrs, 2000, p.33).

Characterising Institutional Arrangements for Environmental Management under the RMAct

At the national level significant changes were made to the structure and function of central government departments, and greater emphasis was placed on accountability and performance assessment (Boston, 1991; Campbell, 1999; Miller, 2003). Three national environmental agencies were established in 1987, namely the Ministry for the Environment and the Parliamentary Commissioner for the Environment, which were created by the *Environment Act 1986*, and the Department of Conservation, established by the *Conservation Act 1987*. The Ministry for the Environment is a policy agency responsible for advising the Government on “all aspects of environmental administration” (*Environment Act, 1986*). Whereas the Ministry for the Environment takes a neutral stance on environmental issues, the Department of Conservation is an advocate of conservation values, including for historic heritage, and manages all Crown owned land possessing such values (Campbell, 1999; Memon, 1993). Steered by the goal of maintaining or improving the quality of the environment, the Parliamentary Commissioner for the Environment is charged with monitoring the performance of the environmental management system. It is therefore a ‘watchdog’ agency and operates independently of the Government, reporting instead to Parliament (Campbell, 1999).

Major changes also occurred within local government at this time which reflected the general nature of change in the core public sector, namely the separation of advisory, regulatory and delivery functions, and new accountability mechanisms (Boston, 1991). Decentralisation and devolution from a national to sub-national level were also a feature of the reforms (Martin, 1991), which meant that responsibility for environmental management was largely devolved down to local government (Ericksen et al., 2001). The plethora of territorial local authorities and other locally based boards were slashed from over 600 to less than 100 during the late 1980s (Buhrs and Bartlett, 1993; quoted in Campbell, 1999, p.253). As well, a two-tier system of local government was established, specifically regional and district councils. Amongst other reasons, it was considered that the delegation of environmental management to regional and district councils would place the people most likely to be affected by decisions closer to the decision-makers and thereby improve accountability (Memon, 1993).

In its turn, the RMAct replaced the 'direction and control system' of the TCPAct, which focused on controlling specific activities via land use plans based on prescriptive zoning ordinances (Memon, 2002; Pawson et al., 1996). Instead, the RMAct introduced a more flexible, market-led system of effects-based, or performance-based, planning whereby the actual and potential environmental impacts arising from human activities are regulated, not the activities themselves (Baker et al., 2006; Dixon et al., 1997; Grundy, 1997; Upton et al., 2002). In this way, any land use is permitted unless its anticipated environmental effects compromise the sustainable management objectives of the RMAct (Williams, 1997). This means that under the RMAct quite different activities can be sited together provided they have cognate and acceptable environmental effects. As Baker et al. (2006, p.396) explain:

Performance-based regulation is built upon assumptions that the impacts of land use are a function of intensity, or the physical characteristics and functions, rather than specific land uses (such as commercial or residential). A potential development is assessed against predetermined standards

(performance measurement) that set quantitative limits on acceptable levels of use.

The RMAct was heralded by some as the first legislation in the world to be founded on the principle of environmental sustainability, given that its overarching purpose is the sustainable management of natural and physical resources (Bollard, 1995; Papadakis and Rainbow, 1996; Spiller, 2003; Upton, 1995). This is set out in section 5 as follows:

5. Purpose

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, “sustainable management” means 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 wellbeing and for their health and safety while –

(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.

Local government is required to implement the RMAct’s sustainability mandate at the regional and local level. To this end, councils (collectively referred to as local authorities) must prepare a hierarchy of planning documents, including regional policy statements and regional coastal plans (the role of regional councils), and district plans (produced by district councils, also known as territorial local authorities).⁶ The plans describe the desired environmental outcomes sought and also set out the policies, objectives and methods for achieving them. Councils are able to utilise regulatory methods (that is, the resource consent process) and non-regulatory instruments (for example, financial incentives) in pursuit of their plan goals. Once employed, councils are obliged to evaluate the effectiveness of plans and to alter them as required (section 35). The RMAct further directs local authorities to

⁶ The regional councils may also prepare other regional plans, for example concerning environmental media such as water or air, but these are not mandatory.

undertake a full review of their policy statements and plans every 10 years (section 79).

Thus, the RMAct functions under a three-tier hierarchy where: 1) national agencies set national policies and standards and build the capability of local authorities to implement the Act; 2) regional councils develop and implement policy statements and plans to ensure the integrated management of resources across the region, and build capacity in district councils; and 3) district councils produce and implement plans to control the adverse effects of land use activities at the local level (May et al., 1996). There is a strong onus on councils to monitor and evaluate the effectiveness of their policy statements and plans and to revise them when necessary.

Having reviewed the overall purpose and principles of the RMAct and the administrative framework, the following sub-section outlines the specific heritage provisions that were included in the 1991 Act and subsequent amendments, and the roles of implementing agencies.

Précis of Historic Heritage Protection under the RMAct

The framework established by the RMAct equates to a ‘plan-led’ environmental management system within which the formal planning process centres on three functions, namely plan making, plan implementation and plan review (Lichfield and Prat, 1998). As demonstrated in the remainder of this chapter, central and local government attention has been firmly on the first two planning functions, but largely at the expense of the third.

Plan Making

While the RMAct allows councils some discretion in the types of resource management issues they address in the plans, certain matters must be acknowledged. Prior to 2003, the “recognition and protection of the heritage values of sites,

buildings, places or areas” (section 7(e)) was a matter for which local authorities must ‘have particular regard to’. In legal terms this requirement was deemed “a high test” (Harris and Atkins, 2004, p.61) and the Environment Court (formerly the Planning Tribunal) determined that “the weight given to [section 7 matters] should reflect the fact that they have been given the prominence of specific mention” in the Act (Palmer, 2005, p.128). As well, the Second Schedule to the Act (which was repealed in 2003) specified a range of matters to be dealt with in plans, amongst them “natural, physical, or cultural heritage sites and values, including landscapes, land forms, historic places and wāhi tapu.”

The RMA Act also requires councils to ‘have regard to’ any “relevant entry in the Historic Places Register” (section 66 for regional councils and section 74 for district councils). This provision links the HPA Act, and specifically the heritage identification function carried out under it by the Historic Places Trust, with the protection mechanisms provided under the RMA Act. This relationship was further strengthened in 1993 when an amendment to the HPA Act highlighted one purpose of the register as being to “assist historic places, historic areas, wāhi tapu, and wāhi tapu areas to be protected under the Resource Management Act 1991” (s22(2)(c)). Such clarification further indicates the centrality of the planning system, and specifically the land use plans produced by district councils, in New Zealand’s historic heritage protection regime.

As with the TCP Act, matters of national importance are specified in the RMA Act (section 6) of which there were five when the Act was introduced in 1991. Two others have since been added, including section 6(f) in 2003 relating to the protection of historic heritage.

6. Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognize and provide for the following matters of national importance:

(a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:

(b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:

(c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:

(d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:

(e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.

(f) The protection of historic heritage from inappropriate subdivision, use, and development [introduced in the RMA Act Amendment Act 2003]:

(g) The protection of recognised customary activities [introduced in the RMA Act Amendment Act 2005].

Councils must ‘recognise and provide for’ matters of national importance, which is a stronger obligation than is the case for section 7. In practical terms this means that the matters of national importance must be afforded “substantive weight” in the provisions of policy statements and plans prepared by regional and district councils, as well as in deliberations over development proposals (Randerson, 1997, p.83). Thus, the 2003 amendment elevated the legal obligation of councils to protect historic heritage in their policy statements and plans.⁷ Section 6(e) is another key provision for the recognition and protection of Maori heritage, including wāhi tapu (‘sacred sites’) and other historic taonga (or ‘treasures’).

Another important change introduced in the 2003 amendment Act was the inclusion of a definition of historic heritage (section 2), as follows:

⁷ Nevertheless, case law has stressed that protection is not unconditional, but rather relates to ‘inappropriate’ subdivision, use or development. Consequently there will be occasions when historic heritage may be demolished or removed. A recent case in this regard is *New Zealand Historic Places Trust vs. Manawatu District Council* [2005] NZRMA 431.

“historic heritage” –

a) means those natural and physical resources that contribute to an understanding and appreciation of New Zealand’s history and cultures, deriving from any of the following qualities:

- (i) archaeological:*
- (ii) architectural:*
- (iii) cultural:*
- (iv) historic:*
- (v) scientific:*
- (vi) technological; and*

b) includes –

- (i) historic sites, structures, places, and areas; and*
- (ii) archaeological sites; and*
- (iii) sites of significance to Maori, including wahi tapu; and*
- (iv) surroundings associated with the natural and physical resources:*

A noteworthy point about the definition is that it introduced a typology of historic heritage that fell within the RMAct’s protective mandate. Such a definition was lacking in the RMAct prior to the 2003 amendment and led, for instance, to criticisms that archaeological site protection had been largely left to the Historic Places Trust in fulfilling its statutory requirements under the HPAct (Law and Greig, 2004). As well, the definition introduced six criteria ((a)(i)-(vi)) for councils to use when assessing the significance of historic heritage. Again, before the amendment there was no such guidance and each council was required to invent criteria for scheduling heritage in their plans.

A final protection instrument of note under the RMAct is a heritage order, which is akin to the protection notices in the former HPAct 1980, but broader in scope. Heritage orders are available for use by Heritage Protection Authorities, which include all local authorities, Ministers of the Crown, the Historic Places Trust and any approved body corporate, and are intended to protect:

- a) Any place of special interest, character, intrinsic or amenity value or visual appeal, or of special significance to the tangata whenua for spiritual, cultural, or historical reasons; and*
- b) Such area of land (if any) surrounding that place as is reasonably necessary for the purpose of ensuring the protection and reasonable enjoyment of that place (s189).*

Heritage orders take effect when they are listed in the relevant district plan and no one may undertake work to the property that would “nullify the effect of the heritage order” (s193) without the written agreement of the heritage protection authority. Therefore, they provide a powerful protection tool but are used very sparingly, typically when a highly valued site’s destruction is imminent and usually when all other avenues have been exhausted (Vossler, 2000). The main reason why heritage orders are used so cautiously is due to the fact that owners can make a case at the Environment Court for compensation (section 198).

Plan Implementation

Implementation of a district plan’s historic heritage provisions is largely achieved by scheduling places, sites and areas with heritage value in a plan and applying rules that require resource consent to be granted by council before development proposals may legally proceed (Heather and Bowman, 2004; Vossler, 2000). The plan rules relate to activities that are considered to have detrimental effects on heritage, for example, the demolition or removal of historic buildings, or subdivision and earthworks in the vicinity of an archaeological site.

The RMAct sets out matters that must be considered when preparing an environmental impact assessment (referred to in the RMAct as an assessment of environmental effects) for a resource consent application. One such matter is “any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural, or other special value for present or future generations” (Fourth Schedule). This means that the actual or potential effects of a proposal that will impact on a listed heritage item need to be addressed by a developer. In particular, they need to demonstrate in a consent application, and to the satisfaction of the council planners who ‘process’ the applications, that they have avoided, remedied or mitigated any negative impacts. Assessment criteria in plans assist both consent applicants and council decision-makers gauge the likely effects of activities and ultimately whether or not a proposal will comply with the heritage

goals of the plan. The council reviewing the development proposal must assess the adequacy and accuracy of the application and may undertake its own investigation into the likely effects of the proposal if it is considered necessary.

Not all resource consent applications are assessed equally, however, as the RMA Act establishes rule categories to reflect the fact that development impacts vary. As Figure 2.1 below shows, plan rules may range from permissive to highly restrictive depending on the potential adverse environmental effects of proposals. Thus, if an activity is permitted by a plan the local authority has deemed that any unwanted effects will be negligible and so resource consent from council is not required. A common permitted activity in the heritage sections of district plans is the on-going repair and maintenance of protected buildings.

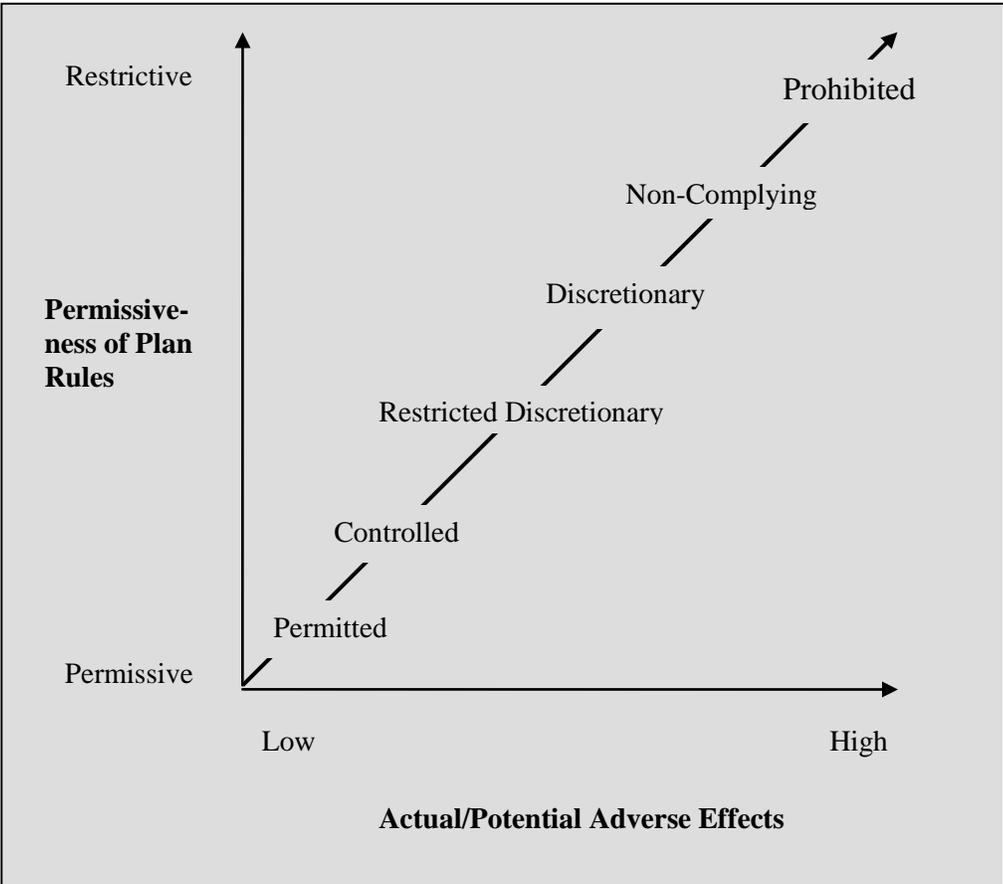


Figure 2.1: The Resource Consent Rule Categories Established under the RMA Act

At the other extreme, an activity that may lead to significant and irreversible adverse effects may be prohibited in a plan, which means that a resource consent application will not be accepted. While almost unheard of, a number of district councils in New Zealand have made the demolition of scheduled historic buildings a Prohibited Activity, for example Auckland City Council and South Taranaki District Council. The remaining rule categories in Figure 2.1 range between the two extremes and their position on the scale signifies the influence council has over the proposal and the degree of rigour necessary in assessing the likely effects.

Resource consent applications for a Controlled Activity cannot be declined as any adverse effects are anticipated to be only minor, whereas applications made for all other rule categories may be refused. Conditions can be imposed on any consent granted by a council provided that they ‘fairly and reasonably’ relate to the proposal (Kirkpatrick, 1997). Additionally, the matters that a council can take into account when deciding on applications for a Controlled or Restricted Discretionary Activity must be specified in the plan. For example, in considering a consent application for an addition to a protected building, councils often limit their jurisdiction to matters of design, such as architectural compatibility, proposed materials and so on. No such restrictions apply to Discretionary and Non-Complying Activities, though, and councils may consider any matter they deem to be relevant.

Local authorities are also able to implement non-regulatory methods in plans, either as a substitute for rules or in support. A range of non-regulatory options are available, including heritage grants to assist with conservation and restoration work, free specialist advice to owners (for instance, from conservation architects or archaeologists), rates relief, educational information (such as historical information or heritage guidelines), and waiving of resource consent fees.⁸ While these methods can be provided for in plans as a way of promoting good outcomes for heritage, their implementation is dependant on funding via the ‘annual planning’ budget allocation

⁸ The Heritage Management Guidelines published by the New Zealand Historic Places Trust (2004) offers an explanation of these incentive-based methods, as well as others.

process. Thus, non-regulatory methods espoused in plans will only be implemented if the councils' leaders agree to contribute the necessary financial resources.

As was the case under the TCPAct 1977, the RMAAct provides substantial opportunities for public participation in the resource consent process. For instance, there is an inherent assumption in the RMAAct that development applications will be notified for public comment unless it can be shown that all directly affected parties (typically owners and occupiers in close proximity to the proposed development) have consented to the proposal, that the anticipated environmental effects are minor, or, in the case of Controlled or Restricted Discretionary activities, that the plan expressly permits a council to decide upon a consent application without input from third parties. However, the extent to which the public is included in the decision-making process regarding local development proposals is questionable as, despite the bias in favour of notification, the vast majority of consents (that is, around 95% of the national total per annum) are granted without public comment (Ministry for the Environment, 2007).

Finally, the judiciary continues to play an influential role under the RMAAct with rights of appeal to the Environment Court available for a range of matters, including the provisions in plans and decisions about development proposals made under those plans. Enforcement procedures are also available in instances of non-compliance with plan provisions or resource consent conditions. A key departure from the TCPAct legislation is that under the RMAAct there are no compensation rights for people who consider that a plan's provisions unduly restrict their property rights (Randerson, 1997), except in relation to a heritage order. Instead, the Act allows people to challenge any provision in a plan on the grounds that it would render their interest in land incapable of reasonable use (section 85). Such a challenge can be made during the submission process when a plan has been notified for public comment, or via a privately initiated plan change.

If the Environment Court finds that a plan does place an unfair and unreasonable burden on a person it can direct a council to modify, delete or replace the offending provision. Case law to date indicates that “a sense of proportionality is required, and that the outcome should not be unfair and unreasonable to owners affected” (Palmer, 2005, p.906). Furthermore, when considering the implications of listing a building in a plan the Court will take into account the condition of the building, its uniqueness, and the costs of restoration (Palmer, 2005).⁹ In reviewing a number of Environment Court decisions affecting historic buildings, Nahkies (2002, p.12) concluded that, “as a general rule there will be no need to compensate for losses resulting from heritage provisions in plans as heritage will be treated no different to other planning controls.”¹⁰

Local Authority Experience of Implementing the RMAct

In sum, the RMAct lifted the responsibilities of local authorities for heritage protection (Butts, 1993; Rainbow, 1998; Vossler, 2000) and is now considered to be the primary legislation for protecting privately owned heritage (McLean, 2001). However, regardless of the optimism bought about by the RMAct, and despite the Act’s more sophisticated framework and provisions, it has been claimed that “The high hopes that were held in the early 1990s for the expected promotion of sustainable management of heritage under the Resource Management Act 1991 have not eventuated” (Rainbow and Derby, 2000, p.135).

In general terms, a number of concerns to do with the performance of the RMAct have been raised, notably: 1) its enabling framework; and 2) the failure of central and

⁹ Case law cited: *Helmbright v Environment Court (No 1)* (2005) NZRMA 118; *Ngati Maru Ki Hauraki Inc v Kruithof* (2005) NZRMA 1; *New Zealand Historic Places Trust/Pouhere Taonga v Manawatu District Council* (2005) NZRMA 431; *Steven v Christchurch City Council* (1998) NZRMA 289.

¹⁰ Cases cited include: *AA McFarlane Family Historic Places Trust v Christchurch City Council* (1999) NZRMA C46/99; *Leith v Auckland City Council* (1995) NZRMA A34/95; *New Zealand Suncern Construction Ltd v Auckland City Council* (1996) NZRMA A51/96; *Prime Investments Ltd v Gisborne District Council* (1995) NZRMA W121/95; *Prudence Anne Steven v Christchurch City Council* (1998) NZRMA C38/98; *Shell Oil NZ Ltd v Wellington City Council* (1993) NZRMA W034/93.

regional government to fulfil its capacity building function. These are now briefly considered in turn.

Market-Led Planning vs. Regulatory Intervention

Criticisms have been made with respect to the Act's enabling framework. In Thomas's (2002, p.270) view, the RMA's emphasis on effects means that the Act "is indifferent to, if not actually 'anti planning'." This effects-based approach has been criticised because "limiting adverse effects of economic activity on the biophysical environment (in effect dealing with market externalities) cannot possibly ensure the sustenance of natural and physical resources for future generations" (Grundy and Gleeson, 1996, p.203).

Therefore, the overall goal of the central government reforms – to improve economic growth by reducing the role of the State in decision-making in favour of reliance on the market – has been accused of contradicting the sustainable management principle of the RMA. This is because in order to sustain environmental resources "regulation rather than reliance on the market" is required (Grundy and Gleeson, 1996).¹¹ In other words, in order to fulfil the purpose of the RMA more rather than less regulation is needed, which inevitably means private property rights will be encroached. This is certainly the case for heritage protection, which involves direct intervention via the development control system to allow councils to influence the effects certain activities may have on heritage values. Consequently, this has meant that "Heritage has often attracted a lot of negative attention because it is frequently at the cutting edge between private property rights and the public good" (Rainbow and Derby, 2000, p.138).

¹¹ However, this is contrary to the view of the national government during the 1990s, whose catch cry instead was 'educate don't regulate', which fits well with a neo-liberal philosophy as it improves the range and freedom of choice.

Lack of Capacity Building

Second, the RMAct has been characterised as a devolved, co-operative mandate, which acknowledges that while much of the daily responsibilities for protecting heritage has been devolved down to local government, the national environmental agencies, notably the Ministry for the Environment, play an important role in building council capacity to fully implement the Act (Ericksen et al., 2001; Ericksen et al., 2003; May et al., 1996). One method available to the Ministry for building capacity under the Act is the preparation of policy guidance on matters of national importance, including (but not limited to) the matters listed in section 6.

The most influential form that such guidance can take is a national policy statement, which sets out the objectives and policies deemed necessary for managing the matters of national importance and with which every local authority *must* comply. However, only one national policy statement is mandatory under the RMAct, that being for the coastal environment, meaning that preparation of any others is at the discretion of the Ministry. To date, the Ministry for the Environment has declined to provide such high-level policy direction for local authorities, other than for the coast, a fact that has been chastised by Ericksen et al. (2003, p.71) as “a major failing by the Government.”¹²

This means that there is no sign of a national policy statement for historic heritage. The Ministry for the Environment has undertaken other, less direct methods of capacity building with respect to heritage. For instance, they commissioned and published a somewhat cursory ‘guidance note’ on their Quality Planning website in 2002, which was updated and improved the following year in response to the RMAct amendment.¹³ However, this information came well after the majority of local

¹² Reasons for this failure include “lack of agency funding and political leadership at critical times, the Government’s minimalist approach and desire not to interfere..., and equivocation among councils of the need for central direction” (Ericksen et al., 2003, p.71).

¹³ www.qualityplanning.org.nz/plan-topics/historic-heritage.php. I was engaged recently by Ministry for the Environment and Historic Places Trust to research current council practice in order to inform

authorities had already written and publicly notified their first generation plans, and many councils have still not initiated plan changes in response to the increased imperative in the RMAct to protect heritage. Consequently, the heritage provisions in these plans still reflect the original and less onerous section 7 requirements (Day et al., 2007; Mason et al., 2006).¹⁴ This lack of direction from the Ministry for the Environment spurred the Historic Places Trust to publish its own guidelines on heritage management for local authorities in 2004,¹⁵ so as to “fill a gap and provide information on the Resource Management Act 1991 (RMAct) and its 2003 Amendment relating to sustainable management of historic heritage” (New Zealand Historic Places Trust, 2004, p.vii).

Regional councils also have a capacity building role with respect to district councils (Ericksen et al., 2003) by identifying regionally significant heritage places and areas and formulating policies that are appropriate to achieve their protection (Vossler, 2000). In response, district plans need to be consistent with the heritage provisions contained within policy statements and plans prepared at the regional level. However, the partnership between regional and district councils anticipated under the RMAct did not appear in practice during the preparation of the first generation RMAct plans (Ericksen et al., 2003).¹⁶ In terms of historic heritage protection, the 16 regional councils largely eschewed their responsibilities at this time leaving it instead to the district and city councils (Derby et al., 1997).

the preparation of a revised guidance note (forthcoming). The findings were laid out in two, as yet unpublished, reports (Mason et al., 2006; Day et al., 2007).

¹⁴ This was true for the two case study councils used in this thesis – at the time I undertook the research the relevant heritage sections had not been amended since the plans’ notification in 1994.

¹⁵ It could be argued that the Ministry for the Environment was indirectly involved, as the Guidelines were financed from the Sustainable Management Fund administered by Ministry for the Environment.

¹⁶ The reasons for this poor performance have been linked to “lack of staff and financial resources, turf protection, and conflict generated by uncertainty in roles at each level of government” (Ericksen, 2003, p.6).

Effectiveness of Local Authority Heritage Protection under the RMAct

As well as these problems, concern at the ongoing degradation of the historic environment was voiced around the country within only a few years of the RMAct's inception. Two national reviews ensued, the first by New Zealand's environmental 'watchdog', the Parliamentary Commissioner for the Environment, which investigated the performance of relevant legislation and administering agencies. The findings were released in 1996 and highlighted a number of shortcomings within the system, many that mirror the weaknesses exposed under the TCPAct, including:

- a lack of national guidance and strategy;
- fragmented legislative provisions across a number of statutes and administering agencies;
- confusion over the roles of the various agencies;
- insufficient capacity within heritage agencies (financial as well as personnel);
- a weak mandate within the RMAct to adequately protect historic heritage; and
- a particular lack of responsiveness to Māori incorporating all of the factors above.

Having considered the findings, the Parliamentary Commissioner for the Environment (1996, p.91) asserted that "the system for protection of historic and cultural heritage as a whole is performing poorly, is very reactive, and at present is characterised by poor resourcing and a lack of vision and integrated strategic planning." Sixteen recommendations were made in the report to government to improve the historic heritage management system, in particular, the:

- establishment of a government unit for historic heritage to advise the responsible Minister;
- development of a national strategy for historic heritage management;
- greater recognition by local authorities of their heritage responsibilities;
- strengthening of heritage protection provisions within the RMAct; and
- increased funding of heritage agencies at a national and local level.

The second major review was carried out by the Department of Conservation, at the behest of the then National Government. This study further confirmed the view that historic heritage was inadequately served by current arrangements (Department of Conservation, 1998). It was recommended that the heritage provisions within the RMA be broadened and strengthened so that “the Resource Management Act should be the principal regulatory tool for the protection of historic heritage” (Department of Conservation, 1998, p.6). The preparation of a National Policy Statement was also encouraged.

Successive governments have taken steps to address the concerns highlighted by both reports and a number of significant developments have resulted, including the establishment of the Ministry for Culture and Heritage to promote consistency and integration within the heritage sector. Further, amendments to the RMA have: 1) elevated the legal status of historic heritage protection to being a matter of national importance; 2) required councils to ‘take into account’ Iwi Management Plans (documents that address issues related to Māori historic heritage); and, 3) simplified the process involved in developing national policy statements (to address the matters of national importance listed in the RMA) with which local government must comply.

*Poor Response to Heritage in First Generation
RMA Plans and Implementation*

The reviews clearly highlighted a number of limitations in New Zealand’s institutional and legislative framework for heritage management and while subsequent government initiatives aimed to alleviate this situation it is not clear yet whether this action is sufficient. In this regard, local authority response to the RMA amendments has been slow and there seems little chance of a heritage focused National Policy Statement despite calls for one. In any event, while there may be benefits in reinforcing local authorities’ responsibility to protect heritage under the Act, it is unclear whether such a move will lead to better outcomes for heritage

through the implementation of RMAct policy statements and plans. Indeed, evidence to date suggests that the first generation of plans do not adequately provide for historic heritage protection (Allen, 1998; Ministry for the Environment, 1997; Tanner, 2002; Woodward, 1996), which in turn leads to the assumption that weak plans will yield poor outcomes.

One study surveyed 25 district plans to ascertain the heritage management approach taken by local authorities under the RMAct (Woodward, 1996). The findings indicated considerable variance in the ways that councils recognise and protect heritage and a number of weaknesses were apparent in the plans. First, councils appeared reluctant to use regulation which resulted in permissive plans and/or plans that only controlled development to a minor degree. Second, nearly half of the plans failed to recognise archaeological sites and wāhi tapu. Third, the survey revealed a lack of non-regulatory incentives to encourage owners to voluntarily care for their heritage resources. Fourth, councils tended to misinterpret both the RMAct mandate as well as the HPAct, resulting in confusion over roles and responsibilities. This typically meant that councils thought the Historic Places Trust had a larger role to play in heritage protection than the legislation specifies. Fifth, the plans reflected a weak fact-base in that information about historic heritage was often insufficient and/or inaccurate. Sixth, plans contained inconsistent information requirements with regard to the level of detail necessary in development applications. Similarly, assessment criteria listed in plans to guide decision-making on development applications were patchy.

The following year, the Ministry for the Environment (1997) undertook a similar study of six regional policy statements and 14 district plans to determine how local authorities were providing for historic and cultural heritage. The findings mirrored those of Woodward's in many respects except for the conclusion that "the twenty plans and policy statements analysed used a large number and variety of non-regulatory methods to achieve heritage protection" (Ministry for the Environment, 1997, p.10).

Other studies and reviews have further indicated that the implementation of heritage provisions within the RMAct is poor. For instance, as noted above, the current system has been criticised for failing to adequately provide for Māori historic heritage (Parliamentary Commissioner for the Environment, 1996). This failure has led to a call for a stand-alone Māori heritage agency that could, amongst other things, advocate for heritage protection under existing legislation and develop a national strategy for the conservation and protection of Māori heritage (Allen, 1998). In reviewing council practice with respect to archaeological site protection, Tanner (2002) noted that while the legislative changes introduced in the RMAct may have increased the profile of heritage in resource management, the new planning regime has in practice failed to address a number of ‘deficiencies’ particularly with respect to identifying and researching sites for inclusion in plans.

The latest research on heritage management considered the practices of 16 local authorities in New Zealand (Mason et al., 2006). It has shown that the larger and better resourced councils have developed robust heritage provisions in their plans, comprising a strong mix of regulatory and incentive-based methods. Some councils had also committed significant amounts of money to implementing a range of non-regulatory methods. Christchurch City Council, for one, has established a heritage fund for private owners totalling nearly one million dollars annually. As well, nine councils employed specialist heritage staff, with expertise ranging from archaeology, architecture, ecology, geology, Maori heritage, urban design, planning and policy analysis, and information management.

Nonetheless, there were worrying signs that many of the institutional concerns raised by the Parliamentary Commissioner for the Environment remain unresolved. In particular, the views expressed by heritage management practitioners working in a range of government and private organisations:

...painted a picture of a sector that has little in the way of central leadership, guidance, advocacy or promotion. Consequently, it is still left to each local authority to find their way of managing historic heritage within their

jurisdictions, and while many councils are endeavouring to adopt best practice in their work a lot more have not made the protection of historic heritage the priority it now is under the RMAct (Day et al., 2007, p.43).

In particular, the practitioners' concerns centred on:

- a continued lack of integration and leadership from and between key central government heritage agencies;
- a paucity of practitioners, especially planners, with heritage expertise;
- a general lack of understanding about and commitment to Maori historic heritage management resulting in the continued loss of sites and areas of significance; and
- a weak knowledge base on which to develop sound heritage management practice, including a lack of information about the state of the historic environment and the effectiveness of planning interventions.

These reviews and studies thus provide a worrying critique of the heritage management system in New Zealand and raise serious questions about the ability of the planning system, and specifically of district plans, in securing positive outcomes for historic heritage via the development control process. Of additional concern is the fact that the findings for heritage are reflective of deficiencies in other resource management areas in New Zealand (for example, Ericksen et al., 2003; 2001; Day et al., 2003; Laurian, Day and Backhurst et al., 2004).

Plan Review under the RMAct

Despite these persistent and seemingly embedded flaws, no studies have been undertaken to evaluate the actual impact of the planning process on the use, management and protection of heritage resources (Day et al., 2007; McClean, 2006; Mackintosh, 2001; Mason and McEwan, 2006; Parliamentary Commissioner for the Environment, 1996). While numerous commentators have surmised that heritage is not being adequately provided for in RMAct plans, there is little empirical evidence to show what effect this has had on outcomes for historic heritage; investigations have instead focused on systemic constraints and the resultant poor plan quality.

Similarly, planning effort has been expended on *plan making* and *plan implementation*, but not on *plan review*, despite the fact that this is a vital planning function under the RMAct.

This lack of evaluation is not limited to the issue of heritage protection, but is instead symptomatic of planning practice generally in New Zealand, as the Parliamentary Commissioner for the Environment has noted:

The contribution that the RMAct has made to sustainable development in general, and sustainable management of natural and physical resources in particular, is difficult to determine in the absence of any comprehensive outcome evaluation since the RMAct was enacted (2002, p.9).

Nonetheless, section 35 of the RMAct places a mandatory requirement on councils to monitor the state of the environment within their jurisdiction as well as the effectiveness of RMAct plans in satisfying stated environmental objectives. The Ministry for the Environment's expectation was that councils would start to concentrate on their monitoring duties once the plan preparation stage neared completion:

Councils are now moving into a period of consolidating implementation of the [RMAct], as new plans and policy statements move through statutory processes to the operative stage. It is likely that there will be a shift in both emphasis and council resources from policy statement and plan development to monitoring and review (Ministry for the Environment, 1996a, p.7).

This was seen as an important step for councils to take as:

Monitoring is an essential component in the business and activity of any organisation. By "closing the loop", monitoring provides the basis upon which resource management objectives and policies can be reviewed with some certainty as to its efficacy in achieving desired environmental outcomes (Ministry for the Environment, 1996a, p.34).

However, this seems like a *post hoc* rationalisation by the Ministry for the Environment, which failed to impress the importance of monitoring from the outset and to build capacity in councils for ensuring it was adequately incorporated in the

first RMA Act plans. Indeed, the document from which the above quote comes, entitled “*The Monitoring Guide: A Practitioner’s Guide to Section 35 of the Resource Management Act 1991*”, was not published until December 1996, by which time 61% of councils had already written and publicly notified their plans.¹⁷ Thus, the limited advice contained in the guide regarding how to write plans so that their goals could be translated into indicators for use in state of the environment monitoring came too late for most councils.

Moreover, the guide offered no advice on how to attribute observed changes in the state of the environment to plan implementation in order to understand when and why plan provisions performed as expected.¹⁸ Even a guidance note prepared by the Ministry for the Environment in 2003 specifically about ‘plan effectiveness monitoring’ failed to proffer direction on *how* to attribute environmental outcomes to planned action, even though the guidance note recognised the need to “Establish cause-and-effect relationships where possible and illustrate and report on attribution.”¹⁹

The Ministry for the Environment has instead limited its attention to developing an in-house Environmental Indicators Programme based on the pressure-state-response framework to “establish a core set of nationally standardised environmental indicators that will help assess the state of the environment and help monitor the outcomes of environmental policies and key legislation, including the Resource Management Act” (Ministry for the Environment, 1996b, p.i). Since 1996, the Ministry for the Environment has published a flood of reports (in excess of 70) describing the rationale for and practice of monitoring, consultation documents on proposed draft indicators, research papers outlining results obtained from testing indicators, and reports confirming final indicators. However, the Ministry for the

¹⁷ As gleaned from data on Ministry for the Environment’s website (www.mfe.govt.nz/rma/councils/plans.php) and illustrated in Crawford (2006).

¹⁸ A more detailed state of the environment monitoring guide was subsequently published (Berghan and Shaw, 2000), but it too skirted the issue of attribution and failed to explain how plan effectiveness can be determined.

¹⁹ www.qualityplanning.org.nz/monitoring/effective-monitor.php.

Environment's attention has been on resource management issues other than historic heritage (McClellan, 2006; Mackintosh, 2001), predominantly issues of concern at the regional level (Miller, 2003).

Conclusion

This chapter has shown that the planning system in New Zealand has become the central means by which privately owned historic heritage is protected. This is evidenced by the successive changes to the heritage provisions in the TCPAct and RMAAct that have led to a broader range of natural and physical resources being recognised as having heritage values. Moreover, the statutory imperative to protect historic heritage has increased so that it is now a matter of national importance under the current RMAAct. Councils have responded by identifying buildings, sites, and areas in their district plans that are valued by at least some of their constituency, and applying rules to control the adverse effects that development may have on them.

Nevertheless, it has also been demonstrated that difficulties in securing good outcomes for heritage via the planning system have long been raised. For instance, concerns were expressed under the TCPAct about decisions by the Planning Tribunal that emphasised the need to compensate owners of protected buildings for their loss of development rights. This in turn was blamed for the weak provisions in plans as many councils sought to avoid the question of recompense. While this situation changed under the RMAAct, there was general disappointment about the extent to which the planning regime was able to prevent damage to the historic environment. Two national reviews uncovered numerous systemic deficiencies, including poor integration amongst heritage agencies and chronic capacity issues. Changes to the Act to elevate the status of heritage followed, as did other institutional reform in particular the creation of the Ministry of Culture and Heritage.

The effect, if any, of these changes on outcomes for historic heritage are currently unknown. Certainly, numerous studies into district plan heritage provisions have

indicated that many plans do not provide a robust framework for heritage management, with the exception of a number of plans prepared by the better resourced councils. At present, though, councils do not know whether or not and why their heritage provisions are actually leading to the anticipated environmental results sought. Consequently, a crucial aspect of the RMAct's model of planning is absent in that, to date, councils appear to have been unable (or unwilling) to assess the effectiveness of their policies.

This is despite the fact that section 35 of the RMAct places a mandatory requirement on councils to monitor the effectiveness of their plans in satisfying their stated environmental goals. Moreover, the Ministry for the Environment have noted that monitoring the effectiveness of the RMAct and the planning documents created under it is problematic. For instance, it has been recognised that while state of the environment monitoring may identify environmental outcomes or the effects of activities on the environment, it is a more complex task to isolate the specific cause of the outcomes (Leggett, 2002; Ministry for the Environment, 1996a; 1996b). This means that attributing changes in environmental quality to the policy intentions of RMAct plans poses a major challenge. The implications of this for planning theory and practice are discussed in the following chapter.

CHAPTER 3

Evaluating Plan Effectiveness: A Way Forward for Planning Practice – the Theory-Based Approach

Introduction

I now turn attention to the overarching research question guiding this thesis, that is, *how can local authorities know whether or not and why their district plan provisions for built heritage protection have been effective?* As revealed in Chapter 2, considerable doubt exists over whether or not New Zealand's planning regime is performing as well as hoped with respect to heritage protection, to say nothing of other matters of national importance identified in the RMAct. In-depth reviews of successive planning statutes highlighted a range of persistent institutional and legislative impediments that brought into question the commitment of local authorities in carrying out their heritage mandate. A compounding issue is not only the lack of evaluation by councils to determine the effectiveness of heritage provisions in plans, even though this is a crucial planning function under the RMAct, but also a lack of methods for doing so. I address this shortcoming in Chapter 3 by way of my overarching research objective, which is to develop and apply a methodology for evaluating district plan effectiveness, in order to ascertain whether or not, and why, district plan provision for building heritage have been successfully implemented.

In doing so, I first place the research problem in an international context by illustrating planning agencies abroad also fail to evaluate plan effectiveness. Second, I outline the major institutional and methodological impediments that have stifled the use of such evaluation. Third, I analyse the limited range of methods that have been used by government agencies and planning academics to evaluate plan effectiveness, and I explain why they are insufficient for the task. Fourth, I outline a methodology, known as theory-based evaluation, which has been used for over two

decades to establish the effectiveness of social programmes in the United States and Europe. I then discuss why I believe the theory-based approach offers a valuable framework for evaluating the effectiveness of plans prepared under the RMAct.

Plan Outcome Evaluation: An International Deficiency

As mentioned, the lack of effectiveness evaluation is not unique to New Zealand nor merely symptomatic of heritage planning. Instead it has been a long recognised shortcoming in planning theory and practice internationally and across all substantive planning issues. In Calkin's (1979) experience, planning agencies revised or replaced their plans without any attempt to identify their effect – just as councils in New Zealand did shifting from the TCPAct to the RMAct – a custom Calkins termed 'new plan syndrome'. Alterman (1982) noted that this lack of attention to outcomes was not just limited to practice but that there was also a dearth of literature on the subject in planning journals. Similarly, Healey (1986, p.114) claimed that the examination of outcomes from land use planning was a "major lacunae" in research, and Dalton (1990, p.38) postulated that planning studies "could be more explicitly reflective and focused on the relationships between intentions, actions, and results", so that the influence planners and planning had on actual outcomes could be ascertained. Since the mid-1990s appeals by planning scholars to pay greater attention to the impact of planning have burgeoned (Brody and Highfield, 2005; Carmona, 2003; Carmona and Sieh, 2005; Gilg, 2005; Gleeson, 2003; Laurian, Day and Berke et al., 2004; Seasons, 2003; Talen 1996a; 1996b; 1997), including calls to evaluate plan outcomes for historic heritage (English Heritage, 2002), without any follow-up research being done, except for a few specific case studies, for example in the USA.

A number of the above commentators are quick to point out that ignorance in and of planning is counterproductive and indeed may be fatal if not quickly righted. Of particular concern is the fact that planners are not in a position to justify their profession. Writing about the Australian situation, Gleeson (2003) argued that for

the past century planning has occupied a tenuous position in the government's institutional scaffolding, susceptible to opposing political ideologies and frequently undervalued compared to service delivery and economic management functions. This, coupled with the view that planning works to restrain the neoliberal economic model adopted by many Western countries since the 1980s (Gleeson, 2003), means that political support for planning as a government sanctioned practice is dependant on proof of its payback. Put differently, if planners cannot justify the imposition of restrictions on market-led activities by demonstrating that they do indeed engender more favourable outcomes than would have otherwise resulted, questions about the worthiness of planning become valid and pressing. In Gleeson's (2003, p.25) words "planning will fail to become a deeply embedded and essential feature of Australian governance if its social and environmental contributions are not clearly explicated and vigorously debated."

For Talen (1997; 1996a; 1996b) working in the USA, the scarcity of plan implementation evaluation means that there is a lack of theory development founded on empirical knowledge of planning success. Thus, she notes that while much attention has been focused on understanding the process of *planning* implementation and the development of procedural theories (why planning does what it does), similar enquiry into the outcomes of *plan* implementation and advancement of substantive theories (whether or not planned goals are achieved in practice) have not followed. For Talen (1996a, p.79) this means that "The constantly shifting package of theories and ideologies handed to practicing planners has little hope of solidifying unless it becomes merged *with* practice by basing itself *on* practice." Interestingly, these sentiments echo those of Wildavsky (1973, p.130) who over 20 years earlier asserted that:

Defining planning as applied rationality focuses attention on adherence to universal norms rather than on the consequences of acting one way instead of another. Attention is directed to the internal qualities of the decisions and not to their external effects.

Talen (1996b) sees this division of planning procedure from planning impact as artificial and contends that the two are interdependent. In other words, she believes that by studying the actual consequences of plan implementation we would learn not only about the operation of planning but we would also gain crucial insights into what constitutes effective planning practice.

Barriers to Evaluating Plan Effectiveness

The lack of focus on plan effectiveness evaluation internationally and in New Zealand can be explained by some formidable institutional and methodological obstacles, namely: 1) an troubled institutional context for planning; 2) public sector fixation with efficiency; 3) evaluation-shyness amongst local authorities; 4) difficulty attributing outcomes to plan implementation; 5) unclear and inconsistent plan provisions and weak implementation; and, 6) insufficient state of the environment data. Each of these issues is now looked at in turn.

Institutional: Troubled Context for Planning

As pointed out in the previous chapter, planning legislation and administration in New Zealand underwent major changes during the late 1980s and 1990s as part of a wider period of reform driven by neoliberal and pro-market ideals. Following the reforms local authorities grappled with the fundamental principals of the RMAct and the political and public expectations of its implementation (Jay, 1999; Miller, 2007). As a consequence, the ability of council planners to fulfil their roles, including plan effectiveness evaluation (and monitoring generally), has been hampered. For instance, in Jay's (1999) view, the shift in focus from social and economic issues under the TCPAct to largely biophysical objectives and development control under the RMAct left many practicing planners lacking the necessary skills. This has meant that, "even amongst professional planners, the knowledge base required by the RMAct may be inadequate for efficient and effective implementation of the legislative objectives" (Jay, 1999, p.475).

According to Miller (2007), a negative view of planning emerged in the 1990s based on the opinion that planning practice overly interfered with market-led resource management and imposed significant time delays and compliance costs. Unprecedented media interest ensured that persistent criticism by the likes of Simon Upton, the then Minister for the Environment, and by high profile commentators such as Owen McShane (who penned a controversial ‘thinkpiece’ slating planning regulation and its effects) and members of the Business Roundtable were given wide coverage. The general public also reacted vocally when they perceived their property rights were being unnecessarily restricted by plan provisions. Such angst resulted in numerous and piecemeal amendments to the RMAct and further exacerbated planners’ attempts to implement it. It also created a negative environment for planners to work in and motivated many to leave the profession altogether (Miller, 2007).

Moreover, the RMAct is just one piece of legislation amongst many that local authorities are required to administer and so the need for tradeoffs amongst finite resources inevitably arises. This has meant that council responsibilities other than the planning functions specified in the RMAct have been deemed more urgent and thus allocated the necessary resources. As Jay (1999, p.474) argued:

Even if local authorities wish to perform their resource management responsibilities efficiently and effectively, many of their competing responsibilities are expensive and more urgent. Construction and maintenance of roads, water mains, and sewer mains tend to take precedence over the protection or restoration of natural and physical resources. For rural districts, community playing fields for rugby or soccer tend to be viewed as more necessary than supporting the life-supporting capacity of ecosystems or sustaining the potential of natural and physical resources for future generations.

Institutional: Efficiency vs. Effectiveness

A further institutional impediment is a public sector pre-occupation with performance measurement based on the quality of service delivery rather than the impact of policy decisions, including environmental impacts (Carmona and Sieh,

2005; Frieder, 1998; Miller, 2003). Changes in management systems that accompanied the neoliberal agenda in New Zealand and abroad have been blamed for this fixation (Gregory, 1987; Houghton, 1997). Certainly, planning as a public activity is resource intensive in terms of human and financial capital. This fact has been well illustrated in New Zealand where it has been estimated that the cost of preparing the first round of statutory plans under the RMA Act was in excess of one billion dollars and “councils were left to work it out for themselves in 86 different ways around the country – an absurd, time-wasting and costly process” (Ericksen, 2003, p.5).

Consequently, there is pressure on planning agencies to demonstrate that their taxpayer-funded activities are justifiable not on grounds of effectiveness, but rather efficiency. Proof of the latter seems to be more highly prized than proof of the former, as evidenced by the Ministry for the Environment’s annual survey of local authorities, which is dominated by ‘process’ questions, such as the number of resource consents granted, the proportion that were completed within statutory timeframes, the proportion that were publicly notified, and the fees charged to the applicant (Ministry for the Environment, 2007; 2005b; 2003). A number of questions in the Ministry for the Environment’s survey do ask about councils’ monitoring and evaluation practices, but the focus is largely on resource consent compliance and enforcement, rather than the environmental effects of resources consents. Miller (2003, p.341) points out that surveys undertaken by local authorities “suffer from similar reliance on simplistic, easy to measure quantifiable measures of performance.” As well, the media in New Zealand frequently report the views of lobbyists and politicians who demand resource consent approvals to be sped-up. Indeed, Nick Smith, an Opposition MP and spokesperson for the Environment/RMA Act for the National Party, tried to push a private members Bill through Parliament to reduce the timeframes local government have to assess consent applications, which is currently 20 working days.

Institutional: Evaluation-Phobia

Yet another institutional barrier relates to fear that an evaluation will publicly expose poor plan performance and thereby inadvertently “hand a club to the critics”, as Crawford (2006, p.28) put it. In Canada, a study of the evaluation practices of regional planning departments found that organisations with an aversion to criticism and change tended to have an anti-evaluation culture (Seasons, 2003), thus lending weight to Wildavski’s (1972) contention that the terms evaluation and organisation are oxymoronic. A research programme in New Zealand, known as Planning Under Cooperative Mandates (or PUCM),¹ encountered this institutional resistance after publishing the results of Phase 1 where a key council for Phase 2 would not agree to be involved (the findings showed that the council had a high capacity to plan, but nevertheless produced a plan of low quality). Similarly, in Phase 3, key councils have balked at their continued involvement in the research, which in turn has required considerable effort on the part of the PUCM programme leader to encourage their ongoing participation.

A highly regarded evaluation theorist and practitioner, Carol Weiss (1993), has cautioned that evaluation is a rational activity in a political environment and that organisational politics can resist evaluations for three reasons: 1) the subject of evaluations (plans, policies, programmes) are borne out of political decisions; 2) evaluations are designed to influence the decision-making process, but inevitably compete with other political priorities; and 3) evaluations are themselves political in that they take a stance on the merits or otherwise of a plan, policy or programme. Weiss concluded that “the evaluator who fails to recognise [these constraints] is in for a series of shocks and frustrations” (Weiss, 1993, p.94). Indeed, frustration at the

¹ This ongoing research programme is led by the University of Waikato and aims to better understand the links between environmental policy and outcomes by evaluating the quality of the preparation of plans produced under the RMA Act (Phase 1) and their implementation (Phase 2), and influencing factors.

lack of attention organisations paid to evaluation findings led Weiss (1988) to question “Is anybody there? Does anybody care?”²

There is also evidence to suggest that political pressure can influence the extent to which evaluations address the effectiveness question. In a review of the practices of state auditors in eight countries, Schwartz (1999) found that the auditors sometimes minimised their political risks by choosing not to undertake effectiveness evaluations of government policies, even when they were mandated to do so. Instead, Schwartz found that a number of strategies had been adopted to side-step the issue, including: ‘escape’, where auditors left the task up to the government agencies themselves; ‘camouflaging’, where auditors claimed to have undertaken effectiveness evaluations, but in practice focused on managerial performance and service quality; and ‘tinkering’, where evaluators did investigate policy effectiveness, but fell short of being critical when deficiencies were found.

Methodological: Attribution, the Missing Link

As well as institutional resistance, methodological difficulties need to be overcome. The greatest challenge in this regard involves demonstrating the degree to which observed changes in the environment are a consequence of the plan (Kouwenhoven et al., 2005; Leggett, 2002; Talen, 1996). Attribution can simply be described as “the process of establishing cause and effect” (Santer et al., 1996, p.413) or, more figuratively, “the relation between mosquitos and mosquito bites” (Scriven, 1991, p.77). In terms of planning under the RMA, attribution involves determining the links between the environmental outcomes we observe over time and our efforts to control environmental change through plan implementation. In other words, plan

² Ultimately, Weiss (2004; 2000a) came to accept the ‘muddling though’ nature of decision-making, such as described by Lindblom (1973), and that the findings of evaluation research are unlikely to be adopted quickly or directly. Rather than expecting instrumental use of evaluation findings by organisations, Weiss (2004, p.71) recognised that “even if nothing happens immediately, good things can still come of the research. Slow, diffuse, incremental influence may sound like a limited victory. It is a victory nonetheless.”

effectiveness evaluation seeks to discover whether administration of the plan has influenced environmental quality in the ways anticipated in the plan.

The difficulties associated with such making causal claims have been well documented in the planning literature (Brody and Highfield, 2005; Carmona and Sieh, 2005; Gilg, 2005; Healey, 1986; Houghton, 1997; Laurian, Day and Berke et al., 2004; Morrison and Pearce, 2000; Pearce, 1992; Seasons, 2003; Talen, 1996a; 1996b; 1997). In particular, deciphering the impact of plan implementation alone on the natural or built environment is problematic given that there are many influences beyond the control of the land use planning system. Healey (1986, p.114) contended that this issue of ‘multi-causality’ is a “major problem” when trying to attribute outcomes to a particular plan policy. Similarly, Talen (1996, p.255) recognised that multi-causality is problematic “because planners try to manipulate only certain aspects of land development” and, as a consequence, “trying to assess the impact of planning decisions on economic, social, and other urban systems requires overlooking a number of ‘contentious steps’ in the explanatory chain.”³ The point being that any attempt to filter out the background ‘noise’ in order to isolate the influence of plans alone on environmental outcomes is a demanding proposition.

Methodological: Poor Plan Quality and Implementation

The attribution task is made more difficult by the fact that many plans do not clearly state their objectives, policies and anticipated environmental results (Knapp and Kim, 1998; Morrison and Pearce, 2000; Ericksen et al., 2003; Seasons, 2003). As a result, interpretation of the plan goals can vary widely and disagreement over what the plan is actually trying to achieve may be an issue (Seasons, 2003). Evidence from the PUCM research programme also revealed that RMAct plans lack internal consistency, meaning that well-intentioned objectives and policies are not always backed up by the rules and other methods needed to implement them (Ericksen et al.,

³ The term ‘additionality’ is used in a similar manner to mean the added value that planning (and plan implementation) brings with respect to environmental outcomes compared to an unplanned scenario (Carmona and Seih, 2005; Gilg, 2005; Morrison and Pearce, 2000; Pearce, 1992).

2003). In these circumstances plan implementation is guaranteed to fail given that the implementers lack the necessary tools for influencing outcomes.

The PUCM research has also shown that many policies in RMAAct plans are seldom or never implemented in the development control process. In this regard, 353 resource consent applications from six councils were assessed to see how many plan policies had been implemented in the approved developments. The results were unsatisfactory in that consents implemented about 1 in 10 relevant plan policies (Laurian, Day and Backhurst et al., 2004; Laurian, Day and Berke et al., 2004). Clearly then, any attempt to attribute environmental outcomes to district plans can be limited by poor plan quality and implementation.

Methodological: Poor Factual Basis

A related concern is the dearth of reliable baseline and time-series data for informing about changes in environmental quality. In other words, even if the attribution question has been addressed there is not a lot to attribute plan implementation to because very little environmental monitoring has been undertaken (Benneer and Coglianesi, 2005; Carmona, 2003; Frieder, 1998; Healey, 1986; Miller, 2003; Pearce, 1992; Wong, 2000). Moreover, what has been done is often not easily adaptable for the purpose of plan effectiveness evaluation.

This was exposed by recent experience in New Zealand where a team of researchers (including myself) visited over 20 local authorities representing a range of large-small, urban-rural, and high-low capacity councils, with the purpose of locating monitoring data for the district plan topics of urban amenity and stormwater management. Unfortunately, the investigation revealed that very little information had been compiled on these topics and where research had been carried out, for instance monitoring for contaminants associated with stormwater runoff, they were often one-off studies in a limited number of sites. As well, the data did not necessarily provide a reliable account of environmental quality when, for instance,

samples were taken after the first flush of stormwater at the beginning of a rain event thereby missing the most contaminated stormwater.

Summary of Barriers

Anyone contemplating plan effectiveness evaluation needs to ensure that: 1) the goals of the plan are clear and that the objectives and policies can actually be implemented via the rules and other methods; 2) the plan has been sufficiently implemented so as to have had an impact on the environment; 3) either there is adequate environmental outcome data available or it is feasible to generate the data; and 4) an appropriate conceptual and methodological framework has been devised for attributing observed environmental change to plan implementation.

Additionally, the potential for institutional resistance will need to be taken into account when requests are made to local authorities to participate in the evaluation. Given that much of the required information will be held internally (for example, development control data, staff reports and commissioned studies) it is imperative that the councils understand the research intentions and are ‘on board’, as otherwise they may resist being evaluated and act as gatekeepers (Weiss, 1998).

Plan Effectiveness Evaluation: Current Methods

Given these hurdles, it is perhaps not surprising that there have been few serious attempts to evaluate the effectiveness of land use plans, be it in relation to heritage protection or other matters dealt with in plans. Studies that I have located originate from central and local government in New Zealand and abroad, as well as research articles published in international planning journals.⁴ With respect to the former,

⁴As well as undertaking an extensive literature search, I contacted by e-mail environmental and heritage agencies in Australia, the UK and USA to ascertain whether they knew of any unpublished material. On each occasion I was informed that they knew of no such research and that it was an undeveloped area of endeavour. Similarly, I placed a message in the journal *Context* (at the suggestion of the editor) seeking the same information from its readership (planning practitioners in local and central government and private practice). However, I received no response.

56% of New Zealand councils contended that they undertook plan effectiveness evaluations in the 2005/06 financial year (Ministry for the Environment, 2007). The approaches adopted by a number of these councils are outlined on the Quality Planning website, which was established by the Ministry for the Environment to promote best practice in New Zealand planning.⁵ I have also tracked down other studies that are not published on this website, but that nevertheless represent attempts to evaluate plan effectiveness, including a number from heritage agencies in Australia, the United Kingdom and Ireland (Conservation Studio, 2004; English Heritage, 2006; Heritage Council 2000; Pearson et al., 2001; 1998).

With regard to the academic literature, only a handful of published studies have attempted to evaluate the effectiveness of land use plans (Alterman and Hill, 1978; Brody and Highfield, 2005; Calkins, 1979; Johnson et al., 1978; Talen, 1996). One of these, the paper by Calkins, outlines a methodology for evaluating plan outcomes, but no results from applying the methodology have been published. Thus it is not possible to tell how it works in practice.

Analysis of the evaluations revealed that they utilised a limited range of methods to attribute outcomes to plan implementation. These are: 1) matching planned patterns of development with actual development *post hoc*; 2) making best-guess judgements based on intuition and experience; 3) undertaking state of the environment monitoring; and 4) performing statistical analyses. A particular focus of the critique that follows is the extent to which each method addresses the attribution issue, that is, how well they isolate and explain the influence of the plan, as opposed to other factors. My conclusion is that the methods largely fail in this regard and therefore offer little value on their own for evaluating plan effectiveness.

Development Pattern Matching

The first method gauges the extent to which spatial development patterns intended by plans, for example, zoning or performance standards relating to building location,

⁵ www.qualityplanning.org.nz/monitoring/effective-monitor.php.

setback, density, and height, have been realised following implementation. This is a desk based exercise where the results are obtained by mapping the actual situation (using development control data) on top of the planned one and measuring the discrepancies. Studies undertaken to date range from simple pen and paper tasks, such as the Ministry for the Environment's (1998) examination of front yard setback controls in nine city councils, to those that required more complex forms of analysis utilising GIS, for example Brody and Highfield's (2005) recent investigation into whether high-density development in Florida occurred in areas zoned for this activity as opposed to areas zoned for low-density or no development at all.

While this approach assesses compliance between planned and actual development, it does not explain why non-compliance occurred (for instance, was it due to poor plan quality or weak implementation?) and neither does it establish the environmental consequences of such deviations. As noted, the RMAct is an effects-based planning statute, which means that development proposals are considered on the basis of actual or potential adverse environment effects rather than the spatial location of activities. For built heritage this means that proposed changes to protected buildings or areas are assessed against the plans' performance standards to establish whether or not the proposals will maintain the environmental quality sought by the plan. The outcomes of such decisions cannot meaningfully be plotted on paper, but rather require judgement through field observation of the correspondence between observed outcomes and the plan's intentions.

Intuitive/Experiential Method

The intuitive/experiential method draws on the knowledge, experience and/or intuition of council and other informants, including academic researchers, to attribute known (or assumed) environmental change to plan implementation.⁶ While a range of quantitative and qualitative data may be used to inform the analysis

⁶ The approach was used by the Department of Conservation (2003) when assessing the effectiveness of the New Zealand Coastal Policy Statement. Local government staff were invited to share their experiences of implementing the policy statement in a series of workshops held in 2002.

(including data generated by the other methods outlined in this section), the ultimate decision about plan effectiveness is left up to the judgement of the evaluators, but without an obvious guiding framework.

In New Zealand, Dunedin City Council (2004) undertook an evaluation of the Townscape Section of its district plan, which deals with the issue of built heritage protection. To this end, a range of qualitative information was gleaned including feedback via public and ‘targeted’ stakeholder questionnaires (23 in total), matters raised by staff in council’s City Planning and Architecture and Urban Design units, and basic quantitative state of the environment information, such as the number of listed buildings and consents granted (Dunedin City Council, 2002). In analysing the data, the authors of the report “exercise[ed] their professional judgement in relation to the effectiveness of the Townscape provisions” (Dunedin City Council, 2004, p.1).⁷

Another example of this method comes from an academic study undertaken by Johnson and Schwartz (1978), who examined the impact of the 1973 general plan of Sacramento County, California. The plan aimed to demarcate land important for agricultural production from land that was earmarked for urban development. In their evaluation, the researchers gathered a range of data to determine whether the intended agricultural land had indeed been used for that purpose (a form of development pattern matching), including information on whether: 1) amendments to the plan had been allowed; 2) the zoning provisions were consistent with the land use categories established by the plan; 3) large parcels of land had been subdivided thereby indicating a transition from agricultural to urban use; and 4) changes in land values reflected the level of development permitted by the plan. Again, the authors did not use an explicit methodology for attributing the findings to the plan. Instead, “the approach to evaluation in this study was to examine a variety of indicators and

⁷ The authors were two staff members of the planning unit and a Peer Review Group who was similarly comprised of three City Planning staff and two representatives from council’s Architecture and Urban Design unit.

rely on judgement as to whether the observed outcomes (after plan adoption) would have taken place without the plan” (Johnston and Schwartz, 1978, p.413).

With these examples in mind, I agree with Gilg (2005, p.76) who made the point that “planning is intrinsically concerned with value judgements and should axiomatically be evaluated judgementally *albeit within a clear and explicit framework*” (emphasis is mine). The attempts to evaluate plan effectiveness using the intuitive/experiential method, however, do so without a transparent or robust framework for validating the claims made by the evaluators.

State of the Environment Monitoring

The third method, state of the environment monitoring, is mistakenly used by councils as the predominant means for evaluating plan effectiveness in New Zealand. It is also a popular means of evaluating public sector performance in a many western nations. The method involves selecting indicators that measure changes in *pressures* on the environment, the effect of these pressures on the *state* (or quality) of particular resources, and the effectiveness of human *responses* in counteracting the pressures and maintaining or improving environmental quality (this approach is known as the Pressure-State-Response or PSR monitoring framework).⁸ When used for monitoring plan effectiveness, indicators are linked to specific issues (transportation, water quality, heritage protection etc.) and track the performance of plan methods in achieving the plans’ anticipated environmental results. Improvements or decline in environmental quality (as revealed by data collected for each indicator) following implementation point to plan success or failure.

Berghan and Shaw (2000, p.25), who authored a detailed guide on district plan monitoring under the RMA, optimistically stated that the PSR framework:

⁸ Variations of the PSR framework are also in use, such as the DPSIR (drivers-pressures-state-impact-responses) model promoted by the European Environment Agency (1999).

...is based on the concept of cause and effect. It recognises that human activity and natural causes exert pressures on the environment; these change the state or condition of the environment; society responds by developing or implementing policies that influence those human activities or modify natural processes, and so change the pressures.

Berghan and Shaw’s work extended the meagre information available to planning practitioners at the time, although the Ministry for the Environment subsequently prepared a guidance note for its Quality Planning website in 2001 (updated in 2003) that further promoted the use of the PSR monitoring approach.⁹ In line with the advice proffered, many local authorities in New Zealand have developed monitoring programmes and their findings are typically published in state of the environment reports.¹⁰ The Historic Places Trust (2006) has also recently published a draft guideline setting out the process for monitoring the state of the historic environment, including a large number of indicators to be used for this purpose.¹¹ Some examples of indicators used for monitoring heritage are shown in Table 3.1.

Table 3.1: Range of State of the Environment Indicators for Historic Heritage		
Pressure	State	Response
<ul style="list-style-type: none"> ▪ Number of resource consents applied for/granted to substantially modify or destroy historic heritage ▪ Extent of development, erosion, natural hazards, visitor (etc) impact ▪ Occupancy rates of listed buildings 	<ul style="list-style-type: none"> ▪ Number and distribution of identified historic heritage ▪ Proportion of historic heritage being in a good, fair or poor condition, ▪ Number of historic heritage destroyed or whose values have been severely diminished 	<ul style="list-style-type: none"> ▪ No. of historic heritage actively protected by formal statutory instruments ▪ Amount of council expenditure on protecting, enhancing and promoting historic heritage ▪ Professional assessment of the effects of approved resource consents

However, commentators have pointed out that monitoring the state of the environment is a different undertaking to evaluating effectiveness; the essential disparity being that the former seeks to identify changes in environmental quality over time, whereas the latter aims to attribute planned interventions to environmental

⁹ www.qualityplanning.org.nz/monitoring/state-env-monitor.php.

¹⁰ The state of the environment guidance note by the Ministry for the Environment includes links to many of the councils’ state of the environment reports.

¹¹ The Historic Places Trust’s (2006) draft strategy also provides a succinct account of state of the environment practice in New Zealand with regard to the historic environment.

change. This distinction is perhaps best summed up by the European Environment Agency (2001), which claimed that:

...regular state of the environment reports which show an improvement or deterioration in environmental quality cannot on their own be used to draw conclusions about the success or otherwise of particular policies. Changes in the state of the environment can be caused by several factors operating simultaneously, such as parallel policies, or by exogenous factors such as changes in general economic activity.

Morrison and Pearce (2000, p.193) have similarly stressed that “indicators do just what they say: they only ‘indicate’. They cannot demonstrate causal links or provide explanations as to why a system is changing.” In short, state of the environment monitoring does not address the attribution challenge, so it not surprising that Berghan and Shaw’s (2000) plan monitoring guide has been criticised for emphasising ease of measurement over “meaningful measures of the possible effects of planning” (Miller, 2003, p.340).

Statistical Analyses

Finally, four of the five academic studies opted for highly quantitative techniques to determine the degree of plan implementation achieved in each case. For instance, Alterman and Hill (1978) examined the consistency between the land use plan employed to guide urban development in the Krayot area in Israel and the actual pattern of development that emerged through the permitting process (using the development pattern matching method). The results showed a relatively high degree of conformance between planned and actual development. In attempting to explain the findings, the researchers examined three groups of factors that they hypothesised to be influential. These were political-institutional factors (organisational structure, political influence of key players, role of the planner), features of the plan (planning techniques used, the type of planning team, the formal goals), and trends in the urban system (changes in population, standards of living and economic activity). A range of indicators was selected as proxies for each of these factors, for instance changes in private car ownership was used to gauge local standards of living. Multi-

regression analysis was then applied to determine the extent to which each of the indicators accounted for the development patterns.

From this analysis a number of explanations for plan deviations were offered, including: 1) the number and intensity of non-complying permits increased over time indicating that the plan's potency decreased with age; 2) the less detailed provisions were easier to conform to than the highly specific ones; and 3) small, private entrepreneurs were more likely to be granted development permits that departed from the plan, thus suggesting a bias amongst decision-makers in favour of local development interests. However, while the quantitative approach identified variables that influenced the implementation of the plan it did very little to explain why. This is evident in the paper where the authors state that, "In addition to being able to measure degree of implementation, the study should be able to identify factors 'explaining' it" (p.277; note the parentheses around the word 'explaining', which indicates to me that the authors were not expecting much). As a consequence, the reasons why variables were significantly correlated or not remained largely conjecture in the paper.

Another example comes from Talen (1996a) who has been a strong advocate for the evaluation of plan effectiveness (1996b; 1997). Using the City of Pueblo in Colorado as a case study, Talen measured whether the distribution of public parks planned for in 1966 had been realised by the scheduled completion date of 1990. The overall pattern of park distribution in relation to sub-populations in the city was studied rather than simply focusing on the correspondence between planned and actual park locations. Talen used a range of measures, including the level of park utilisation, distance to the parks, and travel costs to determine whether park location achieved the plan's intended levels of access. A number of spatial analysis techniques were utilised including univariate, bivariate and multivariate regression analysis. GIS was used to overlay the actual location of parks against the locations proposed in the plan (another development pattern matching exercise). This revealed that all the parks were situated differently to the planned sites.

Overall though, Talen concluded that the results from the spatial analyses were inconsistent and so no firm conclusions could be made regarding plan effectiveness. A deficiency in the evaluation approach that could not be overcome using statistical analysis was that Talen lacked knowledge about the plan-makers' intentions with respect to providing park access to city residents. As Talen (1996, p.89) put it, "If it were possible to determine that planners approached the notion of accessibility from a particular standpoint, then it would be possible to conclude that the access to parks in Pueblo was or was not successful in its following of a plan."

Summary of Current Methods

The strengths and weaknesses of each of the four methods are compared in Table 3.2. I do this by judging the methods against four criteria that the preceding discussion informs need to be satisfied, namely whether they: 1) identify (or measure) environmental outcomes; 2) establish whether the outcomes were caused by the plan; 3) explain why the plan did or did not cause the outcomes; and 4) are applicable to a wide range of environmental issues dealt with in plans.

Table 3.2: Matrix of Plan Effectiveness Evaluation Methods				
	Determines Environmental Outcomes	Attributes Outcomes to Plan Implementation	Explains Attribution	Applicable to a Range of Plan Issues
Development Pattern Matching	✗	Weak	✗	✗
Intuitive/Experiential	✗	✗	✗	✓
State of the Environment Monitoring	✓	Weak	✗	✓
Statistical Analysis	✗	Strong	✗	✗

As can be seen, none of the methods satisfy all of the criteria: development pattern matching fails all of them; the intuitive/experiential method can be applied to all

plan issues but it does not confirm whether or not the attribution claims made are valid; state of the environment monitoring provides data on environmental quality and can be used to measure change across a range of environments (air, water, land, urban environment etc), but it cannot attribute this information to plan implementation; and statistical analysis can provide evidence that outcomes are correlated to plan implementation but cannot explain why the correlation comes about.

My search for a plan evaluation methodology that covers the effectiveness criteria noted in Table 3.2 was extended beyond the fields of land use and environmental planning to cognate fields, such as social programmes on health, crime and education. There I found that the discipline of programme evaluation had much to offer, particularly as it had advanced both the theory and practice of effectiveness evaluation over the past 40 years. Programme evaluation emerged during the 1960s in the United States when the Federal Government was undertaking a number of large-scale social programmes. As part of the initiatives, evaluators were engaged to assess the effectiveness of the programmes in achieving the expected changes. Given the length of time that evaluators have been assessing social programmes there has been considerable methodological development to tackle the attribution issue. What has emerged is a methodology based on the notion of programme theory developed via the theory-based evaluation approach.

A Way Forward for Plan Effectiveness Evaluation:

The Theory-Based Approach

Theory-based evaluation was first mooted by Edward Suchman in 1967 and later picked up with academic vigour by evaluators Carol Weiss (2000; 1998; 1997b; 1997a; 1995; 1972; Birckmayer and Weiss, 2000) and Huey-Tsyh Chen and Peter Rossi (1992; 1989; 1987; 1983; 1980; Chen, 2005; 1994; 1990; 1989; Rossi et al., 1999) in particular. Ray Pawson and Nick Tilley's realistic evaluation also holds

much in common with the theory-based approach; the authors referring to it as a ‘species’ of theory-based evaluation (2005; 2001; 1997; Pawson, 2002a; 2002b).¹²

The theory-based approach arose out of growing dissatisfaction with the dominant experimental model being used in programme evaluation, which was strongly advocated for in a number of influential books, notably Campbell and Stanley’s (1966) *Experimental and Quasi-Experimental Evaluations in Social Research* and Cook and Campbell’s (1979) *Quasi-experimentation: Design and Analysis Issues for Field Settings*. The basic structure of the experimental model is well-known: two groups of people with corresponding characteristics are selected, one that will receive an ‘intervention’ such as an education or health programme, and the other that will receive no intervention. Pre- and post-programme information about the two groups is collected and any differences between them following implementation are attributed to the programme. As Pawson and Tilley (1997, p.33) put it,

The key stroke of logic in this classical design is that, being identical to begin with, the only difference between the experimental and control groups lies in the application of the initiative. Any difference in behavioural outcomes between the groups is thus accounted for in terms of the action of the treatment. If the researcher has managed to put in place this regime of manipulation, control and observation, then we require no further information to infer that treatment (cause) and outcome (effects) are linked.

However, dissatisfaction with experimentation in evaluation centred on claims that while it might identify the effects of a programme it did not explain how the programme brought about the changes. The approach has therefore been viewed as atheoretical (Chen and Rossi, 1983) and often referred to as the ‘black box’ evaluation, which “is concerned primarily with the relationship between input and output of a program” (Chen and Rossi, 1989, p.300).

Pawson and Tilley (1997) lambast the approach for failing to open up the black box so as to understand the circumstances under which an intervention leads to

¹² Stame (2004) provides a useful and succinct overview regarding the similarities and differences between these authors’ stance on theory-based evaluation.

favourable or unfavourable results. In other words, Pawson and Tilley have asserted that while it is important to know that there is a link between an intervention and an outcome, it is also necessary to reveal when, how and why that link is established. As they put it, “we are not coming up with variables or correlates which associate one with the other; rather we are trying to explain how the association *itself* comes about” (Pawson and Tilley, 1997, p.67). Weiss (1997b, p.51) has maintained that such explanation is vital if the results of evaluations are to be acted upon: “Knowing only outcomes, even if we know them with irreproachable validity, does not tell us enough to inform programme improvement or policy revision. Evaluation needs to get inside the black box and to do so systematically.” The notion that experimental evaluations lack utility given their narrow focus is supported by Stame (2004, p.58), who has contended that such research is “hardly informative for a policy design wishing to build upon previous experience.”

In response to these shortcomings, programme evaluation scholars have argued for a more rigorous methodology that enables researchers to not only identify the outcomes of a programme, but also to understand why programmes produced the observed changes and under what conditions (Chen and Rossi, 1989). To do this it has been asserted that better knowledge of the programme itself is needed in order to understand what it is trying to achieve and by what means. This view is based on the belief that all social programmes are theories of cause and effect. That is, programmes are established to address particular social needs or problems, such as education provision, crime reduction, and health improvement. ‘Solutions’ are typically based on the practical knowledge, experience and intuition of programme designers who use their understanding to develop actionable programmes to bring about necessary change (Weiss, 1997a). The goal of evaluation under this scenario is to assess whether the programmes’ cause-effect theories played out in practice.

How to Elicit a Programme's Theory?

The evaluation task is complicated, however, by the fact that the causal theory that underpins many programmes (generally referred to as 'programme theory') is often not obvious. For instance, it is unlikely that programme developers will have formally set out the assumptions on which they are basing the programme. It is also possible that the programme designers have not informally considered or debated their causal hypotheses either. As Weiss infers, programme formulation tends to be a more pragmatic and incremental exercise:

Programs are complicated phenomena, generally born out of experience and professional lore. Teachers, probation officers, social workers, international development specialists, physicians, safety engineers – all develop social programs from a mixture of what they learned in professional school, what they experienced on the job, what stories of other people's experiences suggest, and perhaps some social science and evaluation learnings. Programs are not likely to be laid out in rational terms with clear-cut statements of why certain program activities have been selected and which actions are expected to lead to which desired ends (Weiss, 1998, p.55).

Thus, a first step in theory-based evaluation is to elucidate the underlying programme theory and there has been considerable discussion regarding how best to do this.

Mixed Method Approach for Eliciting Programme Theory

Chen and Rossi (1980, p.111) initially took a very scholarly stance and contended that "social science knowledge and theory become crucial" in any attempt to construct a programme's causal theory. However, this proved difficult in practice because the theories available to researchers to explain the social phenomena that programmes were addressing were often incomplete or too abstract for practical use (Trochim, 1985; Weiss, 1997b). The endeavour is further complicated by the fact that programmes do not often fit neatly into a single discipline and therefore many possible fields of social science might be relevant (Riggin, 1990). The difficulties were not lost on Chen and Rossi (1980, p.114) who conceded that "beyond doubt

there is a shortage of grounded theories and knowledge in the social sciences.” Yet, even while decrying the lack of explanatory theory, Chen and Rossi (1983, p.285) held that “...the absence of fully developed theory should not prevent one from using the best of what is already at hand.”

In an edition of the *Evaluation and Program Planning* journal concerned solely with theory-based evaluation, Patton (1989, p.377) cautioned that “The Chen and Rossi approach to theory is scholarly, academic, abstract and... largely esoteric. It requires a great deal of conceptual work on the part of the evaluator to make the realities of the program fit the [social science] model.” In a similar vein, Trochim (1985) denounced Chen and Rossi’s approach as exaggerating the authority of social science. Smith (1994) also criticised Chen and Rossi for relying on formal rather than informal reasoning to develop the programme theory. He made the point that their approach is concerned with confirming, in a linear fashion, a pre-defined programme theory. He suggested that a more exploratory attitude would be beneficial whereby the evaluator sets out to investigate the programme ‘as it is’ not as the literature tells it should be. In other words, Smith argued that theory-based evaluation could be used for theory construction established on actual programme implementation, a view echoing that of Talen (1996a) who, as mentioned earlier in this chapter, has called for theories of planning success based on planning practice.

Developing programme theory in a more investigative manner, then, requires methods additional to tracking down relevant social theories in the literature. There is broad consensus that the best way to do this is to ask those involved with the programme, particularly those responsible for its design. Chen and Rossi eventually conceded that “Perhaps, in the long run, stakeholders may be the most frequent sources of program theory” (1989, p.301). Other strategies have also been promoted to assist in understanding a programme’s theory, namely: 1) reading documentation about the programme; 2) observing the programme in action; and 3) applying logical reasoning (Davidson, 2005; Lipsey and Pollard, 1989; Patton, 1997; Rogers et al., 2000; Rossi et al., 1999; Trochim, 1985; Weiss, 1997a). Rogers et al. (2000) point

out that a combination of the approaches is likely to yield the best information. Additionally, while not a strategy as such, Bickman (2000) has contended that the researcher needs to have substantive knowledge of the evaluation topic to enhance their ability to extract and make sense of a programme's theory.

Theory Estimation, Not Theory Perfection

Commentators stress that the programme's theory does not have to be complicated or even necessarily correct. Rather, its value is in providing the framework for investigating the plausibility of the assumptions on which a programme is founded. As Weiss (1998, p.55) explained:

By theory, I don't mean anything highbrow or multi-syllabic. I mean the set of beliefs that underlie action. The theory doesn't have to be uniformly accepted. It doesn't have to be right. It is a set of hypotheses upon which people build their program plans. It is an explanation of the causal links that tie program inputs to expected program outputs (emphasis in original).

Trochim (1985) has argued that there is no such thing as a perfect theoretical representation of a programme because it may be possible to conceive of a number of explanations for how a programme produced outcomes. Indeed, the possibility that competing theories could be used to explain the results of a programme is seen as a significant shortcoming of the evaluation approach. Christie and Alkin (2003), for instance, argue that evaluators are unlikely to be able to trace the unfolding of a theory, step-by-step, given the complex political and social contexts within which programmes and evaluations take place, and constraints such as lack of time and resources.

Weiss (1997b), however, maintained that it is unrealistic to expect an evaluation to 'prove' that a theory fits the data. Rather, she stressed that the evaluation goal is to inform programme designers about the effectiveness of their cause-effect theories. Equally, Patton (1997, p.217) has contended that the aim of programme evaluation is "reasonable estimations that particular activities have contributed in concrete ways

to observed effects; emphasis on the word *reasonable*. Not definitive conclusions. Not absolute proof” (emphasis in original). Nevertheless, Weiss (2000b) has suggested a number of criteria to assist with selecting the optimal programme theories for evaluation. They are: 1) the beliefs of people involved with the programme; 2) the plausibility of the theory; and 3) the centrality of the theory to the programme’s operation.

What Constitutes Programme Theory?

As well as debating the actual methods for establishing a programme’s theory, evaluation theorists have widely discussed what actually constitutes programme theory. A number of interrelated themes have emerged from the literature in this regard, notably that programme theory must: 1) depict the causal theory underpinning a programme and identify the ‘causal mechanisms’ that are expected to produce the programme outcomes; 2) make explicit the programme’s implementation theory regarding the conditions required to implement the programme; and 3) account for contextual factors that influence the realisation of the causal and implementation theories in practice.

Modelling a Programme’s Causal Theory

The first step is to define and illustrate the *cause-effect assumptions* underpinning a programme. Rogers (2000) has noted that a programme’s causal theory can be represented at least four ways. First, there are approaches that use text only, such as Pawson and Tilley’s (1997) context-mechanism-outcome (CMO) configurations, which portray causal relationships by identifying specific contexts within which certain causal mechanisms are triggered (either in response to programme interventions or other influences), in turn leading to particular outcomes that may or may not equate with a programme’s goals. Put more simply, a CMO configuration would hypothesise that in ‘X’ context, ‘Y’ mechanism is triggered resulting in ‘Z’ outcomes, and the evaluators task is then to determine whether that set of

circumstances exists in practice. For practical applications see, for instance, Pawson and Tilley (1997) and Ho (1999).

Another technique for depicting programme theory uses diagrams, commonly referred to as logic models, where single or multiple linear causal pathways are represented using text in boxes to describe anticipated (intended and unintended) outcomes following programme implementation, and arrows showing the direction of change. Such visual models are typically accompanied by textual explanations that describe and justify the model's structure and underlying assumptions (for example, Chen, 2005; Funnell, 1997; Sato, 2005; Savaya and Waysman, 2005; Stinchcomb, 2001; and Yampolskaya et al., 2004).

A third method is the Program Theory Matrix as described by Funnell (2000). The matrix consists of seven components, namely: 1) intended outcomes of a programme; 2) criteria for evaluating programme success; 3) programme factors affecting success; 4) exogenous factors affecting success; 5) the activities and resources of a programme; 6) performance information; and 7) sources of information. Information on a particular programme is collated and judged against each of these components, in order to identify whether the programme activities were implemented, whether the goals of a programme were realised in practice, and what factors (programme or other) influenced the outcomes.

Rogers (2000) also notes that a fourth way of expressing a programme's causal theory is through the use of a systems model. This approach has relevance based on the view that programme theory implies that programme designers have a systemic understanding of the problem in question. Some examples of evaluation studies that used systems dynamic models include Coyle (1999), Dangerfield (1999), and Wolstenholme (1993).

When considering the complexity that a programme theory model should portray, Rogers (2000, p.54) has advised that "it is worth remembering that simple models

can often be helpful, particularly in programs where there have been few explicit conceptual and empirical connections made between program activities and outcomes.”

In addition to modelling the cause-effect assumptions, an evaluator must identify the *causal mechanisms* by which a programme is expected to engender changes (Weiss, 1998; 1997a; 1997b). The point here is that programmes themselves do not produce change, but rather that this occurs through the subsequent actions of programme participants in response to programme interventions. For example, in evaluating the use of closed-circuit television (CCTV) as a means of reducing crime in public car parks, Pawson and Tilley (1997, p.78) observed that:

...there is nothing about CCTV in car parks which intrinsically inhibits car crime. Whilst it may appear to offer a technical solution, CCTV certainly does not create a physical barrier making cars impenetrable... [instead] the cameras must work by instigating a chain of reasoning and reaction.

Similarly, Weiss (1998, p.57) has advised that programme theory:

...refers to the mechanisms that mediate between the delivery (and receipt) of the program and the emergence of the outcomes of interest. The operative mechanism of change isn't the program activities per se but the response that the activities generate (emphasis in original).

Weiss (1998) has offered a useful example to help clarify the concept of causal mechanisms, as outlined in the logic model shown in Figure 3.1 (following page). According to the theory under investigation, paying teachers a higher salary will lead to an improvement in students' learning outcomes. Weiss points out that there are several possible explanations or 'causal pathways' for why a salary rise could enhance educational achievement and Figure 3.1 shows one of these. What is illustrated is the chain of responses that the increased salary might engender, or as Pawson and Tilley (1997) put it, the underlying causal mechanism that might be triggered by the programme.

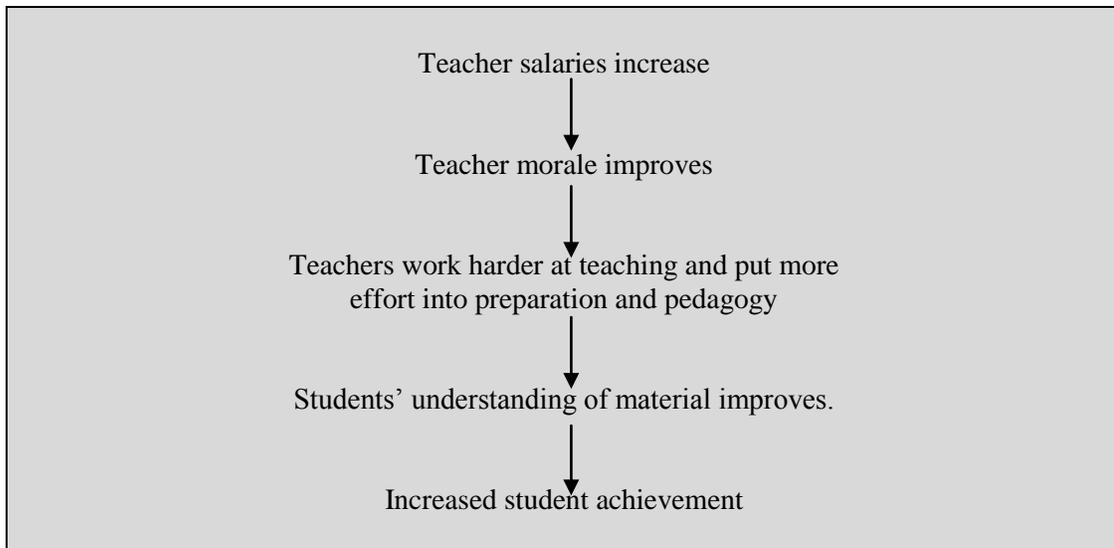


Figure 3.1: Causal Mechanisms Linking Higher Teacher Pay to Increased Student Achievement (adapted from Weiss, 1998, p.56).

Put another way, what is it about a salary increase that might lead to the ultimate goal of better educational achievement? In this case, the theorised mechanism is improved teacher morale – more remuneration may increase the teachers’ feelings of being valued by their employer. This may motivate teachers to put more energy into the preparation and delivery of lessons, which in turn may raise the quality of the lessons and therefore the students’ level of interest and attention. This may finally lead to improved academic achievement as revealed through improved grades, for example.

In short, the underlying causal mechanisms triggered by a programme relates to the ‘reasoning and reaction’ (both anticipated and experienced) that result for programme participants in response to programme activities.

Specifying a Programme’s Implementation Theory

Similar to planning theorists, programme evaluators caution against simply assuming that a programme has been implemented and rather urge that this ‘service delivery’ component of the programme be evaluated. Thus, a second step in constructing a programme’s theory involves eliciting the implementation conditions

believed necessary to achieve programme goals. For Weiss (1998, p.49), it is vital to understand how the programme actually works (the 'reality') rather than how it is supposed to work (the 'illusion'), in order to avoid evaluating a 'phantom' programme. Without this knowledge it would not be possible to distinguish between what Suchman (1967; quoted in Birckmayer and Weiss, 2000) termed 'programme failure', where programme goals are not met due to poor administration, and 'theory failure', where the programme's cause-effect logic is flawed and therefore ineffectual.

Consequently, Weiss, like Chen (1990; 1989) and Rossi et al., (1999), has stated that the programme's implementation theory also needs to be made explicit by exposing the set of suppositions about the actions and procedures deemed necessary to achieve the programme goals: "The assumption [being] that if the activities are conducted as planned, with sufficient quality, intensity, and fidelity to plan, the desired results will be forthcoming" (Weiss, 1998, p.58). For Chen (1989, p.393), understanding the environment that the programme is being implemented in is also important and, as such, finding answers to questions like "Is the treatment reaching the target group? Are the implementers having the required expertise? Is the mode of the delivery or organisational coordination appropriate?" become important.

In sum, the programme's implementation theory needs to be specified as well as its causal theory. Taken together, these theories have been referred to as the programme's overall 'theory of change' (Weiss, 2000; 1998; 1997a; 1995) or 'theory of action' (Patton, 2002; 1997).

Accounting for Context

The third and final step of programme theory is to understand the local contextual factors that influence programme success. This is a central requirement of the evaluation endeavour, as Pawson and Tilley (1997, p.70) have emphasised:

Programs work by introducing new ideas and/or resources into an existing set of social relationships. A crucial task of evaluation is to include... investigation of the extent to which these pre-existing structures 'enable' or 'disable' the intended mechanism of change.

Thus, a particular focus when considering the influence of context on outcomes is to determine which conditions are conducive to the attainment of programme goals and which are not. This is borne from the view that all programmes produce both positive (intended) and negative (unintended) effects. As such, it is unlikely that a programme will be a complete failure or a complete success and the key is to identify the circumstances in which the programme did and did not work. This information is vital for understanding whether and how the programme may be made more effective.

According to Greene (2005, p.82), “The concept of context figures centrally in all evaluation theories, and the challenges of context are inescapably present in all evaluation practice.” One of the perceived weaknesses of the experimental model is that it does not take account of such factors in evaluation findings. On the contrary, the experimental approach tries to limit the differences between the two groups to the intervention alone so that only the effects of the programme’s activities on the ‘treatment’ and ‘control’ groups can be observed. However, as Chen and Rossi (1980, p.118) have noted, “A social program is not carried out within a vacuum.” Similarly, Pawson and Tilley (1997, p.70) observed that programs are introduced into existing social settings and that within these contexts a range of established “social rules, norms, values and interrelationships” exist. Consequently, in the theory-based approach, “context is viewed as an inevitable and thus a rich source of explanatory influences on desired program or performance outcomes” (Greene, 2005, p.83).

Greene (2005) has further observed that context is a complex concept and that it incorporates multiple dimensions. In this respect, she outlines five aspects of context that can combine to influence any planned intervention: 1) the descriptive and demographic character of a setting; 2) the material and economic features of a

setting; 3) the institutional and organisational environment; 4) the interpersonal dimensions of a setting, that is, the ways in which people interact; and 5) the political dynamics of a setting.

Applying the Theory-Based Approach to Plan Effectiveness Evaluation

I believe that the theory-based approach offers a useful conceptual framework for assessing the effectiveness of district plans in protecting built heritage under the RMAct. The idea that plans, like programmes, are expressions of cause-effect relationships has been inferred by Houghton (1997, p.3-4), who recognised that, in order to evaluate a plan's performance, an evaluator needs to have "a sound understanding of the ways in which the policy under scrutiny may produce its intended effects." I shall demonstrate in the following section that the notion is in fact explicit within the RMAct's plan-making framework. I will also show that the need to assess implementation and to take into account contextual factors is well-recognised in the planning literature.

Plans as 'Theories of Change'

Alterman (1982, p.237) pointed out that planning is characterised by different modes and that each mode "implies a different picture of implementation and a different criterion for assessing success or failure." Indeed, district plan implementation under the RMAct has been characterised as conformance-based, as it anticipates that the goals stated in a plan will be achieved if the plan is strictly adhered to (Laurian, Day and Berke et al., 2004). In this way, RMAct plans act as blueprints and 'sedulous implementation' of the plan is expected (Baer, 1997). Planning *outcomes* are emphasised and implementation success is a measure of the degree to which "development patterns adhere to the plan policies and meet the plan objectives" (Laurian, Day and Berke et al., 2004, p.472). The conformance-based view assumes that the plan has a clear understanding about the issue or problem in question and its

causes, and that the plan methods (rules and non-regulatory instruments) are necessary and sufficient for countering the issue or problem. It also assumes that the plan will be implemented to its fullest extent. The conformance-based approach to plan implementation, therefore, strongly exhibits characteristics of the rational planning model (Laurian, Day and Berke et al., 2004).¹³

That councils' decisions need to conform to district plan provisions, for example when considering resource consent applications, is evident in decisions of the Environment Court and higher courts on appeal.¹⁴ Of particular concern for the courts has been whether a development proposal complies with the provisions of the relevant plan and whether a decision to grant consent will set a precedent that may undermine the plans' integrity.¹⁵ The same is true for court decisions on enforcement proceedings that councils have taken due to breaches of plan provisions, such as activities operating illegally without resource consent or applicants failing to comply with consent conditions.

The conformance-based nature of district plans makes them ideally suited to the theory-based approach. The RMA Act expects plans to embody the necessary ingredients for addressing, avoiding or alleviating resource management issues, including protection of built heritage, by way of a cascade of provisions that plans must contain, namely issues, objectives, policies, methods, and the environmental

¹³ This approach contrasts to performance-based plan implementation, which considers that plans may offer useful guidance in decision-making, but they do not have to be strictly followed (Alexander, 1992; 1998; Alexander and Faludi, 1989; Faludi, 1987). Instead the focus of implementation is on the planning *process* of which "plans are an important and necessary device for working out the future, but not a sufficient device" (Baer, 1997, p.333). As such, an indicator of implementation success could simply be whether or not the plan was read or consulted during decision-making, and whether any departures from the plan can be reasonably justified (Alexander and Faludi, 1989).

¹⁴ Recent cases include: (1) *Norwood Lodge v Upper Hutt CC* (2005), HC Wellington CIV-2004-485-2068; (2) *Calapashi Holdings Ltd v Marlborough DC* (2005) HC Blenheim CIV2004-485-1419; (3) *Murphy v Rodney DC* (2004) HC Auckland CIV2003-404-1929; (4) *Invercargill CC v De La Boessiere* (2005) DC Invercargill CRN4025500699, 700; (5) *Waimakariri DC v Palmer (No2)* (2005) EnvC Christchurch CRN4061500135; (6) *Harris v Tasman DC* (2006) EnvC W017/06; (7) *Ma v Franklin DC* (2005) A135/05

¹⁵ While decisions of the Environment Court are binding only for that particular case, Kirkpatrick (2005) has pointed out that in practice decisions have a 'precedent' type consequence in providing a certain expectation that similar cases will be decided in a like manner. Thus, Environment Court decisions may be used as guidelines and standards by local authorities and court Judges.

outcomes anticipated following implementation of the plan (section 75).¹⁶ As illustrated by Figure 3.2, the provisions are intended to function as a cascade, namely through: 1) identification and prioritisation of issues (or problems) that require some form of action; 2) setting out objectives that describe the intentions of the plan with respect to addressing the issue; 3) setting out policies that express the general course of action to be taken to achieve the objectives; 4) establishing specific methods to implement the policies, such as rules; and 5) defining the anticipated environmental results or outcomes sought, which in turn provide the benchmark for evaluating the success of the plan in countering the issues (Ericksen et al., 2003; Willis, 2003).

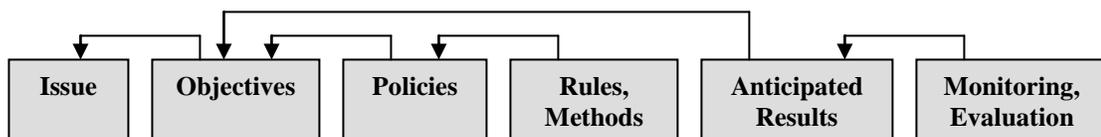


Figure 3.2: Cascade of Elements Required in Plan-Making under the RMA Act (adapted from Ericksen et al., 2003, p.35)

This cascade anticipates that plan-makers have an adequate understanding of environmental issues and their causes and, similarly, the actions required to tackle them. In short, plans embody cause-effect theories in the same way social programmes do, as Kouwenhoven et al. (2005, p.2) have observed:

Planners and others involved in drafting plans make assumptions about which factors influence the management of environmental resources and the cause-effect relationship(s) between the various factors. The actions that are deemed necessary to bring about future environmental conditions, or perhaps to maintain current conditions, are then chosen based on this understanding.

The fact that councils are required to monitor and evaluate the effectiveness of their plans under section 35 of the RMA Act is evidence that the cascade needs to be revisited to see whether the plans have influenced environmental outcomes in the

¹⁶ An amendment to the RMA Act in 2005 changed section 75 so that only objectives, policies and rules have to be specified in district plans. Issues, methods other than rules, and anticipated results may be included in district plans at the discretion of each council. This change seems to be a response to criticisms that district plans are large, unwieldy, and difficult to interpret. Nevertheless, given that the amendment is a recent one, plan provisions still reflect the requirements of the former section 75.

ways expected. As with programme evaluation, this will involve making explicit the plan's causal theory, which may not be readily obvious, and undertaking research to determine whether in practice the theory "hit the mark, missed it slightly, or lost site of the target altogether" (Kouwenhoven et al., 2005, p.1).

The need to use theory as a guiding framework has been identified by scholars working in the area of environmental policy evaluation (recent examples include Gysen et al., 2006 and Mickwitz, 2003; 2002) Also borrowing from the theory-based evaluation literature, Mickwitz (2003, p.424) has purported that the role of theory¹⁷ in environmental policy evaluation is to:

...describe how the policy is intended to be implemented and function. They are not intended to be descriptions of how a policy instrument actually works. They will be used as instruments guiding the evaluations of how the interventions have actually been implemented and what effects it has had in practice.

Gysen et al., (2006) have set out a methodology (as yet untested) for evaluating environmental policies, which they term the 'Modus Narrandi'. Similar to the approach I have used, it is premised on three distinct steps: 1) reconstructing the policy theory; 2) measuring the effects; and 3) establishing causality. In regard to this last step, Gysen et al., (2006, p.106) stress the importance of causal mechanisms in the evaluation endeavour and claim that "unless causal mechanisms are proposed, the problem of the black box will not be resolved." The views of these authors further reinforce my assertion that theory-based evaluation offers a valid methodology for determining the effectiveness of RMAAct plans.

In many respects, the evaluation task is simpler for built heritage than for other environmental issues addressed in district plans. This is because resource consent is typically required for any activity that will physically alter the fabric of a protected building. Thus, most changes are under the control of the local authority and so

¹⁷ Mickwitz (2003, p.433) opts for the term 'intervention theory' rather than program theory or 'theories of change' because it "is a more general term including theories of programmes, policies and policy instruments."

automatically there is a direct connection between plan implementation and the condition of protected buildings. As a result, an association between plan implementation via the resource consent process and physical changes made to buildings can be made. Nevertheless, a number of evaluation questions still need to be addressed, such as: did the plan work as intended; to what extent did plan implementation influence outcomes via the resource consent process; and what factors promoted or inhibited the plan's theory from being realised in practice? As outlined in the sections below, this requires knowledge of the implementation process and contextual factors that may promote or inhibit administration of a plan.

The Role of Implementation

Khakee (1998, p.365) has pointed out that the rational approach to planning assumes that implementation will happen. In other words, "as long as the decision is made in a rational way, the rest will take care of itself." The theory-based approach offers up a challenge to this rational view of implementation in that it denies a linear relationship exists between plan implementation and attainment of desired environmental outcomes. Instead, as already stated, it is argued that outcomes are contingent upon contextual factors that work to promote or inhibit the effectiveness of a plan. In a similar vein, Khakee (1998) has advised that an evaluation of plan effectiveness needs to establish: 1) how planners/decision-makers make use of negotiations to ensure the plan is implemented; and 2) the extent to which the plan has been implemented and the reasons why/why not.

In this regard, there has been considerable discussion in the planning literature about the level of discretion planners have in the development control process. Underwood (1981) recognised that development control has a strong implementation function which is administered at the local level. This is certainly the case in New Zealand where the resource consent process is the predominant means by which councils implement their district plans. Nevertheless, Underwood, who was writing about the UK, argued that the development control officer is far from the 'confident

helmsman' steering the plan on a straight and steady course. Instead, she believed that planners operate in a pressured environment with too little time to assemble all the necessary information to satisfy the rational model and so imperfect decisions and outcomes result. The pressure on consent planners to act quickly is demonstrated by Ministerial Guidance in the UK and provisions in the RMA that specify timeframes within which decisions should be made.

Research undertaken by Dalton (1989) looked at the implementation of plans in California. She found a number of limitations associated with implementing regulations, including land use controls in district plans. First, such regulation established a process that promoted bargaining and negotiation between councils and applicants which in term led to piecemeal adjustments to plan policies. Second, councils became 'captured' by development activity given the close, ongoing relationship between planners and developers (rather than with the public). Third, the reactive nature of the development control process left initiatives for development in the hands of developers. Accordingly, the findings led Dalton (1989, p.151) to conclude that "Prospective planning in pursuit of clearly enunciated goals becomes transformed by piecemeal adjustments during a reactive implementation process that is governed by developer initiatives and interests."

When studying the implementation of heritage policies in the UK, Larkham (1996) found that attempts to analyse the extent to which decisions on planning applications match the policy of the local authority (that is, the degree of plan implementation) was restricted by: 1) the insertion of standard phrases from the legislation into policy documents without translating them to reflect local circumstances or providing further guidance on how to implement the 'lofty aims'; 2) the national government's view, as reflected in official guidance documents, that aesthetic considerations such as the design and appearance of buildings is the business of developers not local authorities; and 3) the influence of factors such as political expediency, lobbying by local pressure groups, and the personal views of local politicians on planning application decisions. As a consequence, "the result is a system whose results, when

examined in detail at a local scale, appear to be *ad hoc* and whose relationship with stated policies is unclear” (Larkham, 1996, p.156).

Larkham (1996) further contended that powerful individuals or groups within a council can make ‘de facto policy’ that bears no resemblance to formal heritage protection provisions in plans. He quoted a development control officer in an English local planning authority who, on starting the job, soon became aware

...of an unholy trinity – city engineer, chief building inspector and deputy town clerk – who completely ignored listed building legislation requirements by serving dangerous structures notices and had successfully removed several ‘awkward’ buildings in that way (Larkham, 1996, p.137).

Moreover, the division within the development control process between planners who act as professional advisors and local body politicians who decide upon applications creates further opportunities for discretion and ad hoc decision-making (Larkham, 1990). For instance, elected officials may personally dislike an application and refuse it on grounds that clash with the planner’s recommendations and that cannot be supported by the plan. Alternatively, decision-makers may be sympathetic to a development proposal that fails to comply with plan provisions and grant it nevertheless.

The Centrality of Context

The focus of theory-based evaluation on context in helping to explain why outcomes are attained is well supported by the planning literature. For instance, Alterman (1982, p.234-5) contended that context-free evaluations limited the formulation of useful theories of plan implementation by attempting to uncover universal ‘laws’ and ultimately “*the theory of the implementation process*” (emphasis is original). Instead, Alterman postulated that bounded empirical studies are needed to assist with the development of ‘context-directed theory’. Similarly, Gleeson (2003, p.29) has stressed that planning is heterogeneous in terms of mandate styles as well as the spatial scales that it operates. As a consequence, he believes that evaluations must

take cognisance of such diversity and provide empirical evidence of planning effectiveness within specific contexts. As Gleeson (2003, p.29) stated, “The results will need eventually to produce a set of answers tailored to individual planning frameworks; viz., particular metropolitan strategies or urban management systems.”

Wong (2000) has also emphasised the importance of scale in assessing planning effectiveness by recognising that some issues, such as environmental improvements, are best dealt with at the neighbourhood level. In this regard, Punter (1986) looked at the influence the development control process exerted over the design of 15 new office buildings in Reading, England. In so doing, he concluded that “the clearest impression to emerge from these studies is that each development has a unique set of actors, with a wide range of motivations and constraints, set in specific, but varied, technical, political and development contexts” (1986, p.198).

Research by Burby and Dalton (1996) into the effectiveness of plans in limiting development in hazardous areas similarly found that local factors influenced how well this issue was addressed. For instance, they found that where a local population perceived natural hazards to be problematic they were more likely to urge local government for a solution. In turn, local authorities were more likely to adopt policy measures in plans to counter the issue. They also found that the hazard prone areas with greatest development pressure tended to have stronger policies to manage adverse effects. Similarly, Press (1998) identified contextual conditions necessary to maximise effectiveness of environmental policy, namely community support for environmental protection, political commitment to environmental policies and sufficient institutional capacity for implementing the policies. In Press’s (1998, p.41) view:

...when citizens place high demands and expectations on the policy system, and provide the political and moral rewards that support environmental protection, policy makers and community leaders make environmentally-sensitive choices. These choices produce collective environmental goods and services ('on the ground' outcomes).

New Zealand research further demonstrates the influence that contextual factors have had on the planning process. A number of national, regional and local contextual factors were found to have led to the generally poor quality of plans and a gap between the policies in plans and those implemented in resource consents. These include a lack of funding for the Ministry for the Environment, strained relationships between regional and district councils resulting in low levels of cooperation, the questionable commitment of central and local government politicians to planning, and the numbers and experience of staff available to carry out the work (for example, Backhurst et al., 2002; Berke et al., 1999; Day et al., 2003 and Ericksen et al., 2003; 2001; Jay, 1999; Miller, 2007). Similar circumstances have been identified in Chapter 2 as explaining perceived poor performance in New Zealand's heritage sector.

Clearly then, the planning literature reinforces the premise of the theory-based approach that the context within which plans are implemented and the implementation process itself needs to be considered in any attempt to evaluate plan outcomes. However, the distinction between context and implementation is not an obvious one. In many respects, investigating the former is the same as investigating the latter. In other words, plan implementation is affected by a range of social, institutional, political and environmental factors that are all context dependent, so that their relevance and potency will vary from one location to another. As a result, I use the term *implementation context* in referring to both the ingredients involved in plan implementation and the contextual elements that influence it.

Conclusion

This chapter has traversed the issue of plan effectiveness evaluation. It started by claiming that enquiry is deficient in planning theory and practice internationally, despite it being a crucial component of the planning system, such as in New Zealand's RMA Act. I then identified a number of institutional and methodological barriers that constrain the willingness and ability of planning agencies to evaluate

plan performance. Next, four approaches currently being used to evaluate plans were critiqued and found wanting because they failed to establish and explain the causal relationship between plans and outcomes.

I then outlined an approach known as theory-based evaluation used to evaluate the effectiveness of social programmes and demonstrated that it offers a useful framework for evaluating plan effectiveness under the RMA Act. This is because unlike the methods used in planning its sole purpose is to measure and elucidate the effectiveness of planned interventions in a programme. The conceptual framework for this theory-based approach, as I apply it to plan evaluation, is shown in Figure 3.3. It illustrates that the methodology for evaluating the effectiveness of district plans in achieving their anticipated environment goals for built heritage (or other substantive issues) needs to satisfy a number of requirements.

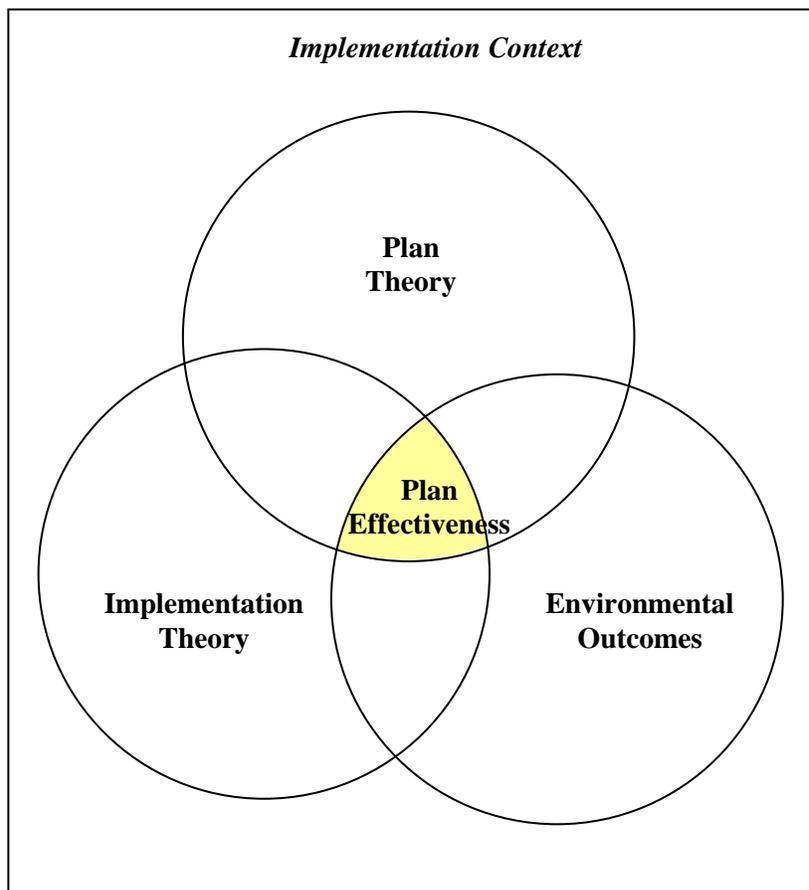


Figure 3.3: Conceptual Framework for Plan Effectiveness Evaluation

First, it must investigate the underlying causal assumptions of the plan (that is, the plan's theory) in order to identify how the plan provisions are intended to secure positive outcomes for protected buildings. Second, it must examine the implementation process, in order to know whether or not the plan has been implemented as intended. Third, it must be sensitive to the particular context within which the plan is being administered so as to reveal the local factors that either promote or inhibit successful plan implementation. The approach is premised on the belief that plans do not 'cause' change, but rather success or failure is determined by contextual conditions that work for or against attainment of plan goals. The methodological approach and specific methods I have used in applying this conceptual framework to built heritage protection are set out in the following chapter.

CHAPTER 4

Ways and Means: Research Methodology and Conceptual Framework

Introduction

Despite persistent and wide ranging angst about the performance of the heritage management regime in New Zealand, there has been no attempt to evaluate the effectiveness or otherwise of provisions in statutory plans that seek to protect the historic environment from development impacts. Consequently, there is uncertainty at best and complete ignorance at worst regarding whether or not, and why, the planning interventions implemented by local authorities have succeeded in practice. Chapter 3 revealed that this is not an isolated deficiency, as evaluating plan effectiveness is largely ignored in New Zealand planning practice overall, despite it being a critical aspect of the rational planning model mandated in the RMAct. International literature highlights that this gap is equally evident in planning theory and practice abroad, due in large part to a lack of methods for attributing environmental outcomes to plan implementation.

Nevertheless, Chapter 3 also demonstrated that the theory-based approach to evaluation developed in the field of programme theory offers a useful conceptual framework from which to develop and test a methodology for evaluating the effectiveness of district plan heritage provisions (and indeed other environmental issues). The aim of the current chapter, therefore, is to describe and explain the research methodology that I have adapted, in order to evaluate the effectiveness of district plan heritage provisions using the theory-based framework. As with the previous chapter, Chapter 4 addresses the overarching research question and contributes to achieving the overarching research objective.

To this end, the chapter unfolds in the following manner. First, my rationale for choosing built heritage as the object of evaluation is briefly explained. Second, I discuss the case study research strategy that I have adopted and outline its advantages for evaluating plan outcomes. I also detail the process that I followed to select the two cases (that is, district plans) to be evaluated. Third, I set out the specific research methods that I have used in the course of the research and elucidate when and why the methods were applied. Fourth, I illustrate the ways in which the research methodology and methods relate to the conceptual framework for plan effectiveness evaluation developed in Chapter 3.

Why Evaluate Outcomes for Built Heritage?

As noted in Chapter 2, under the RMA local authorities must now ‘recognise and provide for’ the protection of historic heritage as a matter of national importance. Councils have responded by listing valued heritage sites and areas in their plans and controlling the adverse effects of development via the resource consent process. However, district plans tend to compartmentalise historic heritage meaning that different categories of heritage are dealt with by plans in isolation of each other. The types of heritage most commonly recognised are buildings, archaeological sites, and sites of significance to Māori (Mason et al., 2006).

When setting out on the PhD process it was my intention to evaluate outcomes for a range of historic resources. However, on investigation I decided that only one of these categories, built heritage, could feasibly be used in the study because the other categories of heritage were less well provided for in plans (Allen, 1998; Day et al., 2007; Derby et al., 1997; Parliamentary Commissioner for the Environment, 1996; Prickett, 2005; Woodward, 1996). Protecting historic buildings, on the other hand, has been recognised as a planning objective for considerably longer than for other types of heritage, which means that councils have more experience in this arena. Consequently, choosing heritage buildings as the object of my study amounts to a ‘critical case’ sampling approach (Patton, 2002), based on my conclusion that if plans

are unable to deliver good environmental outcomes for built heritage, then it is highly unlikely that they will be able to do so for other historic heritage.

Furthermore, heritage buildings exhibit unique characteristics that make them an interesting object of study, such as:

- **Use value** – heritage buildings more often than not offer a functional use and accommodate a range of activities, such as residential, cultural, social and commercial. Therefore, people interact with these buildings in a myriad of ways every day. Indeed, it is often argued that finding new uses for old buildings is an important means of protecting them, as obsolescence increases the risk of demolition (Heather and Baumann, 2004). It is for this reason that the Historic Places Trust's motto is 'keeping New Zealand's heritage places alive and useful'.
- **Urban design value** – there has been considerable attention in recent years, internationally and in New Zealand, on the role that historic buildings and areas play in creating pleasant and distinctive urban environments (see, for example, Ministry for the Environment, 2005a). Consequently, heritage protection is increasingly viewed as an important component of urban design and as contributing to a community's sense of place.
- **Market value** – most of New Zealand's protected buildings are in private ownership, which means that they can be bought and sold on the market and thus have an economic value. It is this fact that is seen as a major hurdle to protection as many landowners consider the restrictions on the use of their property that comes with regulation risks lowering property values.

Case study Strategy

I have adopted a case study research strategy for undertaking the evaluation. According to an authority on this approach, Yin (2003), a case study is appropriate for my topic for a number of reasons. First, my research question seeks to develop and test a methodology that explains a particular phenomenon, that is: *how can local authorities know whether or not, and why, their district plan provisions for built*

heritage protection have been effective? Thus, I want to establish the extent to which a district plan has achieved its environmental goals for built heritage and expose the reasons why or why not. Such information is essential if the evaluation is to improve plan-makers' understanding of the effectiveness of plan implementation. Yin (2003, p.6) notes that such explanatory questions are well suited to case study research because they "deal with operational links needing to be traced over time, rather than mere frequencies or incidence."

Second, case studies, unlike experiments, can be conducted in uncontrollable 'real-life' contexts. This is important for my topic, as it is not possible to manipulate the environment in which plans are implemented in order to observe only plan effects. As outlined previously, it is anticipated that the context within which plans are implemented influences plan effectiveness and identifying and accounting for these factors is an important evaluation endeavour. As such, Yin (2003, p.13) advises that "you would use the case study method because you deliberately wanted to cover contextual conditions – believing that they might be highly pertinent to your phenomenon of study."

Another relevant characteristic of the case study is its emphasis on the formulation of theoretical propositions at the beginning of the research process to help focus data gathering and analysis (Yin, 2003). A central component of the conceptual framework established in Chapter 3 – to construct a district plan's causal and implementation theory for built heritage protection – is intended to do just that. In other words, once made explicit, a plan's theory of change becomes the focus of investigation to see whether and why it worked in practice. Proponents of the theory-based approach therefore share Yin's view that an initial understanding of the hypothesised mechanics of an intervention aids the evaluation effort.

A further advantage of the case study approach is that it can accommodate a wide range of information sources, such as interviews, documentary analysis and observation, and it does not discriminate between quantitative and qualitative data

gathering and analysis techniques. Robson (1993, p.146) captured these attributes of the case study when he defined it as “a strategy for doing research which involves an empirical investigation of a particular contemporary phenomenon within its real life context using multiple sources of evidence.”

Embedded Case Study Using a Multiple Case Design

The unit of analysis for my topic is the district plan and resource consents represent the sub-unit of analysis. The basis for making claims about district plan achievement for built heritage protection is the extent to which plan goals have been achieved via the resource consent process. When a research topic contains more than one unit of analysis, as in my situation, it is referred to as an embedded case study (Yin, 2003). According to Patton (2002), ‘layering’ the case study in this way allows smaller case units (resource consents) to be combined analytically to create larger case units (the plan). This is considered advantageous as collecting data on the lowest level unit of analysis possible enables the researcher to aggregate the data to inform about higher units of interest (from consents to plans). Nevertheless, Yin (2003) cautions that a pitfall of the embedded design occurs when the researcher focuses their analysis solely on the level of the sub-unit without extrapolating to the larger unit. If this happens, the target of the study inadvertently shifts, for instance from the performance of the plan to the performance of individual resource consents.

As well as being an embedded case study, my research can be further characterised as having a multiple-case design given that I have selected two district plans for evaluation. In Yin’s (2003) view, having more than one case can enrich the research findings and lead to a more compelling and robust study. As detailed in the following section, the plans were chosen because they deal with heritage protection in a different way: one identifies individual buildings and has rules to control physical changes to those buildings; the other protects a residential area and applies rules to restrict the effects of development in order to retain the area’s architectural and historic character. However, my overall research goal is to evaluate and account for

the effectiveness of plans in protecting built heritage. I have included two plans simply to ensure that I incorporate the two means by which built heritage is recognised and protected.

In line with the multiple-case method set out by Yin (2003, p.50), I have undertaken both within- and cross-case analyses. In practice this means that each plan has been evaluated separately and the data analysed and presented independently of each other (Chapters 6 and 7). However, I have also drawn 'cross-case' conclusions by looking for commonalities and differences in the consent outcomes in both cities and the factors that were found to promote and inhibit successful plan implementation (Chapter 8).

Selection of Cases

In the beginning, I hoped to identify councils that had already monitored outcomes of resource consents for protected heritage buildings. In this way I would have been able to use the results for the main aspect of the research, which is to develop and test an evaluation methodology. However, in contacting 36 district councils by phone, including the larger and better resourced ones, it quickly became apparent that no such research had been performed. As noted in Chapters 2 and 3, this is symptomatic of a poor evaluation culture within local government planning practice.

Consequently, the case study selection was based on six other criteria: first, the date the plan was notified, as it was important that the plan had been in effect long enough to have had an observable impact; second, the number and range of buildings protected to ensure that this was a significant issue dealt with by the plan; third, whether there had been any changes to the heritage provisions since the plan was notified as this might complicate any attempt to measure plan outcomes; fourth, an estimation of the number of resource consents granted each year for protected buildings to ensure that the plan had been put through its paces; fifth, whether non-regulatory methods were sanctioned by the plan so as to examine whether and how

these approaches influenced resource consent outcomes; and last, whether or not the council would be willing to participate in the research.

A further consideration was that I wanted to evaluate outcomes for both individually listed buildings and those that are contained within a heritage zone, as these are the two methods used in plans for protecting historic buildings in New Zealand. The former are protected because they have been assessed as significant in their own right, whereas it is the collective value of a group of buildings that has been recognised for the latter. The distinction is an important one for several reasons. First, for individually listed buildings the assessment takes account of effects on that building and possibly its setting, whereas the provisions for area-wide protection are concerned with how changes to a property will impact on the values of the area as a whole. Second, individually listed buildings tend to be more vulnerable to change as they are often 'one-of-a-kind' and cannot be replaced or replicated. In contrast, area-wide protection tends to be provided for buildings from a specific time period and with limited architectural styles (Hamer, 1997).

A number of district plans were ruled out because they had been publicly notified only three and four years respectively prior to the time I contacted them (November 2003). I considered this timeframe too short for the plans to have had a significant impact. Similarly, a number of plans did not recognise a sufficient quantity of historic buildings or areas in their plans. The criterion that proved most decisive related to the number of resource consents granted per year (either an exact figure or an estimation if the council could not be specific), as I wanted to select plans that had been well and truly tested. This narrowed the field to six councils, namely Auckland City (estimated up to 1000 consents per year), North Shore (estimated 260-520 per year), Christchurch City (estimated 100-150 per year), Wellington City Council (120 over three years), Dunedin City (20 per year), and Banks Peninsula District (estimated 10-20 per year).

I decided to exclude Auckland after visiting staff to discuss the research with them. This was based on staff advice that their data management and retrieval system was not user-friendly, which would have hampered efforts to identify consents for evaluation. I was interested in Banks Peninsula as it was at odds with the rest of the group, which are well-resourced and populated city councils. Banks Peninsula on the other hand has a very small population and therefore limited means to generate income through rates. However, this low capacity meant the council was trying to amalgamate with neighbouring Christchurch City. Given this uncertainty, I decided to avoid Banks Peninsula, which is fortunate as Christchurch City Council subsequently voted to incorporate the area within their jurisdiction. In the end I selected Wellington and North Shore City Councils (both plans notified in 1994) both of which were willing to participate in the research. The Wellington case study related to individually listed buildings; in North Shore the interest was in the effectiveness of rules applying to an area of around 4000 residential properties, named the Residential 3 Built Heritage Zone (see Appendix 1 for the location of both case study areas).

Specific Methods Used

Having explained and justified the case study strategy that my research encompasses, this section outlines the range of methods that I have used in implementing the conceptual framework for plan effectiveness. These include sampling procedures, documentary analyses, structured observation, stakeholder workshops, and key informant interviews. Before outlining these methods, though, the quantitative and qualitative data gathering techniques that I employed are detailed in relation to the questions that guide the research.

Qualitative and Quantitative Methods and Data

A strength of theory-based evaluation is that it does not discriminate against either qualitative or quantitative methods or data and I have used both forms of enquiry in undertaking this evaluation research. Quantitative methods and simple statistical

analysis was necessary to identify and assess the outcomes of consents for each of the plans, while qualitative methods were used to model the plans' theory of change and to explain when and why they succeeded or failed in practice. In this way, my use of methods reflects that of urban morphologist Peter Larkham (1996, p.167) who, in researching processes of urban change in built heritage areas in England, has contended that such case studies "are not usually designed for quantitative analysis, and the data collected are not amenable to more than the most basic statistical manipulation. Instead, qualitative and interpretative techniques are used to supplement the basic quantitative data."

The remainder of this section considers each of the methods used in more detail and in the following order: 1) sampling; 2) documentation; 3) observation; 4) workshops; and 5) interviews.

Sampling Procedure for Selecting Resource Consents

It was necessary for me to select a sample of resource consent applications that had been granted for buildings protected in both Wellington and North Shore cities' district plans. The purpose was to identify a selection of protected buildings for assessment in order to highlight the range of impacts that have arisen from development activities. I needed to ensure that the buildings chosen for each sample were sufficient to allow the findings to be generalised to the whole plan, but not so large as to demand unrealistic time and resources to complete. Given that two protection mechanisms were being studied, different sampling procedures were required for each case. The information management systems in the two councils also influenced how I chose the samples.

Sampling Procedure to Identify Listed Buildings in Wellington

In Wellington, council staff were able to furnish me with a record of all consents that had been granted for listed buildings from July 2000 to June 2004 (around the time I

was undertaking the project). There was no way of gaining a record of the consents granted prior to July 2000, except by examining the paper property files for all listed buildings, and there simply was not time for such an exercise. Nevertheless, the information for the four year period showed that 146 consents had been granted for 98 listed buildings, thus indicating that a number of the buildings had had more than one resource consent granted under the plan’s built heritage rules (signage, additions and alterations, and total/partial demolition or removal).

In order to gain a representative sample I used a two-stage stratified random sample. First, the 98 buildings were divided into categories based on the different activities for which consent had been granted. As Table 4.1 shows, this resulted in six groups – buildings with consents relating to signage only, buildings that had consents for both signage as well as additions and alterations, and so on. The first row in the table gives the total number of buildings in each category and the second row indicates the number of buildings that were randomly chosen from each category and included in the sample. A total of 45 buildings were selected in this way.

Table 4.1: Breakdown of Consents Granted by Wellington City Council for Listed Heritage Buildings, July 2000 to June 2004						
	Signage Only	Signage, Adds/Alts	Signage, Adds/Alts, Dem/Rem	Adds/Alts Only	Adds/Alts, Dem/Rem	Total
Total Buildings	13	19	1	61	4	98
Buildings in Sample	5	9	1	27	3	45

The aim of this stratification was to ensure that the consents were representative of the types of applications granted. I further subdivided the buildings in Table 4.1 into small and large-scale proposals. To this end, council personnel assisted in specifying the degree of intervention the consents had had on the buildings, that is, the extent to which the building was modified as a result of the consented activity. I also asked a representative of the Historic Places Trust in Wellington to give a second opinion for those consent applications where the organisation was involved.

Because a key goal of the study was to gauge the outcomes that arose from the resource consent process, I chose the majority of the sample (that is, 45 out of 70 buildings) via this first stage. Consequently, 46% of the 98 buildings in Table 4.1 were selected or, in other words, nearly half of all consents granted for heritage buildings between July 2000 and June 2004 were included in the sample. In statistical terms, this is a large sample size thus enabling the results to be generalised with confidence for all buildings listed in the Wellington District Plan.

The second stage involved choosing 25 buildings from the remaining 383 listed heritage buildings in the district plan for which consent information was not available. The reason for selecting these buildings was to assess whether there were other influences on outcomes that were not captured by the buildings known to have a resource consent history. Twenty-five buildings were considered a sufficient and manageable number for this purpose. The 383 buildings were divided in two groups – those located in the Central Area (that is, the central business district) and those in suburban areas, which equated to 48% (12 sample buildings) and 52% (13 buildings) respectively. This division was necessary because: 1) the buildings identified from stage one were largely situated in the Central Area, so it was important to capture buildings from outside this zone; and 2) it was assumed that the pressures for change would be different for buildings in the Central Area compared to more suburban areas and that this might be reflected in the outcomes.

Having selected the sample of 70 buildings I explored council's paper files for details of resource consents that had been granted. Ten of the 25 buildings chosen via the second stage of the sampling process had had resource consent granted prior to July 2000. Information relating to the consents for the 45 buildings selected from stage one was collected from council's resource consent files and, at the same time, details of consents that had been granted for the buildings prior to 2000 were also found and included for assessment. Overall, eighty consents had been granted for the 55 buildings in the sample with a consent history (see Appendix 2).

While the remaining 15 buildings had not been subject to the resource consent process, they did provide an opportunity to assess the effects of permitted activities, that is, those activities that are deemed to have negligible adverse effects and that landowners can undertake as-of-right. In the Wellington district plan, permitted activities for heritage buildings include maintenance and repair of the building, all internal alterations, and small signs not exceeding 0.5m² where they are placed on land associated with a listed building but not attached to it. While I wanted to assess changes that had been made to the interior of all sample buildings, in order to see the effect of permitted activities on heritage values, I was unable to do so largely due to reluctance on the part of Wellington City Council to contact owners in order to gain access. In hindsight, this would have been an enormous undertaking anyway and may have produced limited results given that there is little in the way of baseline information from which to contrast interior changes made since the district plan came into effect in 1994.

One of the buildings selected from stage two, referred to in the plan as Shed 27, had to be excluded from the analysis when it was discovered that it had been demolished. This created a mystery as any listed building requires resource consent for demolition, but none had been granted. Following investigations by Wellington City Council staff it was found that the building was not supposed to have been included in the plan following a decision by the District Plan Hearings Committee in favour of the building owner, Port of Wellington, who objected to the listing. However, despite this decision, the reference to ‘Shed 27’ on the plan’s Heritage Schedule was not deleted. This did not change the results for the 55 buildings that have been through the consent process, but it did reduce the number of buildings without a consent history to 14.

Sampling Procedure to Identify Properties in North Shore

Unfortunately, North Shore City Council could not produce a list of consents granted in the Residential 3 Built Heritage zone (hereafter Residential 3 zone), as was the

case for Wellington. Instead, I used a two-stage cluster sample whereby the Residential 3 zone was divided into 250 clusters each comprising an average of 15-16 properties (stage one). One property was then randomly selected from each cluster and included in the sample (stage two). The sample size of 250 properties (around 6.5%) was considered to be sufficient to gain a representative sample that would allow the results to be generalised.

I took a number of characteristics of the Residential 3 zone into account in the sampling process. First, some buildings have been listed in the district plan's Schedule of Buildings, Objects and Places of Heritage Significance. This means that physical changes to these buildings are subject to additional (and stricter) rules in the plan. Consequently, when a scheduled building was selected during the sampling process it was discounted and another property from the same cluster was chosen instead. Second, it was considered important to have properties from a range of locations within the zone, including those on the periphery and those more centrally located. The idea here being to capture any locational factors that might influence the types of consents granted and their outcomes. This was achieved by ensuring the clusters and therefore the properties chosen from them covered the entire zone.

Third, it was necessary to have a stratified sample that included a proportional representation of properties from the Residential 3A, 3B and 3C sub-zones (Residential 3A, Residential 3B, Residential 3C), which worked out at 60%, 10% and 30% of the zone respectively. The three sub-zones reflect different densities and development patterns, ranging from small lot sizes and houses located towards the street in the Residential 3A sub-zone to large section sizes and houses set further back in the Residential 3C sub-zone. The Residential 3B sub-zone fits somewhere in between. As well, the number of properties in each of the sub-zones was calculated for the three residential areas of Devonport, Northcote and Birkenhead. The final make-up of the sample using this method is given in Table 4.2 (next page).

Once I had selected the 250 properties in this manner the next step was to determine which of them had had a resource consent granted for additions and alterations, new and relocated buildings, and demolition or removal of houses (that is, the rules adopted in the plan). To do this, I checked the history of each property by viewing the information held on Council’s electronic database, ‘Dataworks’, and by examining North Shore City Council’s paper property files.

Table 4.2: Composition of the Resource Consent Sample from the Residential 3 Built Heritage Zone, North Shore	
Residential 3A Sub-Zone	150 properties (60% of 250) 135 from Devonport = (90% of Residential 3A) 15 from Northcote = (10% of Residential 3A)
Residential 3B Sub-Zone	25 properties (10% of 250) All in Northcote
Residential 3C Sub-Zone	75 properties (30% of 250) 42 from Birkenhead = (56% of Residential 3C) 21 from Devonport = (28% of Residential 3C) 12 from Northcote = (16% of Residential 3C)

The consents that I identified once all the property information had been reviewed are shown in Table 4.3. A total of 126 consents had been granted for 100 properties in the sample (Appendix 3). This means that 40% of the sample properties have had one or more consents granted under the heritage provisions for the Residential 3 zone (no consent applications had been declined).

TABLE 4.3: Number and Type of Consents Granted in the North Shore Sample						
Sub-Zone	Adds/Alts	New Buildings	Dem/Rem	Adds/Alts, New Blgs	Dem/Rem, New Blgs	Total
Residential 3A Sub-Zone	55	15	2	11	0	83
Residential 3B Sub-Zone	6	1	0	1	0	8
Residential 3C Sub-Zone	19	8	1	5	2	35
Total	80	24	3	17	2	126

As illustrated, the consents fit into one of five categories, namely those that involved: 1) additions and alterations; 2) new buildings (none of the consents in this category involved a relocated building); 3) the demolition or removal of a dwelling; 4) both additions and alterations and new buildings; and 5) the demolition or removal of a dwelling and the construction of a new one. Clearly, additions and alterations make up the majority of activities approved, followed by new buildings and then consents that incorporate both these activities. Considerably fewer consents are granted for the demolition or removal of a dwelling.

Document Analyses

In order to carry out the evaluation of consent outcomes and to investigate in-depth the implementation process for a number of these consents, I needed to analyse a large number of documents. First, as discussed above, the councils' property files were searched for relevant information on resource consents. Documents analysed included:

- consent applications, comprising a description of the proposals, an assessment of effects, and the set of plans illustrating the work;
- assessments of the proposals by council staff, typically heritage advisors and/or urban designers, and less frequently commissioned reports from external experts;
- 'section 94 reports', which set out the councils' reasons why or why not an application should be publicly notified;
- 'section 104 reports' which discuss councils' reasons for granting or declining consent and the conditions imposed;
- details of any Environment Court appeal proceedings (which was very rare);
- all correspondence on the file relating to any of these matters.

Clearly there is a great deal of information that can be gleaned from the councils' property files. Indeed, Barrett (1993, p.438) has noted that "the extensive data contained in application files is useful for detailed studies of townscape change and the operation of policy over small areas." In Larkham's (1996, p.168) view, "There

are no alternative data sources from which to measure urban change in Britain as accurately as planning records permit.” It is not surprising, then, that planning applications have proven a popular source of research data for numerous studies of urban change, as outlined in the urban morphology literature predominantly from the UK (for example, Barrett, 1993; Bunker et al., 2002; Freeman, 1988; 1987; Larkham, 1996; 1990a; 1990b; 1988a; 1988b; Mageean, 1999; Punter, 1986; Whitehand, 1992; 1990; 1989; 1979; Whitehand and Carr, 1999; Whitehand and Larkham, 1991a; 1991b; Whitehand and Whitehand, 1983; 1984).

However, searching through property files for planning information is a very time consuming process. Therefore, on first perusal I compiled only basic information from the consent applications about the sample buildings, namely a brief description of the proposal, the councils’ decision report (including conditions), and the approved plans. This information was then used to assist the assessment of consent outcomes, as discussed in the next section. Once all the consent outcomes had been assessed the property files were again examined, this time for more detailed information about the decision-making process that was followed for a selection of the consents in the sample. The number of consents chosen for this in-depth analysis was necessarily small given the limitation of time in compiling the planning data (Whitehand and Larkham, 1991a; 1991b). This aspect of the research is explained in greater detail below.

As well as the information generated through the development control process, the provisions in the district plans were closely analysed. In particular, it was necessary to identify the relevant plan provisions, including the issue, objectives, policies, rules and other methods, assessment criteria, anticipated environmental results, and associated explanatory text. This information was used to enhance my understanding of what the plan was aiming to achieve and how. The ‘section 32 reports’, which set out the councils’ rationale for choosing the heritage provisions at the time the plans’ were drafted were also canvassed, although they were not very detailed.

Standardised Observation

A distinct advantage of studying outcomes for built heritage is that the effects of permitted and consented activities that lead to exterior changes can be readily observed. Additionally, the outcomes are apparent as soon as the consent has been implemented and remain visible over time, thus allowing an accurate retrospective assessment. As a result, observation offers a straightforward, quick and relatively cost-effective means of appraising the quality of consent outcomes.

In contrast to many of the urban morphology studies, I could not rely solely on the planning applications when assessing the effects of consents. This is for a number of reasons: 1) it would not be possible to appreciate the context in which the changes were made, for example, the quality of the built environment, the relationship of the subject site to its neighbours, and physical restraints such as topography; 2) consent plans are often incomplete, for example elevations or features such as accessory buildings (garages) and landscaping can be omitted; 3) plans are biased – they are drawn with the express purpose of gaining consent so they illustrate the best possible picture and, as a result, details can be over- or under-emphasised or eliminated; 4) consents are not always implemented as drawn; and 5) consents are sometimes not implemented at all. Furthermore, a thorough appraisal of the site and its surrounds was required in order to respond to the assessment criteria in the plans in North Shore (that is, for the area-based rules).

Evaluating the outcomes of resource consents, then, inevitably required making judgments based on observation. This, as noted, took the form of a standardised observation approach (Robson, 1993) whereby I developed observation schedules that enabled each consent outcome to be judged against the relevant assessment criteria from the district plans (the two schedules are given in Appendix 4). In other words, the scope of the exercise was confined to evaluating the degree of fit between the observed outcomes and the plans' decision-making criteria. The use of a

standardised evaluation form allowed a consistent measure of consent outcomes in that the same criteria were being applied for each type of activity.

To further ensure a consistent and high quality assessment, the observation schedules needed to be completed by a built heritage specialist who understood the architectural and historical qualities of the sample buildings in both cities, and who could therefore meaningfully apply the plans' assessment criteria in a *post hoc* appraisal of consent outcomes.¹ To this end, I engaged an architectural historian, Dr Ann McEwan, who has extensive experience in the heritage sector in New Zealand generally and in the planning process in particular, including researching and assessing the heritage values of buildings for listing in plans. I piloted the observation schedules with Dr McEwan to ensure that the nature of the task and the meaning of the criteria were clear to her.

In completing the schedules, Dr McEwan's was required to indicate (by ticking the appropriate box) how closely the consent outcomes satisfied the relevant plan criteria – either in full, in part, or not at all. She was also asked to give an overall score ranging from -10 to 10 to indicate whether the consented activity had led to an enhancement of heritage values (a positive score), a loss of heritage values (a negative score), or had no discernable impact (a score of zero). There was also room on the schedule for an overall comment about the impact of the development on the subject building. It took two weeks to complete the assessment process for the Wellington sample and slightly less time for the North Shore sample. I accompanied Dr McEwan during the site visits.

When finished, I transferred the data from the observation schedules, which I had pre-coded using an alpha-numeric system, and entered it into an SPSS database. SPSS allowed me to aggregate the results from the individual schedules and undertake a range of simple statistical analyses. I was able to plot the extent to which consents as

¹ I consider that specialists have a key role to play when undertaking research into plan outcomes, whether it concerns heritage protection or other matters dealt with in plans, such as maintenance of water and air quality, natural hazard management, pest control or urban design. Council planners do not have the time, knowledge or skills to evaluate outcomes for all matters dealt with in plans and the credibility of the findings would be brought into question if they tried.

a whole met individual assessment criteria to see where consents achieved most/least conformity with the plan. Additionally, photographs of the consented work taken at the time of assessment provided another form of documentary evidence that I used in the analysis process. The collation, analysis and reporting of the outcome data was a significant undertaking and took me approximately six months to complete. I set out the results in detailed reports for each council, the main findings of which are outlined in Chapter 6.

Heritage Specialist Workshops

I also conducted four workshops to help develop the causal models outlining how the district plans are expected to achieve their environmental goals for built heritage. The workshops consisted of two day-long sessions, one hosted in Auckland by the Auckland Regional Council, the other hosted by the Historic Places Trust in Wellington, that were attended by a range of heritage specialists working in central and local government, academia and private practice. Two further workshops were conducted with planning staff at Wellington and North Shore City councils. The workshop in Wellington was attended by four council staff members and an external consultant. These people were specifically targeted as they represented the range of staff knowledge and expertise relevant to plan-making and implementation with respect to built heritage protection. I had difficulty getting staff to commit time for a workshop at North Shore given their heavy workloads. In the end, I was able to secure two key staff members – a Specialist Heritage Advisor and a Senior Policy Advisor – both of whom deal with the plan’s heritage provisions in terms of implementing the plan via the resource consent process as well as reviewing the plan.

In the workshops I was interested in getting participants’ views on:

- the problem that the plans address and its causes;
- how the plan methods (rules and non-regulatory provisions) were expected to work to counter the problem; and

- the factors that participants considered to have facilitated or limited the effectiveness of the plan provisions.

This was accomplished in two ways. First, the participants were asked to assess the likely impact of development on heritage buildings if there were no plan provisions in place (that is, if landowners' ability to develop their property was unfettered). This established a baseline by which participants could consider the extent to which the plans' heritage provisions countered the effects of unconstrained development. Next, the participants were given 'scorecards' for assessing the effectiveness of the plan rules and methods in protecting the heritage values of listed buildings (see Appendix 5). Participants were asked to indicate in the tables the effect the particular plan rule or method was expected to have in theory (as opposed to their view of what happens in practice) on the five building elements, or outcome indicators, shown along the top of the tables. After giving a 'score' participants were required to describe the rationale behind their assessment or, in other words, outline their thinking about the link between the specific plan provision and the expected outcome. It was this causal explanation that was most important, as it provided an insight into the plan's theory and the assumptions implicit in the plan regarding how it would influence outcomes. The last assessment made by the participants was their view of the effectiveness of the combined heritage provisions (that is, the 'plan as a whole'), as compared to the unconstrained development scenario.

I used the information from the workshops to create models of the plans' causal theory, based on principles of system dynamics, using computer software known as Rapid Assessment Programme (or RAP). This aspect of the research is discussed in detail in the following chapter.

Key Informant Interviews

Finally, I undertook a total of 17 semi-structured interviews in both Wellington and North Shore cities, the purpose being to supplement the documentary evidence so as

to better understand the ways in which plan implementation influenced observed outcomes for a small number of resource consents. A key question that I endeavoured to answer was ‘what worked in terms of plan implementation and in what circumstances?’ (and vice versa), in order to reveal the factors that supported and restrained successful plan implementation. The key informants consisted of those who operated on the ‘development side’ of plan implementation, that is landowners and their professional advisors, as well as those from the ‘control’ side, including council planners and specialist heritage staff.

I used a semi-structured interview approach using an interview schedule as a guide (see Appendix 6). This was to ensure that the questions asked were the same or similar for each key informant, thus allowing responses to be compared between respondents from within and across the two case studies. Another advantage of the semi-structured approach was that it allowed me to focus the questions on the information I needed. As well, it provided me with the flexibility to probe interviewees in order to seek clarification on points they raised, or to pursue a relevant line of enquiry that arose during the interview.

With respect to council personnel, two categories of questions were asked. The first sought the perceptions and experiences of those involved in specific development proposals that required resource consent. The second covered staff views concerning the factors that support or undermine realisation of the plans’ heritage goals. Thus, the focus of the interviews was to gain insight into the local planning and decision-making contexts and to isolate the institutional factors that influenced the observed outcomes for built heritage. In relation to specific consents, I wanted to ‘get into the minds’ of the people responsible for assessing and granting consents, in order to understand the reasoning, negotiation and compromises that occurred.

In interviewing informants involved in initiating the development proposals, I established whether or not the resource consent applicants had prior experience with the planning process, including their pre-development awareness of the plan and the

extent to which this shaped the design of the proposal. I also queried whether and how the professional advisors engaged by the applicants (typically architects) influenced the design of the proposals. Finally, I sought to gauge the willingness and capacity of the landowners' to comply with plan provisions and the extent to which this was manipulated by the consent process, that is, through coercion (regulation, enforcement) or persuasion (education, incentives), or both.

Selection of Key Informants

Informants were identified from the resource consent applications that had been assessed by Dr McEwan. I selected four consents from both councils (eight in total) that scored highly (that is, reflect good outcomes) as well as poorly (that is, failed to implement the plans' goals). Patton (2002, p.234) refers to this sampling approach as 'intensity sampling', the purpose of which is to examine "information-rich cases that manifest the phenomenon of interest intensely." Focusing on examples of plan success and failure offered the strongest opportunity for elucidating the factors that promote or inhibit successful plan implementation. As Patton (2002, pp.232-233) notes,

With limited resources and limited time, an evaluator might learn more by intensively studying one or more examples of really poor programs and one or more examples of really excellent programs. The evaluation focus, then, becomes a question of understanding under what conditions programs get into trouble and under what conditions programs exemplify excellence.

Once selected, key informants were identified from council files and contacted for an interview. A limitation of this approach was that it was not possible to track down all informants involved in a particular consent application either because they had left the councils' employment or else sold the subject property.

Relating the Methods to the Conceptual Framework for Plan Effectiveness Evaluation

In the previous chapter, I concluded with a diagram depicting the theoretical framework I have adapted for evaluating district plan effectiveness. To recapitulate, I believe that a plan can be considered to have been effective when:

- the observed environmental outcomes align with the plan's stated goals; and
- the plan's causal theory was shown to have played out in practice; and
- the plan has been fully implemented.

Figure 4.1 (following page) illustrates how the data gathering and analyses methods set out in this chapter were used to examine each component of the framework. In terms of assessing the environmental (consent) outcomes, five steps were followed: first, a sampling strategy was devised for each council to select resource consents for assessment; second, council documents were perused for details relating to each consent; third, a standardised observation form was prepared and tested; fourth, Dr McEwan completed a form for each resource consent selected for the samples; and last, I collated, analysed and reported the information with the assistance of SPSS.

The plans' theory of change was developed through examination of key documents including the plans themselves and council reports written at the time the plan was being developed that outline the rationale behind the plan provisions. Additionally, workshops with heritage specialists experienced in plan preparation and implementation were conducted, as well as key informant interviews with staff in each council to ensure the models accurately reflected the underlying premises of the plans.

In evaluating plan implementation and the accuracy of the plans' causal theories, similar methods were adopted, namely: 1) analysis of the contents of documents, including property files, and official council reports and plans; and 2) interviews with a range of key informants involved with initiating and controlling development

relating to heritage buildings. Document and interview data was used to trace the steps followed by applicants in preparing and negotiating their development applications through the resource consent process and the actions of council personnel in assessing them. As well, the qualitative data was scrutinized for factors that motivated people's behaviour and, in particular the situations in which this complemented or departed from the plans' theory of change.

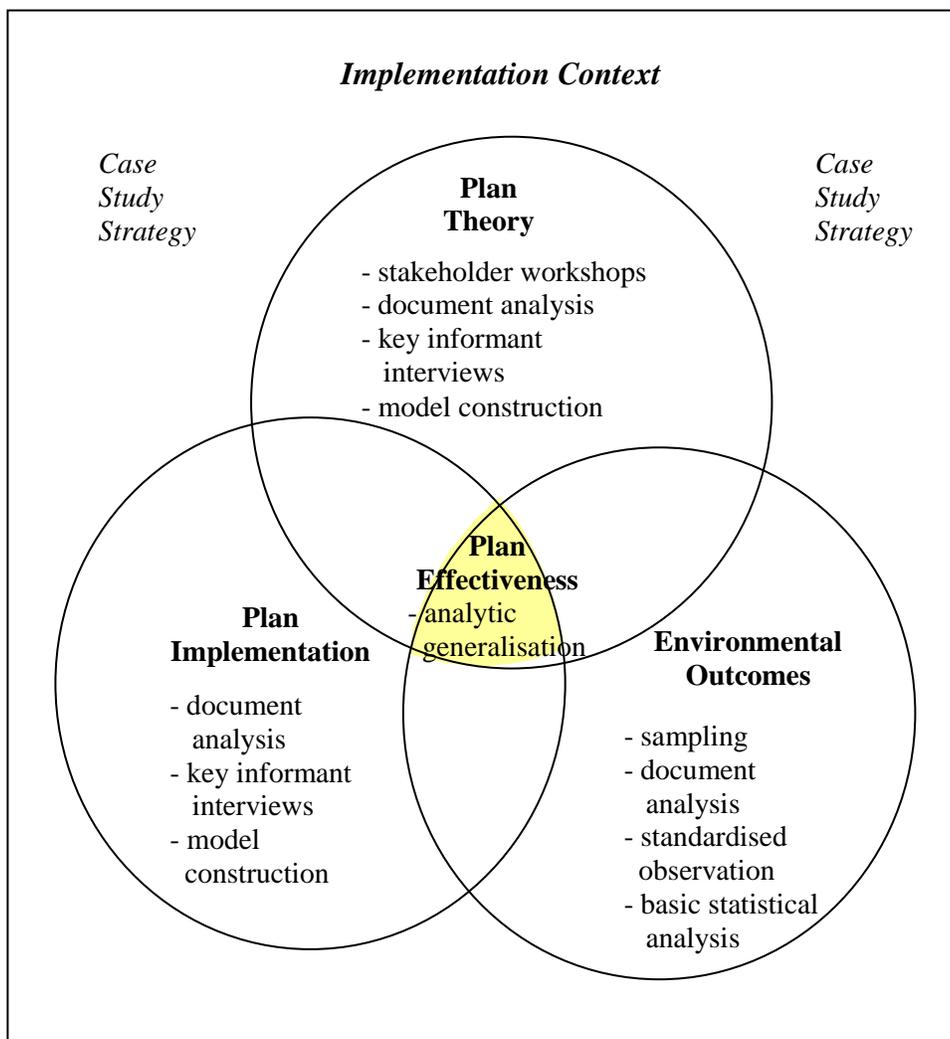


Figure 4.1: Methods of Data Gathering and Analysis Used to Implement the Conceptual Framework for Plan Effectiveness Evaluation

In evaluation “understanding context is essential to a holistic perspective” (Patton, 2002, p.262). Therefore, the components of the conceptual framework have been investigated using a case study strategy that allowed the administration of the plans to

be evaluated in their 'real-life' setting. As well, the document analysis and interviews, in particular, have been used to expose the contextual factors that influenced people's behaviour with respect to plan implementation and the extent to which outcomes occurred either because of the plans or despite them. In determining plan effectiveness I used an approach referred to by Yin (2003, p.32-33) as 'analytic generalisation', which is where "a previously developed theory is used as a template with which to compare the empirical results of the case study." In practice this has involved comparing the model of the plans' theory of change to actual plan implementation based on the study of specific consents to determine when the plans' theory fell short, when it proved accurate, and the reasons why.

Conclusion

Carol Weiss has noted that while evaluation research has much in common with other forms of research² the reasons for undertaking an evaluation divorces it from other types. My enquiry exhibits many of the qualities that Weiss (1998, p.15-17) believes are characteristic of evaluation research, namely:

- **Utility:** *evaluation has a practical focus and the findings are used to inform decision-making about a particular programme.* My research has both a theoretical and practical dimension and it is my ambition that the methodology developed for attributing built heritage outcomes to plan implementation and the findings will be of use to the case study councils and other local authorities.
- **Programme-Derived Questions:** *the questions that evaluation research tackles are generated by the programme itself and the stakeholders involved in it.* The research question that drives my thesis originates from my object of study, that is, from the plans themselves. The RMAct requires the continual evaluation of plans to determine their effectiveness and to make any necessary adjustments. Consequently, the focus of my PhD is on this procedural aspect of planning.

² In that it seeks "(a) to describe, (b) to understand the relationships between variables, and (c) to trace out the causal sequence from one variable to another", as well as involving the use of a wide range of quantitative and qualitative methods. (Weiss, 1998, p.17).

- **Judgment Quality:** *evaluation research involves expressing a view about the merits of a programme and the extent to which the actual situation reflects the desired one. This typically requires comparing the programme results against (explicit or implicit) criteria to gauge performance. Each case study requires making a judgment about the merits of the plan by determining the degree of correspondence between resource consent outcomes for built heritage and the environmental results sought by the plan. This involves expert appraisal by comparing the observed results against the plans' assessment criteria to determine performance.*
- **Action Setting:** *the evaluation takes place in a 'real' setting that cannot be controlled by the evaluator. The evaluation must co-exist alongside the programme and may at times be considered a lower priority. For this reason, evaluators may find it difficult to access information and personnel necessary for the study. The studies take place in the urban and suburban environments of two cities. It is not possible to control or influence the functioning of these environments in any way. Indeed, it is necessary to understand the influence of the 'real' setting on plan implementation.*

In this chapter I have spelt out in detail the methodological approach adopted for my research, including the specific methods used in its implementation. The following Chapter 5 illustrates and explains the two district plans' causal and implementation theories for built heritage.

CHAPTER 5

Exposing the District Plans’ ‘Theory of Change’ for Built Heritage

Introduction

The previous chapter set out the research methodology and specific methods for evaluating the effectiveness of the districts plans’ heritage provisions. It demonstrated that a case study strategy was necessary, in order to account for the contextual matters that influence plan implementation, and that a range of quantitative and qualitative data gathering methods were required. It further illustrated that the outcomes arising from a sample of resource consents in each city were to be assessed in order to determine their level of compliance with the plans’ assessment criteria. Similarly, it set out the methods and rationale for examining the implementation process that unfolded for consents that achieved very positive and very poor outcomes.

The current chapter is concerned with modelling the ‘theory of change’ that underscores the Wellington and North Shore district plans’ built heritage provisions, in line with the theory-based evaluation approach outlined in Chapter 3. I thus address the first research sub-question, which asks *how are district plan provisions intended to influence environmental outcomes for built heritage?* In so doing, I achieve the corresponding research objective, namely to construct a model of the plans’ causal and implementation theories for built heritage, in order to make explicit the ways in the plans’ are expected to influence outcomes via the resource consent process.

The structure of the chapter is set out in accordance with the conceptual framework for plan effectiveness evaluation developed in Chapter 3. To reiterate, the framework is based on the premise that in order to know whether or not a plan has been effective, an evaluator needs to understand the causal and implementation theories upon which

plan provisions are premised. I first explain the method that I have adapted for modelling the plans' causal theory, that is, a computer-based policy evaluation tool known as Rapid Assessment Programme (or RAP). Second, I model the plans' causal theory and outline the causal mechanisms that are 'triggered' by the plan provisions in order to influence outcomes for built heritage. Third, I set out the plans' implementation theory, which identifies and explains the implementation context deemed necessary for the plans' causal theory to be executed.

Modelling Plan Theory using System Dynamics

As discussed in Chapter 3, programme theory has been depicted in a number of ways in the evaluation literature, including Pawson and Tilley's (1997) Context-Mechanism-Outcome (CMO) configurations, Funnell's (2000) Program Theory Matrix, and the widely used logic model diagrams. A fourth means involves using systems theory and while this is not commonly used in programme evaluation (Rogers, 2000) it is the method that I have adopted to model the plans' causal theory.

As mentioned, the models have been generated using a computer programme known as RAP, which was developed as a means for policy-makers to test the likely effectiveness of alternative proposals in alleviating environmental issues. RAP is described by its creators as being "a user-friendly and lightweight software implementation of a methodology for rapid, integrated policy analysis" (Kouwenhoven and van der Werff ten Bosch, 2004, p.1179). It is thus a method with supporting software for developing qualitative models that simulate the impact of proposed or implemented interventions on a given environmental system (Kouwenhoven et al., 2005).¹

¹ The methodology behind RAP and examples of its application have been set out in two published papers: 1) Kouwenhoven and van der Werff ten Bosch (2004); and 2) van der Werff ten Bosch and Kouwenhoven (2004). The potential for RAP to be used to evaluate the effectiveness of district plans was first explored in a paper presented at a New Zealand Planning Institute conference (Kouwenhoven et al., 2005).

How Does RAP Work?

In RAP, models are developed by moving through a number of steps each of which has different information requirements. The steps are generic with respect to the policy development process (van der Werff ten Bosch and Kouwenhoven, 2004) and, accordingly, information needed to build and apply a RAP model includes details on: 1) the problem to be addressed and its causes; 2) the goals sought in addressing the problem; 3) the policy options available; and 4) the mechanisms through which the policies are expected to counter the problem (that is, the policies' causal theory). Once this information has been incorporated into a model the impact of a variety of interventions on the system can be simulated, in order to determine which one(s) most closely achieve the policy goals. Once this is known, the most effective policies (or combination of policies) can be selected and implemented in 'the real world'. This approach therefore has much in common with the rational planning model (Kaiser et al., 1995) and the rational-adaptive plan-making process established by the RMAct (Ericksen et al., 2003).

To avoid this chapter becoming long and unwieldy, a detailed description of the process involved in creating a RAP model is given in Appendix 7. The remainder of this chapter is written on the premise that the reader is familiar with this information or with models based on principles of system dynamics generally.

Compatibility of RAP to the Theory-Based Evaluation Approach

Before the RAP models are explored, I make several observations about the compatibility of RAP with the theory-based evaluation approach. In particular, three areas of common ground are: 1) RAP can model the often complex cause-effect relationships that underpin the provisions in RMAct plans; 2) it can model both the environmental system that the plans seek to influence, as well as the causal theories of plan provisions; and 3) the models reflect the perceptions of stakeholders about the functioning of a plan.

First, the theory-based approach posits that for an evaluation of plan effectiveness to be informative it must identify not just the correspondence between goals and outcomes (were the plan's goals achieved or not?), but also explain the plan's influence on the outcomes (why were the plan's goals achieved or not?). To do this, better conceptualisation of the assumptions underpinning plans is necessary with respect to how they are expected to produce change. In other words, plans are considered to be theories of cause and effect and the evaluator's goal is to: 1) extract that theory from the plan-makers (their 'mental models'); 2) determine the outcomes of plan implementation on the ground; and 3) explain when and why the theory played out in practice.

With this in mind, I believe that RAP is a useful means by which the first step can be achieved, that is, to model a plan's cause-effect assumptions. For instance, while RAP simplifies the system in question, as do all models (Sternman, 2002; Bickman, 2000), its ability to represent plan theory is enhanced given that it can deal with multiple causal pathways, feedback loops (or 'circular causality' in system dynamics parlance), and non-linear relationships. Put simply, plans and the problems they address are complex and RAP enables this complexity to be captured in the models.

Second, RAP supports a systems view of problem solving, which is different to the other methods for modelling programme theory. The significance is that an understanding of the broader system or problem area needs to be demonstrated, as RAP does not model the plan *per se*, but rather the environmental system that the plan is trying to influence. Then, based on the plan-maker's understanding of system function, RAP simulates the impact plan provisions will have following implementation. Kouwenhoven et al. (2005, p.2) have argued that this systems approach to problem solving is inherent in the plan-making process:

Planners and others involved in drafting plans make assumptions about which factors influence the management of environmental resources and the cause-effect relationship(s) between the various factors. The actions that are deemed necessary to bring about future environmental conditions, or perhaps to maintain current conditions, are then chosen based on this understanding.

Thus a model of the system has already been developed, at least in the heads of plan-makers, and the methods adopted in the plan represent the changes to the system deemed necessary to produce the desired outcome.

Advocates of theory-based evaluation have also implied that a systemic understanding of the problem in question is necessary. This is picked up especially by Chen and Rossi (1980) who, as noted in Chapter 3, placed high demands on evaluators to explicate potentially complicated theories from the social science literature in order to explain the functioning of a programme. They considered that “...at least two kinds of social science theory are necessary: theories that model the social problem in question and theories that model programs” (Chen and Rossi, 1980, p.110). Both kinds of theory can be expressed in RAP: the first embodied in the model of the system itself, the second in the cause-effect premises that allow the impact of plan interventions on the system to be simulated.

The third area of common ground is the view expressed in the system dynamics and theory-based evaluation literature that “all decisions are based on model... and all models are wrong” (Sterman, 2002, p.525). This statement is founded on the belief that:

...human perception and knowledge are limited, that we operate from the basis of mental models, that we can never place our mental models on a solid foundation of Truth because a model is a simplification, an abstraction, a selection, because our models are inevitably incomplete, incorrect – wrong (Sterman, 2002, p.525).

This sentiment echoes that expressed by programme evaluator Leonard Bickman (2000, p.111) who, when ‘summing up programme theory’, concluded that “all models are wrong, but some are more useful than others.” Regardless, theory-based evaluation and system dynamics scholars maintain that this in no way undermines the evaluation effort. Rather, the purpose is to provide a framework for guiding the evaluation in order to inform plan-makers about the accuracy or otherwise of their causal thinking. To this end, the modelling process can be beneficial in itself by

providing the opportunity for key stakeholders to discuss and debate its theoretical foundations (Wolstenholme, 1999).²

Modelling the Plans' Causal Theory

The causal theory underpinning the heritage provisions in Wellington and North Shore district plans is set out in this section. The information used to create the models is based largely on the views of stakeholders (that is, council personnel) who oversee the preparation, implementation and review of the district plan heritage provisions. Stakeholder knowledge about the plans' causal theory is supplemented by analysis of documents relating to the plans (including the plans themselves) and, where appropriate, relevant literature.

This is the longest section in the chapter due to the wide range of matters that need to be covered. The section starts by exploring the issue that the plans are attempting to address in relation to built heritage protection. Next, the structure of the RAP models for both plans is outlined. Following that, the regulatory and non-regulatory methods contained in the plans are described and their intended influence on heritage outcomes are illustrated. This is done by comparing the relative effectiveness of each method against the adverse effects expected under an unconstrained development scenario (that is, with no plan controls in place). Last, the combined effect of the methods is simulated in order to portray the full impact of the plan.

Problem Definition

Participants at the RAP workshops spent considerable time discussing what the problem was that the plans addressed. It was widely agreed that built heritage is an

² An additional point of note about RAP is its unique ability to create qualitative models that can be simulated (van der Werff ten Bosch and Kouwenhoven, 2004). The system dynamics literature abounds with discussions over the relative merits of quantitative *versus* qualitative models (for instance, Coyle 2001; 2000; Homer and Oliva, 2001; Lane, 1994; Richardson, 1999; 1996; Starfield et al., 1990; Sterman 2002; 2000; Wolstenholme, 1999; 1994; 1993; 1982). RAP cuts across these arguments by enabling its users to have their qualitative cake and simulate it too.

important component of sustainable development, which encompasses the conservation of historic, cultural and social values for present and future generations.³ Built heritage is the physical representation of these values; it carries forward a legacy and helps to define our identities.⁴ This notion has been expressed in the Wellington plan (2000, p.20/1)⁵ as follows:

Heritage provides the community with a sense of continuity and the ability to identify with their City through evidence of its past in the existing environment. Evidence of heritage in the environment provides us with a sense of time, of where we have been and where we are now, and gives us the opportunity to shape our future. It sets concepts such as "growth" and "progress" in a social context.

The North Shore plan (2006, p.16-25) puts it like this:

The Residential 3 zone has been applied to the old established settlements of Devonport, Birkenhead and Northcote. The retention and enhancement of the built heritage values of these areas is important as it reflects both community aspirations and the intrinsic values of heritage. It ensures that a legacy is maintained in a state suitable for passing on to future generations.

Being a product of past development, built heritage cannot be replicated or replaced. It is thus a non-renewable resource of limited supply. As a consequence, heritage buildings are susceptible to any physical change that may reduce or negate the particular qualities that contribute to their significance. This sentiment is best encapsulated in the North Shore district plan (2006, pp.16-25/26), which recognises that “Built heritage is vulnerable to unsympathetic development and, to be sustainable, the special character must be identified and protected against the impacts of changes.”

³ Indeed, “promoting... the protection and/or rehabilitation of older buildings, historic precincts and other cultural artefacts” is one of the activities specified in Agenda 21 towards achieving sustainable urban settlements (www.un.org/esa/sustdev/documents/agenda21/english/agenda21chapter7.htm).

⁴ The role of heritage in shaping personal, community and cultural identities, and sense of place has been well canvassed in the literature, such as by Ashworth (1997), Evans (2000), Graham et al. (2000); Hall and McArthur, (1996) – Managing Community Values; and Tunbridge and Ashworth (1996).

⁵ The year 2000 is when the Wellington district plan became operative, that is, when all appeals arising from plan notification in 1994 had been resolved. The North Shore plan became operative in 2006.

One of the reasons for this vulnerability is that, left entirely to market forces, retention of a building's heritage values may be undervalued compared to redevelopment of a site for economic gain. Indeed, economic considerations play a large part in determining whether or not built heritage is protected and conserved over time. With regard to the RMA Act, Blaschke (1996, p.13) has posited that:

...for any particular historic place, one of two conditions must be satisfied: either an enduring or new use is found which is financially viable and pays directly for that place's upkeep, or its value is non-monetary but perceived as high and there some party – public or private – pays for its preservation.

Heather and Baumann (2004, p.494) agree and consider that “The main limitation of protecting heritage sites or structures is economic.” They maintain that this is because planning restrictions are unable to avert the deterioration of a structure (that is, by forcing an owner to maintain it), nor can they stop a building's removal if it can be shown the building prevents the reasonable use of the site (section 85, RMA Act). As a consequence, they contend that “one of the best methods to ensure the conservation of a heritage building is by identifying an adaptive re-use for it” (Heather and Baumann, 2004, p.505).

From an international perspective, the Getty Conservation Institute (1999) has warned that economic factors increasingly dominate other values when it comes to deciding what heritage to protect and conserve. In particular, the Institute recognised that:

...methods of economic valuation increasingly dominate society's handling of the value of heritage, while the same methods are unable to account for some of the most salient values and virtues of heritage – namely, historical meaning, symbolic and spiritual values, political functions, aesthetic qualities and the capacity of heritage to help communities negotiate and form their identity. In short, heritage cannot be valued simply in terms of price (Getty Conservation Institute, 1999, p.2).

The New Zealand experience points to a similar dominance of economic over other factors in the management of the historic environment. Heather and Baumann (2004), for instance, have observed that historic structures tend to be removed where land

values are high and construction of a new building offers a more economically efficient option for the site, particularly in commercial centres. In a similar vein, Nahkies (1998, p.52) held that focusing on economic considerations alone inevitably results in the heritage values of buildings being underrated in the development process. Nahkies (1998) attributes this deficiency to a number of factors, including:

- imperfect information regarding costs and benefits of heritage buildings;
- a short-term view that discounts the value of heritage to future generations;
- the private owner not necessarily enjoying the positive benefits of retaining heritage buildings;
- negative externalities that are not borne by the private owner; and
- the public good arising from retention of heritage buildings, which allows people to enjoy the benefits without paying for them.

In theory, this market failure is anticipated by the RMAct which requires local authorities to be proactive in identifying and protecting built heritage.⁶ Direct intervention in the development process via district plan provisions is sanctioned by the RMAct so as to limit the damage that particular activities can have on heritage buildings and, to achieve this end, a range of regulatory and non-regulatory methods are available.

There is still a widely held view that owners need to receive some recompense in recognition of the fact that they carry the cost of maintaining a property that has public value, and in lieu of the additional development rights available to owners of non-heritage protected properties (Rainbow and Derby, 2000). This private versus public dichotomy was acknowledged by RAP workshop participants who considered that the challenge for local authorities is to find a balance between benefits of protecting heritage buildings (including to owners and the wider community) and the costs to achieve it.

⁶ Although, as shown in Chapter 2, the degree to which the RMAct is intended to influence market-led activities has been hotly debated.

Defining the Models' Structure: Components, Characteristics and Relations

With this overview of the issue in mind, this sub-section sets out the responses made by both Wellington and North Shore City councils in their district plans. The two models have much in common, which demonstrates a consistent approach to protecting built heritage between the two councils. The Wellington model is shown Figure 5.1 (following page), whereas the North Shore model is illustrated in Figure 5.2 (p.129). First, the Wellington model is comprised of eight components: 1) economy; 2) change processes; 3) buildings with the potential to be changed via additions and alterations; 4) buildings with the potential to be demolished; 5) buildings with the potential for signage; 6) buildings with the potential to be conserved and restored; 7) potential new buildings; and, 8) indicators of the heritage outcomes anticipated based on the plan's assessment criteria.

Each component has several characteristics associated with it that describe the particular qualities of the listed buildings that may be influenced by the specified development activities. For example, the characteristics under the 'Potential Additions/Alterations' component include *architectural integrity*, *historical integrity*, *physical condition* and *utility*, as the plan's assessment criteria anticipate that additions and alterations may impact on these qualities of a building. These characteristics therefore represent the indicators (or criteria) for evaluating the effectiveness of the plan interventions. The exceptions are the components 'Economy', which comprises the characteristic *development*, and 'Potential Demolition/Removal', which has the *number of buildings demolished or removed* as its sole characteristic.

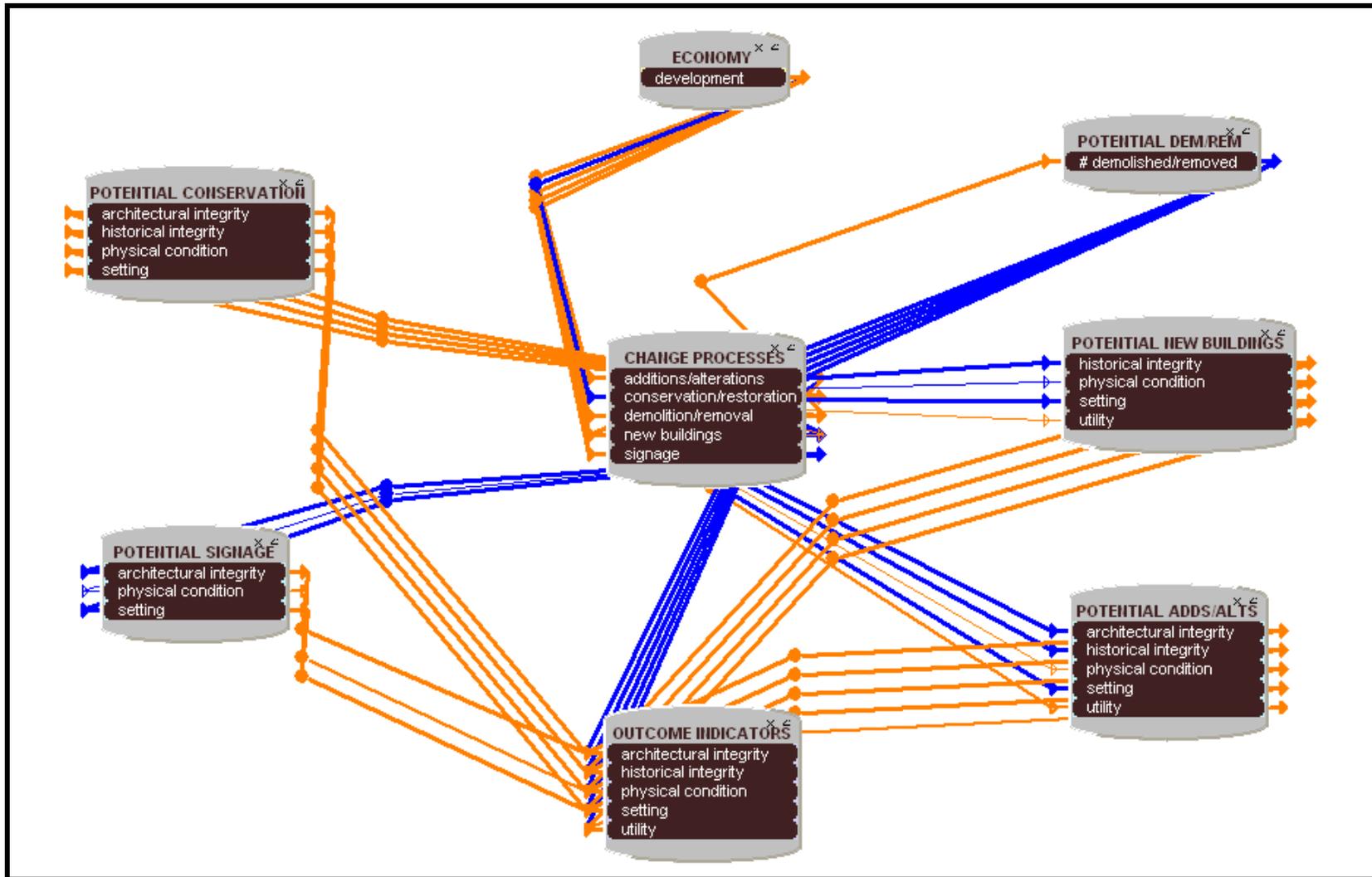


Figure 5.1: Model of Wellington District Plan's Listed Building Provisions, Showing the Components, Characteristics and Relations

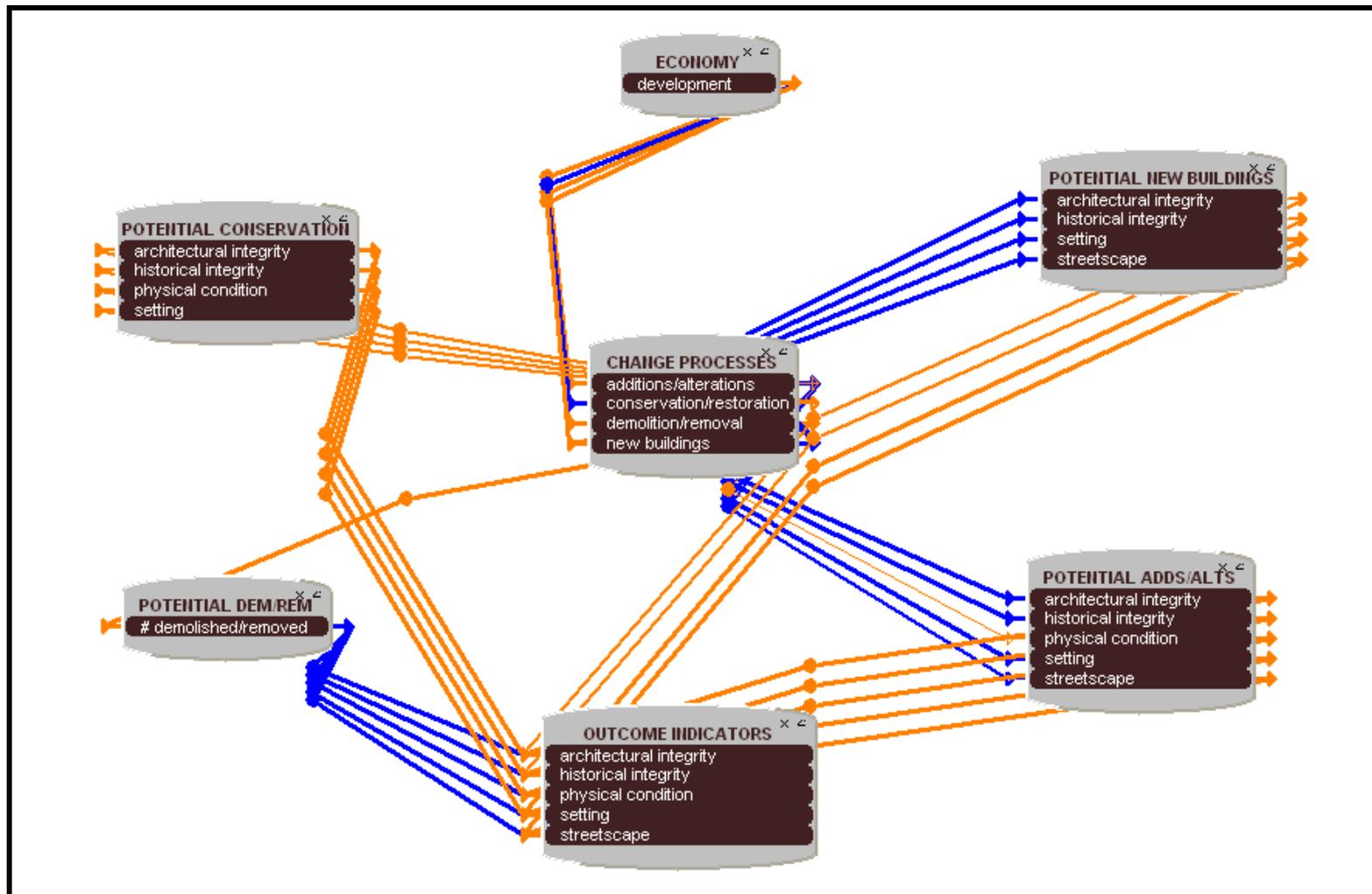


Figure 5.2: Model of North Shore District Plan's Residential 3 Built Heritage Zone Provisions, Showing the Components, Characteristics and Relations

There are two structural differences in the North Shore model. First, there is no 'Potential Signage' component as this is not a sought after activity in the residential zone. Second, instead of a *utility* characteristic under the 'Outcome Indicators' component there is one referring to *streetscape*, which signifies the focus of the North Shore plan on retaining the zone's residential character by maintaining the collective value of early dwellings.

An important point about the way both the Wellington and North Shore district plans work to protect heritage is that they do not attempt to act upon the drivers that lead to physical change in the built environment. The plans instead concentrate on minimising the adverse effects - the market externalities - that result from a range of development activities, regardless of where the pressures for change originate.

For instance, changing architectural styles and fashions were identified by workshop participants as a factor that can undermine the heritage values of buildings by rendering their design unpopular. This is supported in the urban morphology literature, for instance in papers by Freeman (1988), Larkham, (1996; 1995, 1990b), and Whitehand (1994; 1990). Similarly, changing trends in building preference can impact on how buildings are used, such as the move towards inner city living, which has resulted in the conversion of commercial buildings for residential use (Mason, 1999). As well, changing demographics can lead to different demands on buildings (Marshall and Pearson, 1997), including the trend in western nations towards smaller household sizes, as well as the impact of the family life-cycle where housing needs vary depending on family members' stage of life (Larkham, 1996, Whitehand and Carr, 1999). These are all exogenous factors that influence how buildings are valued and used, and evaluating plan effectiveness relies on determining how well the heritage provisions and plan implementers control the impacts of the development activities (the change processes) that ensue.

Effect of Unconstrained Development on Heritage Buildings

The assumption underlying the models is that strong development pressure will equate to a similarly strong increase in the demand for the activities that can impact negatively on heritage buildings. This is illustrated in the models by the strong positive relationships between the characteristics *development* ('Economy' component) and *signage* (Wellington only), *additions and alterations*, *new buildings* and *demolition and removal* under the 'Change Processes' component. The exception is the negative relationship between *development* and *conservation/restoration*, which signals that as development activities increase the amount of conservation and restoration work will decrease as other more intensive activities are favoured.

In practice, the Wellington RAP workshop participants considered that this market failure would lead to the widespread demolition of historic buildings to make way for new, purpose built construction that took full advantage of a site.⁷ Given this pessimistic view, the Wellington participants concluded that there would be a significant negative impact on the plan's outcome indicators, especially on the architectural and historical integrity of the buildings, as well as their setting (see Figure 5.3, following page). Even when buildings were retained, it was considered that uncontrolled additions and alterations would further erode the heritage values of the buildings as the changes made would not necessarily take into account a building's architectural and historic qualities. The effect of these activities is shown by the large blue ellipse in the fields under the *architectural integrity*, *historic integrity*, *physical condition* and *setting* indicators.

⁷ Coincidentally, a number of the Wellington participants had recently watched a film called "Hometown Boomtown", which documented the large-scale destruction of historic buildings in Wellington during the 1980s. When asked if the same experience could be repeated (that is, in the absence of the district plan) one participant, who has been employed by the council since 1980, stated that while he hoped developers had since "wised up" he still felt worried that a repeat was possible.

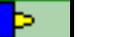
Wellington City District Plan - Causal Theory	OUT architectural integrity	OUT historical integrity	OUT physical condition	OUT setting	OUT utility
Project objectives	1	1	1	1	1
Unconstrained development					

Figure 5.3: Anticipated Effect of Unconstrained Development on Wellington’s Listed Heritage Buildings

Nevertheless, participants thought that there was a possibility that building owners who were undertaking additions and alterations would also carry out general repair and maintenance work and in doing so improve a building’s physical condition. Participants also held that if owners had a free hand to alter their buildings it would enhance the utility value by enabling changes to suit a range of uses. These positive outcomes of unconstrained development are shown on the RAP scorecard above as small yellow ellipse under the *utility* and *physical condition* indicators. As is readily apparent, the potential positive effects are overshadowed by the significant impacts caused by the more destructive activities.

Similarly, the North Shore participants considered that unconstrained development would have a dire impact on the Residential 3 zone’s heritage values (Figure 5.4, following page). As one participant put it, “without a plan I think there is [a] laissez faire approach where ‘anything goes’, you can do anything, you’re property right is supreme... its just luck if you’re able to get a property owner who is interested in conserv[ation].” As a consequence, the participants felt that the *architectural* and *historical integrity* of the area would be significantly undermined as most owners do not have the awareness or capability to undertake appropriate changes to their dwellings. They also thought there would be a loss of original houses through demolition and removal to make way for new development.

North Shore District Plan - Causal Theory	OUT architectural integrity	OUT historical integrity	OUT physical condition	OUT setting	OUT streetscape
Project objectives	1	1	1	1	1
Unconstrained development					

Figure 5.4: Anticipated Effect of Unconstrained Development on North Shore’s Residential 3 Built Heritage Zone

The participants felt that the *setting* of the houses and the coherence of the wider *streetscape* would be extensively undermined by new development. In terms of effects on *setting*, one participant reasoned that: “Pressure from property owners for new development – I’m not talking about the core development, I’m talking about things like garages, fences, additions to existing buildings – would transform the existing context in a negative way.” With respect to streetscape character, the participants thought that as buildings were replaced with new, or altered, the streetscape would lose coherence. As well, demand to internalise open space and a lack of interest in and requirement to addressing the public realm would result in a detrimental effect. The *physical condition* of dwellings was the only aspect that the North Shore participants thought might have a positive outcome under an unconstrained development scenario.

Effect of Development Control: Regulatory Interventions

The ways in which the Wellington and North Shore district plan rules are expected to promote positive outcomes for built heritage, compared to the scenario of unconstrained development, are explained below beginning with the Wellington plan. The two subsequent sections then consider the effect of non-regulatory methods and the combined impact of the provisions.

Wellington District Plan: Regulatory Interventions

Like most local authorities in New Zealand, Wellington City Council’s regulatory response to their heritage mandate involved the listing of buildings with significant heritage values in a schedule contained within the plan and the imposition of rules that require resource consent for changes that may undermine those values. The intended impact of each plan rule on outcomes for built heritage is illustrated in Figure 5.5. The top row of the scorecard sets out the five plan outcome indicators against which the effectiveness of each intervention is evaluated. The left-hand column lists the various methods adopted in the plan, as well as the unconstrained development scenario (at the top).

Wellington City District Plan - Causal Theory	OUT architectural integrity	OUT historical integrity	OUT physical condition	OUT setting	OUT utility
Project objectives	1	1	1	1	1
Unconstrained development	Large blue ellipse	Large blue ellipse	Medium blue ellipse	Large blue ellipse	Medium blue ellipse
Control signage	Medium blue ellipse	Medium blue ellipse	Medium blue ellipse	Medium blue ellipse	Medium blue ellipse
Control exterior additions & alterations	Medium blue ellipse	Medium blue ellipse	Medium blue ellipse	Medium blue ellipse	Medium blue ellipse
Control new buildings	Medium blue ellipse	Medium blue ellipse	Medium blue ellipse	Medium blue ellipse	Medium blue ellipse
Control demolition & removal	Medium blue ellipse	Medium blue ellipse	Medium blue ellipse	Medium blue ellipse	Small blue ellipse

Figure 5.5: Intended Influence of Regulatory Interventions on Built Heritage Outcomes in Wellington

Appendix 7 explains in detail how to interpret the scorecard, but, to summarise, blue ellipses indicate a loss of heritage values and yellow ellipses show an enhancement. Ellipses can be small, medium or large in size, thus indicating a minor, moderate or significant loss or enhancement of heritage values respectively. A range of outcomes is also possible as indicated by the variance in ellipse size and colour in a single field.

Control Signage: Wellington

The signage rule is triggered by a proposal that seeks to fix a sign with a surface area greater than 0.5m² to a listed heritage building, or on the property associated with a listed building. This is a Controlled Activity in the plan and the council has confined the matters over which it retains control to the area, height, number and location of signs.

Overall, the workshop participants considered that the signage rule would do little to counter the destruction resulting from unconstrained development. The main focus is on a building's architectural integrity by ensuring the size, number and placement of signs do not impinge upon its aesthetic qualities. In so doing, the effect of visual clutter on the wider setting is also reduced by limiting the number and size of signs. This rationale is reflected in Figure 5.5, whereby the significant adverse effects on the *architectural integrity* and *setting* indicators have been lessened slightly as a result of the rule. It was also considered that the signage rule had a positive impact on the *physical condition* of listed buildings by ensuring the method of fixing did not result in damage to fabric. However, on its own it was not considered potent enough to influence this indicator to an obvious degree.

Control Additions and Alterations: Wellington

The Wellington plan also regulates additions and alterations to the exterior of listed buildings as a Controlled Activity, although in a number of cases only the façade is protected (for about 7% of buildings on the schedule). The matters of concern have been restricted in the plan to the “design and appearance” of proposed changes.

The workshop participants considered that the plan rule enabled the council to assess and, where necessary, curb the impact of additions and alterations on the architectural and historic qualities of a building. The relationship of a listed building to its setting was expected to benefit as a result. This is illustrated in Figure 5.5 by the improved outcomes for the *architectural* and *historic integrity*, and *setting* indicators.

However, by itself the rule is not sufficient to counter all the negative impacts. In part, this is due to the effects of other activities that the rule doesn't address (for example, demolition and removal), but the participants also thought that the rule was not expected to avoid, remedy or mitigate all adverse effects caused by additions and alterations. This was summed up by one participant who noted that the rule is anticipated to lead to an "Improvement in design. Not necessarily [the] best purist outcome, but certainly better than no control." The rule is also not expected to alter the outcomes for the *utility* and *physical condition* indicators when compared to the unconstrained scenario given its limited focus on design and appearance.

Control New Buildings: Wellington

New buildings are also regulated where these are to be erected in various 'character areas' demarcated in the plan (many of which are in the central business district), or where a proposal is for a multi-unit residential development. This provision is concerned with regulating the design of new buildings by ensuring that they comply with the design guides contained within the plan. The rule is not intended to act as a heritage control and it does not aim to overly constrain architectural tastes.

I have nevertheless included the new building provisions because the workshop participants agreed that it is expected to have a positive impact where a new building was proposed in the vicinity of a heritage building. This is particularly relevant in the character areas, which tend to have a high concentration of listed buildings. Given that the design guides seek to enhance the relationship of a new building to its setting, by way of assessment criteria relating to building height and position, use of materials, architectural detail, window size, floor-to-floor height and so on, the new building provisions were expected to have a minor positive effect on the *historical integrity* indicator and a moderate positive impact on the *setting* indicator, as illustrated in Figure 5.5.

Control Demolition and Removal: Wellington

The final rule is concerned with the total or partial demolition or removal of listed buildings and, as a Discretionary Activity, it is a stricter control. Under unconstrained development, the participants were aware from past experience that owners were more likely to demolish older buildings and construct new ones that took full advantage of their sites. Left unchecked, this activity has the potential to substantially erode Wellington's built heritage, particularly in the commercial precincts where land values and development pressures are the highest, and where there is a concentration of listed heritage buildings.

Clearly, demolition erases all traces of a building's architectural characteristics and, similarly, removal is considered to severely undermine a building's historical significance by displacing it from its original context. With this in mind, Figure 5.5 shows the extent to which the rule is expected to influence outcomes for listed buildings. As with additions and alterations, it lessens the negative effects on *architectural* and *historical integrity* by virtue of the fact that it increases the chances that a building will remain in situ. The impacts are not entirely alleviated, however, as participants still expected there to be a percentage of loss (that is, the plan does not make demolition and removal a Prohibited Activity). Additionally, the *utility* indicator improves markedly based on the assumption that owners will be forced to use their existing buildings rather than simply knocking them over and starting again.⁸ The rule also has a positive influence on the *setting* due to the increased likelihood that listed buildings will be retained thereby maintaining their relationship with the wider environment.

⁸ There was a counter argument that owners may leave their buildings to fall into disrepair so that a case can be made for demolition on the grounds of poor building safety ('demolition by neglect'). On balance, though, most participants considered that the owners were more likely to find a use for their building rather than leave it to deteriorate.

North Shore District Plan: Regulatory Interventions

Similar to Wellington, the North Shore district plan requires consent for exterior additions and alterations, in this case to any existing building in the Residential 3 zone (with respect to the street façade, side elevations and roof), as well as the construction of new buildings (which includes new dwellings, minor residential units, and accessory buildings), and demolition or removal of dwellings. The intended influence of these provisions on outcomes compared to unconstrained development is illustrated in Figure 5.6, and explained in the discussion that follows beginning with additions and alterations.

North Shore District Plan - Causal Theory	OUT architectural integrity	OUT historical integrity	OUT physical condition	OUT setting	OUT streetscape
Project objectives	1	1	1	1	1
Unconstrained development					
Control exterior additions and alterations					
Control new buildings					
Control demolition and removal					

Figure 5.6: Intended Influence of Regulatory Interventions on Built Heritage Outcomes in North Shore

Control Additions and Alterations: North Shore

Both North Shore participants thought that the additions and alterations rule (a Controlled Activity) would have a positive influence on the *architectural* and *historical integrity* of dwellings in the Residential 3 zone. For one participant, this is because the rule “would address some of the architectural issues – the detailing of buildings, the detailing on... any new additions and alterations to that building”, which in turn enhances “conservation of the historical integrity” of the dwellings.

As well, assessing the effects of additions to the buildings should have a positive spin-off on the *setting* of the buildings and the wider *streetscape*. The location of new work can be controlled so as to ensure the orientation of the building on the site is respected and to maintain open space around the building, for instance by preventing encroachment into the front yard. Furthermore, the rule seeks to minimise changes to the front, sides and roof planes of dwellings, which are the most visible aspects from the street, thereby ensuring maintenance of streetscape character.

However, the rule is not sufficient to combat all adverse effects of development. Notably, the significant impacts of demolition and removal of dwellings are not dealt with, as indicated on the scorecard by the large blue ellipse under each indicator. Other activities continue to erode the setting of early dwellings, as noted by one participant: “Without controlling the accessory buildings we’re not controlling the effect on the setting... So it’s an improvement to a degree but not a great improvement.” The same sentiment was expressed with respect to effects on the zone’s streetscape character:

While there is an improvement we are not dealing with new buildings, not dealing sufficiently with garages – we are controlling the ones that are [additions or] alterations to a building but not the ones that are separate new buildings. And by not controlling fences, these have a huge impact on the streetscape...

The additions and alterations rule was not considered to have any influence on the *physical condition* of buildings because the owners were expected to undertake maintenance on their properties regardless of the plan.

Control New Buildings: North Shore

Unlike the Wellington plan, North Shore’s contains a specific rule (another Controlled Activity) relating to the construction of new buildings in the Residential 3 zone. The rule is wide-ranging as it covers any new structure, including dwellings, carports and garages, and minor residential units.

As shown in Figure 5.6 above, workshop participants expected that the rule would influence outcomes for the *setting* and *streetscape* indicators more than for *architectural* and *historical integrity*, largely because the construction of new buildings has no physical impact on existing buildings. Nevertheless, in one participant's view, new buildings "do affect architectural integrity if you've got your mock villa sitting next to your original villa. It demeans your original villa, I think." As a consequence, the rule "could have a positive effect on [the] design, siting, [and] materials of new buildings." This would have a similarly positive flow-on effect for the historical integrity indicator by retaining the authenticity of housing design.

In terms of *setting* and *streetscape* values, the rule aims to limit the potential for new buildings to distort the layout of the original settlement pattern by ensuring that they take cognisance of development characteristics such as front and side setbacks and façade lines (which tend to be of a uniform pattern in a street), site coverage, and building height. Appropriate siting of new buildings can also prevent views of original houses being obscured. Thus, the plan seeks to maintain the openness of a site and coherence of the streetscape, which is depicted in the scorecard by the reduction in the range of adverse effects on these two indicators.

Both participants held that the impact of new buildings was directly related to the number of original dwellings that were demolished or removed, as encapsulated by the following statement: "[the effect of] new buildings... is dependant on how many buildings there are. If you don't have a control on demolition and you get a lot of new buildings then the number... is going to have a bigger impact than if there's only a few."⁹

⁹ The relationship between demolition and removal of buildings (notably houses) and the construction of new ones is incorporated in the RAP model. A strong positive relationship exists between the characteristic *demolition/removal* and *new buildings* under the Change Processes component. Hence, if the number of buildings being demolished or removed increases strongly, so too do the number of new buildings being erected to replace them.

Control Demolition and Removal: North Shore

As was the case for the Wellington participants, those from North Shore felt that the demolition and removal rule (a Discretionary Restricted Activity) limited the loss of original houses that would otherwise occur, thereby helping to maintain the area's architectural and historic coherence and authenticity. As the participants put it, "It's not so easy to pull [the houses] down which preserves, of course, the architecture." Similarly, the provision offers the "ability to conserve individual buildings and groups... and that's what's important about the historical integrity." As a result, the rule was expected to lead to a "big improvement, as more existing buildings remain [and their] collective value is retained." These views are reflected in the scorecard (Figure 5.6 above) whereby effects on the *architectural* and *historical integrity* indicators have been reduced considerably.

Gains were also anticipated for the *setting* and *streetscape* indicators. This is because there is "less ability to remove existing [buildings] and build without regard to context", which in turn would have a "Big impact, as [the] coherence of [the] streetscape [is] maintained, [the] collective value retained, and council has... the power to really affect the outcome." The rule also improves the *physical condition* indicator by virtue of the fact that original houses are more likely to be retained than demolished, which in turn means that owners are more likely to invest money in them because their ability to redevelop has been curbed.

Effect of Development Control: Non-Regulatory Interventions

Having examined the assumptions underpinning the district plans' heritage rules, this sub-section now considers the rationale behind the non-regulatory methods. In this regard, two key methods are promoted in the plans: 1) the provision of specialist heritage advice; and 2) the offer of financial assistance to assist with the costs of building conservation.

First, heritage advisors are employed by both councils in order to provide guidance to owners about how to undertake a development that complies with the plans' assessment criteria. A key assumption in both models is that advice from the council to landowners is offered as part of the resource consent process (that is, when the plan rules are in place), compared to a situation where there are no plan rules and therefore no obligation for owners to seek or take council advice. A second assumption is that the advice is given at an early stage in the development control process, typically at pre-application meetings before the proposal design has been settled upon. In this situation, it is considered that the advice given is more likely to be heeded by the developer and reflected in the application when submitted (Larkham, 1996; 1990b).

The second non-regulatory method is the provision of financial incentives, namely heritage grants, for proposals that meet the councils' criteria for building conservation. Such grants are offered to encourage and assist owners to undertake work on listed buildings in Wellington and Residential 3 properties in North Shore. Grants are also available in Wellington for owners to undertake strengthening of earthquake prone buildings, which is a requirement under the *Building Act 2004* (and previous enactments). The intended influence of each of these incentive-based methods is considered below, beginning with the Wellington plan.

Wellington District Plan: Non-Regulatory Methods

The anticipated influence on heritage outcomes arising from the provision of advice and financial incentives is shown in Figure 5.7 (following page). As can be seen, both methods are expected to lead to a notable improvement in all of the indicators compared to the unconstrained scenario. The reasons for this are considered below, starting with the provision of advice.

Wellington City District Plan - Causal Theory	OUT architectural integrity	OUT historical integrity	OUT physical condition	OUT setting	OUT utility
Project objectives	1	1	1	1	1
Unconstrained development					
Provision of advice					
Financial incentives					

Figure 5.7: Intended Influence of Non-Regulatory Interventions on Built Heritage Outcomes in Wellington

Provision of Advice: Wellington

Guidance from heritage staff to building owners covers a wide range of issues, as noted on the Wellington City Council website:¹⁰

Council heritage staff are available to advise and guide property owners, architects and contractors on appropriate rehabilitation. This service is offered free of charge and includes helpful suggestions (sometimes cost reducing) on such matters as seismic bracing, non-abrasive removal of paint, and repair and replacement of architectural features.

As a consequence, the input of heritage advisors in the development process has the potential to enhance outcomes arising from activities that require resource consent. Considerable improvements in the *architectural integrity*, *physical condition*, *setting* and *utility* indicators ensue, as shown in Figure 5.7. However, while the provision of advice has the potential to secure better outcomes for the *historical integrity* of listed buildings, this is less marked due to the fact that the plan does not have a heritage rule to control the adverse effects of new buildings. Gains made are attributable to the input of urban designers employed by the council who work with developers to ensure their proposals comply with the plan’s urban design guides.

¹⁰ www.wellington.govt.nz/services/heritage/buildings/buildings.html

The role of the heritage advisors in advising on and assessing development proposals is supported by two published built heritage inventories, which provide historical information on buildings listed in the plan and a précis of the values that lend them significance.¹¹

Financial Incentives: Wellington

Heritage grants currently offered are offered to building owners by Wellington City Council for: 1) stabilisation, repair or restoration of original heritage fabric (including earthquake strengthening); 2) professional services (for example, preparation of conservation plans); and 3) reimbursement of resource consent fees. Funding to cover construction costs, such as for earthquake strengthening, can be claimed for up to 50% of the value of the work to a maximum of \$80,000. Funding for conservation reports and technical advice is generally up to a maximum of \$10,000. Grants of over \$50,000 may require a memorandum of encumbrance to be registered on the certificate of title to ensure the building is retained for a specified number of years. The total amount of the heritage fund can vary from year to year, for instance, in the 2006/07 financial year it was \$250,000 and for the each of the following four financial years it is \$350,000 per annum.¹² The fund was restricted to owners of non-residential buildings listed in the plan, although this criterion has recently been removed.¹³

The workshop participants expected the fund to have a positive impact on all of the heritage outcome indicators. In particular, the availability of money to assist with strengthening buildings against earthquake damage was an important factor, as safety concerns was one of the main reasons cited for the demolition of older buildings in Wellington during the 1980s. As a consequence, the fund was expected to encourage owners to retain and secure their buildings when they might otherwise have applied

¹¹ The inventories are: 1) Wellington City Council (1995) *Heritage Inventory: Residential Buildings*; and 2) Wellington City Council (2001) *Wellington Heritage Buildings Inventory* (focusing on non-residential buildings). The inventory relating to non-residential buildings is more detailed than the one for residential buildings, as it was revised (from an earlier draft) and substantially updated in 2001.

¹² www.wellington.govt.nz/services/grants/profiles/builtheritage.html

¹³ www.wellington.govt.nz/services/grants/pdfs/appforms/2007-06built-application.pdf

to demolish them. Moreover, the use of the fund to help cover the costs of conservation and restoration was anticipated to encourage developers to undertake these positive enhancements when adapting buildings. Together, the incentive provided by the heritage fund to retain and conserve buildings accounts for the substantial reduction in adverse effects under each of the outcome indicators.

North Shore District Plan: Non-Regulatory Methods

The outcomes expected from the non-regulatory methods in North Shore are displayed in Figure 5.8. As with Wellington, the provision of advice and financial incentives has the potential to improve the outcome indicators compared to unconstrained development.

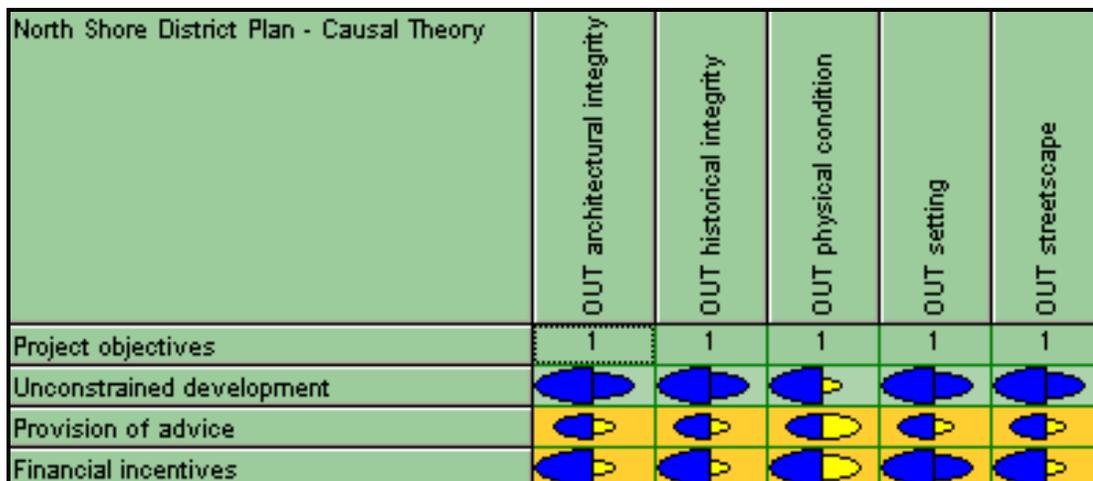


Figure 5.8: Intended Influence of Non-Regulatory Interventions on Built Heritage Outcomes in North Shore

Provision of Advice: North Shore

Both North Shore participants were firm in their view that the provision of advice to consent applicants could lead to a considerably more positive outcome than would otherwise be achieved. In fact, one considered that this is a key purpose of the development control process: “I think that half of the resource consent process is the advice you get out of it. That’s what it’s there for, really, it’s just a legalised way of doing it.” The view of both participants that good, timely advice can lead to a strong

improvement in all of the outcome indicators is illustrated in Figure 5.8. This was summed up by one participant as follows:

My explanation for that is it can have a beneficial effect – often people want to do the right thing but don't know what to do and that, I think, applies [for all the indicators]... if people are giving you advice about setting, historical integrity, streetscape, physical condition, and you're acting on that advice, you can have quite a beneficial effect..."

They also indicated the broad nature of advice they give, notably information about how to add to and alter a building so that the owners needs are met, as well as encouraging owners to maintain a building so that its architectural and historic values are kept in tact. As one participant put it:

There is an advantage in using advice in that you can encourage people to restore and repair instead of replace, therefore you can encourage them to retain original fabric and the authenticity of the building... You can make suggestions about how the building can be adapted to meet their needs and desires while retaining the character.

Provision of advice for proposed new buildings is also common, including matters of design and appearance, and siting on a property.

Financial Incentives: North Shore

Heritage grants are administered by the North Shore Heritage Trust, which is presided over by a range of trustees including local politicians, community board members and heritage specialists. One of the workshop participants advises the trustees on the merits of applications made to it. The Trust receives \$50,000 per year from the council and \$15,000 per year from Telecom New Zealand to allocate as grants. Grants are typically up to \$5000 per application, although greater sums are sometimes given for large projects. In addition to the properties in the Residential 3 zone, the fund is available to owners of the heritage buildings listed in the plan.

The participants considered that the financial incentives were intended to have an overall positive, if muted, impact on the area's heritage values. They considered that

the most positive outcomes of the fund would be the enhancement of the architectural and historical character of dwellings. One participant explained their thinking like this: “[A grant] can lead to changes being done that are more authentic, especially as the use of the money comes with conditions which are usually fairly strict.” The second participant added that “It can have an impact on individual buildings in helping to conserve the integrity of a particular building and, therefore, if that building is sitting in a group it might help to... add value to the group.” The streetscape was also expected to be enhanced as the grants are intended to exhibit some public benefit, namely the conservation of parts of buildings that are visible from the street. However, given the total amount of the fund, and the fact that it is shared with listed building owners, the maximum number of properties that might receive a grant each year is small compared to the overall size of the Residential 3 zone (over 4000 properties). In other words, grants “are not like a rule that applies everywhere.”

As a consequence, Figure 5.8 shows that a minor enhancement is possible for the *architectural* and *historical integrity* and *streetscape* indicators compared to the unconstrained scenario. There is also an improvement in the *physical condition* indicator because “[The Trust] is very interested in giving money for repair, conservation, restoration of lost elements – that is where their focus is.” Neither participant thought that the *setting* indicator would be affected because “usually these heritage grants don’t have that kind of clout, they’re not sufficient enough to be put to very large projects that would involve changing the setting.”

Effect of the Plans as a Whole

The combined effect of the plans’ regulatory and non-regulatory provisions (the bottom line in the scorecards labelled ‘District Plan’) are intended to lead to a considerable improvement in built heritage outcomes compared to the unconstrained scenario, as can be seen in Figures 5.9 and 5.10 (following page).

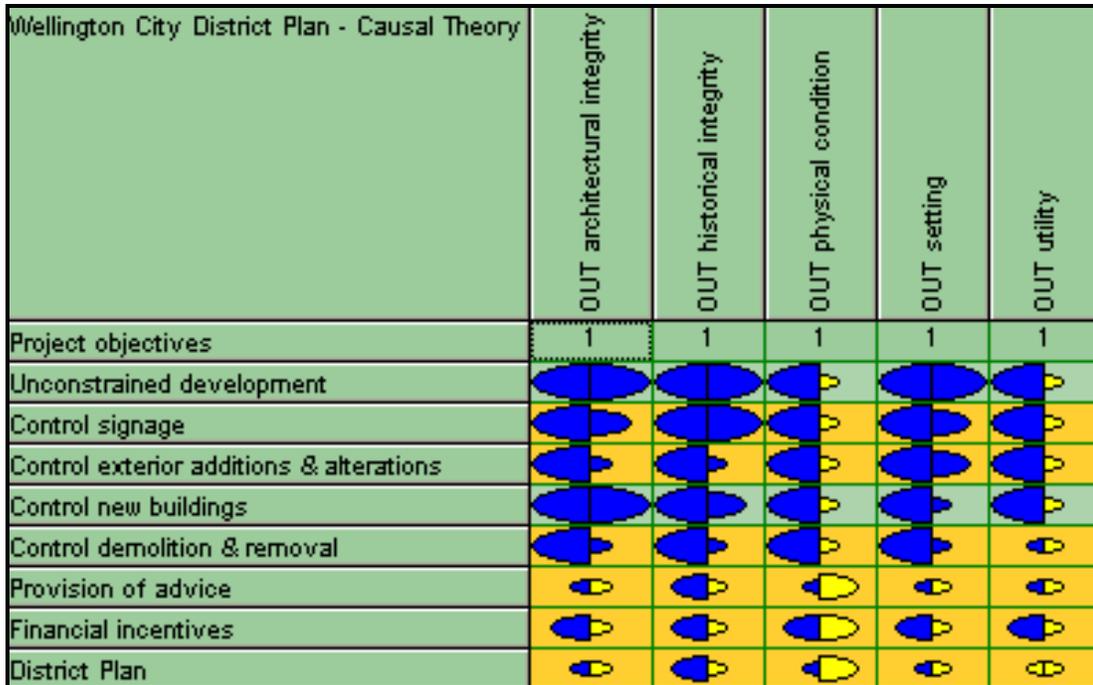


Figure 5.9: Combined Influence of the Wellington City District Plan Provisions on Built Heritage Outcomes

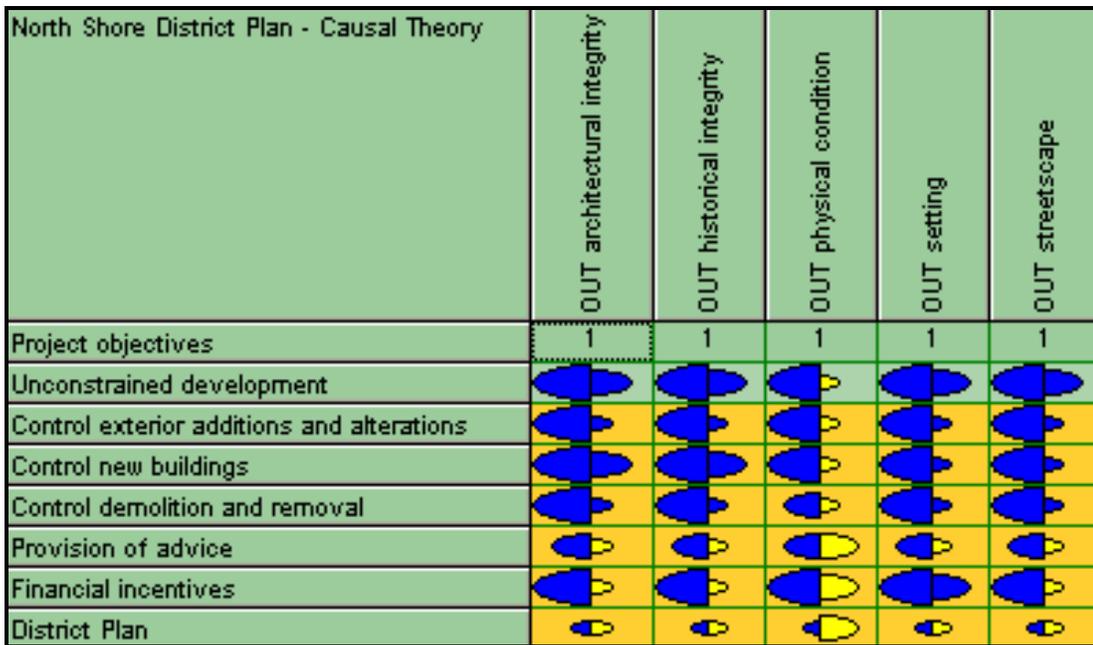


Figure 5.10: Combined Influence of the North Shore City District Plan Provisions on Outcomes in the Residential 3 Built Heritage Zone

The figures demonstrates the causal thinking underpinning the plans, whereby the rules have been designed to account for the development activities known to impinge upon the heritage values of buildings if left uncontrolled. The non-regulatory methods amplify the effect of the rules by making specialist advice and financial assistance available to resource consent applicants.

In terms of the North Shore plan, the cumulative influence of both the regulatory and non-regulatory methods are anticipated to at least counter the worst of the development impacts (represented by the small blue ellipses) and, at best, to lead to an enhancement of the heritage values of buildings (indicated by the small and medium yellow ellipses). A similar result is predicted for the Wellington plan, with three of the five outcome indicators showing an outcome range from minor adverse effects to a small or medium enhancement.

A notable exception on the Wellington scorecard is the *historical integrity* indicator, which shows that a moderate negative impact overall is still possible. This arises due to the fact that the plan does not include a heritage rule to address the impacts of a new building on the same (or neighbouring) site to a listed heritage building. This omission points to a gap in the plan's causal theory.

Thus far in the chapter, the cause-effect assumptions on which the district plans operate have been modelled and explained. The following section identifies the causal mechanisms inherent in the regulatory and non-regulatory methods that work to influence the choices made by building owners in the development control process, thereby promoting good heritage outcomes.

The Plans' Causal Mechanisms

An important part of defining plan theory is to recognise the mechanisms by which the plan interventions are intended to influence positive change. In other words, what reasoning and responses do the plan-makers wish to provoke in applicants as a result

of the plan and, specifically, the resource consent process? Heritage protection will be greeted favorably by some building owners and resisted by others. This will be influenced by different views about the value of heritage and the perceived benefits or burdens brought about by heritage controls. These divergences are not unknown to plan-makers; Wellington and North Shore district plans deliberately contain a mix of provisions that aim to promote outcomes for heritage in complementary ways. They reflect an awareness of the tension between the public interest and private rights, the costs associated with heritage conservation, and the fact that heritage protection is a technical process that requires specific skills and expertise.

Identifying Causal Mechanisms

With this in mind, I consider that the plan provisions are intended to influence heritage outcomes by way of four mechanisms, namely:

- 1) *increasing council involvement* in decision-making;
- 2) *increasing the capacity* of owners to comply with the plan;
- 3) *increasing the commitment* of owners to comply with the plan;
- 4) *compelling* owners to comply with the plan.

There is a fifth causal mechanism at work, being that the plan provisions *deter* developers from pursuing particular activities. One RAP workshop participant from North Shore thought that “having a rule actually dissuades people from applying because they get fearful of the process – ‘oh we won’t get approval, we’ll spend all that money and we still won’t get what we want so we just better work with what’s there.’” This is what Gilg (2005) referred to as the ‘birth control effect’, which he contends is an impossible aspect of planning to evaluate because of the difficulties in measuring activities that *have not* been carried out. For this reason, I have not attempted to gauge the extent to which the plan provisions have deterred owners from developing buildings protected by both plans.

In regard to the first mechanism, the resource consent process allows councils to *intercede* in land development decision-making to ensure that the heritage values of buildings (and other heritage resources) are taken into account. In this way, the plan (and the heritage schedule in particular) has a signalling function whereby councils are alerted to instances where buildings with valued heritage qualities are facing physical change. In other words, the resource consent process gives councils the opportunity to *raise owners' awareness* about their buildings' heritage values and to control decisions around how they are developed.

The next two mechanisms apparent in the plans are that building owners may need *encouragement* and *assistance* to undertake developments that provide for heritage values. As already explained, heritage advisors employed by Wellington and North Shore City councils act as a point of contact for owners wishing to develop their properties. They are available to provide specialist advice to owners at no cost, via pre-application discussions and site visits, to talk through the pros and cons of a development proposal. Financial incentives are also offered by way of the heritage funds for owners who undertake conservation and restoration work and, in Wellington, to meet earthquake safety requirements. The theory behind these methods is that owners will be in a better position to make *informed decisions* about how to change their properties, and will feel *motivated* to do so, by being made aware of the buildings' significance and/or the offer of a financial contribution.

Fourth, if all else fails, applicants may be *compelled* to undertake a proposal that aligns with the plans' goals. District plans are statutory documents and their provisions have the status of regulation. This means that resource consent applicants have a legal obligation to comply with the plan and, similarly, councils are required by law to implement them. Provided that the plan rules are sufficiently strict, options are available to local authorities such as publicly notifying an application or declining it outright. Enforcement proceedings are also available if a consent has been granted but not implemented in accordance with the approved plans, or if an activity has been undertaken without the necessary consent. A decision by a council to publicly notify,

or refuse an application, or to take enforcement action can induce obstinate developers to amend a proposal so that it is more in-line with the plan.

Together, the regulatory and non-regulatory methods are considered sufficient to offset the negative effects of the open market and owners' reluctance and/or ignorance about heritage protection. However, the district plans' causal theory as set out thus far in the chapter is only one piece of the puzzle, albeit a substantial one. As has been noted, the implementation context that is needed to enable the plan provisions have the maximum effect also needs to be made explicit. This final aspect of the plans' 'theory of change' is outlined in the following section.

The Plans' Implementation Theory

A key assumption behind conformance-based plans is that there is a direct linear relationship between plan implementation and environmental outcomes (Laurian, Day and Berke et al., 2004). In other words, diligent implementation of the plan should give rise to the desired environmental endpoint. In the case of the RMAAct, this means that close adherence to plan provisions when deciding upon development proposals will ensure that the plans' anticipated environmental results are achieved.

Proponents of the theory-based approach, however, contend that the reality is not that simple. That is, plan provisions do not 'cause' environmental effects. Instead, it is argued that outcomes are contingent upon contextual factors that work to promote or inhibit the effectiveness of a plan. As discussed, there are a number of causal mechanisms inherent in the plan's heritage provisions that aim to influence the behaviour of resource consent applicants. However, that these will be 'triggered' in every case is by no means certain, which means that also underpinning the plans' causal theory are assumptions about the ideal implementation context. A requirement of plan effectiveness evaluation is to determine whether these conditions exist in practice and, if so, if they promoted successful plan implementation.

The remainder of this section sets out the implementation theory relating to both plans. The theoretical propositions presented here have been gleaned from the planning, and urban morphology literature. Pertinent views on implementation expressed by participants in the RAP workshops have also been taken into account.

Representing Implementation Theory

Laurian, Day and Backhurst et al. (2004, p.557) recently concluded that:

The planning literature... exhibits a striking dearth of studies about the implementation of local comprehensive plans..., about the linkages between plans and their outcomes..., and about the causes of variation in plan implementation... Therefore, planners know very little about the factors that may affect plan implementation and the effects of plans on the land development process...

This assertion is backed up by Berke et al. (2006, p.581-582), who consider that “The implementation of plans has been ignored for decades in the field of planning” and, moreover:

Given the paucity of studies on the implementation of spatial-planning programs, a major issue is that present planning programs have not accounted for the successes and failures of past experiences derived from systematic evaluations of implementation.

Following a review of the available literature on plan implementation, Laurian, Day and Backhurst et al. (2004) and Berke et al. (2006) held that several key ingredients appear influential in ensuring a plan is operationalised in practice. They are: 1) the quality of the plan; 2) the capacity of council personnel to implement the plan and their commitment to do so; 3) the capacity of applicants to comply with the plan and their willingness to do so; 4) interactions between councils and developers; and 5) characteristics of the development for which consent is required.

First, the quality of the plans has been identified as a chief influence on plan implementation. Plan quality relates to the extent to which:

- important environmental issues are clearly identified and communicated;
- environmental issues and the policies to address them have been developed using a sound fact base; and
- the hierarchy of provisions in plans (that is, the cascade discussed in Chapter 3) are consistent and mutually reinforcing (Berke et al., 2006; Burby and May, 1997; Ericksen et al., 2003).

High quality plans are considered to be those that “draw attention to issues that are often ignored, enhance communication and understanding, and provide clear guidance to implementation decisions” (Berke et al., 2006, p.585).

Second, the capacity of councils to implement the plan and their commitment to do so are considered important factors. Council capacity relates to the human and monetary resources available for implementation. In terms of staff, aspects such as the number of planners, their education level and degree of technical knowledge are relevant. As well, adequate funding is required in order to implement the non-regulatory methods espoused in plans, as well as providing on-going training to staff. Commitment, on the other hand, refers to the dedication of staff, including planners, their managers and politicians, to achieving the goals of the plan. Commitment is also reflected in the willingness of a council to adequately fund the implementation effort and to enforce the plan provisions through the development control process.

Third, the capacity of resource consent applicants to comply with plan provisions is held as an important factor, as is their desire to do so. Applicant capacity is a measure of the knowledge developers have of the plan and its intentions (for instance, through previous consent experience), as well as the resources at their disposal to execute plan policies in practice, such as by engaging consultants with necessary technical knowledge. Applicant commitment to comply with the plan is characterised by their feelings of responsibility for environmental protection and their willingness to design a development proposal that avoids or at least minimises adverse impacts.

Commitment can also be demonstrated through an applicant's willingness to pay for specialist input in the planning and design of a development proposal.

Fourth, relations between councils and consent applicants are thought to affect implementation. In this regard, Laurian, Day and Backhurst et al. (2004) and Berke et al. (2006) comment that the enforcement style of a council may result in different levels of implementation. They differentiate between a coercive or deterrent approach to enforcement as opposed to a more facilitative relationship (Ericksen et al., 2003; May et al., 1996). The former is "a top-down, regulatory-oriented enforcement style" (Berke et al., 2006, p.560) that stresses "strict interpretation of plan policies, a reliance on legalistic and punitive rules, a minimal provision of technical information and assistance, and written rather than verbal modes of communication in processing permit applications" (Laurian, Day and Backhurst et al., 2004, p.586). Conversely, a facilitative enforcement style encourages negotiation between council and developers in implementing a plan and "emphasises a flexible interpretation of policies, the provision of technical assistance, and verbal modes of communication" (Laurian, Day and Backhurst et al., 2004, p.586).

The urban morphology literature also identifies the negotiation process that occurs between council personnel and developers as being an important factor in their relationship, particularly with respect to who holds the strongest negotiating position.¹⁴ In this regard, Larkham (1996, p.163) has asserted that "Development control and conservation policy can and should act in a positive manner to facilitate appropriate development by providing a basis for negotiation." He was also of the opinion that negotiation plays a crucial role in plan implementation:

When a formal application for permission is submitted, not only may it be preconditioned by the initiator's prior knowledge of the planning officers' attitudes to certain types of development, but subsequently negotiations between the applicant and the planning officers may be of considerable

¹⁴ As did Dalton in her 1989 study on the effectiveness of environmental regulation in California outlined in Chapter 3.

importance in changing an initially unacceptable application to a form found acceptable to the Local Planning Authority (Larkham, 1996, p.135).

This view is also reflected in the comments made by RAP participants, particularly those from North Shore, who held that the negotiation process was crucial in securing better outcomes from the consent process than might otherwise be realised.

The fifth theorised element that influences plan implementation relates to characteristics of the proposed development. Characteristics that have been singled out include the type and scale of the project, and the quality of the development site, in my case the heritage significance of the subject property.

The theorised relationship between these five factors and plan implementation is illustrated in Figure 5.11 (following page). As the ensuing discussion illustrates, I believe this framework usefully depicts the implementation theory for both Wellington and North Shore district plans.

Relevance to Built Heritage Protection

The theorising about plan implementation is reinforced by published research, notably in the field of urban morphology, that has identified specific factors that affected the implementation of policies relating to urban development (Freeman, 1988; Larkham, 1999; 1996; 1995; 1990a; 1990b; Larkham and Barrett, 1998; Mageean, 1999; Mason, 1999; Morrison and McMurray, 1999; Pearce, 1994; Punter, 1986; Whitehand, 1994; 1990; 1989; Whitehand and Car, 1999; Whitehand and Whitehand, 1984; 1983). Such factors include:

- the availability and influence of central government policy guidance for local authorities;
- capacity of interest groups to effectively participate in the consent process and influence decisions;
- whether the development is undertaken by an owner-occupier or speculator;

- whether the developer is taking a commercial attitude to the design of a proposal to provide universal appeal to prospective tenants; and
- changing architectural styles and fashions.

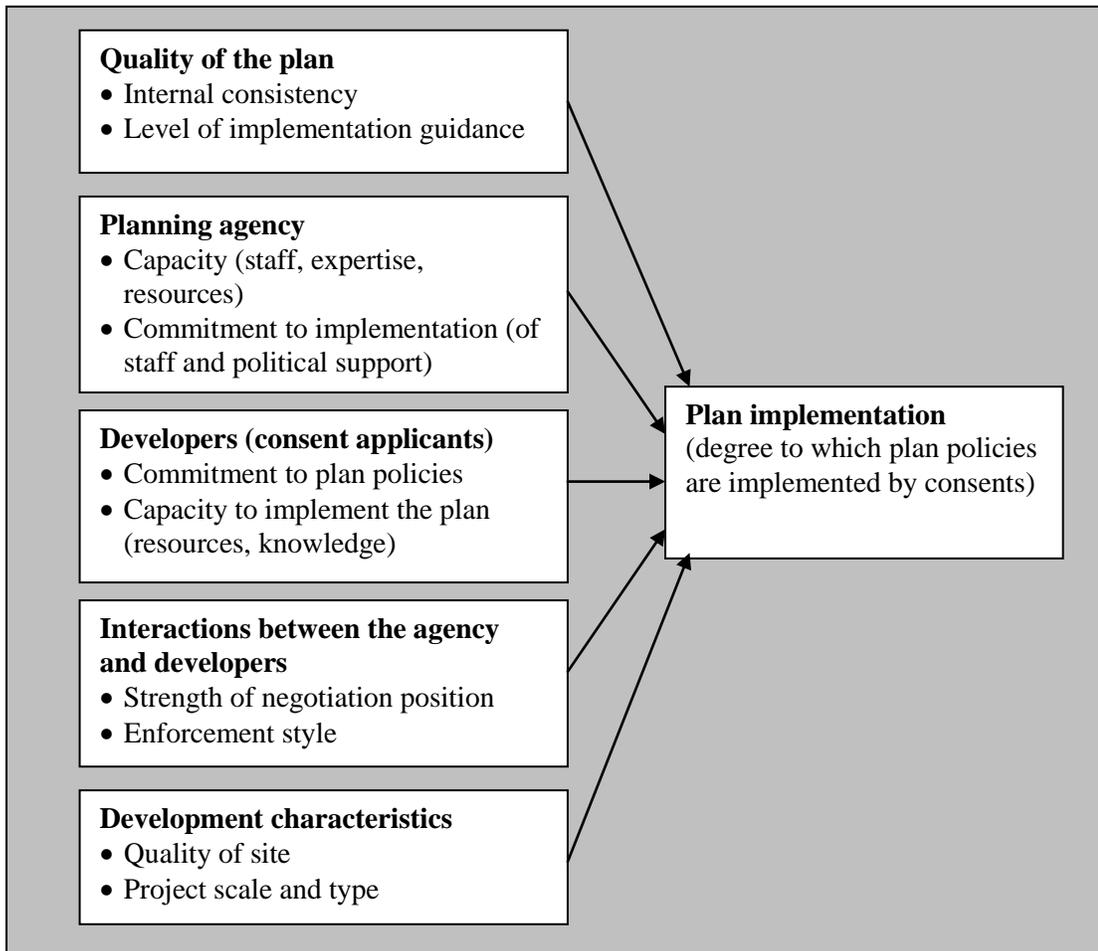


Figure 5.11: District Plan Implementation Theory (after Laurian et al., 2004, p.560)

These findings relate well to the factors identified in Figure 5.11 as contributing to the plan's implementation theory. For instance, central government guidance (if given) is intended to influence the capacity of councils to implement their planning provisions, and lobbying by interest groups may have a similar influence on a council's commitment to their plans. Additionally, characteristics of developers – whether they are owner-occupiers or speculators, pursuing commercial goals etc. – can have a bearing on the strength of their relationship with a planning agency and their willingness to comply with plan provisions. Broader contextual matters, such as

changing building preferences and architectural fashions will shape the developments that are sought after, which in turn will test the flexibility and robustness of the plan provisions.

Similarly, participants in the RAP workshops often qualified their answers about the intended influence of plan provisions by stating that a council or developer's negotiation position may be affected by a range of factors, such as: 1) whether or not the council becomes involved in the planning and design of a development proposal at an early stage; 2) whether the plan provisions are sufficiently strong and detailed enough to provide clarity of intent, practical guidance, and are sufficiently strict to compel compliance; 3) the level of negotiation skills, including prior experience in the development control process and access to technical advice; and 4) the level of political support. The participants were also strongly of the view that the council's ability to dissuade developers from detrimental proposals was conditional on the developers' willingness to heed advice. They further stressed the need for staff to have the right skills and experience.

Conclusion

The aim of this chapter has been to identify and explain the theories of change on which the district plan provisions for built heritage in Wellington and North Shore are based. This was achieved by eliciting information from the councils' heritage and planning staff, and supporting documentation. The causal theory was made explicit in a systems model that visually depicts and simulates the ways in which the plans' interventions are intended to engender outcomes that align with plan goals. Causal mechanisms inherent in the plan provisions, which are expected to influence the reasoning and reaction of developers during the resource consent process, were also identified. Finally, the implementation context deemed necessary for the plans to achieve their heritage goals was outlined, based on theoretical premises and empirical findings reported in the planning and urban morphology literature.

Together, this information provides the basis from which to test plan effectiveness, that is, by evaluating whether or not and why the plans' theory of change played out in practice. This test is applied in the remainder of the thesis, beginning in Chapter 6 with an assessment of the degree to which consent outcomes align with the plans' anticipated environmental outcomes for built heritage.

CHAPTER 6

Correspondence between Plan Criteria, Resource Consents and Environmental Outcomes

Introduction

In the previous chapter I elicited the causal and implementation theories for built heritage underlying the Wellington and North Shore district plans. This revealed that the plans were intended to influence heritage outcomes by allowing the councils to intervene in the development process so as to ensure that the adverse impacts of development proposals were avoided, remedied or mitigated. The implementation context required to ensure effective plan implementation was also outlined. This incorporated five factors: 1) the quality of the plan; 2) the capacity and commitment of the councils; 3) the capacity and commitment of developers; 4) the relationship between the councils and developers; and 5) the physical qualities of the development sites. As a consequence, I attended to the first research sub-question of this thesis and achieved its associated objective.

In the present chapter I answer the second research sub-question: *how closely do resource consent outcomes correspond with the district plans' goals for built heritage?* I do so by examining: 1) the extent to which consents met the assessment criteria in the district plans; and 2) the extent to which the environmental outcomes following consent implementation aligned with the plans' anticipated environmental results. In doing so, the objective of this chapter is satisfied by gauging whether or not the plans' goals have been realised in practice.

As outlined in Chapter 4, a representative sample of consents granted by each council were selected and the impact of the consented changes was assessed by Dr Ann McEwan, an architectural historian. Dr McEwan judged the extent to which each consent satisfied the relevant criteria and evaluated whether the outcomes enhanced, maintained or led to a loss of heritage values overall. The results for

buildings listed in Wellington and properties located in North Shore's Residential 3 zone are combined in this chapter.

Measuring Compliance with Conformance-Based Plans

As noted in Chapter 3, RMA plans have been characterised as conformance-based documents, which means that they focus on planning *outcomes* and strict adherence to the plans' provisions is required (Berke et al., 2006; Laurian, Day and Berke et al., 2004). The measurement of success for these plans, therefore, is the extent to which plan goals have been realised on the ground (Talen, 1996).

In this regard, the outcome (or anticipated environmental result) sought by the Wellington district plan (2000, p.20/9) is straightforward:

The use of heritage items by activities that do not compromise the heritage item's values.

Similarly, the anticipated environmental result in North Shore's plan (2006, p.16-26) for the Residential 3 zone is the:

Protection of distinct character areas of historical and architectural interest.

In pursuit of these targets, each plan includes rules that require resource consent for certain activities so that, in theory at least, the potential effects on built heritage values can be assessed and controlled. The plans also include assessment criteria for each rule for use by consent applicants when designing development proposals, and by council staff when assessing the potential effects of applications. In line with the theorising about conformance-based plans, consents that satisfy these assessment criteria should produce outcomes that are consistent with the plans' goals. As a consequence, the criteria have been used in the study as the yardstick for determining the 'fit' between the outcomes of consents and the plans' anticipated environmental results.

The degree of correspondence achieved in each council is made known in the following four sections: additions and alterations; new buildings; demolition and removal; and permitted activities. The additions and alterations section is subdivided into: an outline of the plans' criteria used to assess proposals for additions and alterations to heritage buildings; an overview of the extent to which consents met plan criteria; and illustration of the range of environmental outcomes from implementation of consented developments by the applicant. Where appropriate, the subsequent sections are similarly organised.

Effects of Consented Activities:

Additions and Alterations

Additions and alterations are by far the predominant form of change for buildings listed in the Wellington plan and located in the Residential 3 zone. Indeed, 67 out of the 80 consents in Wellington (or 84%) involved this activity, as did 75% (97 out of 126) of the consents in North Shore. Consequently, additions and alterations are having the greatest effect on heritage values and, as revealed below, the impact of this activity is undermining the built heritage values in both cities to a marked degree.

Notwithstanding this impact, 30 of the 97 consents for additions and alterations in North Shore (or 31%) could not be seen from the street, either because the changes had been undertaken at the rear of the property or else because the property itself was set well back. Moreover, another 12 consents had not been implemented at the time of assessment (mid 2005), including eight that had since lapsed because the owners failed to execute the proposal within the statutory timeframe. In total, the outcomes of 55 consents (relating to 49 properties in the sample) were visible in whole or part from the street and have been included in the analysis that follows.

In comparison, three consents involving additions and alterations in Wellington had not been implemented when the assessments were conducted (late 2004), one of which had lapsed. Of the remaining 64 consents, 16 also incorporated the fixing

of signage and 10 were granted for signage only. Consents for additions and alterations and signage are considered together in this section, as the same plan assessment criteria apply. This means that the analysis that follows for Wellington is based on 74 consents relating to 52 listed buildings.

Outline of Assessment Criteria:

Additions and Alterations

There is a high degree of consistency between the two plans assessment criteria. Thus, the criteria that apply to listed buildings (middle column) and all buildings in the Residential 3 zone (right hand column) can be displayed in tabular form (Table 6.1). The criteria are arranged under five headings that reflect the broad assessment matters addressed by the plans (left hand column). These headings are used to organise the discussion that follows Table 6.1.

Table 6.1: District Plan Assessment Criteria for Additions and Alterations		
Category	Wellington City	North Shore City
Extent of Change	Whether the street elevation is altered. Alterations to street elevations should be kept to a minimum and, if possible, not altered at all. Therefore, the preferred elevation to be altered, if necessary, is a rear or secondary elevation.	The street front facade, side elevations (not rear) and roof planes of houses built before 1930 are important components of heritage character. Any additions and alterations should preserve the essential character with street facade changes generally avoided except for original detail uncovered and sympathetic alterations.
Historical and Architectural Integrity	<p>Whether the main determinants of the style and character of the building are retained.</p> <p>Whether the addition or alteration respects the scale of the original building, and is not visually dominant.</p> <p>Whether the addition is sympathetic in form, scale, cladding materials (such as cement render or weatherboards), building and opening proportions, and colour.</p> <p>Whether the removal of additions</p>	<p>Any proposed alterations and/or additions to houses built before 1930 should retain and reflect design characteristics of the original house (e.g. detailing, materials, finishes, proportions, fenestration) and be in keeping with the architectural and historic form, proportions and style of the building.</p> <p>For proposed alterations and/or additions to houses built after 1930 the design and appearance of proposed buildings and structures should be in keeping with that of surrounding residential buildings;</p>

	<p>to the building can be achieved without altering the heritage significance of the building.</p> <p>Whether modifications to heritage buildings respect movable cultural property.</p> <p>Whether respect has been shown for the patina of age of the materials.</p>	<p>and the form, mass, proportion and materials should be compatible with the streetscape, with proposed roof forms sympathetic to the original form of the house or pitched.</p>
Setting/ Streetscape	<p>Whether the relationship of the building with the setting is maintained.</p>	<p>The proposal should not adversely affect the contribution a number of buildings make to the character of the area (streetscape group significance).</p>
Authenticity of Materials and Craftsmanship	<p>Whether the activity will keep loss of historic fabric to a minimum and avoid the destruction of significant materials and craftsmanship.</p> <p>Whether the restoration of missing elements on main elevations is proposed and a high level of authenticity of architectural design is maintained. However, this can only be carried out where there is conclusive evidence of the design of the missing elements.</p> <p>Whether repair (using materials matching the physical composition, texture, form, profile, strength and colour) is favoured over replacement.</p>	<p>The materials of additions and alterations to older houses should be sympathetic to the built heritage of the area and the house itself - traditional materials such as corrugated steel sheet, timber shingles, timber horizontal or vertical weatherboards, and timber joinery being considered generally appropriate.</p>
Signage	<p>Whether the sign is compatible with the heritage significance and values of the building or site on which it is placed. Consideration should be given to the means of attaching the sign to the fabric of the building in order to avoid, remedy or mitigate any impact upon the buildings exterior fabric. Council will have regard to the criteria for assessing additions and alterations to buildings where these are relevant and appropriate.</p>	<p>No signage provisions apply.</p>

Extent of Change Criteria

The first group of criteria considers how much change has been proposed for a building. Notably, both plans are concerned with additions and alterations that affect those parts that can be viewed from the street, that is, street elevation(s) of listed buildings in Wellington, and the street-front façade, side elevations and roof planes of residential buildings in North Shore. The criteria further require that changes to these conspicuous parts of the buildings should be avoided or at least minimised, and that any changes should involve activities that would enhance the buildings' values, such as, restoration and repair.

A distinction in the North Shore plan is that the assessment criteria differ between dwellings built before and after 1930. This is because the Residential 3 provisions seek to protect those parts of the city that have retained a concentration of early housing styles, typically cottages, villas and bungalows. The plan (2006, p.16-26) aims to protect houses that were constructed prior to 1930 because these are seen to “contribute strongly to the character of the area” and “include the full range of house types which are widely accepted by the community as making such a formative contribution.”

Historical and Architectural Integrity Criteria

The next and largest group of criteria seek to ensure that additions and alterations retain the architectural and historic qualities of a building. Accordingly, both plans require the form, scale and proportions of any proposed additions and alterations to ‘fit’ with or complement the existing building, and to avoid visual dominance. The criteria further promote changes that incorporate the style and character of a building, such as fenestration, detailing, materials and finishes/colours. The criteria in the Wellington plan also take into account the patina of a building and whether any movable cultural property, such as art works, will be removed or altered. Similarly, there is a criterion that requires consideration of whether previous additions to a building may have heritage value in their own right, for instance if a highly regarded architect designed the addition or if the addition was associated with an important person or event.

The predominant aim of the assessment criteria for post-1930 buildings in North Shore is to consider the extent to which planned additions and alterations impact on the streetscape. Thus, while the benchmark for assessing changes to pre-1930 buildings is the building itself, for post-1930 buildings it is the extent to which proposed changes will have an effect beyond the subject site. Consequently, the criteria for post-1930 buildings are largely concerned with the compatibility of the scale, design and appearance of additions and alterations with neighbouring properties rather than whether the changes will maintain the integrity of the subject buildings.

Setting/Streetscape Criteria

Both plans have a criterion relating to the setting or streetscape in which the building is located. For Wellington, the requirement is that the relationship of the building to the setting should be maintained. This is deemed necessary because “The authenticity of the setting is a major determinant of significance with a heritage building” [and so] “When modifications to a listed building are being considered, the design of the building in the context of its setting should be respected” (Wellington City District Plan, 2000, p.21/6).

As noted earlier, retaining the coherence of a large number of like buildings is a particularly important aspect of heritage planning in the Residential 3 zone. Consequently, the criterion seeks to ensure that any additions and alterations to buildings do not break-up or detract from the collective value of adjoining dwellings in a street, notably those constructed before 1930.

Authenticity of Materials and Craftsmanship Criteria

The Wellington plan is explicit about avoiding the loss of original or historic fabric, or evidence of the method of construction and skill exhibited by the craftsmen involved. These aspects are considered to be “two major elements which define the overall level of authenticity of the building” (Wellington City District Plan, 2000, p.21/5).

The North Shore plan, in comparison, emphasises that materials used in new work should be the same or similar to the original materials used in a building's construction, which are limited to a small range of traditional materials, including timber weatherboards and corrugated sheet steel for roofing. The criterion applies to 'older' buildings, which suggests that they are relevant for buildings that were constructed after 1930, but that might still be considered 'old'.

Signage Criteria

Finally, the Wellington plan includes assessment criteria for signage that may be fixed to a listed building or erected on the property. The assessment criteria for additions and alterations may be used to assess the effects of proposed signage where they are "relevant and appropriate". Thus, aspects such as the scale of a sign, the materials and colours proposed, its compatibility with the wider setting and its location on the building can be taken into account. Regard must be had to the way in which signs are attached to buildings to avoid damage to exterior fabric.

Having examined the assessment criteria in both plans, the next sub-section looks at how closely the consents given for additions and alterations achieved them.

Correspondence between Consents and Assessment Criteria:

Additions and Alterations

To aid the assessment undertaken by Dr McEwan, I divided the assessment criteria into 22 individual assessment points that formed the basis for the standardised observation schedules used to assess the outcomes (Appendix 4). The extent to which consents met the 22 assessment points for each district plan is shown in Figure 6.1 (Wellington, p.169) and Figure 6.2 (North Shore, p.172).

Only those criteria that were relevant to each consent and that could be adequately assessed have been included in the analysis. Thus, it excludes those consents/criteria that scored 'N/A' or 'Can't Tell' on the observation schedules. The numbers in brackets along the bottom of the figures indicate how many

consents were included in the analysis for each criterion. The following discussion will deal first with Wellington and then North Shore.

Consents and Assessment Criteria: Wellington

Figure 6.1 shows that consents granted by Wellington City Council achieved a number of the assessment criteria in most instances. These relate to whether the elements of a building that lend it significance would be retained following implementation of the consent. The criteria in this category include the retention of: 1) the building's character and style (criterion three, satisfied in 93% of relevant consents); 2) authenticity of setting (16, 93%); 3) the relationship of the building to its setting (20, 92%); 4) significant materials and craftsmanship (15, 77%); 5) and historic fabric (18, 73%). Two other criteria were also frequently met, namely whether attachment of signs minimised damage to exterior fabric (22, 85%) and whether the addition or alteration respected the scale of the original (5, 72%).

In contrast, the criteria that were satisfied the least in the consents tended to be those relating to how well the addition and alteration incorporated or complemented the particular style and design qualities of the building. Many of the consents for additions and alterations were incompatible with the heritage values of the subject building. The assessment matters in this regard include: 1) whether a high degree of architectural design authenticity was maintained (criterion 10, not achieved in 50% of relevant consents); 2) whether the style of the existing buildings was reflected in the alteration or addition (4, 41%); 3) whether the addition or alteration was sympathetic to existing colours (9, 38%); and 4) whether the addition or alteration was sympathetic to the existing cladding materials (7, 36%).

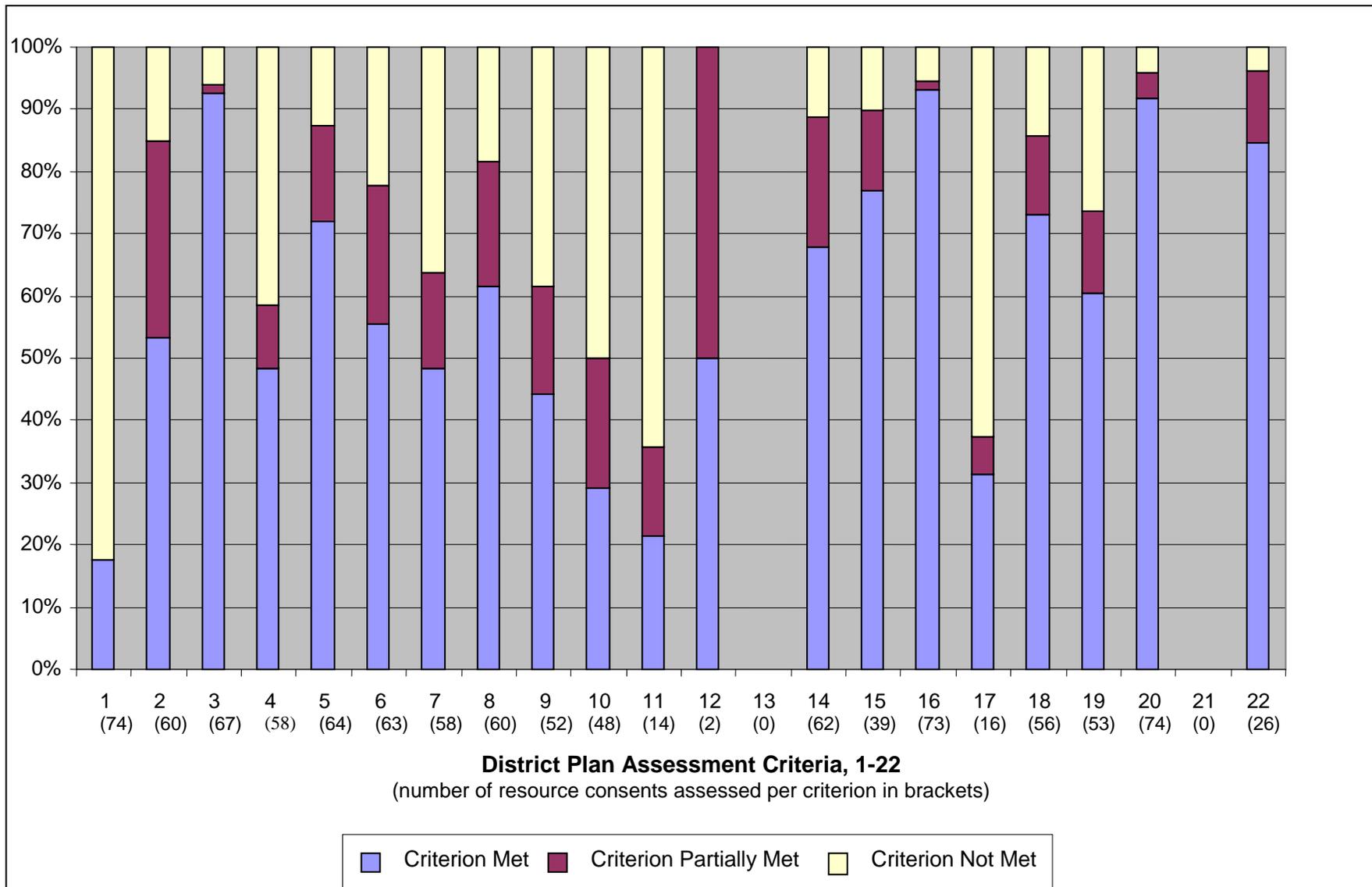


Figure 6.1 – Correspondence between Consents and Assessment Criteria: Additions, Alterations and Signage in Wellington

List of Assessment Criteria 1-22 for Figure 6.1: Additions, Alterations and Signage, Wellington District Plan

1. Were alterations avoided to street elevation(s)?
2. If alterations to street elevation(s) were not avoided, were the changes minimized?
3. Were the main determinants of the style and character of the building retained?
4. Was the style of the existing building reflected in the alteration or addition?
5. Did the addition or alteration respect the scale of the original?
- Was the addition or alteration sympathetic to the existing:
 6. *form*?
 7. *cladding materials*?
 8. *building and opening proportions*?
 9. *colour(s)*?
10. Was a high level of architectural design authenticity maintained?
11. Did any restoration of missing elements occur and were they authentic in architectural design?
12. Were existing additions retained where they had heritage significance in their own right?
13. Did the modifications to the building respect movable cultural property?
14. Did the activity minimise the loss of historic fabric?
15. Were significant materials and craftsmanship retained?
16. Was the authenticity of setting retained?
17. Was repair favoured over replacement?
18. Was the retention of historic fabric maximized?
19. Was respect shown for the patina of age of the materials?
20. Has the relationship of the building with its setting been maintained?
21. Where the building had only the façade listed, was the depth of one bay back from the line of the original façade retained?
22. Where signs have been installed, was the method of attachment appropriate in minimising damage to exterior fabric?

The criterion that was met in the least number of consents seeks to ensure that additions and alterations to street elevations are avoided; eighty-two percent (or 61 consents), however, involved some form of change to these prominent features. In these cases, the second criterion directs that additions and alterations to street elevations should be minimised, yet while this was the case in just over half of the consents, a high proportion (47%) only partially limited the degree of impact on the building or failed to do so at all.

This point, coupled with the findings above that many consents for additions and alterations are not cognisant of the heritage values of the buildings, suggests that changes approved by Wellington City Council are often contrary to the intentions of the plan. Moreover, sixty-four percent of consents did not involve restoration of original elements using an authentic architectural design (criterion 11) and a further sixty-three percent did not favour repair over replacement (17). The number of consents where these two criteria were relevant, however, is comparatively small (14 and 16 respectively).

Finally, two assessment criteria were found to be superfluous in all cases. The first relates to whether modifications respected the movable cultural property of a building. The second relates to buildings where the façade only is protected by the plan. None of the consents in the sample involved alterations to moveable property or sought to retain just the façade of a listed building.

Consents and Assessment Criteria: North Shore

Turning now to North Shore, it is clear from Figure 6.2 that a range of consistency is being achieved with the assessment criteria. For instance, the criterion relating to historic form (criterion 11) was only implemented in 3% of consents and partially implemented in a further 24%, whereas the criterion relating to streetscape group significance (14) was satisfied in 79% of consents and partially satisfied in another 17%. Fifteen of the 22 assessment points have been implemented either fully or partially in most cases (that is, in more than 90% of relevant consents). Four of these criteria (numbers 6, 7, 20 and 22) were either fully or partially implemented in all relevant cases.

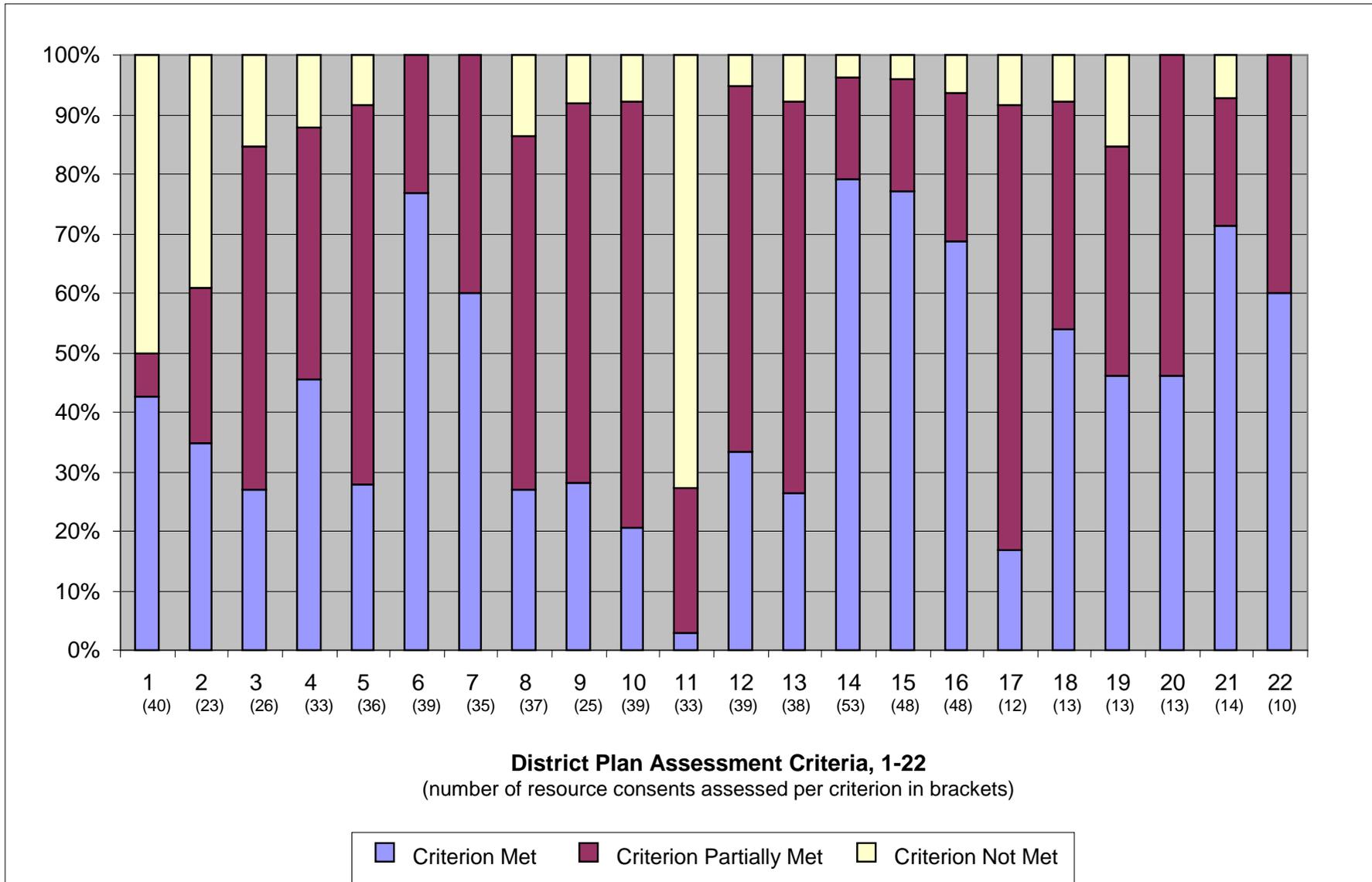


Figure 6.2 – Correspondence between Consents and Assessment Criteria: Additions and Alterations in North Shore

List of Assessment Criteria 1-22 for Figure 6.2: Additions and Alterations, North Shore District Plan

1. Were changes to the street-front façade of pre-1930 houses avoided?

Do additions and alterations to houses built before 1930 preserve the essential character of the:

2. *Street-front façade?*
3. *Side elevations* (not rear)?
4. *Roof planes?*

Do alterations and/or additions to houses built before 1930 retain and reflect design characteristics of the original house with respect to:

5. *Detailing?*
6. *Materials?*
7. *Finishes?*
8. *Proportions?*
9. *Fenestration?*

Are the additions and/or alterations to houses built before 1930 in keeping with the building's:

10. *Architectural form?*
11. *Historic form?*
12. *Proportions?*
13. *Style?*

14. Do the additions and alterations adversely affect the contribution a number of buildings make to the character of the area (streetscape group significance)?

Are the materials of additions and alterations to older houses sympathetic to:

15. *The built heritage of the area?*
16. *The house itself?*

17. Is the design and appearance of alterations and/or additions to houses built after 1930 in keeping with surrounding residential buildings?

Are additions and/or alterations to houses built after 1930 compatible with the streetscape in terms of:

18. *Form?*
19. *Mass?*
20. *Proportion?*
21. *Materials?*

22. For houses built after 1930, are roof forms of additions and/or alterations sympathetic to the original form of the house or pitched?

The high degree of conformity with assessment point 14 indicates that changes to houses in the Residential 3 zone will largely have had no adverse effect on streetscape group significance, a finding that is supported in the review of outcomes presented in the subsequent section. Therefore, consents granted by Council are, as a rule, satisfying the district plan's goal of protecting the character of early settlements in North Shore. Interestingly, four of the criteria that were implemented most frequently relate to the materials used in additions and alterations (numbers 6, 15, 16 and 21). This indicates that materials considered by council to be suitable to the built form of the Residential 3 zone are being used in the majority of development proposals. The same finding applies to finishes used on additions and alterations to pre-1930s dwellings.

Assessment criteria that were only partially met in consents predominantly related to additions and alterations to pre-1930 dwellings. They include, for instance, whether additions and alterations:

- preserved the essential character of side elevations (criterion 2, partially achieved in 58% of consents);
- retained and reflected the detailing (5, 64%) and fenestration (9, 64%) of original houses; were in-keeping with the architectural form (10, 72%), proportions (12, 62%), and style (13, 66%) of original houses.

In terms of post-1930 buildings, the criterion relating to the design and appearance of changes resulting arising from additions and alterations (criterion 17) was only partially in keeping with surrounding residential buildings in 75% of relevant consents.

The assessment matter implemented the least relates to whether additions and alterations take cognisance of the historic form of pre-1930 dwellings (criterion 11). This criterion was not implemented in nearly three quarters of consents. This result, coupled with the finding above that the architectural form and style of additions and alterations to pre-1930s dwellings is often only partially in keeping with the original building, again suggests that contemporary changes are undermining the buildings' architectural and historic authenticity, an outcome that is again confirmed in the following section.

The assessment matter referring to changes to the street-front façades (criterion 1) was not met for half of the consents. However, this is not necessarily a negative finding as consents that enhanced heritage values included changes to the façade. This distinction is captured by the second assessment criterion, which asks whether or not changes to the façades preserved their essential character. In this regard, the results are not overly encouraging as this criterion was not satisfied in over a third (39%) of relevant consents.

Environmental Outcomes of Consent Implementation:

Additions and Alterations

This section focuses on the extent to which the consents given by the councils when adding to or altering existing heritage buildings achieved the plans' anticipated environmental outcomes. To this end, both plans clearly state that the goal is to maintain or enhance the heritage values of the listed buildings and residential zone respectively. For instance, it is stated in the Wellington plan (2000, p.20/1) that the "Council strongly supports the *retention* and *enhancement* of heritage values in the city and, through the use of a variety of techniques, will work to prevent the loss of the community's heritage" (emphasis is mine). Similarly, the North Shore plan (2006, p.16-26) explains that "The reasons for the Residential 3 zone and its associated objectives and policies are that the *retention* and *enhancement* of built heritage and streetscape values reflect community aspirations and the historic value of heritage buildings" (emphasis is mine).

Consequently, when assessing the overall quality of the consent outcomes, Dr McEwan was required to indicate on the assessment forms whether heritage values were enhanced or degraded. As explained in Chapter 4, this was achieved by way of a numerical scale ranging from 10, representing a strong enhancement of heritage values, to -10, signifying the destruction or severe erosion of heritage values. A score of zero indicated that the heritage values of the subject building had remained unaffected by the consented activity (refer to Appendix 8 for the overall scores).

The environmental outcomes achieved from the implementation of consents by applicants in Wellington are illustrated in Figure 6.3. It reveals that the heritage values of 10% of buildings (or 5) that had been through the consent process were enhanced as a result. The heritage values of just over a third of buildings (35%, or 18) were maintained, that is, there was neither an enhancement nor a decline in values. The outcomes for just over half of the buildings (55%, or 29) led to a loss of values, ranging from minor and reversible impacts to total and irrevocable loss.

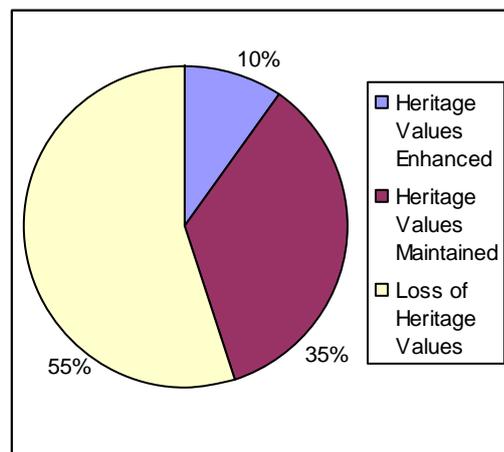


Figure 6.3: Outcomes in Wellington Involving Additions, Alterations and Signage (n=52)

The results in North Shore were similar (Figure 6.4, following page) in that consents led to an enhancement of heritage values for a small proportion of properties (10%, or five properties), consents maintained the heritage values for 32% (15) of properties, and the majority of properties (58%, or 29) experienced a loss of heritage values. In general, the degree of adverse effect was of a minor scale in North Shore as illustrated by the fact that the consented changes maintained 'streetscape character' in most instances.

What follows is a description and explanation of the environmental outcomes arising from consent implementation in both cities. The outcomes are presented under three headings: heritage values enhanced; heritage values maintained; and loss of heritage values. Photos are used to highlight the outcomes in each of these categories.

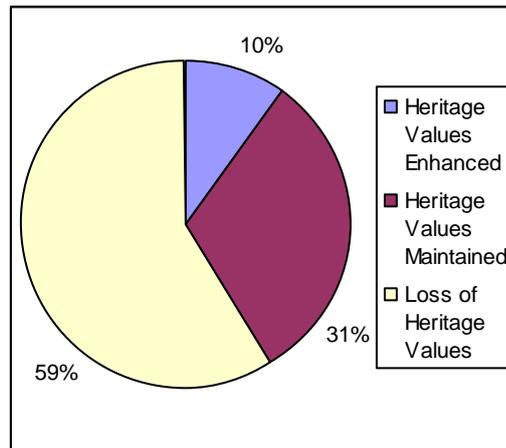


Figure 6.4: Outcomes in North Shore Involving Additions and Alterations (n=49)

Heritage Values Enhanced: Wellington and North Shore

The reasons why consents had a positive effect in both cities are very similar. Namely, they satisfied one or more of the district plan assessment criteria relating to: 1) restoration and/or repair of prominent architectural features; 2) alterations to less sympathetic additions or structures that better reflect the values of the property; and 3) retention of the historic and architectural form of the building by avoiding additions and inappropriate alterations to the prominent parts of the buildings. As well, new building work tended to be modest in scale and inconspicuously sited.

The owners of the dwelling in Residential 3 zone (Photo 6.1, following page) returned this pre-1930 villa from four residential units to one. They also reinstated the street-front veranda and bay window. A new deck was built at the rear of the house that is not visible from the street (Photo 6.2). Notably, the alterations preserved the essential character of the street-front façade and side elevations, and are in keeping with the building’s architectural and historic form.



Photo 6.1



Photo 6.2

The outcomes for another North Shore single bay villa (below) exhibit similar attributes. In this instance, the previously enclosed veranda was reinstated and alterations were made to the carport in the front yard, notably by replacing the mono-pitch roof with a gable one along the same lines as the dwelling (Photo 6.3). As well, a rear addition in the form of a lean-to was added, which is largely unseen from the street (Photo 6.4).



Photo 6.3



Photo 6.4

Photos 6.7 to 6.10 (following pages) show the results of four consents that led to an enhancement of heritage values in Wellington. Many of the changes to the Art Deco building shown in Photo 6.7 were internal, such as converting the first and second floors into residential accommodation and altering the commercial space at ground floor from three shops into two. This latter alteration resulted in external changes at ground level to the already modified shop front. Positive work included the replacement of a non-original wooden balustrade on the second floor with a new galvanized steel design in-keeping with style and era of the building.

Additionally, the façade was restored and repainted in a manner that emphasises the architectural detailing of the building.



Photo 6.7



Photo 6.8

The accommodation provided in Cambridge Hotel (Photo 6.8) was considerably upgraded as part of two resource consent applications. In terms of the exterior, the iron work on the balustrades at first and second levels was restored, the window joinery on the ground floor was replaced and the building was repainted, although the monotone colour scheme underplays the architectural style of the building. New signage was also installed, which is small in scale and unobtrusive in design.

The prominent veranda on the front of the Erskine College Main Block building (Photo 6.9) was carefully restored following deterioration over many years. At the same time, the building was being adapted for use as an events venue, which involved considerable interior alterations and the cutting down of a number of windows to provide additional entry points. The building and spacious grounds that surround it are protected by a Heritage Order – the only building in the sample to be covered by this strong protection instrument. A Conservation Plan was prepared for the building and this was instrumental in guiding the consented work, particularly the manner in which the veranda was restored.

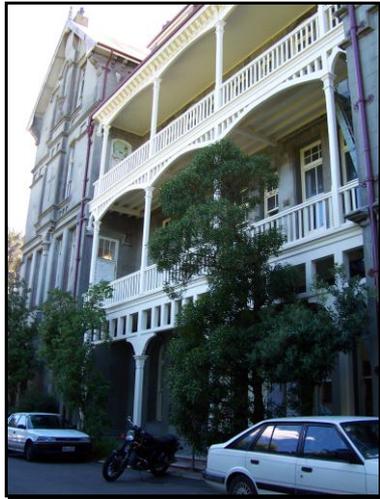


Photo 6.9



Photo 6.10

The final Wellington example is the still-operational Central Fire Station (Photo 6.10). As part of the consent, the steel windows were restored and the inauthentic aluminium joinery in three windows was replaced with steel. The existing public entry was blocked off and one of the appliance bays was converted into a new entranceway. The exterior of the building has also been repainted in a manner that generally compliments the building's Art Deco style and detailing.

Heritage Values Maintained: North Shore

A number of factors contributed to the neutral outcomes in North Shore. First, many involved changes to post-1930 buildings which do not reflect the heritage values that the plan is seeking to protect. The dwellings in Photos 6.11 (following page) and 6.12 (the rear building) are illustrative; both have had multiple consents granted to undertake quite substantial work on the buildings. The additions and alterations did not retain the design characteristics and style of the subject building. Nevertheless, the plan is not concerned with the effect of additions and alterations on post-1930 *per se*, but rather the degree to which the proposed changes impact on the wider values of adjoining neighbours and the street, which in these cases was negligible.



Photo 6.11



Photo 6.12

Second, several additions and alterations were of a very minor nature and/or the work was confined to the rear of the property and so remained largely unseen from the street. Photo 6.13 shows another post-1930 house but this time the work that has been undertaken is of a minor scale and impact. The consent involved converting the lower floor storage area to a two bedroom residential unit and erecting a 1st floor deck. The second consent relates to a minor extension to an existing lean-to at the rear of the dwelling shown in Photo 6.14. Clearly, the work is not at all visually intrusive and it has been well matched to the existing house.



Photo 6.13



Photo 6.14

Last, some consents had a mix of positive and negative outcomes, which on balance meant there was neither an enhancement nor a loss of values (the ‘swings and roundabouts’ effect). The consent illustrated in Photo 6.15 (following page) relates to an addition to the rear of the already modified pre-1930 dwelling, the demolition of the existing garage, and changes to the front façade of the house. All aspects of the consent were implemented except the latter alterations to the street-front façade. In summarising the overall outcome, Dr McEwan remarked

that the “removal of [the] garage [is] an enhancement but [this is] offset by failure to undertake remedial work to façade/street elevation”.



Photo 6.15



Photo 6.16

Likewise, the consent to alter an existing pergola to create a carport (Photo 6.16) required removing part of the boundary fence, creating a vehicle crossing, and covering the pergola. The outcome preserved the essential character of the front façade and indeed improves views of it by replacing part of the boundary fence that obscures views of the property. However, the carport is not keeping with the building’s historic form. The neutral assessment took into account the pros and cons of the outcome.

Heritage Values Maintained: Wellington

Similar reasons can be cited for those consents that had a benign effect on heritage buildings in Wellington; they either involved: 1) inconsequential work to buildings such as minor additions and alterations and small scale signage; or 2) alterations to the shop frontages in the central business district that had previously been modified and so retained little or no historic value.

The first example (Photo 6.17, following page) is of the Head Office of the former Government Life Insurance Company, now Tower Insurance. This is a very large building, built from 1934-36 in a Stripped Classical design, which covers the best part of a city block. Two resource consent applications were granted to replace existing signage on the upper façade with a larger ‘Tower’ sign, and to widen an existing entranceway and hang a new sign to mark it. The outcome of the work

had no adverse impact on the building because it involved minor intervention in proportion to the scale of the building. Interestingly, one of the applications proposed to replace the canopy (shown in the bottom right of Photo 6.17) with one designed to enhance views of the original leadlight door overpanels that are currently hidden from view, yet this positive aspect of the consent was never implemented.



Photo 6.17



Photo 6.18

Minor work undertaken on the dwelling shown in Photo 6.18 included the addition of one skylight to the side roof plane and two skylights fitted to an addition (that was constructed in the 1990s) at the rear of the property. This work is largely unseen from the street and has had no discernable impact on the dwelling. As with the Tower building example, though, the applicants also proposed to replace the decramastic roof tiles with corrugated iron, which would have led to a minor enhancement to the building's authenticity and appearance. However, while the skylights were fitted, this positive aspect of the consent was not carried out.

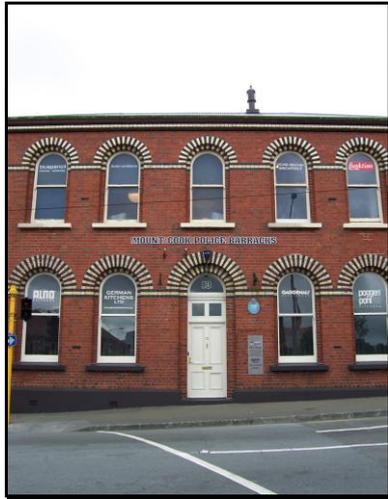


Photo 6.19



Photo 6.20

The examples in Photos 6.19 and 6.20 are illustrative of consents granted for signage. The first was for two bracket signs fitted to the former Mount Cook Police Barracks building constructed in 1893. The second was for a billboard on the top corner of the John Chambers building, built in 1918. Consent outcomes like these maintained the buildings' heritage values because they were small and unobtrusive and/or because they were situated away from the primary façade and thus avoided important architectural features.



Photo 6.21



Photo 6.22

The Harbour City Centre building (Photo 6.21) had two resource consents granted to make alterations to the shop frontage, notably to enlarge two of the entranceways. However, the building below the level of the veranda had been substantially altered prior to this time, such as in 1984 when work to provide 25 separate tenancy shops was approved by the council. Similarly, the building shown in Photo 6.22 has had multiple consents granted to replace existing signs as

the use of the building changed, as well as alterations to the window and door openings.

Loss of Heritage Values: North Shore

The reasons why consents for additions and alterations led to a loss of values are essentially opposite to those that led to an enhancement. For pre-1930 dwellings in North Shore, the consents failed to comply with the assessment criteria that seek to maintain the form of the building by avoiding alterations and additions to the roof, facade and/or side elevations in ways that are not in-keeping with, and that reduce the integrity of, the buildings' architectural and historic values. A small number of consents also magnified the degree to which post-1930 buildings are at odds with the area's character and, in doing so, have drawn more attention to them in the streetscape.

The consent illustrated in Photo 6.23 involved extending the roof of the *circa* 1900 single bay villa to form a new gable so that an upper storey could be added, incorporating a dormer window in the street-front roof plane and a part-round window further to the rear. The alteration in the roof has added a significant element that competes architecturally with the building's two main features, that is, the bay window and the decorative treatment on the veranda. As well, the gabled roof over the dormer complicates the roofline, which in the original form was hipped. The secondary addition to the roof (the round window) is completely out of character with the house and with the architectural style of villas generally.



Photo 6.23



Photo 6.24

The consent presented in Photo 6.24 is an example of a substantial and unsympathetic addition to a single storey bungalow. It involved an extension to the side and rear of a bungalow, including the addition of a second storey. The changes have not recognised the architectural characteristics of bungalows, in particular they are not as one dimensional as some villas where the bay window and veranda concentrate all of the architectural detailing. Another characteristic of bungalows is the horizontal emphasis generated to a large extent by the low roof pitch, and both the scale and the detailing of the side extension are incompatible with this.

The consent for the building shown in Photo 6.25 involved the addition of a veranda and deck to the front of a dwelling from the transitional/bungalow period (circa. 1910). This work replaced original sunhoods over the two windows and a recessed porch entranceway (the garage was added prior to the district plan). The consent applicants stated that they wanted to alter the façade because they found the original “ugly”. Although the veranda is arguably in keeping with the generic character of Victorian/Edwardian villa architecture, it has compromised the authenticity of the house.



Photo 6.25



Photo 6.26

Last, the dwelling in Photo 6.26 is an interesting example of an older post-1930 dwelling that has been substantially altered from a simple duplex state house to an executive townhouse. In the process, the floor area of the original unit has been dramatically increased and the addition has changed the building’s proportions by adding more axes that now go beyond the rectangular ‘box’ form of the original. However, as previously noted, the assessment criteria for post-1930 buildings are

not concerned with the effect of additions and alterations on the original dwelling but instead focus on the compatibility of changes to the streetscape. In this regard, the addition accentuates a building that is different from its neighbours in terms of design, appearance and materials.

Loss of Heritage Values: Wellington

In Wellington, distinct activities have had a detrimental effect on listed buildings in the sample, as they involved large scale intervention and alteration to the buildings' architectural and historic integrity. Perhaps the most damaging example is the trend towards inner city living and the construction of residential apartments to the tops of listed buildings. Four such cases are shown in Photos 6.27 to 6.30 on the following page. As can be seen, the scale of the rooftop additions vary considerably, with the Prudential Building (Photo 6.27) having an extra four storeys added as part of the development whereas the addition to the former McDonalds Building (Photo 6.28) has largely been undertaken within the existing roofline.

A conflict evident in the execution of these consents is whether to make the new work look like a separate building by using contrasting materials and design, for example, the Prudential Building and the former warehouse building (Photo 6.30), or to visually integrate it with the subject building by repeating elements of the style and appearance of the listed building, as is the case for the former Children's Dental Clinic (Photo 6.29) and the former McDonalds Building.

A good example of this tension is the consent for the Children's Dental Clinic, where initial advice given to the applicant was to make the additions look distinctive from the original. However, when the plans came in the contrasting effect was not considered appropriate and the applicant was told to change the design to more closely emulate the subject building. In assessing this consent outcome, Dr McEwan considered that "*the biggest disappointment is [the] blockiness of [the] addition*", a result of the new apartments ending too abruptly and giving an overall unfinished appearance.



Photo 6.27



Photo 6.28



Photo 6.29



Photo 6.30

Despite the approach being used, the consent outcomes failed to satisfy a number of assessment criteria, most notably that the rooftop additions did not respect the scale, form and style of the original buildings, and that a high level of architectural design authenticity was not achieved. The negative outcomes for the Prudential Building and former Children’s Dental Clinic were offset by the fact that the main facades were restored as part of the consent proposal.

Another activity that led to negative outcomes in Wellington was the construction of verandas and balconies. The large veranda and a smaller balcony on the second floor added to the 1904 Wellington Workingmen’s Club (Photo 6.31, following page) received one of the worst scores. It failed to meet the majority of the plan’s assessment criteria, most notably that the style, design and materials (timber

frame, galvanised steel posts and concrete base) used are completely at odds with the Edwardian Classical façade. Dr McEwan considered that the only redeeming feature is that the “*façade [is] still there under the mess*” inferring that the addition could be removed in the future leaving the building largely intact.



Photo 6.31



Photo 6.32

Likewise, the balcony addition to the Johnson and Edilson Building (Photo 6.32) clearly did not minimise changes to the facade of the 1928 Art Deco/Modernist building. The bulk of the balcony is visually dominant and the proportions of the two-storey building have been compromised as a consequence. Further, by introducing a balcony, the relationship of the building with its setting has been undermined and the contribution of the building to Cuba Street has been greatly diminished. Overall the proposal did not maintain a high level of architectural design authenticity and it is recommended that the building be removed from the heritage schedule.

Lastly, a number of outcomes received negative scores because they involved the loss of historic fabric and architectural detailing. The example given in Photo 6.33 (following page) is of Anscombe Flats constructed in 1937 and named after the well-regarded New Zealand architect who designed them. The consent involved alterations to the fenestration of the studio apartment in the penthouse (which Anscombe lived in), namely the removal of Perspex windows, a material that was not commonly used at the time, and metal transoms. The replacement of the

Perspex windows with glass was a significant loss and the authenticity of the building's architectural style has also been undermined.



Photo 6.33



Photo 6.34

Finally, the building illustrated in Photo 6.34 underwent alterations to strengthen it against earthquakes. The not insignificant work involved the addition of portal frames behind each of the end bays that have projected the bays forward of the existing façade and reduced the prominence of the windows. Furthermore, a major decorative element of the building (spandrel reliefs on the façade between the second and first floor windows) have been lost in the work, although the approved plans indicated that they would be replicated on the new bays.

Effects of Consented Activities:

New Buildings in North Shore

Having examined the correspondence between consents, plan criteria and outcomes involving additions and alterations in both cities, I now turn attention to the effects of new buildings. First, I will outline the criteria in plans for new buildings and then analyse the match between the criteria and consents granted by council to applicants, and between the consents and their outcomes. As outlined in the previous chapter, no heritage provisions in the Wellington plan regulate the impacts of new buildings on listed buildings. Consequently, this section focuses on new buildings in North Shore, although I briefly illustrate some poor outcomes that have arisen in Wellington at the end.

In all, 43 (out of 126) consents were granted for new buildings in the North Shore sample. However, of these, 11 had not been actioned at the time the assessments were undertaken (May 2005), including five that had recently been granted and six that had expired. Of the remaining 32 consents, 26 were visible (either totally or partially) from the street while the outcomes from the other 6 consents were not visible at all. As with additions and alterations, this was either because the new building was located at the rear of the dwelling and could not be seen or the property itself was set well back from road.

The majority of the 26 consents were for accessory buildings (that is, garages and carports), with 16 being for this activity. A further five consents were for new dwellings, three consents were for minor residential units, and the remaining two were for a retaining wall and a fence/lights for a tennis court on a large residential property.

Outline of Assessment Criteria: New Buildings

The assessment criteria in North Shore's plan are concerned with how well proposed new buildings complement the setting of properties and the character of the streetscape (Table 6.2, following page). The criteria take into account the physical form of new buildings and the extent to which they complement surrounding buildings. They also consider whether the siting of new buildings impacts upon the setting of their neighbours. Finally, the effects on the frontage of sites are considered, as well as the role of landscaping and planting in mitigating adverse effects of new buildings.

The criteria do not distinguish between the different types of new buildings that are constructed in the Residential 3 zone. In other words, they apply equally to all new buildings regardless of their likely effects. Similarly, the distinction made in the assessment criteria for additions and alterations between properties with pre- and post-1930 dwellings is not repeated for new buildings.

Table 6.2: District Plan Assessment Criteria for New Buildings	
North Shore	
<p>The design and external appearance of proposed buildings and structures should be in keeping with that of surrounding residential buildings and the streetscape.</p> <p>For new and relocated buildings, the form, mass, proportion and materials should be compatible with the characteristic era of the particular street of the site.</p> <p>The spaciousness of the siting in relation to the siting of neighbouring buildings should contribute to the character and amenity of the area, particularly ensuring that building siting does not detract from existing facade lines, and that it protects the physical setting of older buildings.</p>	<p>Where the building will be seen in the context of neighbouring houses, proposed roof forms should be sympathetic to the earlier existing roof forms of the area. Flat roofs and mansard types are generally considered inappropriate.</p> <p>The provision of vehicle access and parking, where required, should complement the character of the neighbourhood.</p> <p>The proposal should conserve and enhance significant landscape planting, especially mature specimen trees.</p> <p>The front boundary treatment should be sympathetic to the character of the area and, in particular, include the conservation or reinstatement of fences and hedges, where practicable.</p>

Correspondence between Consents and Assessment Criteria:

New Buildings in North Shore

I divided the seven plan criteria identified in Table 6.2 into 11 assessment points for the observation schedule (Appendix 4). The degree of conformity between consents and each of the assessment points is shown in Figure 6.5 (following page). The total number of consents included in the analysis for each criterion is indicated in brackets along the base of the figure. Consents were only included if the assessment criteria were relevant and the work was visible.

As for additions and alterations, assessment criteria were satisfied in consents to varying degrees. Seven of the 11 assessment matters were fully implemented in 50% or more of the consents, with assessment point 8 (compatibility of roof forms) being achieved by 67% of relevant consents. The other six assessment criteria (numbers 2, 4, 5, 6, 7 and 9) were fully implemented in 50-54% of consents. They relate to the compatibility of form, proportions and materials of new buildings, the maintenance of existing façade lines, the protection of the setting of older buildings, and the appearance of vehicle access and parking.

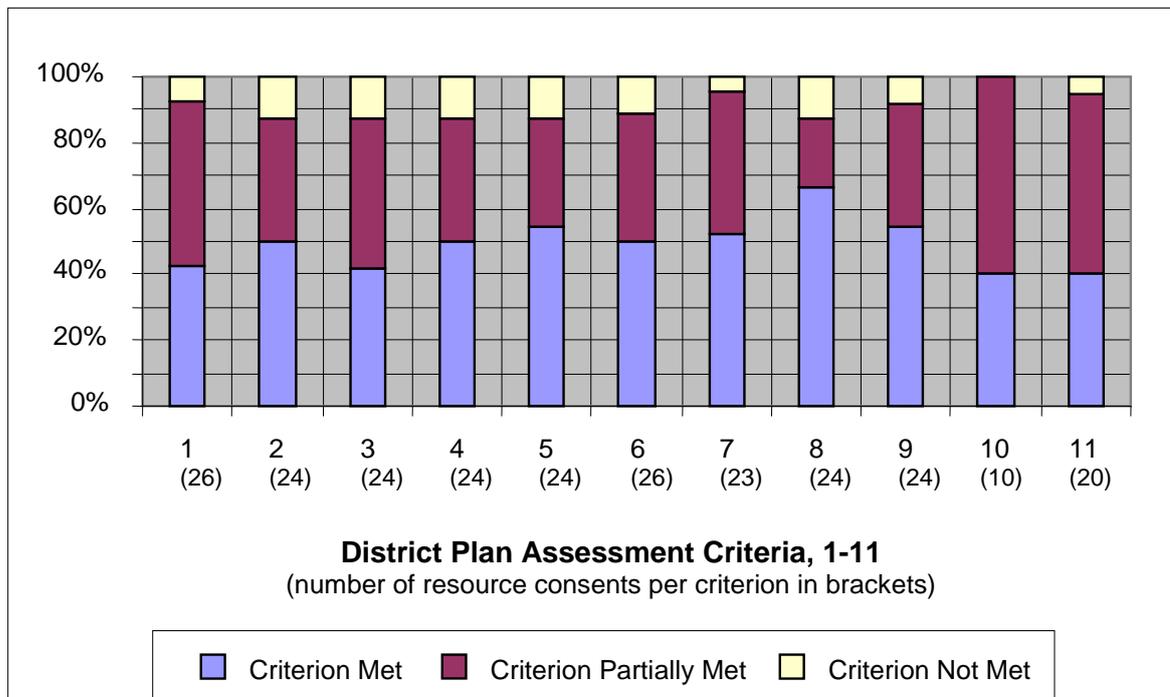


Figure 6.5 – Correspondence between Consents and Assessment Criteria: New Buildings in North Shore

List of Assessment Criteria for Figure 6.5

1. Are the design & external appearance of new buildings & structures in keeping with that of surrounding residential buildings and the streetscape?

Are new and relocated buildings compatible with the characteristic era of the particular street of the site, in terms of:

2. *Form?*
3. *Mass?*
4. *Proportion?*
5. *Materials?*

Does the spaciousness of the siting in relation to the siting of neighbouring buildings contribute to the character and amenity of the area, by:

6. *Ensuring that building siting does not detract from existing facade lines?*
7. *Protecting the physical setting of older buildings?*

8. Where the building will be seen in the context of neighbouring houses, are roof forms sympathetic to the earlier existing roof forms of the area?

9. Does the provision of vehicle access and parking, (where required) complement the character of the neighbourhood?

10. Has significant landscape planting, especially mature specimen trees, been conserved and enhance?

11. Is the front boundary treatment sympathetic to the character of the area?

Two-thirds of the consents for new buildings were designed with roof forms that are characteristic of the area, notably gabled or hipped. A number of applicants designed the roof forms of new accessory buildings in a way that compliments the principal building, including the use of materials to match. In contrast to the findings for additions and alterations, a comparatively low number of consents for new buildings used materials compatible with the streetscape (number 5; 54%). Partial conformity or non-conformity was largely a consequence of new buildings (mainly dwellings) that were constructed of solid plaster, and ready-made garages of metal construction (typically faux weatherboard).

The use of such materials was also a factor in the poor correspondence between consents and the first criterion, relating to the design and appearance of new buildings that are 'in keeping' with the surrounding residential buildings and streetscape, which was achieved in only 42% of consents. Other contributing factors include the bulk (or mass) of new buildings, which, as reflected by criterion 3, was fully met in only 41% of consents. Moreover, nearly a third of the consents for new buildings related to accessory buildings sited on the properties' front boundary. These consents failed to maintain the existing façade lines of adjacent properties (criterion 6) by locating the new buildings in the front yard and therefore forward of the dwellings.

Fifty-four percent of relevant consents included vehicle access and parking that complements the character of the area (criterion 9). As a rule, effects on the street were minimised where garaging was directed to the rear of the property. In contrast, garaging situated in the front yard and unsympathetic fencing along the driveway were found to be detrimental features. Front boundary treatment (criterion 11) was fully met in 40% of consents and partially met in a further 55%. As anticipated by the plan, consents that conserved appropriate boundary fences (typically picket varieties) and/or hedges were assessed positively. Consents for garages and carports in the front yard did not fully satisfy this criterion. A number of consents also included boundary fences/walls that were not enhancements given their height, design and materials.

The criterion relating to landscaping (number 10) had the least number of relevant consents because it was often not possible to tell what landscaping had been present on the property before the consent was implemented. Of the ten consents that were assessed, a number had retained mature trees that add to the properties' appeal. For the rest, the results indicate that landscaping has not been retained or used to mitigate the visual impact of new buildings.

With these general findings in mind, the next section highlights the range of environmental outcomes that followed implementation of the consents.

Environmental Outcomes of Consent Implementation: New Buildings in North Shore

Three groups of outcomes can be distinguished for new buildings: 1) those that enhanced heritage values (for two properties, or 8%); 2) those that had no discernable effect on heritage values (11 properties, 44%); and 3) those that resulted in a loss of heritage values (12 properties, 48%). This division is depicted in Figure 6.6. The reasons for these results are examined below, starting with consents that led to positive scores.

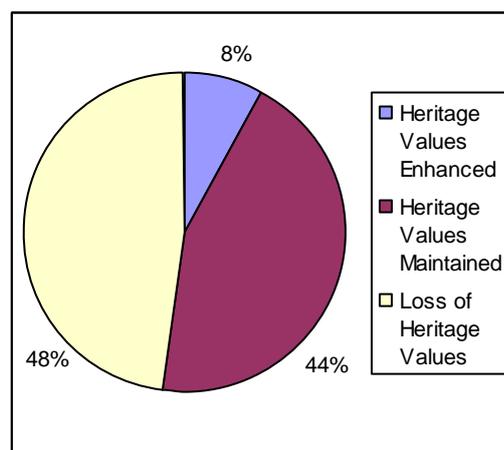


Figure 6.6: Outcomes in North Shore Involving New Buildings (n=25)

Heritage Values Enhanced: North Shore

The two consents in this category (Photos 6.35 and 6.36) involved the replacement of a garage and carport which resulted in a minor enhancement of heritage values for the properties. The positive outcomes were achieved because the new structures were an improvement on the ones they replaced in terms of materials, design and/or siting on the property.



Photo 6.35



Photo 6.36

For instance, the carport in Photo 6.35 replaced one with a mono pitch roof that occupied the same footprint. The gable roof form was an improvement on the earlier design and the choice of materials match that of the dwelling. Consequently, the outcome of the consent met all the relevant assessment criteria for new buildings. Photo 6.36 shows the new garage at the rear of the second property, which is clearly set well back from the house. The current garage has in fact been sited further to the rear than the earlier garage and street. As well, the new building complements the principal dwelling in terms of design, proportions, materials and finishes.

Heritage Values Maintained: North Shore

Consents for eleven properties received a neutral outcome indicating that in these cases the new buildings maintained heritage values and streetscape character. Several factors were influential. First, a number of garages and minor residential units have been sited well to the rear of the property and so have no adverse effect on the streetscape. The garage shown in Photo 6.37 (following page) is one such

example and it has also been well matched to the principal dwelling. The minor residential unit in Photo 6.38 (centre-right) has been sited well to the rear of the property, which means that it is only visible when looking down the driveway.



Photo 6.37



Photo 6.38

Second, a number of new buildings were located amongst properties with more recent dwellings that do not reflect the heritage values of the Residential 3 zone. In such cases the new buildings have maintained the character of the existing residential neighbourhoods which are typified by buildings of various styles and age. For instance the new brown coloured dwelling (centre left of Photo 6.39) and the garage (Photo 6.40) do not detract from the physical setting of older buildings given that neighbouring properties do not reflect the pre-1930 character of the Residential 3 zone.



Photo 6.39



Photo 6.40

Loss of Heritage Values: North Shore

Consents for 12 properties had a negative impact on the streetscape, although the majority of these (10 out of 12) were relatively minor losses. A common factor in

eight of the consents was the conspicuous location of garages or carports on or near the front boundary. Thus, siting accessory buildings in such a dominant location has had a negative impact on the setting and streetscape character in these cases. The remaining two consents (both for new dwellings) had a more significant impact, however. Detrimental factors included a degrading of the setting of the subject properties arising from a loss of open space and landscaping, the visual dominance of the new buildings amongst their neighbours, and a design and appearance that contrasts sharply to neighbouring dwellings.



Photo 6.41



Photo 6.42

As illustrated in Photo 6.41, a ready-made garage with an unsympathetic paint finish cannot possibly enhance the streetscape values of a Residential 3 property. The setback from the street goes some way towards downplaying the visual impact of the garage, but its close proximity to the house and the unsympathetic design and appearance generate an overall negative impact. Similarly, the size and scale of the garage shown in Photo 6.42 overwhelms the principal house. Given that it is a double garage, even a modest setback from the front boundary might have created an opportunity to downplay its bulk. As well, the garage door is unduly dominant and perhaps another treatment could have been used to lessen its visual impact.

Construction of a three-storey house at the apex of a large sloping site (Photo 6.43, following page) almost guarantees that the new dwelling will overwhelm the design, appearance, size and scale of the character home on the property. The negative impact of the new dwelling is further exaggerated by the low quality fencing separating the two houses. As well, the surface treatment of the driveway

could have been improved, for example by using exposed aggregate, as a means of reducing its visual dominance. While a Puriri was preserved, the absence of any other landscaping to soften the impact makes the new visual elements all the more detrimental to the character and street values of the original dwelling.



Photo 6.43



Photo 6.44

Similarly, in a street of largely weatherboard single storey houses, the plastered two-storied house in Photo 6.44 appears out of keeping with its neighbours. A repetition of the house's design and materials on the driveway boundary wall draws considerable attention to the unsympathetic design of the house itself, as well as intruding on the design and appearance of the bay villa to the front. The colour of both the dwelling and driveway wall further accentuates the lack of cohesiveness between the new development and surrounding properties. The design and appearance of the driveway is such that it creates a break in the continuity of the streetscape isolating the bay villa from its neighbour to the east and also drawing attention to the new dwelling, thus compromising the standard subdivision pattern of the area.

New Buildings: Wellington

As discussed in Chapter 5 and mentioned at the beginning of this section, Wellington's district plan does not have a rule to address the effects of new buildings on the heritage values of listed buildings. It does contain rules and design guides for controlling the design and appearance of new buildings in the central business district and in relation to multi-unit developments. However, these rules do not explicitly address effects of new construction on listed buildings

and this was found to be problematic in a couple of cases, namely the Backbencher Hotel and the renowned Futuna Chapel.



Photo 6.45



Photo 6.46

In regard to the former, Photo 6.45 shows the new building looming large over the historic hotel that has been frequented over many years by politicians working in the neighbouring parliamentary buildings. The main concern with the proposal was the applicant's desire to occupy the air space over the building thereby threatening to 'crowd' out the Backbencher and reduce its relationship to its surroundings. The developers needed consent as they proposed to add a veranda to the hotel. However, this did not give the council the jurisdiction to fully assess the impacts of the new building on the Backbencher's heritage values.

Likewise, the new owner of multi-award winning Futuna Chapel (Photo 6.46), applied for consent to construct in excess of 60 residential units on the spacious suburban site. The proposal included the removal of mature trees, piping the stream that meandered through the property, undertaking substantial earthworks, and surrounding the chapel with units. Yet, because the chapel was not to be altered in any way, the heritage rules were not triggered, which placed the council in a weak position when trying to negotiate a better outcome for the site.

This oversight represents a shortcoming in the Wellington plan's causal theory for built heritage, a point that is discussed in more detail in Chapters 7 and 8.

Effects of Consented Activities:

Demolition and Removal

This section considers the small number of consents granted to demolish or remove dwellings in North Shore (five consents) and listed buildings in Wellington (one consent). As with the preceding sections, I accomplish this by firstly outlining the plans' assessment criteria, secondly, by considering the extent to which consents satisfied the criteria and, thirdly, by illustrating the outcomes that arose following implementation by applicants. This is the last section in this chapter to consider correspondence between plan criteria, consents and outcomes for activities regulated by the plans; the subsequent and penultimate section addresses the effects of permitted activities in Wellington.

Outline of Assessment Criteria: Demolition and Removal

The demolition and removal rule in the Wellington plan is a Discretionary Activity, which means that the council's discretion is unlimited when assessing the effects of a proposal. In contrast, this activity is Restricted Discretionary in the North Shore plan and council has limited the matters of concern to those set out in the assessment criteria (Table 6.3, following page). Both councils have the ability to decline consent applications should they consider the adverse effects to be significant.

The assessment criteria require applicants to demonstrate that the demolition or removal of a building is the only practicable option. For instance, criteria in the Wellington plan require evidence of whether a building poses a safety risk, whether the building can viably be adapted for a new use, and/or whether its heritage values have been reduced since listing in the plan. Similarly, the North Shore plan directs applicants to prove that a dwelling's condition makes it unfit to be retained, that it does not make a positive contribution to the zone's heritage values, and/or any "other compelling reasons" why demolition or removal is necessary. Both plans state that proposals to relocate of a building may be considered more favourably than its demolition.

Table 6.3: District Plan Assessment Criteria for Demolition or Removal

Wellington	North Shore
<p>The heritage significance of the building, facade or listed element of the building and whether there is any change in circumstance that has resulted in a reduction of the building, facade or listed element of the building's significance since the building was identified in the Plan.</p> <p>Whether the building, facade or listed element of the building can be economically adapted for re-use and the extent of any economic and other effects on the owner and occupier through retention of heritage features.</p> <p>Whether any alteration to the building, facade or listed element of the building can be made that retains the heritage significance of the building facade or listed element of the building while accommodating the objectives of the applicant.</p> <p>Whether the building, facade or listed element of the building poses a risk to life in the event of an earthquake.</p> <p>Whether the building, facade or listed element of the building can be relocated on or off the site and the impact that the relocation would have on the heritage significance of the building, facade or listed element of the building.</p> <p>The effectiveness of other statutory and non-statutory methods available to ensure heritage protection while achieving the objectives of the applicant.</p> <p>Where the retention of the facade only of a listed building is proposed, whether the heritage value of the building has been greatly reduced and whether the facade is important to the urban design of the area.</p>	<p>Houses to be demolished or removed should have been constructed after 1930, as earlier houses are generally considered to contribute strongly to the heritage character of the Residential 3 areas.</p> <p>Relocating within the same community as the original site will be considered favourably, as this offers some opportunity for the retention of local heritage.</p> <p>Houses to be demolished or removed, where constructed prior to 1930, should be in such poor structural or physical condition, or so substantially altered, that restoration is not practicable.</p> <p>Regard will be had to any evidence presented by the owner as to the consequences of the demolition or removal consent process, or other compelling reasons indicating why the work is necessary.</p> <p>General protection of older houses afforded by the Residential 3 zone provisions is less important than the particular provisions of Section 11: Cultural Heritage. However, the older houses are valued for their townscape, streetscape and architectural contributions to the character of the area and effects on those will be assessed.</p> <p>Before demolition or removal is approved, the extent of any Council commitment to financial assistance or Heritage Orders must be ascertained.</p> <p>Demolition or removal, to be granted consent, should generally not have any significant adverse effect on major landscape features such as mature specimen trees.</p> <p>The extent to which the adverse effects on neighbourhood and streetscape character, of the loss of a building, have been mitigated by actively pursuing re-use options; and</p> <p>The extent to which the appearance of the house contributes to the character and amenity of the area.</p>

The rule for demolition or removal in North Shore's plan also differentiates between buildings constructed prior to 1930 and those built later, with greater status being afforded to the former. As a result, there is less onus placed on the retention of buildings constructed after 1930, as specified in the first criterion.

Correspondence between Consents and Assessment Criteria:

Demolition and Removal

The extent to which the five consents achieved the assessment criteria in North Shore's plan is illustrated in Figure 6.7 (following page). Again, the number in brackets along the bottom refers to the consents that were included in the analysis for each criterion. No similar figure has been included for Wellington as there was only one consent in the sample that led to the removal of a listed building; none of the buildings had been demolished.

Consents and Assessment Criteria: North Shore

Starting with North Shore, two of the five consents were for houses constructed before 1930 that had been repositioned on the same site. Thus, while both these consents are shown above as not implementing the first criterion, it is important to note that no consents in the sample resulted in the demolition or complete removal of a pre-1930 dwelling. The third relocated dwelling left the North Shore altogether, as indicated for the second criterion in Figure 6.7.

Applicants had provided sufficient evidence to justify their proposal for two of the five consents, while partially meeting this criterion for the remaining three (criterion 5). Partial compliance was a result of applicants not providing a full description of the activity or the likely effects, nor substantiating claims regarding the structural condition of a building. Similarly, council's consent planner did not adequately assess two applications (criterion 6), including one where they did not even acknowledge the house was to be resited. However, the level of assessment was appropriate in the remaining three consents, two of which included considerable input from council's heritage advisor.

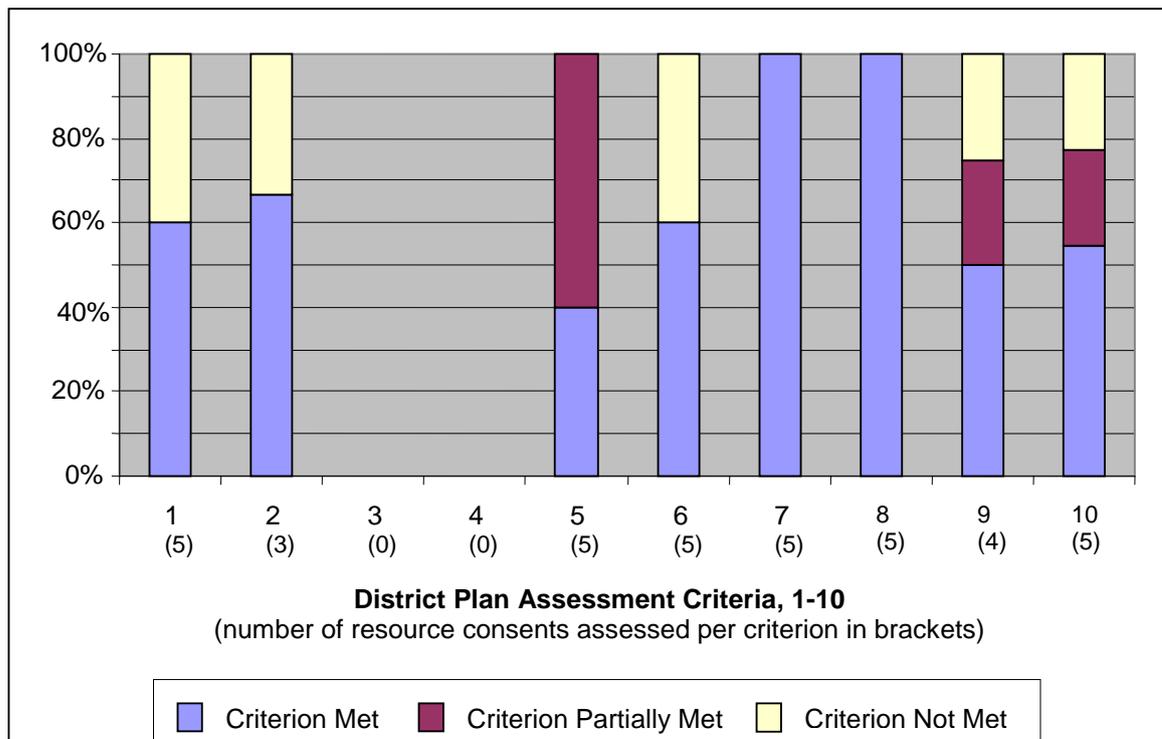


Figure 6.7 – Correspondence between Consents and Assessment Criteria: Demolition and Removal in North Shore

List of Criteria for Figure 6.7

1. Was the house that was demolished or removed constructed after 1930?
 2. Was the house relocated within the same community as the original site?
- For houses constructed prior to 1930, was restoration not practicable because:
3. *It was in such poor structural or physical condition?*
 4. *Substantially altered?*
5. Was evidence presented by the owner as to the consequences of the demolition or removal consent process, or other compelling reasons indicating why the work is necessary?
 6. Were the effects on the townscape, streetscape and architectural contributions of older houses to the character of the area adequately assessed prior to their demolition or removal?
 7. Before demolition or removal was approved, was the extent of any Council commitment to financial assistance or Heritage Orders ascertained?
 8. Did demolition or removal have any significant adverse effect on major landscape features such as mature specimen trees?
 9. Were re-use options actively pursued as a means of mitigating adverse effects on neighbourhood and streetscape character, of the loss of the building?
 10. Did the appearance of the demolished or removed house contribute to the character and amenity of the area?

Two of the consents involved the re-use of pre-1930 dwellings following their repositioning on the same site and these fully met the ninth assessment point. The landowners for the third consent wanted to demolish a 1930s Art Deco house but were required by council to search for a suitable site in the area to relocate it to. Consequently this consent partially satisfied this criterion. The fourth consent was for another 1930s dwelling that neither the applicant nor council's consent planner thought was worth keeping and it was subsequently demolished without any consideration as to its re-use.¹

Finally, Figure 6.7 shows that implementation of three of the consents satisfied the last criterion relating to the visual contribution made by the houses. Partial correspondence was achieved for another demolished building that contributed to the character and amenity of the street but that could not be considered representative of the predominant Residential 3 character. The fifth consent relates to the removal of the Art Deco dwelling that had architectural and historic values and did enhance the character of the area. The intent of this assessment criterion was therefore not met by the building's removal.

Consents and Assessment Criteria: Wellington

The consent that was granted by Wellington City Council for the removal of a listed building failed to achieve all but one of the relevant assessment criteria. That one was concerned with whether relocation had been considered over demolition, which it clearly had been in this case. However, the consent did not satisfy the criterion regarding whether the effects of relocating the building were sufficiently canvassed, given that the heritage values of the building were largely destroyed as a result. For instance, there was no evidence of a change in circumstances that may have led to the building's heritage values being reduced, nor was it shown that the building posed a risk to human safety. No other statutory mechanisms, such as a heritage order, were considered to protect the building.

¹ The remaining consent has not been included in Figure 6.7 as it involved the demolition of a building that was not visible from the street and did not make a contribution to the area's character (that is, it scored 'N/A').

Environmental Outcomes of Consent Implementation: Demolition and Removal

The outcomes of the consents for demolition and removal in both cities are now illustrated. Given that there are far fewer consents for this activity compared to additions and alterations and new buildings, this sub-section is divided in two; environmental outcomes arising from demolition and removal in North Shore and Wellington respectively.

Environmental Outcomes: North Shore

As Figure 6.8 demonstrates, two of the five consents have had a benign effect on the heritage values of the Residential 3 zone. One of these involved the demolition of two small flats situated in the rear yard of a property. These buildings were completely screened from the street by the subject dwelling and were of no historical or architectural interest. The second consent saw a pre-1930 corner bay villa repositioned 5 metres on its site to make way for a tennis court. The impact of the relocation was negligible, however, given the spacious section and the fact that the building's orientation to the street remained unchanged.

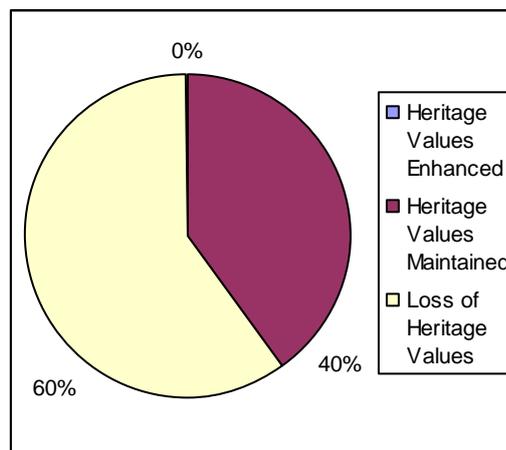


Figure 6.8: Outcomes in North Shore Involving Demolition or Removal (n=5)

The remaining three consents led to a loss of heritage values. The first of these had a minor negative impact due to the demolition of a house that was typical of substantial houses of the 1930s (Photo 6.47, following page). At the time it was

erected, the building would have been described as a modern home and dwellings of this type were being designed by the leading architects of the day, and published in journals such as *Home and Building* and *The Ladies' Mirror*. Some of the neighbouring houses also dated from the same time, which created a neighbourhood 'micro-character' of which this building made a contribution.

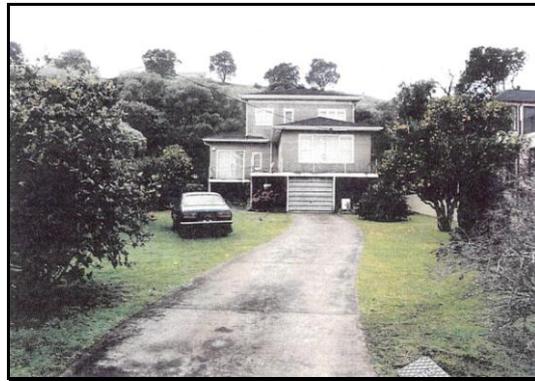


Photo 6.47

The second adverse outcome came about because the dwelling in Photo 6.48 was removed from its site and taken out of the city altogether. It was one of only two such timber Art Deco buildings known at the time to be in North Shore. While it was not representative of pre-1930 building types, it did make an important contribution to the character and amenity of the area and that the consent outcome resulted in the loss of an architecturally and historically interesting building.

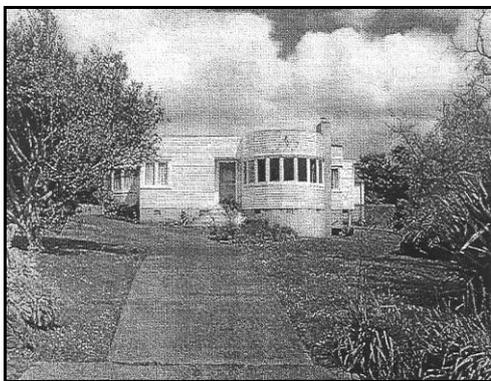


Photo 6.48



Photo 6.49

The final consent related to a single bay villa, constructed prior to 1930, which was repositioned on the same property to make way for a new dwelling behind (Photo 6.49). There has been a moderate loss of heritage values given that the setting of the building is now very different. In particular, the visual relationship

of the dwelling to its site has altered so that rather than being on a traditionally large section it is now ‘squeezed’ into the front third of the property to accommodate the large modern building behind. Additionally, a reduction in landscaping along the frontage and the reduced setback resulted in a less visually impressive vista from the street. The consent could have resulted in a worse score, however, as the owners originally sought to demolish the villa so as to accommodate only a new dwelling on the site, but following pre-application discussions the council’s heritage advisor dissuades the owners from this course of action.

Environmental Outcomes: Wellington

Turning now to Wellington, the building that was relocated from its site in the central business district – a small cottage built in 1901 of simple construction and materials – is shown in Photo 6.50. The Residential Heritage Buildings Inventory notes that “As one of the last remaining residential dwellings in this area of the city, [it] is an important historical building if only to retain one last element of this area’s previous use and status” (Wellington City Council, 1995, no page number). Nevertheless, consent was granted to relocate the building to a suburban location and a subsequent addition to the rear and side of the dwelling (which was also granted consent) has further transformed its historical integrity.



Photo 6.50

The consent outcome received the worst possible score (-10) to reflect the fact that the building’s historical setting had been erased. Moreover, the new location of the cottage was as equally compromised as its original one was purported to be,

that is, it is now situated next to a supermarket car park and has a number of commercial and light-industrial premises in close proximity. Neighbouring cottages were also in poor condition.

A positive outcome from the Wellington sample was the fact that no listed buildings had been demolished. A resource consent application was submitted in 1996 to knock down two sample buildings, namely the Prudential Building and the South British Insurance Building,² but Wellington City Council declined the consent in the face of strong public opposition. The owners initially filed an appeal with the Environment Court but subsequently withdrew; consequently the buildings still stand today. Several applications had been granted for the partial demolition of a listed building but, in all instances, these involved minor work that had no adverse affect on the buildings' heritage values.



Photo 6.51

Similarly, another sample building, the Wellington Free Ambulance Building (Photo 6.51), was the subject of a consent application in 1999 to relocate it approximately 50 metres from its original location to make way for a new development. In this case, the consent was granted by the council yet appealed to the Environment Court by a third party. As happened with the consent to demolish the 'Three Sisters', the owner of the Free Ambulance Building withdrew their application and the building remains in situ.

² A third adjoining listed building, GBL House, was also to be demolished as part of the consent application. Together the buildings are referred to as the 'Three Sisters'.

Effects of Permitted Activities in Wellington

As well as considering the effect of consented activities, I chose for assessment a sample of listed buildings in Wellington that had not been subject to any consented changes (as outlined in Chapter 4). In so doing, Dr McEwan was asked to indicate whether there had been an enhancement, maintenance or loss of a building's heritage values (using the same scale as for consented activities) subsequent to its listing in the district plan, using photographs from Wellington City Council's Heritage Building Inventories as a baseline. This allowed the impact of permitted activities to be gauged as well as providing a contrast to the outcomes arising from consented work. The relevant permitted activity in the plan related to repair and maintenance of listed buildings.³ In the analysis that follows, 17 buildings have been assessed, including 14 of the 70 sample buildings that have no resource consent history, as well as the three buildings that had unimplemented consents for additions and alterations.

An assessment of permitted activities was not feasible for North Shore given that virtually all work affecting properties in the Residential 3 zone required resource consent. An exception is internal alterations, which can be undertaken by owners without the need for council intervention. As was the case with Wellington, though, assessing the effects of interior changes was not practicable. Nevertheless, during the course of the assessments in North Shore there was evidence that another permitted activity, construction of front and side boundary fences, was having a detrimental effect on individual properties and the streetscape. The effects of this uncontrolled activity are briefly outlined at the end of the section.

Environmental Outcomes of Permitted Activities

The overall results of the assessments of permitted activities in Wellington are presented in Figure 6.9 (following page). They show a significantly more

³ Another permitted activity is internal alterations to heritage buildings except where the whole interior or individual interior items have been specifically listed. An assessment of this activity had to be abandoned, however, due to difficulties in arranging access, a lack of information about the internal state of buildings prior to the plan, and the extra time that would have been needed.

favourable outcome than for consented activities, with only three of the 17 buildings having negative scores.

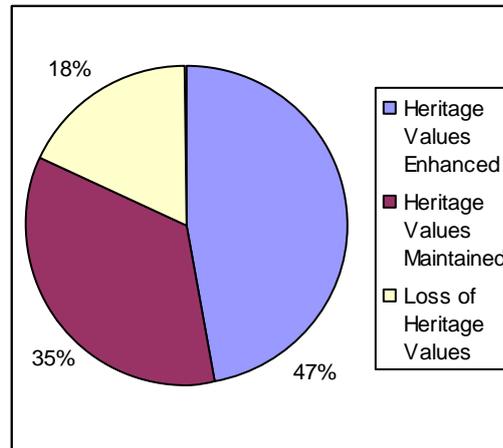


Figure 6.9: Outcomes in Wellington from Permitted Activities

Notably, eight of the 17 buildings (or 47%) scored positively indicating that the heritage values have been enhanced and that they were in sound condition. Many of these buildings had been recently painted and showed signs of repair and maintenance, including a number that had been re-roofed and one that has had weatherboards replaced (Photos 6.52 – 6.55). Five of these listed buildings are privately owned houses, one is State owned accommodation (Gordon Wilson Flats), and one is a Wellington landmark, St Gerard’s Monastery. Katherine Mansfield House (Photo 6.52), a building held in high public esteem and run by the Katherine Mansfield Birthplace Society, has had public money made available to ensure its restoration and conservation.



Photo 6.52



Photo 6.53



Photo 6.54



Photo 6.55

A further six buildings (35%) have scores of zero and so their heritage values have been maintained. Three of these buildings are privately owned residences (one is shown in Photo 6.56) and three are commercial buildings, including a former hotel located in the central business district (Photo 6.57). The exterior of this latter building was being prepared for painting at the time of assessment. Two of the buildings showed some need for maintenance, but on the whole were in good condition.



Photo 6.56



Photo 6.57

Finally, three buildings (18%) received negative scores. Appraisal House (Photo 6.58, following page), for instance, was showing signs of disrepair with missing roof tiles and spouting/downpipes needing attention. Similarly Bar Bodega (Photo 6.59), which was vacant at the time, needed some attention. This building was one

of 12 to be moved to make way for the proposed Inner City Bypass (it has now been relocated about 50 metres to the north along Willis St) thus explaining why it was untenanted.



Photo 6.58



Photo 6.59

Permitted Activities: North Shore

As noted at the start of this section, it became obvious during the course of the assessments in North Shore that a permitted activity, namely the erection of fences, was resulting in some poor outcomes. Under the district plan, a fence can be erected to a maximum height of 2 metres in any residential zone without the need for resource consent and there are no controls on the materials, design or finishes that can be used. As can be seen in Photos 6.60 and 6.61, this has resulted in some unsightly fences that obscure views of the dwelling and its setting, and break up the coherence and openness of the streetscape. Furthermore, the design and materials used at times clashed with the principal dwelling and reduced its visual prominence.



Photo 6.60



Photo 6.61

Conclusion

In this chapter I have explored the degree to which consented and permitted changes in Wellington and North Shore corresponded with the district plans' decision-making criteria for built heritage and achieved the plans' anticipated environmental outcomes. To this end, two main factors were examined: first, the extent to which consents satisfied the district plan criteria for additions, alterations (including signage), new buildings and demolition and removal; and second, whether the environmental outcomes arising from consented and permitted activities enhanced, maintained, or eroded heritage values.

To What Extent Were Plan Goals Achieved in Wellington?

The assessments in Wellington revealed that consented activities have reduced the heritage values of the majority of buildings (refer again to Appendix 8). That is, the heritage values of only 10% of the 52 buildings were enhanced, 35% were unaffected and 55% were diminished. This latter figure includes activities that have resulted in only minor loss of values (that is, scores of -1 and -2) that for the most part can be reversed and which may be expected in allowing changes to heritage buildings. However, scores of -3 and lower indicate more significant erosion of values and the effects on the majority of these buildings are permanent or else unlikely to be reversed due to the scale of the work.

If a strict interpretation of the plan's anticipated environmental outcomes is taken, the heritage values of the majority of sample buildings subject to consented work have been compromised. However, a more pragmatic view, one that considers only buildings with scores of -3 or less as 'compromised', gives a figure of 31%. As outlined in Chapter 4, I took care to select a representative sample of buildings with consents granted so that the results could be generalised. The findings suggest, then, that the impacts of consents on around one-third of all listed heritage buildings are contrary to the outcomes sought by the district plan.

In contrast, the heritage values of buildings that had not had been altered by consent were significantly better. Forty seven percent of the 14 buildings had been

enhanced due to the owners undertaking repair and maintenance work, such as repainting, reproofing, and replacing exterior cladding. Thirty five percent of the buildings were unchanged since being listed in the district plan and they were found to be in good condition. The values of 18% percent of the buildings had diminished, which is a comparatively small proportion compared to the consent outcomes. The buildings in this category displayed obvious signs of disrepair, including missing or damaged building fabric. The extent of loss was minor, however, and easily attended to.

To What Extent Were Plan Goals Achieved in North Shore?

The overall findings of consent outcomes in North Shore showed that the heritage values of 9% of 68 sample properties were enhanced as a result, 30% were maintained and 61% were eroded. The degree of loss was relatively minor in many instances with -1 or -2 being given for 29 of the 42 properties with negative scores (refer to Appendix 8). Of the remaining 13 properties (20% of the 68 properties), the outcomes are clearly contrary to the plan's intentions. Moreover, 83% of the properties that received an adverse outcome represent the heritage values that the district plan is wishing to retain and enhance, that is, they have dwellings dating from 1930 or earlier.

It is apparent that the majority of consents for additions and alterations, the dominant activity in North Shore, are maintaining the character of the Residential 3 zone at the streetscape level. This is illustrated by the finding that 79% of consents where the work was visible had no adverse effect on streetscape group significance. This figure jumps to 87% if the 30 consents where the outcomes could not be seen are also included. However, when this is contrasted to the finding that over 60% of the consents for additions and alterations had an overall adverse effect on individual properties, the evidence suggests that the physical record of early residences in the Devonport, Northcote and Birkenhead is slowly being overridden by contemporary changes. As inferred, this is largely a consequence of consents achieving poor conformance with the plan's assessment criteria for pre-1930 buildings, particularly with regard to the maintenance of architectural and historic form.

Final Observations

In general, the outcomes of consented activities in Wellington were less consistent with the plan's heritage goals than in North Shore. This is in part attributable to the contrasting nature of the heritage resource between the two cities. Wellington City Council's schedule is made up of buildings that have been individually recognised and as a consequence include 'one-of-a-kind' buildings such as Futuna Chapel. Insensitive changes can have far-reaching and irreversible consequences. North Shore's Residential 3 zone, on the other hand, comprises a large number of dwellings from a specific time period and with limited architectural styles. In this case, there is greater capacity to absorb changes due to the sheer number of like buildings – if the particular qualities of one single bay villa are undermined, for instance, there are still plenty more left. Nevertheless, North Shore City Council needs to be especially wary of the cumulative effect of change that is slowly obscuring the historic and architectural integrity of the zone's older residential neighbourhoods. Ignoring the contribution of dwellings from later periods places at further risk the physical record of residential development in the North Shore.

Another factor in Wellington's results relates to the intensity of building use. Eighty percent of the buildings from the sample with consents granted were situated in the central business district, whereas buildings from this location make up only 56% of the heritage schedule. In many cases the consented activities involved substantial changes, for instance erecting extra stories to provide rooftop residential apartments, or the construction of prominent additions (typically balconies and verandas) for commercial activities. Additionally, many of the buildings have had multiple consents granted for changing retail and commercial activities indicating a cumulative effect on the values of the buildings. The consents in North Shore, in contrast, maintained the residential nature and scale of the properties.

Now that the correspondence between plan criteria, resource consents and environmental outcomes in both cities has been established, I turn attention in the following chapter to plan implementation, in order to gauge whether and how the resource consent process influenced the attainment of environmental outcomes.

CHAPTER 7

Theory versus Reality: Were the Plans’ ‘Theory of Change’ Realised in Practice?

Introduction

The previous chapter presented the range of outcomes achieved by resource consent applications granted for listed heritage buildings in Wellington and for properties in the Residential 3 zone in North Shore, thereby attending to the second research sub-question and objective of this thesis. The analysis revealed that only a small proportion of the consents (around 10%) led to an enhancement of the properties’ heritage values. In contrast, the majority of consents (over 50% in each city) led to a loss of heritage values ranging from minor and reversible to substantial and permanent. Compliance with the district plan assessment criteria in many instances was inconsistent and unconvincing.

The causes of the disparities in outcomes for built heritage are now explored in the present chapter, which addresses the third research sub-question: *how does the plan implementation process influence the attainment of environmental outcomes?* In doing so, I meet the corresponding research objective, namely to explore in detail the resource consent process that led to both intended and unintended outcomes, in order to understand when and why the plans’ theory of change was realised in practice. I consider the influence that plan implementation had on the consent outcomes by looking closely at the development control process followed for a number of the applications granted in each case study council. The consents have been chosen because they are examples of either very good or very poor outcomes, the intention being to investigate the reasons why these divergent results were obtained.

Critically examining the implementation process is requisite for any study concerned with evaluating plan or policy effectiveness. The point has been made in previous chapters that development control is a negotiated process and

determinations as to whether development proposals comply with plan goals or not are inevitably contested. The focus of this chapter is therefore on exploring the implementation process followed for the selected consents and identifying the key factors that influenced decision-making, both by consent applicants in pursuing their interests and council personnel in administering the plan. Such an approach has been advocated by Alterman (1982, p.230), who saw implementation “first and foremost as a process of decision-making leading to intervention in the system planned... it is there that diversions, delays, slippages and other ‘mishaps’ may occur.”

When analysing the implementation process that unfolded for each consent, particular attention is paid to the following three matters: 1) the degree of conformity with the district plan; 2) the efficacy of the plans’ causal theory; and 3) the influence of the implementation context. The overall aim is to establish whether the cause-effect assumptions that underpin the plan played out in practice and, similarly, whether the implementation context promoted or inhibited the attainment of good outcomes and how. In doing so, the link can be made between the plans’ intent, its implementation, and the environmental outcomes that result. Further, and as noted in Chapter 3, this data will highlight whether poor outcomes have been attained because of ‘theory failure’, that is, where the plan’s causal assumptions are wrong, or ‘implementation failure’, where the plans’ goals were not met due to administrative and contextual barriers. This knowledge is instrumental in evaluating plan effectiveness and in understanding which aspects of the plan or its implementation need to be changed.

In terms of the plans’ causal theory, I deliberate on whether and why the various plan methods (that is, rules, provision of advice, and financial incentives) had the anticipated effect on the outcomes, as simulated in the RAP models. I also explore whether the desired response and reasoning was engendered in the consent applicants as a result of the resource consent process. To summarise, I consider that four such mechanisms are apparent in the plans’ heritage provisions: 1) they allow the council to *intervene* in the development control process so as to positively influence decision-making around the use and modification of heritage buildings; 2) they seek to *increase applicant commitment* so they will undertake

development that complies with the plan; 3) they seek to *increase applicant capacity* to comply with the plan; and 4) if necessary, they can be used to *compel* an applicant to comply.

Similarly, the implementation context deemed necessary for the plan provisions to be effective incorporates the following factors:

- 1) the quality of the plan;
- 2) the capacity and commitment of the developers;
- 3) the capacity and commitment of council staff;
- 4) relations between the developers and council; and
- 5) characteristics of the development site.

The chapter is organised as follows: first, the method and rationale for choosing the resource consents for in-depth study is outlined; second, the implementation process for consents that led to an enhancement of heritage values for four buildings is examined; third, the implementation of consents for a further four buildings that fared much worse are explored; lastly, the chapter ends by highlighting the range of factors that influenced the outcomes, both positively and negatively, for the eight buildings. These factors are then interrogated in greater depth in Chapter 8.

Consents Chosen for Examination

In Chapter 4, I described the approach that I used to select resource consents for analysis, in which “information-rich cases that manifest the phenomenon of interest intensely” are chosen (Patton, 2002, p.234). Referred to as intensity sampling, this method is useful when faced with time and/or resource pressures because it allows only a small number of cases to be chosen for detailed investigation. The cases are chosen on the basis that they are particularly informative about the matter under scrutiny, in my situation the effectiveness of district plans in protecting built heritage.

An important requirement of this sampling method is the need to avoid cases that are extreme or deviant and so do not accurately portray the issue being evaluated. As Patton (2002, p.234) put it:

Extreme successes or unusual failures may be discredited as being too extreme or unusual to yield useful information. Therefore, the evaluator may select cases that manifest sufficient intensity to illuminate the nature of success or failure, but not at the extreme.

The resource consents that I have chosen to study represent both very good and very poor compliance with the districts plan and therefore resulted in significant enhancement or loss of heritage values. As such, they could be seen as extreme cases given that they occupy the furthest ends of the outcome scores. However, while these consents achieved some of the best and worst scores, I do not consider that they are extreme in the sense of distorting the performance of the plans. On the contrary, I believe that the consents are excellent in exposing, *intensely*, the strengths and weaknesses of the plans and of the implementation process. This is perhaps best reinforced by the fact that key themes keep reoccurring in the subsequent discussion with respect to the reasons that promoted or inhibited compliance with the plan.

Information for the case studies came from two sources. First, I examined the often detailed resource consent information held by the councils for the properties in question. Second, I undertook interviews with applicants and council personnel to gain further insights into their involvement in the development process and the factors that influenced the unfolding of the process. While it was my goal to interview at least one key informant from the development side of each consent and one from the consent processing side, this was not always possible given that people have since relocated. At times I was able to track down relevant interviewees, but in other cases I relied on the extensive documentation and the testimonies of others involved in the consent process in order to gain as complete a picture of events as possible. For all but one of the buildings examined in this chapter (a North Shore villa), I was able to talk to at least one person involved in each application. For the more intricate and drawn out examples (especially those in Wellington), I have spoken with up to four key informants per consent.

Overview of Consents Chosen

I have selected a total of eight buildings to study the implementation process (Table 7.1). Consents for four of these achieved a high degree of conformity with the plans' assessment criteria and led to very positive outcomes, whereas the remaining four failed to observe the plans' intentions and thereby undermined the heritage values of the properties in question. Four of the buildings come from the Wellington sample and four relate to buildings from North Shore.

Building	Local Authority	Year Granted	Consent Activity	Outcome Score
1. The Vic	Wellington City Council	2001	Additions & alterations	7
2. Villa 1	North Shore City Council	1999; 2001	Additions and alterations, new building	6
3. Central Fire Station	Wellington City Council	2004	Additions & alterations; signage	4
4. Villa 2	North Shore City Council	1999	Additions & alterations	4
5. Art Deco Dwelling	North Shore City Council	2003	Demolition or removal	-4
6. Transitional/bungalow	North Shore City Council	2004	Additions & alterations	-5
7. Johnson & Edison Building	Wellington City Council	2002	Additions & alterations; signage	-8
8. Futuna Chapel	Wellington City Council	2003	New building	-8

The consents involved a range of activities regulated by the plan, notably signage, additions and alterations, new buildings, and demolition or removal. They therefore provide an insight into the ways in which the different plan provisions have been implemented. More attention is paid to consent applications involving additions and alterations, though, as this was the dominant activity in both cities.

Enhancement of Heritage Values

The resource consent process that unfolded for four buildings is discussed in this section. Two of the buildings come from the Wellington sample, namely The Vic

and the Central Fire Station, the remaining two being from the North Shore (both single bay villas). These buildings have been chosen because, in each instance, the consented changes led to very positive outcomes with respect to the properties' heritage values. This was a rare occurrence in both cities despite it being a policy in the respective district plans to not only retain a building's heritage values, but to also *enhance* them. An obvious question, therefore, is what was different about these few consents, compared to the majority, that led to such outstanding results? The answers to this question are explored below, beginning with the two Wellington examples.

The Vic

The Vic is a three storey Art Deco building constructed in 1935 on Wellington's Cuba Street. It was built as a private hotel with accommodation provided on the first and second floors and three shops at ground level. The mixed residential-commercial use of the building remains today. As well as being listed on the district plan's heritage schedule, The Vic forms part of the Cuba Street Character Area and is thus subject to the Cuba Character Design Guide contained within the plan. Council's urban designers are required to assess any changes to the façade of such buildings with the criteria set out in the design guide. The building has also been registered by the Historic Places Trust under the HPAct as a category II historic place, thus making the organisation an affected party to any resource consent application.

Features of the building highlighted in the Heritage Building Inventory include slender fins rising up the façade as well as at the parapet, the sunrise motif on the central pier, chevron moulding running horizontally above the third floor windows, and window joinery that further emphasises the vertical appearance of the building (Photo 7.1 following page). The inventory description concludes with a statement that "A full-blown Art Deco façade is rare in Cuba Street and the building contributes a more contemporary flavour to a predominantly Edwardian precinct" (Wellington City Council, 2001, p.CUBA 21).



Photo 7.1: The Vic following the façade restoration

Prior to the resource consent application, the bottom floor of the building was in three tenancies – a restaurant, hairdresser and cafe. According to the draughtsman who prepared the application (‘the applicant’), the upper floors were used as a storage area and also housed two “rubbishy flats”. He said that an extractor had been installed from the restaurant through the upper floors without consent thereby creating a potential fire hazard. Following a complaint to council, the New Zealand Fire Service and council officers investigated and classified the building as dangerous, and the owner was required to evacuate the tenants. Further, the interior, which the applicant described as “dark and dingy” and “a real rabbit’s warren”, was in a poor state of repair. The combination of these factors led to the owner’s decision to upgrade the building to a more suitable standard.

The Development

A resource consent application was duly submitted to council in October 2001 for work to the building that included:

- converting the first and second floor accommodation to four flats;
- converting the ground floor from three commercial tenancies to two;
- relocating the entry to the apartments;
- replacing a wooden balustrade on the third level with a galvanised steel one;
- removing a wooden fire escape from the second level;

- painting the façade and undertaking remedial work (the concrete and plaster “had to be tidied up a little bit”).

Resource consent was required because the proposal involved external alterations to the listed heritage building, thus making it a Controlled Activity. According to the applicant, he “knew what we had to deal with in terms of heritage and how it had to be [done].” In consultation with the owner, he planned the work to retain the building’s features and remembers looking up at the building and deciding that he did not want to “go smashing windows out” as it would “ruin the building”. Rather, his goal was to get the building back to a good state. The applicant sought input from a planning consultant when preparing the assessment of effects so that it followed the appropriate format for addressing the plan’s assessment criteria. Additional input was provided by a colour consultant who suggested different paint schemes for the building. The applicant asked the Historic Places Trust to review the proposal, which they did and confirmed that they were supportive of the changes.¹

Wellington City Council’s heritage advisor assessed the proposal against the plan’s criteria and council’s urban designer compared the plans against the relevant design guide. Both officials noted that the application lacked sufficient detail with which to accurately assess the proposal. In his assessment, the urban designer held that “The replacement of the timber balcony balustrades with metal balustrading is acceptable in urban design terms” but suggested that “this may be an aspect that the Policy Advisor – Heritage may wish to provide further comment on.” The heritage advisor did initially express concern about the removal of the balustrade, believing that it was an original feature. The applicant had covered this matter in the application by noting that “The proposal will not result in any loss of historic fabric or materials apart from the timber balustrade, which is not depicted on the original plans of the building.” He reiterated to me that he consulted the early drawings of the building, which the owner had in his possession, and that these features were not present (the matter would have been easily reconciled had

¹ The Historic Places Trust staff are based in Wellington (and five other offices around the country), so they would have undertaken a site visit to view the building before providing their written approval.

a copy of the plans been included in the consent application). The heritage advisor was eventually appeased about the matter.

Another point of concern raised was the proposed design and materials for the shop front alterations. The consent plans showed that the ground floor fenestration and front wall were designed to match the adjoining restaurant, but the heritage advisor judged that “The existing windows on the neighbouring restaurant... are not in keeping with the building, and a different design would have been more appropriate.” The applicant accordingly revised this aspect of the plans by enlarging the window openings and using wooden timber sashes and frames that “cost a bloody fortune”. As a result, the heritage advisor’s concerns were again allayed, which she reported to the consent planner handling the application: “I have no concerns with the revised plans... as they retain the original proportions and design layout of the shop front on the ground floor.” With these matters addressed consent was granted in December 2001, the reasons given in the decision report being that it: 1) was in accordance with the relevant district plan objectives, policies and assessment criteria; 2) the effects of the proposal were considered to be less than minor; and 3) the proposal was a Controlled Activity and therefore consent must be granted. Photo 7.1 above illustrates the positive outcome following implementation of the consent.

The applicant made a request to the heritage fund for a grant to assist with the costs of the façade restoration. He was aware of the fund because he had applied previously (and successfully) in relation to another listed building that he had worked on. In the case of The Vic, the amount sought and approved by Wellington City Council was for 10% of the total spent on the façade restoration (\$18,000). While the money given was appreciated by the owner, the applicant said that the fund was not an influence on the design of the proposal, as he put it: “we didn’t save the façade to get funding... if you changed the façade you’d ruin [the building].”

Degree of Conformity with the District Plan

The work on the façade satisfied the relevant district plan assessment criteria, notably the building's style and character was retained, the activity minimised the loss of historic fabric, the relationship of the building to its setting was maintained, and a high level of architectural design authenticity was achieved. The overall result was a significant enhancement of the building's heritage values with the only compromising feature being the unaltered restaurant, notably the incompatible fenestration and cladding.

Influence of the Plan's Causal Theory

The plan's causal theory was effective in this example. The additions and alterations rule was triggered by the proposal, which enabled council's heritage advisor to *intervene* in the development process and assess the merits of the application. As a result, she was able to provide advice to the applicant about alternative layouts for the ground floor shop frontage, which in turn led to a modified scheme and ultimately an improvement in the overall outcome for the building. The financial incentive offered by the heritage fund was also brought into play in this consent, with the applicant's prior experience in seeking a grant being influential in the decision to apply again. However, rather than acting as an incentive, the applicant considered the grant to be recognition of a job well done.

Influence of the Plan's Implementation Theory

Similarly, the plan's implementation theory was realised. In terms of *plan quality*, the building had been identified in the plan as having heritage values and the features of it were accurately described in the Heritage Buildings Inventory, thereby providing a useful platform for the applicant to plan the façade's restoration and for council to judge its likely effects.

The *capacity* and *commitment* of both council staff and the applicant to implement the plan's heritage provisions was strong. This is evidenced by the fact the heritage advisor accurately appraised the effects of the proposal and requested that

changes be made. The applicant was determined to respect the architectural qualities of the building regardless of the plan, which he achieved with skill and sensitivity. As well, the applicant was receptive to the advice proffered by council's heritage advisor: "we just sort of rolled along with the council and got it all fixed." The fact that the owner was supportive of this approach was also important. Given these set of circumstances, the *interaction* between the council and applicant was positive in that both parties had the same goal in mind.

Another implementation factor that promoted a good outcome related to key *characteristics of the development*. That is, the owner retained the existing use of the building and the proposal introduced changes that were compatible with the building's scale. As the applicant put it, "we did the best plan to suit the layout of the building; we didn't change the building to suit our plans."

Wellington Central Fire Station

Another positive consent outcome in Wellington relates to the substantial central fire station located prominently at the end of Oriental Parade (Photo 7.2, following page). Constructed in 1937, the building's style has been described as a "functional version of Moderne with some minor Art Deco touches" (Wellington City Council, 2001, p.ORIE 1). It has served as the base for local fire fighting efforts for 70 years, thus lending the building significant historic value. The building was designed to accommodate 21 married men, 33 single men, and nine fire appliances. As well as being a listed heritage building, its location in the Central Area means that external changes are subject to assessment against the Central Area Design Guide. It is also a registered category II historic place under the HPAct.

As noted in the Heritage Buildings Inventory, the fire station had remained largely unmodified over the years and it was for this reason that the New Zealand Fire Service wanted to refurbish the interior, as they noted in their resource consent application:

New Zealand Fire Service owns this property and expects the fire station to continue to service the inner city area in the future, but realised the existing fire station needs to be upgraded in order to meet the fire service operation and environmental requirements for the modern era.



Photo 7.2: Wellington Central Fire Station

It was further explained that the building leaked, the windows were poorly insulated and that the size of the operational fire station had decreased from the time when all staff were accommodated on site. To prepare the design concept for the changes, the New Zealand Fire Service set up a team comprising four fire fighters, the property manager, and two consultant architects who were engaged following a registration of interest process. The alterations that were proposed as a result of this collaborative exercise included:

- re-sealing the roof;
- re-glazing all windows with acoustic and thermally rated glass;
- re-organising the operational fire station onto the ground and first floors; and
- increasing the existing office space on the second floor.

In terms of changes to the exterior of the building, the applicant proposed to block off the existing public entranceway and convert one of the appliance bays for this purpose, including the installation of a lift in the new foyer to meet accessibility requirements. They proposed attaching a public display panel on Oriental Parade side of the filled in doorway with information about the New Zealand Fire Service and the building's history. However, the most significant issue in terms of effects on heritage values was the applicant's desire to remove all the existing steel window frames, which they considered to be in a poor state of repair, and replace them with aluminium joinery (three windows on the façade had previously been replaced in this way).

In December 2003 one of the consultant architects and a New Zealand Fire Service representative outlined their plans at a pre-application meeting with Wellington City Council staff (the consent planner, heritage advisor and urban designer). A number of matters requiring further investigation and information were raised by the council at this time, most notably the effect on the building's heritage values from the replacement of the steel window frames with aluminium, which was considered to be incompatible as a replacement material in terms of authenticity and appearance. Another concern was that the new entranceway may not be obvious to the public as it would be largely indistinguishable from the adjoining appliance bays. A third question raised was whether the elevator shaft would extend above the roofline and, if so, the degree to which it would be visible above the building's parapet.

The New Zealand Fire Service also consulted with the Historic Places Trust and their initial assessment was positive except for the proposition to remove the original steel window frames, which the Historic Places Trust viewed as being important heritage fabric. Consequently, they informed the applicant that they could not support that aspect of the proposal and recommended the New Zealand Fire Service seek advice from a materials conservator regarding the practicality of restoring the frames.

By this time, the applicant had realised that their initial idea to replace the windows was not going to find favour, and so they took the advice offered and consulted a specialist on materials conservation. That was not all, they also engaged a conservation architect to identify internal and external heritage fabric to ensure that it was retained during the upgrade of facilities. As a result, a number of features were singled out to be preserved, including the:

- appliance bay white ceramic wall tiles, plastered walls and columns;
- exterior façade articulation;
- clock tower
- the soft board ceilings;
- wrought iron balustrade to both main stairways;
- glass block skylights;
- firemen's pole.

The conservation architect also encouraged the applicant to retain the steel window frames and on inspection with the materials conservator they concluded that restoration was feasible, and for around the same cost as replacing them with aluminium joinery.

So far, all this activity was the direct result of the pre-application meeting with Wellington City Council and the Historic Places Trust. The feedback given at this time was heeded by the applicant and they changed the relevant aspects of their proposal in order to address the concerns. The upshot being that by the time the resource consent application was lodged in February 2004, most of the significant issues had been dealt with. Moreover, the fact that a conservation architect was involved meant that important interior features had been identified and protected from demolition. This went beyond the requirements of the district plan, which only regulated changes to the building's exterior. Not all of the issues raised by the council had been addressed to their satisfaction, but these were dealt with in short order and consent was granted in March 2004. Photo 7.2 above indicates the work: the doorway at the bottom-left of the photo was blocked off and the first appliance bay (bottom-right) was converted into the new entranceway.

From reading the documentation, it appeared to me as though the consent process was similar to the previous example of The Vic, that is, like-minded cooperation between council and applicant. However, while the New Zealand Fire Service's property manager acknowledged that they did everything that was asked of them by council, he also thought that a lot of their requirements were "fighting against reality". He said the "biggest headache" was the restoration of the steel window frames, which was undertaken by "expert cowboys". As a result of the frames being removed they twisted and created problems when being re-fitted, for instance the windows would not close easily and so new latches needed to be installed. He further contended that the steel framed windows cannot be sealed like aluminium ones and so they do not provide the desired noise insulation; the windows on the second floor have been screwed shut as the staff "got fed up" as a result. Thus, the New Zealand Fire Service property manager still maintains that aluminium windows would have provided the best solution.

Another issue was the provision of the new entranceway, which had to meet the access requirements for disabled people set out in the *Building Act*. The property manager said he would probably have taken out the existing doorway and pushed the entrance back into the building so as to provide enough space for wheelchair access. However, he was not allowed to do this and instead converted one of the appliance bays into the new entranceway by replacing the door with sliding doors to reflect the existing bay doors, and with transfers on the windows to mimic the mullions on the originals, as per council guidance. However, in his view this was a “total disaster” as it is not possible to discern the new entrance given that it resembled another bay door. He further maintained that the signage they erected to indicate the new entranceway is situated high up on the building’s façade to avoid being an obstruction and is not readily visible.

In short, while the New Zealand Fire Service property manager considered that the window restoration achieved the plan’s heritage goals it did not in his opinion improve the building’s use value. He tried to argue the point with Wellington City Council but said that they were adamant and would not “budge from the letter of the plan”. He felt that the council had the upper hand in the process and contended that “they [councils] do every time”. He had not anticipated as many difficulties with the project as occurred.

Nevertheless, the property manager said that the overall goal of the New Zealand Fire Service was met in that the building was changed to meet operational requirements. He also felt that the council had played a capacity building role by providing information about the heritage values of the building and the ways in which to develop it appropriately. But he conveyed a strong sense of frustration about the process, particularly that he thought what the council was asking was unnecessary – it was “hard to achieve what they were asking you to do”.

Degree of Conformity with the District Plan

Wellington City Council’s efforts to amend aspects of the proposal bore fruit; the consent outcome was favourable and the relevant assessment criteria were largely met. For instance, the buildings style and scale were retained, the retention of

historic fabric was maximised, repair was favoured over replacement, and a high level of design authenticity was achieved. One aspect that was detrimental, however, was the blocking off of the original entranceway, which partly undermines the form of the building by making redundant the existing features of the door, such as the hood moulds. This still suggests that the doorway provides access to the building.

Influence of the Plan's Causal Theory

As with The Vic, the district plan's causal theory was realised in practice for this consent, although the mechanism was different – the applicant for the Central Fire Station was ultimately *compelled* to comply with the plan whereas the applicant for The Vic was totally committed to doing so. In other words, had the plan's heritage provisions not been in place, the New Zealand Fire Service's scheme to upgrade the building would have eroded the building's heritage values to a marked degree.

As noted below, the advice provided by council officers also had the effect of increasing the New Zealand Fire Service's *capacity* to better address the plan's assessment criteria. This guidance was acted upon by the applicant because he was of the view that he had no choice, even though Wellington City Council could not decline consent given it was for a Controlled Activity.

Influence of the Plan's Implementation Theory

One of the stand out points with this proposal is the degree to which the applicants sought pre-application discussions with the council and the Historic Places Trust. This demonstrates a *commitment* to good process, at least, and is also illustrative of the experience the New Zealand Fire Service's property manager has had in applying for resource consent to alter other listed fire stations. It seemed to the Historic Places Trust representative that the applicants had made “a strategic decision” to do a good job and he found them easy to talk to and quite willing to take on board his concerns. It is therefore possible that the angst felt by the applicant was caused more by frustration at the bureaucratic wrangling with

Wellington City Council than the substantive issue of retaining the building's heritage values.

What is clear, however, is that council personnel displayed a strong *capacity* to accurately identify the effects of the initial proposal, as well as a *commitment* to seek amendments so as to achieve a positive heritage outcome. The Historic Places Trust played a support role by adding their voice to the council's against the potential loss of heritage fabric. Even though the applicant complained that the council went over board, he did concede that their advice had boosted the New Zealand Fire Service's *capacity* to design a scheme that complied with the plan.

Villa 1 and 2, North Shore

The best outcomes from the North Shore sample related to consented changes to two single bay villas located in Devonport. In each case the owners had recently purchased the properties and were undertaking changes to improve the appearance, layout and functionality of the house in line with their needs and preferences. Each application was completed on behalf of the owners by an architectural firm.

Villa 1

The property shown in Photos 7.3 and 7.4 (following page) was the subject of a resource consent that achieved the best outcome in the North Shore sample. At the time that this application was lodged (September 1999) the council was yet to employ a heritage advisor to provide guidance to consent planners and Commissioners. Thus, it was up to the consent planner processing the application to determine its level of compliance with the Residential 3 heritage provisions.

The owners planned to enlarge the existing lean-to at the rear of the house and to upgrade "the minimal, out of date service areas" located there. This involved the remodelling of the kitchen, bathroom and laundry facilities, with the remaining interior layout of the house being left unaffected. More prominently, the veranda, which had been previously enclosed so as to provide extra shelter, was to be restored. In regard to this aspect, the applicants stated that "the existing veranda,

still substantially original, is intended to be fully reinstated to its original appearance with turned balusters and fretwork replaced...[which] will result in an authentic villa.” In short, they contended that the consent would “simply enhance the streetscape”.



Photo 7.3: Villa 1 with restored veranda and altered carport



Photo 7.4: The side elevation reveals little of the rear extension

For obvious reasons, the planner did not have a difficult job assessing this application, although she did request a front elevation showing the proposed work which was promptly provided. Her recommendation was for consent to be granted because “the lean-to style of the addition is sympathetic to the built heritage character with the use of appropriate finished materials and the reinstatement of the front veranda will have a positive effect on the streetscape.” The commissioners agreed and signed off on the application three weeks after it had been submitted.

Villa 2

The property shown in Photos 7.5 and 7.6 (following page) has had two consent applications granted: one for additions and alterations to the dwelling, the other for construction of a new garage and additions and alterations to the rear of the dwelling.² The first application was submitted to North Shore City Council in March 1999 and the owners sought to re-establish the building as one residential unit; it having been converted to four flats in 1956. As a result, considerable internal alterations were required to provide the necessary facilities for single

² The combined effects of the consented activities were judged in assessing the outcomes for this property.

occupation. Exterior changes included an extension to the existing rear lean-to incorporating a deck for outdoor living. Of more relevance to the heritage values of the property was the desire of the owners to restore features of the original house that had been removed or altered as a result of its previous use. This included the reinstatement of a bay window in the projecting end of the villa and reconstruction of a “traditional veranda with bull-nose corrugated iron roof”.



Photo 7.5: Villa 2 with the bay window and veranda reinstated, and new garage



Photo 7.6: The new bay window the side elevation is inconspicuous

Again, North Shore City Council had not yet employed a heritage advisor at this time and so consideration of the merits or otherwise of the proposal was left up to the consent planner handling the application. In her view, the proposal satisfied the relevant assessment criteria in the plan, most notably that it preserved the essential character of the front façade and that it “returns and repeats design characteristics of the original house”. The Commissioners agreed and the application was duly approved less than three weeks after council received it.

The council’s first heritage advisor had not long started in the job when the second application was submitted in April 2001 (by which time ownership of the property had changed). This time, the new owners wished to demolish the existing carport and build a double garage with office space included. They also planned internal alterations that would result in the addition of a bay window to the side of the dwelling. The applicant had not sought a pre-application meeting and the heritage advisor did not consider it necessary to discuss the proposal with them as he found it to be a very straightforward application.

The proposal's redeeming features were that it preserved the essential character of the front façade and the alterations to the dwelling were minor in scale and located towards the rear. The new garage was to be sited at the rear of the property and set back further than the previous one, thus reducing its visibility from the street. The existing form and materials of the earlier structure, which were compatible with the house, would be repeated. Consequently, the heritage advisor concluded that "...this proposal is sensitive to the heritage character of the area, it addresses the applicant's requirements in a straight-forward manner and sensibly looks to providing extra space in the garage rather than unnecessarily extending the house." No additional details were requested from the applicant and the consent was again signed off by the commissioners in less than a month following receipt of the application.

Degree of Conformity with District Plan

The consents for Villas 1 and 2 led to an enhancement of the properties' heritage values by undertaking additions and alterations that led to the restoration of prominent features of the dwellings and, for the second property, by replacing a carport with a less obtrusive garage that was well-matched to the house. While the proposals did not minimise changes to the building's façade, the alterations were aimed at taking the dwellings back to a state that was more reflective of their architectural and historical origins. For this reason, the proposals fully satisfied all relevant district plan assessment criteria.

Influence of the Plan's Causal Theory

In a way, the plan's causal theory was irrelevant to these consent applications. Apart from the fact that a resource consent was required under the plan's Residential 3 heritage provisions, the owners had instructed the architects to prepare a scheme that was restrained in terms of the amount of change that was pursued, and that also left the building in a more original state than was previously the case. The most significant changes to the buildings were restricted to the rear, which meant that they were barely visible when viewed from the street.

As was the case with The Vic in Wellington, it is possible that these positive outcomes would have occurred whether or not the plan rules were in force: there was no attempt by the applicants to contact council prior to submitting an application, in order to get their advice on how to proceed; and council staff did not need to request any changes once the application had been filed. Alternatively, the applicant may have been aware of the heritage provisions and willingly complied with the assessment criteria. Either way, the consents were granted without fuss and in a short timeframe. One of the applicants even received a refund on the fees they paid because only a minimal amount of the council's time was expended.

Influence of the Plan's Implementation Theory

In terms of implementation, the *commitment* of the applicants to not just retaining the heritage features of their properties, but to actually enhancing them, was a key factor. This, coupled with the *capacity* of the architects to turn the owners' wishes into a sound proposal, meant that the plan's assessment criteria were met. Because the applicants had designed a proposal at the outset that satisfied the requirements of the plan, other aspects of the plan's implementation theory did not come into play. For instance, no *negotiation* between council staff and the owners was required and the council's *commitment* and *capacity* to implement the plan was not tested.

Loss of Heritage Values

Having considered the implementation process for four properties with favourable outcomes, this section delves into consents that occupy the other end of the spectrum; that is, those that managed the least compliance with the district plan and produced some of the worst outcomes. As with the previous four examples, these consents have been chosen because they help reveal when and why development control falls short of its heritage goals. To this end, four buildings are now examined and in the following order: 1) the Johnson and Edilson Building (Wellington); 2) a transitional/bungalow dwelling (North Shore); 3) an Art Deco dwelling (North Shore); and 4) Futuna Chapel (Wellington).

Johnson & Edilson Building (Wellington) and Transitional/Bungalow Dwelling (North Shore)

First, the impact of additions and alterations on two separate buildings, the Johnson and Edilson Building in Wellington and a transitional/bungalow dwelling in North Shore are considered. They are examined together because they are indicative of consented activities that involved substantial and inappropriate change to the facades of the subject buildings – something that both district plans clearly seek to avoid.

Johnson and Edilson Building: Wellington

The Johnson and Edilson Building was constructed in 1928 for a hotel proprietor. The building has had a variety of uses over the years, most recently as a bar. The façade is described in the Heritage Buildings Inventory as:

Stripped Classical, retaining a minimal vocabulary of cornice, entablature, and quasi-pilasters. Ornamental detail has been confined to small rosettes, roundels, and a moulded strip of half-chevrons at the lower end of the entablature. The façade is symmetrical with well-detailed steel window mullions (Wellington City Council, 2001, p.CUBA 24).

A resource consent application was lodged in September 2001 for the addition of a 36m² balcony to the first floor façade (Photo 7.7, following page). It was considered necessary in order to “act as a quiet retreat for bar patrons and provide additional floor area for the busy establishment.” Consent for a Controlled Activity was therefore required and, because it forms part of the Cuba St Character Area, it was also subject to review against the relevant design guide. The building is registered under the HPAAct as a category II historic place.

The quality of the resource consent application foreshadowed the poor outcome that would eventuate following its implementation. For instance, the substandard assessment of effects failed to identify the building as being listed in the district plan. It instead wrongly stated that it was part of a Cuba Street historic zone and consequently set about to describe how the proposal related to surrounding buildings. In this regard, the applicant was wildly optimistic about the scheme’s

value: “we anticipate creating a complete design concept that not only creates additional floor area to the existing bar but also upgrades the existing site and brings it in harmony with surrounding architecture.” Furthermore, the assessment of effects did not make reference to or address the plan’s assessment criteria for additions and alterations, or the criteria set out in the Cuba Character Design Guide, nor did the council require this information to be provided.



Photo 7.7: The Johnson & Edilson Building is obscured behind the new balcony

This meant that the applicant did not identify effects on the building itself, despite the plans showing: 1) an obtrusive balcony that significantly exceeded the scale of the existing veranda; 2) the cutting down of two windows on the first floor to provide door openings onto the balcony, requiring the removal of the original steel joinery and the destruction of ornamental detail; 3) the replacement of the steel joinery of a third window on the first floor; and 4) views of the building’s remaining decorative features being largely obscured. Additionally, the photos that accompanied the application illustrated that there were no such balconies along Cuba Street and that this proposal was therefore introducing a new element that was obviously out of context. This point was not identified in the assessment of effects either and the council did not require the applicant to address it more comprehensively, an omission that the urban designer later came to regret.

Wellington City Council’s heritage advisor and urban designer assessed the application and both expressed concern about it. In the consent documentation these concerns centred on the use of steel posts to support the balcony – both thought that this was an unnecessary and incompatible feature given the style of

the building. The heritage advisor further postulated that “the balcony will need to be designed to be structurally independent of the posts, as there is the risk that [they] may be damaged by traffic parking.” However, council’s traffic engineer did not anticipate any problems from a safety point of view. As well, the Historic Places Trust representative was not bothered about the steel posts being incorporated into the design, nor any other aspect of the proposal, and duly provided a letter of support to the applicant.

Some improvements on the original scheme were achieved through negotiations with the applicant, notably by reducing the number of new door openings to one, and the insertion of glass panels along the front of the balcony. These changes led to a better outcome to that originally proposed in that loss of heritage fabric was reduced and the balcony was ‘opened up’ to allow views of the façade. However, the gains made were modest compared to the overall loss of heritage values resulting from the balcony addition. Council’s heritage advisor informed me that she “fought” with the applicant on two occasions during the consent process over the appropriateness of a balcony on the building; she being of the opinion that it was not suitable. However, she capitulated because the applicant was adamant, the Historic Places Trust had offered its backing (they even stated in their written approval that they “look[ed] forward to seeing the development”), and the council had no power to decline consent given that it was for a Controlled Activity.

The urban designer was frank when summing up her contribution to the consent process, conceding that “I feel I mucked up on that one”, and “we fell through on a whole pile of issues”. In particular, she regretted not asking for additional information to assist her appraisal, notably elevations showing the view of the balcony when looking north and south along Cuba Street. As a consequence, she failed to assess just how bulky the balcony would be. She said that she has since been confronted by various Wellington architects who were astonished that she agreed to such an insensitive balcony addition.

The same urban designer was involved with other applications for balconies that ended up with a similar, unhappy result. As a consequence, she approached council’s consent planners to highlight her previous mistakes and, by doing so,

hoped to avoid a reoccurrence. She was taken aback, however, by the planners' response, which she reported was one of disbelief that she had admitted fault. It appeared to the urban designer that critiquing past performance was a "strange concept" for the planners, whereas she viewed it as a positive part of her work.

Transitional/ Bungalow Dwelling: North Shore

Turning now to the North Shore example, a consent application was submitted to the council in April 2004 that sought the addition of a veranda and deck to the front of a dwelling constructed in 1910. North Shore City Council's heritage advisor described the house as being of the "transitional/bungalow period". Photo 7.8 shows the house prior to the consented changes, whereas Photo 7.9 reveals the outcome following the change. As well as requiring consent under the Residential 3 heritage rules for additions and alterations (a Controlled Activity), the proposed veranda exceeded the plan's 'height in relation to boundary' standard for the zone, which aims to maintain a degree spaciousness between properties and to protect neighbours' access to daylight. Because of this non-complying aspect, the application was elevated to a Discretionary Restricted Activity. The particular matters that council had limited its discretion to in these circumstances included "The overall retention and enhancement of the built heritage value of the area."

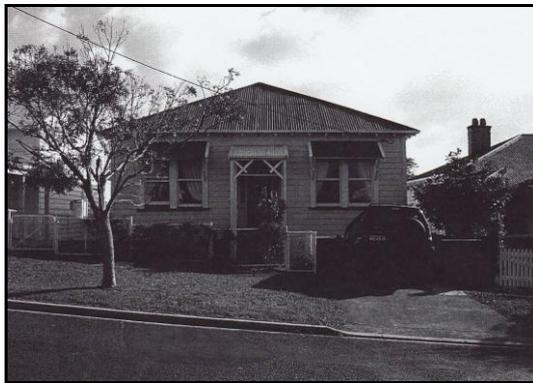


Photo 7.8: Transitional/Bungalow dwelling with original facade



Photo 7.9: The same dwelling after the veranda addition

The consent application was even more meagre than that for the Johnson and Edilson Building. In this case it had been completed by the building owner's son who was not aware that resource consent was required until he lodged a building

consent for the work. When he received a letter from the council advising of this he drafted a one paragraph assessment of effects and submitted this with a couple of photographs of the dwelling.³ The applicant's assessment read:

We have inspected the surrounding streets and advise that the proposal (in our opinion) complies with the heritage status of the area – and indeed the Devonport District. We consider the existing front of [the house] is “ugly”. We agree with the concept of retaining the heritage nature of Devonport and consider the proposal complies with [the] architecture of the surrounding house[s] and indeed will enhance the attractiveness of the street in particular and the district in general.

The planner in charge of this application wrote back requesting further information to assist in appraising the proposal, namely a plan of the site, drawings showing the proposed street-front elevation, and details of the materials and colour scheme to be used. Because the veranda addition impinged the height in relation to boundary standard, the applicant also needed (and obtained) the written approval of the adjoining neighbours.

Council's heritage advisor reviewed the proposal and was disappointed that the applicant wanted to remove the unique features of the building. He stated in his formal assessment that “Ideally, as these period elements were part of the original cottage and reinforce the era in which it was designed and constructed, they should remain.” Nevertheless, he was of the opinion that it was not uncommon for dwellings built in this era to incorporate verandas in their design and it could thus be argued that it was an acceptable proposition for this building. The heritage advisor was not entirely comfortable with this situation, though, as indicated in his written assessment where he concluded that “The veranda addition, while it is unfortunate from a purist standpoint to lose the sunhoods, is compatible with the house, style and streetscape.”

In analysing the application and heritage assessments, and following a site visit, council's consent planner formed the opinion that “The proposal will enhance the amenity of the dwelling by providing a more attractive front veranda than the existing sun hood style situation.” Clearly, she shared the applicants' perspective

³ He was, however, one of the few consent applicants in both North Shore and Wellington to provide a copy of the original building plans.

that the dwelling's original architecture was not worthy of retention and that changing it into something more aesthetically pleasing was warranted. She recommended to the Commissioners that consent be granted, they agreed, and it was signed off in July 2004.

Degree of Conformity with District Plan

The consent for the Johnson and Edilson Building received one of the worst scores in the Wellington sample. Moreover, it was one of two buildings recommended for deletion from the district plan's heritage schedule because their heritage values have been substantially diminished. In particular, alterations to the street elevation were far from minimised, the balcony failed to reflect the style, scale or form of the building, the loss of historic fabric was not minimised, and a high level of design authenticity was not achieved.

For the North Shore dwelling, the score given also reflected poor compliance with the plan's assessment criteria. Only two assessment criteria were satisfied, namely that materials used on the addition were compatible with the existing house (timber and corrugated iron) as well as the Residential 3 zone generally. On the negative side, the proposal failed to preserve the essential character of the street-front façade, to retain and reflect the design characteristics of the original house with respect to detailing, and to be in keeping with the building's architectural and historic form and style. The outcome suggests that this was a lost opportunity to educate the owners, consent planner, and Commissioners about the particular architectural and historical qualities of the house.

Influence of the Plan's Causal Theory

For each consent, the plan's causal theory was not realised. While the councils were given the opportunity to positively influence the proposals via the resource consent process, the input of staff failed to do so in practice. In the case of the Johnson and Edilson Building, the heritage advisor and urban designer were unable to persuade the applicant to remove the balcony posts. Both claimed that the differing opinions expressed by Wellington City Council's traffic engineer and

the Historic Places Trust representative undermined their attempts. This is a trivial matter, however, when the more substantial impact of the balcony itself is considered. In this regard, the council personnel and the Historic Places Trust did not seem overly worried about the design of the balcony, although the heritage advisor reported to me that she was against it at first, but could do little to change the applicant's mind. The urban designer later came to realise the balcony was entirely inappropriate.

The pre-1930 dwelling in North Shore represents exactly the type of building that the plan seeks to protect but, again, while the plan's causal theory was sound it was not well-implemented. Council was able to *intervene* in the development process and the plan's assessment criteria provided sufficient guidance to the applicant and council staff regarding the types of changes that were acceptable. The heritage advisor was in a position to provide direction to the owner regarding areas of non-compliance with the plan's assessment criteria and the ways in which the proposal could be altered in order to retain the building's architectural and historic values. This capacity building function was not carried out, however. Furthermore, as a Discretionary Restricted Activity, the council could have notified the application had it concluded that the effects of the proposal were more than minor, and it also had the power to decline consent.

Influence of the Implementation Theory

There is much in common between the two consents with respect to the implementation factors that were influential. The *quality of the district plan* was caught short in the Wellington example because the rule relating to additions and alterations lacked teeth; as a Controlled Activity council was obliged to approve the application despite the fact the *scale* and *type* of the proposal was totally inappropriate. Council's heritage advisor gave this as the reason why she acceded to the balcony addition. In contrast, the urban designer disclosed that she had not done a sufficient job of assessing the effects of the proposal, in part because she chose not to ask for additional information, which raises questions about her *commitment* to implement the plan on this occasion. She contended that the "[consent] planner just wanted to push [the application] through" the system and,

consequently, she gave in to the pressure and hurried her response. The combination of these factors acted to dilute council's *negotiating position*, to the detriment of the listed building.

With respect to the North Shore dwelling, the heritage advisor's awareness that the proposal lacked authenticity did not markedly influence his assessment of it. Therefore, his *commitment* to achieving the goals of the plan is in doubt in this case. He was also reluctant to *negotiate* a better outcome with the applicant because he believed that the proposal was in-keeping with the built character of the Residential 3 zone as a whole. An issue regarding the *quality of the plan* is raised here with respect to the degree it is concerned with retaining the heritage values of individual properties as opposed to the less demanding goal of maintaining a generic character.

Art Deco Dwelling

Staying in the North Shore, one consent outcome illustrates particularly well the risks associated with confining heritage values to an arbitrary date. It involved the removal of a 1930s timber Art Deco dwelling from its site in the suburb of Birkenhead. The new owners bought the property with a view to redeveloping it and originally proposed to demolish the house. When investigating the site for purchase the owners were reassured by the fact that the plan protected dwellings built before 1930 and so felt confident that the provisions would not prevent their intended use.

The Development

A consent application was lodged with council in December 2002 seeking the demolition of the existing dwelling (a Discretionary Restricted Activity) and the construction of a new one. The basis for the application, which was completed on behalf of the owners by a local planning consultant ('the applicant'), rested on four mitigating factors: 1) the plan only sought to protect dwellings constructed prior to 1930; 2) the streetscape was devoid of the heritage qualities of the Residential 3 zone as only one dwelling from this period remained; 3) the Art

Deco building itself (Photo 7.10) did not possess remarkable architectural or historic qualities that warranted retention; and 4) the proposed dwelling had been designed so as to harmonise the character of the Residential 3 zone (Photo 7.11).



Photo 7.10: The Art Deco dwelling prior to its relocation from North Shore



Photo 7.11: The substantial residence that replaced it

When council’s heritage advisor received the consent application he considered that the Art Deco dwelling was “a great building” and so his initial response was “Oh my God, how are we going to curb this one?” In his written assessment he argued that:

Despite [the] house being constructed later than the District Plan cut-off date, it is relatively unique. I am aware of only one other on the North Shore... that is similar. In this respect the house can be considered to represent growth in Birkenhead and in this way contribute to the character of the community.

He did, however, concur with the applicant regarding the dearth of early housing on the street and that, while being an interesting building, “on its own its contribution to the quality of the area is not significant.” He was also of the view that the proposed dwelling had been designed in accordance with the plan’s assessment criteria for new buildings.

Nevertheless, he initiated discussions with the owners’ architect to see whether they would consider adapting the dwelling or repositioning it on the site to make room for a new house. While the architect was amendable to the notion, the owners remained resolute, citing the following reasons for their stance:

- the building was “relatively small”, old and required substantial work to bring it up to acceptable standard;
- the siting of the house on the section, particularly its substantial width, meant that adding to the existing building rather than rebuilding was not practicable;
- the owners did not believe the dwelling could be adapted to meet their criteria for a residence as it would have to be substantially transformed which would defeat the purpose of retaining it;
- the section size was not sufficient to allow two residential dwellings under the district plan rules and, even if the property could be subdivided, the remaining land area would not be suitable to accommodate the house sought.

Given these set of circumstances, the heritage advisor concluded that the only remaining solution was for the building to be relocated to another site in the Birkenhead area. Such an outcome would satisfy one of the district plan’s (2006, p.16.78) assessment criteria for demolition or removal, which states that “Relocating within the same community as the original site will be considered favourably, as this offers some opportunity for the retention of local heritage.” He discussed this option with the owners and received an enthusiastic response, as it offered a way for them to pursue their original plans. As a consequence, the heritage advisor recommended that the consent be granted subject to a condition that:

...the applicant makes every endeavour to relocate the existing house within the Birkenhead area. To promote this it must be shown that the existing house has been advertised for relocation in the Herald and local community papers weekly for at least 4 weeks.

Based on this assessment, the consent planner responsible for processing the application agreed that there was no firm basis for refusing consent and, at a meeting with the three Commissioners who were responsible for deciding upon the application, he recommended that consent be granted with the aforementioned condition. However, the Commissioners were alarmed about the loss of the building (one insisted that “demolition of the house is just not on”) and wanted instead to see the house kept on its original site. They questioned whether they had the right to decline the consent, but the planner was of the view that the plan

anticipated the loss of post-1930 buildings and therefore there were not sufficient grounds. Apart from relocation, it was considered that one option available was to allow a dispensation so that the property could be subdivided even though the lot sizes would be less than the minimum specified in the plan.

According to the heritage advisor, it was up to the Commissioners at this point to add weight to his attempts to negotiate a better outcome with the owners, and an on-site meeting was organised to this end. However, the Commissioners earnest attempts to persuade the owners to retain the building were met with firm resolve. In a letter to council following the meeting the owners warned that “should we be forced to this alternative the applicant would treat this as a commercial development and not as intended as a dwelling for their own purposes.” The division of opinion between the heritage advisor and consent planner on one hand and the Commissioners on the other was a further bone of contention with the owners, and one that they believed could be exploited in any legal proceedings:

One would question why these councillors would take a view opposed to the recommendations of their professional staff and perhaps the legal issues that may arise as a result of their decision. Clearly the councillors have placed themselves in a difficult position... Their right to take this position needs to be challenged.

Ultimately, the Commissioners conceded that the owners were not going to back down, that the council was not in a strong position to decline consent, and that the sole course of action was the relocation of the dwelling locally. On this basis the commissioners granted consent in March 2003. Despite their efforts, though, the owners informed council that their estate agent was unable to find any suitable land for sale within the area. Similarly, while there was initial interest in the purchase of the dwelling for relocation within North Shore none of the interested parties followed through. There was genuine interest from landowners outside the city, however, and the house was eventually relocated to neighbouring Rodney District. In other words, the council’s attempts to keep the dwelling in Birkenhead had proved futile.

Degree of Conformity with District Plan

The building's removal had resulted in a moderate adverse effect due to the loss of an architecturally and historically interesting building and the proposal was contrary to a number of assessment criteria, namely that: 1) the dwelling was not relocated within the same community as the original site; 2) the house was not in such poor structural or physical condition, or so substantially altered, to make restoration impracticable; and 3) the appearance of the removed building did contribute to the character and amenity of the area.

Influence of the Plan's Causal Theory

It seems reasonable to conclude that the public would expect the district plan's Residential 3 provisions to protect buildings such as this one, regardless of its post-1930 construction date. This was certainly the view of the Commissioners who initially threatened to decline the application. Council's heritage advisor also regretted the loss of the building and applied considerable pressure on the owners to rethink their plans.

In terms of the plan's causal theory, the only mechanism that could be considered to have been triggered is that the consent process enabled *council involvement* in decision-making around the future of the building. Nevertheless, while the applicant was swayed from demolishing the building its relocation out of the Residential 3 zone has ultimately led to the same detrimental effect. The other plan mechanisms, notably *increasing applicant capacity and commitment* to comply with the plan, or else *compelling* them to do so, failed to 'trigger', despite considerable effort on the part of council's heritage advisor and Commissioners.

Influence of Plan's Implementation Theory

Ultimately, the negative outcome arose because key aspects of the plan's implementation theory were not realised. In particular, the *quality of the plan* was found wanting due to the fact it limited council's consideration of what constitutes built heritage in the Residential 3 zone. Even though the Art Deco dwelling fell

just outside the 1930 date, the applicant, and council's heritage advisor and consent planner felt that the intentions of the plan were clear with respect to which housing stock could be demolished and which should be retained. This meant that the plan's relocation rule was rendered impotent and, as a consequence, the owners were *unwilling* to retain the building. Clearly, the weakness in the plan undermined the council's *negotiating position*, a fact that the applicant exploited by threatening to challenge the council in the Environment Court should consent be declined. Furthermore, the fact that the wider streetscape was devoid of the built heritage qualities that characterise the Residential 3 zone eroded the *significance of the site*.

Other aspects of the implementation theory were operative, most notably the positive *capacity* and *commitment* of the council to implement the plan's heritage provisions. The heritage advisor instantly recognised the value of the dwelling and he endeavoured to work with the owners and their professional advisors to negotiate a better outcome. Similarly, the Commissioners showed a strong desire to maintain the heritage values of the Residential 3 zone by securing the building in-situ.

Futuna Chapel

Perhaps no other building on the Wellington district plan's heritage schedule is as widely regarded as Futuna Chapel; indeed it has been acclaimed as "arguably the Capital's most distinguished contemporary building" (Wellington City Council, 2001, p.FRIE 1) and appraised at length in a number of publications (Clark and Walker, 2000; Shaw, 1997; Walden, 1987). Built in 1961, it is one of the few modern buildings to be recognised in the plan as having heritage value, the vast majority being of an age that most people would regard as 'old' or 'historic' by New Zealand standards. The Chapel was built by the Society of Mary (Marist) religious order to support a Retreat Centre, established in 1948, on a spacious, park-like site in the suburb of Karori. The property was originally owned by Sidney Kirkcaldie, the eldest son of John Kirkcaldie who founded the long-

standing Wellington department store Kirkcaldie and Stains.⁴ Sidney Kirkcaldie's former family residence, a large Edwardian villa built in 1906, was converted by the Marists for use as the retreat house (Wellington City Council, 2001).

Futuna Chapel⁵ was designed by John Scott, who is credited as being the first Māori architecture graduate from a New Zealand university. The building is considered unique in that it represents an indigenous architectural style that has been enthusiastically described by Russell Walden, perhaps the building's greatest admirer, as "a faithful celebration of Maori and Pakeha, a poignant demonstration of canopy and cave, and a remarkable aggregation of South Pacific values" (1987, p.23). The Chapel was awarded the Gold Medal for best building by the New Zealand Institute of Architects in 1968 and the New Zealand Historic Places Trust registered it as a Category I Historic Place in 1999, the highest recognition that can be afforded to a building under the HPAct. The enduring significance of the building was recognised by the New Zealand Institute of Architects who honoured it for a second time in 1999 with a Resene Gold Medal Award.

While the building has a distinctive external appearance, including the rough cast concrete block cladding and interlocking gables of the roof, much of the building's significance comes from its interior spaces, as noted in the heritage inventory:

The Chapel is built on the plan of a Greek cross, of roughcast concrete and timber beams and roof sarking. Natural materials have been chosen: granite for the altar, serpentine marble for the floor, mahogany for the huge crucifix. The pews have the rough-hewn quality of the pews at Ronchamps; the multi-pane gable of coloured glass throws a tapestry of colour that moves with the sun... the central post with radiating struts is a significant reference to a traditional Maori building (Wellington City Council, 2001, p.FRIE 1).

Integral to the interior are the art works by Jim Allen, including the coloured glass gables, altar piece, and crucifix (Photos 7.12 and 7.13, following page). Also of importance is the open space in front of the Chapel entrance that provides an

⁴ Sidney Kirkcaldie took up the position of Company Manager at Kirkcaldie and Stains following his father's retirement in 1918.

⁵ The Chapel's name commemorates the murder in 1841 of Fr Pierre Chanel, a Marist protomartyr of Polynesia, on the island of Futuna near Fiji (Wellington City Council, 2001).

important transition from the exterior to the interior (Photo 7.14). This area of land is symbolic of the marae ātea, which is an open expanse in front of the whare nui (or meeting house) on a marae, and the place where important ceremonial practices are observed (Salmond, 1994). Indeed, the entire surroundings of the chapel was one of natural beauty and serenity (Photo 7.15), thus making it an ideal setting for people in search of spiritual enrichment.

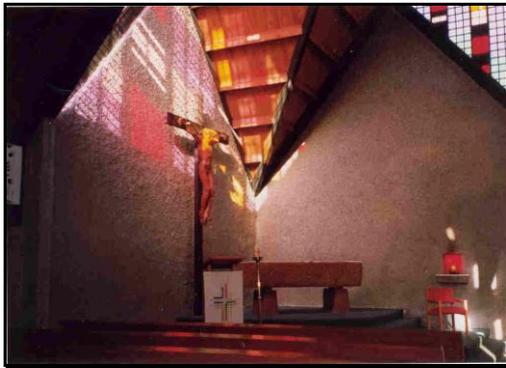


Photo 7.12: Light from the coloured gables reflecting on the crucifix



Photo 7.13: The Chapel's altar piece



Photo 7.14: The Marae Ātea in front of the entrance to Futuna Chapel



Photo 7.15: The view from the Chapel towards the stream

The Development

Given the high esteem in which Futuna is held, it is not surprising that a furore erupted over a proposal to substantially modify the site, following its sale by the Marist order to property developers in early 2000. A resource consent application was lodged with Wellington City Council in November 2000 for a proposal to construct 76 residential units as part of a 'retirement village' complex. To undertake the development, the applicant planned to demolish the Kirkcaldie

homestead (the retreat house) and other ancillary buildings, remove many of the site's established trees, pipe the open stream that crossed the property, and undertake significant earthworks to create building platforms. Moreover, it was proposed to erect residential units on all sides of and in close proximity to Futuna Chapel, thereby boxing it in.

In regard to this latter point, it was benignly noted in the resource consent application that "The Futuna Chapel will not be as visible from the street, as it will be tucked behind the new single-storey homes fronting Friend Street, but it will not otherwise be affected." The assessment of effects drafted by a planning consultant did not otherwise identify adverse effects on the Chapel, the argument being that the physical fabric of the building was not being affected in any way, as no additions, alterations or signage were proposed, and the Chapel was not to be demolished or removed. Furthermore, the retreat house had not been listed in the district plan heritage schedule thus making its demolition a permitted activity. As a consequence, the heritage provisions of the plan were not invoked and the applicant considered that they were under no obligation to consider the Chapel or its context further.

In contrast, concerns about the development's impact upon the Chapel's heritage values were expressed vociferously by representatives of the Historic Places Trust, members of the architectural profession and local residents, none of whom had been consulted prior to the lodgement of the application. The Historic Places Trust was so incensed that it wrote to Wellington City Council's Chief Executive Officer to emphasise that "the proposed Futuna site development as submitted contradicts [the plan's] policies and, if allowed to proceed unaltered, will certainly not achieve the desired objective of heritage conservation." Moreover, in an article in Wellington's evening paper Russell Walden went so far as to describe the planned "sterile units" encompassing the Chapel as amounting to "cultural rape" (Green, 2000, page unknown). In the same article, local elected member Andy Foster and several Karori residents were pictured on the site bemoaning the retirement village plans. Worried neighbours had already held meetings to discuss their response to the application and Councillor Foster offered to "work with [the developers] in terms of getting good quality architectural and urban design

advice”; the developers in turn dismissed the outcry as being “normal neighbour reaction to progress... they always have a negative reaction to change” (Green, 2000, page unknown).

While the heritage rules of the plan were not triggered, the intensity of the development meant that the proposal failed to comply with a number of other plan provisions, namely due to the substantial earthworks, on- and off-site urban design effects, increased traffic flows, and provision of vehicle access to the property. The fact that the development failed to meet the plan’s vehicle access requirements for multi-unit development meant the application was a Non-Complying Activity, which enabled council to take into account any matter they deemed relevant, including effects on heritage values.

Council’s urban designers assessed the effects of the proposal against the district plan’s Multi Unit Design Guide and concluded that “numerous aspects... have not been addressed in a satisfactory manner”, amongst them the inconsistent density and general appearance of the development compared to the neighbourhood, the lack of individuality amongst units, a lack of private and communal areas of open space, and the removal of many natural features. The loss of views of Futuna Chapel was also noted in the assessment, yet one urban designer did not believe that the design guide was not intended to address issues such as this:

It is recognised that if the chapel is to be shown to its best advantage, a larger area of open space will be needed, which is beyond the scope of this assessment as there are no specific provisions within the Multi Unit Design Guide for such an approach.

Nevertheless, the consent planner processing the application considered that “The effect on the setting of Futuna Chapel will... be significant due to the intensity of scale of development proposed. This will impact on the heritage value of the building.” He decided that the combined effects of the proposal were considerable and, accordingly, that it warranted public notification to allow all parties the opportunity to submit their concerns.

In the meantime Wellington City Council's heritage advisor arranged for an independent architect to devise an alternative layout for the site that would allay many of the problems anticipated in the initial proposal. The detail of the substitute design was coordinated between Councillor Foster, local residents, and the Historic Places Trust, and its purpose was "to develop an alternative plan which we can take to [the developers so] that they can be certain [it] will get through the planning process because we are all as happy as we can be." In other words, the goal was to coax the developers into accepting a more restrained proposal on the premise that it would reduce opposition and thereby increase the likelihood of consent being granted. Council's heritage advisor also commissioned a conservation architect to "assess the heritage values of Futuna Chapel and setting and to identify the extent of the site, which contributes to its values." The need for such an assessment highlights the insufficient recognition in the plan (and in this case the Heritage Buildings Inventory) of the Chapel's heritage values.

The decision by Wellington City Council to notify the application and the degree of public and professional opposition to it forced a rethink on the part of the developers who, in March 2001, engaged another architectural firm to revise the development. In an amended resource consent application submitted three months later, the new firm acknowledged that the "previous scheme prepared by others had not been well received by Wellington City Council officers and other interested groups... given the depth of feeling for this site and for John Scott's architectural masterpiece Futuna Chapel." The architect responsible for revising the proposal thought that the initial scheme was "just awful" and that the developers simply wanted to ignore the existing landscape and bulldoze everything as flat as possible, which he derided as a "scorched earth" approach.⁶ In the architect's view, the council was heading towards a battle with the developers when he became involved and he judged that the developers would be on the losing side. As a result, he saw his main goal as being to influence the developers away from the original scheme and towards one that would "mould the development into the existing landscape, minimising site works and taking full

⁶ Wellington City Council's consent planner responsible for deciding upon the application was similarly disparaging; he classified the initial proposal as "an agent orange approach".

advantage of the many site features and existing topography.” Despite initial reluctance, the developers were keen to get a non-notified application through the planning system and so were “wavering to the argument”.

To facilitate a more desirable development, the newly hired firm took a “consultative approach” and met with council officers, the Historic Places Trust, and residents to discuss their concerns. Russell Walden’s views were also sought as he was recognised as being “arguably the leading authority on the architecture of Futuna Chapel”. They also perused the alternative scheme prepared by the independent architect (commissioned by council), which by this time had been completed. However, while “this concept scheme in most respects addressed the concerns of the Wellington City Council and local residents [it] did not meet the objectives of the developers”, most notably because it proposed fewer units than the developers would accept. Regardless, the new architects tried to “massage” the alternative design concept in order to accommodate the number of buildings required by the developers without compromising the site’s natural and built qualities.

The assessments by council’s urban designers and the heritage assessment commissioned by council’s conservation architect were “extremely helpful in determining what would be considered an appropriate design for the development.” In particular, the applicant described the latter report as “a pivotal document with respect to how to proceed”, as it identified the space around the Chapel that needed to remain free of buildings so as to maintain the building’s relationship with its site. The urban design assessments helped to shape a redesign of the residential units in terms of design and appearance and positioning on the site.

The end result was a proposal that sought 72 semi-detached and terraced residential units (a modest decrease of four from the original), the retention of the most significant trees and areas of bush, and a landscape plan to relocate other vegetation where possible. The stream was also to remain in its natural form, and, most importantly for Futuna Chapel, the marae ātea was to remain free of buildings, as was the land between the chapel and the street thus allowing clear

views of it. In other words, the area surrounding the Chapel identified in the heritage assessment commissioned by council was preserved.

In designing the units, the applicant was hesitant to copy the architectural aspects of the Chapel for fear of ending up with “little baby Futuna’s.” Thus, reference to the Chapel in the units’ design was by way of the steep roof pitch, bitumen roof tiles, and the use of heavy roughcast on the base walls of the units. However, the developers did not want to use this latter building material and at some point changed it to brick, as can be seen in Photo 7.16. There is no indication in either the consent documentation or from my discussions with key informants as to when, or if, this departure from the consented application was approved.



Photo 7.16: Contrasting designs – a completed unit on the road boundary



Photo 7.17: Construction of the units in close proximity to the Chapel

In the end, support to grant the application was forthcoming from council’s heritage advisor, urban designers, and the parties deemed to be affected by the development. Local residents reported that they “were pleased with the progress that [had] been achieved from what was clearly an unacceptable proposal when first raised.” Similarly, the Historic Places Trust proffered that “this new proposal is a vast improvement to that originally submitted... both in terms of its treatment of the site... as well as its impact on Futuna Chapel.” In his formal assessment of the revised application, council’s urban designer commented that “this scheme offers substantial improvements from the initial scheme in terms of layout, retention of the stream and some prominent vegetation on site and the design of the buildings in relationship to Futuna Chapel.” When asked whether the revised application should be approved, council’s heritage advisor stated that “I support a

sign off – a ceremonial signing might even be appropriate!” On this basis, council’s consent planner changed his recommendation so that the application did not require public notification and that it should be granted, which it was in November 2001 a year after it was first lodged.

However, while support for the proposal was given there were still reservations, especially amongst local residents, about the development as a whole. The residents’ view was that the multi-unit development was out of place in the neighbourhood: “our ideal would have been to have a low density development with larger residential houses in the nature of the existing houses... and further distance from existing house boundaries.” They also remained distrustful of the developers and feared that they might deviate from the consented plans during the construction phase and so undermine the gains that had been hard fought and won during the resource consent process. The Historic Places Trust was also unhappy about two units that remained in close proximity on one side of the Chapel (Photo 7.17, preceding page). Nevertheless, in considering the overall merit of the revised application the Historic Places Trust concluded that “the proposed proximity and scale of units 71 and 72 to the chapel is in our view acceptable in the circumstances, especially given that the Applicant has made considerable improvements to more significant areas of concern.”

Degree of Conformity with District Plan

Ironically, despite the effort that was spent in trying to get a better result, the outcomes of the consent application received a very poor score. The design of the units was the main detraction of the site as they impinge upon Futuna Chapel. When assessing the outcome of this consent, the monitoring form for additions and alterations to listed buildings was used, even though the building had not been physically altered. In this way, the impact on Futuna Chapel and its setting arising from the multi-unit development was taken into account.

The new units did not: 1) reflect the style or form of the Chapel; 2) use cladding materials or colours that were sympathetic (which was exacerbated by the change from heavy roughcast to brick); 3) respect the Chapels building and opening

proportions (due in part to the close proximity of two units); or 4) maintain a high degree of architectural design authenticity. As well, the development as a whole failed to retain: 5) the authenticity of the setting; and 6) the relationship of the building to its setting.

Influence of the Plan's Causal Theory

One aspect of the district plan's causal theory was clearly ineffective in this case, namely that the plan did not anticipate adverse effects on listed heritage buildings arising from new structures. As a consequence, no heritage rule in the plan is triggered when development of this nature is undertaken and this in turn means that council's ability to *intervene* in the development process is significantly reduced. The ultimate saving grace for Futuna Chapel was a technicality: the application was for a Non-Complying Activity, which meant that council could address issues relating to heritage values, but this was only because the proposal did not comply with a standard relating to vehicle access.⁷

Nonetheless, this enabled council staff and other concerned parties a way into the consent process, albeit via the back door. As a consequence, they were able to exert considerable pressure on the developers to address numerous aspects of the scheme and this, coupled with the threat of public notification, ultimately *compelled* a change of approach. The heritage advisor was particularly strong in influencing the shape of the proposal by commissioning an alternative design and a heritage assessment. This information *increased the capacity* of the second architectural firm to design something that would be acceptable. The consent planner also said that it gave him "the teeth" he needed to challenge the developers over their plans.

⁷ The plan has subsequently been changed so that if an application for multi-unit housing fails to meet access standards the application is considered as a Discretionary Restricted Activity only, rather than a Non-Complying one. As a result, effects on heritage values cannot be taken into account as this is not a matter over which the council has reserved discretion.

Influence of the Plan's Implementation Theory

Key aspects of the plan's implementation theory were not realised in this consent. The *quality of the plan* was found wanting because it lacked a rule to address the effects of new buildings on or neighbouring sites containing a listed heritage building. Furthermore, the heritage values protected by the plan were woefully inadequate, especially as the heritage schedule did not identify that the context of the Chapel forms an integral part of its design and function. It is also hard to understand why the interior of the building was omitted when its significance was obviously known to council given the lavish praise offered in the Heritage Buildings Inventory.

These weaknesses in the plan were well and truly exposed by the developers who, at the outset, were bloody minded in their determination to squeeze as much onto the site as possible. In this regard, they displayed a complete lack of *commitment* to the heritage goals of the plan; they deliberately ensured that the exterior of the building was not physically altered thereby avoiding the plan's heritage provisions, but at the same time wanted to surround the chapel with units. The developers were not interested in changing the design of their proposal despite early approaches from the residents group and Councillor Andy Foster. It was not until council decided to publicly notify the application that they started to reconsider their position so as to evade the delay, expense and uncertainty involved in that process. In the consent planner's opinion, the developer "saw notification and decline as one word".

This led to the change in architectural firm and with it a marked increase in the *capacity* of the applicant to design a scheme that would be more agreeable. In the consent planner's view, the new applicant was "far more thoughtful" and "a head and shoulders better firm in terms of their sensitivity". He was impressed that they managed to achieve a similar yield of units as originally planned while retaining most of the site's attributes. The change in approach and design adopted by the second firm also improved the outlook of local residents. When giving their consent to the amended application they "acknowledge[d] the efforts of [the architectural firm] to maintain ongoing communication with us and we suggest

that their ongoing involvement would give some comfort to those affected by the development.”

The council staff exhibited strong *commitment* and *capacity* in their bid to obtaining the best outcome possible given the initial proposal. Firstly, Councillor Andy Foster played a vital role in coordinating the efforts of local residents and giving the case a public profile. As mentioned, council’s heritage advisor was instrumental in providing information that could be used by both the second architect in redesigning the proposal and council in assessing it. The urban designers’ were also exhaustive in their repeated assessments, although for the most part their attention was on matters other than heritage. Finally, the consent planner saw that the proposal as first lodged “was a shocker” and, as additional information was made available, he came to understand the significant of the site.

More than the other cases, two important factors in this example relate to the particular *development characteristics* of the site. For one, Futuna Chapel is held in extremely high regard and indignation at the development was widely expressed before, during and after the consent was implemented. For instance, numerous Letters to the Editor were forwarded to Wellington’s daily papers, including one that lamented “now I know what is meant by desecration”, following a visit by the author to the site (Billington, 2004). A second characteristic is the sheer intensity of development that appalled and outraged local residents, council staff, and the Historic Places Trust alike. It was clearly a situation where the developers’ goal was to maximise the financial returns possible.

There is an addendum to this story, which provides further evidence of the developers’ lack of regard for the building’s heritage values. The council became aware during the construction phase of damage to the exterior of the building and the threat to interior features as well (the developers were using the Chapel to store building materials). Consequently, an interim enforcement order was served on the owner and a district plan change was hastily prepared in 2002 to identify the context of the chapel as contributing to the building’s heritage values, as well as the interior fittings and fixtures. Wellington City Council’s District Plan

Hearings Committee approved the plan change and the developers did not appeal the decision to the Environment Court. As a consequence, provisions have now been introduced to the plan that require resource consent as a Discretionary Activity for any development within the open space surrounding the chapel, as well as any alterations to the building's interior and exterior.

Conclusion

This chapter has considered in detail the district plan implementation process followed for resource consents that either complied with the district plan or else failed to do so. The aim was to explore the extent to which the plan influenced the shape of the development proposals and to identify the factors that motivated both applicants and council personnel during the decision-making process. To this end, two buildings from Wellington and two from North Shore were chosen because their heritage values had been significantly enhanced as a result of consented changes. Similarly, four buildings were chosen (again, two from each city) as their heritage values had been substantially undermined. In making these selections, I was satisfied that they were excellent cases for demonstrating, intensely, when and why both desired and undesirable outcomes were obtained via the development control process.

The reasons why positive outcomes were obtained is relatively straightforward. Most importantly, the resource consent applicants displayed a personal desire to undertake modifications to the buildings that were restrained in terms of the scale of change. This was complemented by the skill of the architectural designers who turned the owners ambitions into a successful scheme. As a consequence, the role of the councils in assessing the applications was essentially a minor one ranging from 'rubber stamping' the applications soon after they were lodged, as was the case for the two North Shore villas, to making suggestions for improving aspects of the design, as in the example of The Vic. In these three cases the applications were handled quickly by the council and consent was forthcoming without fuss. The exception to this scenario is the development of the Wellington Central Fire Station where the building's owner initially wanted to pursue alterations aimed at improving the usability of the building, but at the expense of its heritage values.

This necessitated a greater degree of compulsion by council staff during negotiations and, while not overly happy about it, the owner complied fully with their wishes.

While the explanations for the adverse consent outcomes are more complex some observations are easily made. The applicants often had the opposite reactions and responses to their counterparts above, notably: 1) they exhibited a general lack of interest in, and/or understanding about, the heritage values that the plans' seek to protect; 2) they doggedly pursued changes that were out-of-scale with the subject buildings; and 3) they resisted council officers' efforts to intervene and influence their plans. Other factors were also influential, including the fact that the district plans at times failed to recognise fully the heritage values of the properties and/or regulate the activities that ultimately impinged upon those values. The council officers also dropped the ball on a couple of occasions by not adequately addressing the significant areas of non-compliance with the plans' assessment criteria.

These cases have shed light on when and why the efficacy of the plan's causal and implementation theories are realised in practice. The examples suggest that the plans' cause-effect assumptions are largely sound although there are undoubtedly gaps, notably the failure of the Wellington plan to control the erection of new structures buildings and North Shore's fixation on pre-1930 dwellings. For the most part, though, its key aspects of the implementation theory were not realised during the resource consent process. This related to a wide variety of matters, including the quality of the plans, the capacity and commitment of applicants and council personnel, power imbalances in the negotiation process, and the scale and nature of the proposed activities. The degree to which these aspects compromised the effectiveness of the plans is explored in the following chapter.

CHAPTER 8

Exposing the Factors that Promoted and Inhibited the Plans' Theory of Change for Built Heritage

Introduction

Thus far in the thesis three of the four research sub-questions have been addressed, namely:

- *How are the district plan provisions intended to influence environmental outcomes for built heritage?*
- *How closely do the environmental outcomes of development activities correspond with the district plans' goals for built heritage?*
- *How does the plan implementation process influence the attainment of environmental outcomes?*

As a result, the three research objectives that correspond to these sub-questions have been met. First, the implicit 'theories of change' (that is, the causal and implementation theories) that underpin the built heritage provisions in the Wellington and North Shore district plans have been modelled (Chapter 5). Second, the range of consent outcomes that were achieved over a 10 year period (1995-2004) for a sample of buildings in each city have been exposed, including analyses of the extent to which the consents complied with the plans' assessment criteria (Chapter 6); and third, the reasons why plan implementation led to both very good and very poor outcomes for four properties in each city have been investigated (Chapter 7).

The findings hitherto demonstrate that good outcomes for heritage buildings via the resource consent process are far from assured and that a multitude of factors can influence the level of conformity development proposals achieve with district plans' heritage provisions.

The aim of this penultimate chapter is to tie together the findings outlined in the previous three chapters. I make conclusions about the effectiveness of the plans' causal and implementation theories, and the substantive and contextual factors that have worked in favour or against the realisation of the plans' theory of change. In this way, I address the fourth and final research sub-question: *what factors promoted or inhibited the successful implementation of the district plan's built heritage provisions?* The corresponding research objective aims to identify and explain the main factors that influence (promote or inhibit) successful implementation of the district plans' built heritage provisions, in order to test the effectiveness of their causal and implementation theories. In doing so, I expand on the assertion made in Chapter 7 that failure to comply with the plans and the resulting poor outcomes are largely a product of 'implementation failure' rather than 'theory failure' (that is, the causal assumptions underpinning the plans).

To begin the chapter, I critique the plans' causal theory to determine how closely it was realised in practice based on the evidence presented in Chapters 6 and 7. I then turn attention to the implementation theory and describe the implementation context that supports good as well as poor outcomes by highlighting the key administrative factors that were instrumental in enabling or disabling the plans' causal theory. Finally, I outline a number of substantive and procedural implications for the two case study councils (and councils generally) arising from the findings.

Causal Theory

Chapter 5 set out the causal theories on which the heritage provisions in both district plans are premised. The information came from two sources: first, workshops with council personnel responsible for drafting and implementing the plan's heritage provisions; second, content analyses of the plans themselves as well as supporting documentation. This information showed that both plans include a combination of regulatory and non-regulatory methods, in order to promote development proposals that comply with the plans' goals.

A Critique of the Effectiveness of the Plans' Causal Theory

The remainder of this section considers whether the plans' causal theory was effective or not, in light of the findings in chapters 6 and 7. This is done by considering when and why the resource consent process engendered the desired response and reaction in the applicants. As already mentioned, the plans' interventions largely enabled the councils to intercede in the development process when necessary and endeavour to influence the decision-making of owners. Nevertheless, a number of gaps in the assumptions underpinning the plan provisions were evident and these oversights, as well as the positive aspects of the causal theory, are discussed below.

Intervention in the Development Process

When considering the plans' causal theory the question that needs to be asked is: did the plan-makers' assumptions inherent in the plan provisions play out in practice? In this regard, I believe that the plans' causal theories are largely sound. Both plans required a resource consent application to be submitted for exterior additions and alterations (and signage in Wellington). As the consent data presented in Chapter 6 revealed, additions and alterations are by far the most prevalent activity in both cities capturing 84% of the consents in the Wellington sample and 75% of the consents in North Shore. The plans also necessitate consent for any demolition or removal of a building and in Wellington that also applies to partial demolition or removal. North Shore's plan further requires consent for new buildings, which is broadly applied to include new dwellings, minor residential dwellings and accessory buildings. Therefore the plans are clearly enabling the councils to intervene in a range of development proposals that can and do undermine the heritage values of buildings.

However, the plans' provisions are not fool-proof and several discrepancies that constrain their overall effectiveness are apparent. In Wellington there is no heritage rule governing new buildings, as was shown up in the Futuna Chapel example where

the developers left the listed building unaltered whilst densely packing residential units around it (and covering the whole site). Despite the fact that this had a significant impact on the Chapel's heritage values, the heritage provisions were not triggered, a situation that the developer's architect acknowledged as a "most unsatisfactory scenario".

Similarly in North Shore, the 1930 cut-off date for dwellings that the plan seeks to protect limits the council's ability to consider the impact of development on buildings constructed later than this time. So, while the plans required consent for a wide range of activities, the ability to fully avoid, remedy, or mitigate adverse effects on the area's heritage values is inhibited by the fact that council is obliged to discount effects on post-1930 buildings. This was aptly demonstrated by the consent application that sought and achieved the removal of a 1930s Art Deco dwelling despite strong council opposition. Another deficiency is that the North Shore plan does not require consent for the erection of fences in the front yard. As was shown in a number of examples in Chapter 6, obtrusive fences have been constructed, some of which have had an adverse effect to a similar degree as an accessory building sited in the front yard.

Increasing Applicants' Commitment to Comply

The primary intervention that aims to increase applicants' commitment to the plan is by way of financial incentives, whereby development proposals that involve the conservation and restoration of important features of a building, or to strengthen it against earthquake damage in Wellington, may be eligible for recompense from each council's heritage fund.

Financial Incentives: Wellington

Wellington City Council has provided considerable financial assistance to listed building owners. With respect to earthquake strengthening, the fund has been effective in encouraging many owners to retain and upgrade their buildings. Council

has been proactive in identifying at risk buildings and assisting owners to upgrade them to the standard required under the *Building Act*. In this way, 45 heritage buildings were allocated a total of \$490,000 in grants by the council from 2000 to 2004 to help cover costs of strengthening (Wellington City Council, 2006).¹

Testimonies presented in Chapter 7, however, showed that the Wellington heritage fund does not always increase the commitment of an owner to comply with the plan. As demonstrated in the example of The Vic, the applicant wanted to undertake a proposal that involved minimal change to the exterior of the building and that retained and enhanced important features. While the applicant was aware of the heritage fund, and did apply successfully for a grant, he viewed it more as recognition for their efforts rather than as an incentive that shaped the design.

This view is supported by two other cases, namely the Cambridge Hotel and Erskine College (refer to p.177 in Chapter 6 for details on these consents). In both instances, the applicants were offered a grant from the heritage fund, which was taken up by the owners of the Cambridge Hotel, but rejected by the owners of Erskine College. Having spoken to people involved in the Cambridge Hotel development, it is clear that the applicants were committed to undertaking a development that retained and enhanced the building as they saw this being a smart thing to do for their business. That is, they were keen to enhance the hotel's distinctive character so as to appeal to their customer base. It was the heritage advisor that suggested to the applicants that they apply for a grant and she oversaw the processing of the application.

In the case of Erskine College, a substantial amount was offered to the developer (\$75,000) in recognition of the sensitive restoration of the prominent three storey balcony and to also assist with earthquake strengthening of the building. However, he declined that money because a condition of the grant required that an encumbrance be

¹ The new *Building Act 2004* has increased the standards required for earthquake strengthening in New Zealand. This has the potential to undermine Wellington City Council's (and other councils') efforts to protect built heritage, as buildings that have already been upgraded may not meet the current thresholds.

placed on the properties' certificate of title stating that the building could not be demolished for 18 years. For the developer, that fishhook outweighed any benefit, which meant that the grant was not a sufficient incentive. This indicates that, while the heritage fund is a useful way of compensating owners who undertake enhancements to their buildings, on its own it does not necessarily shape their commitment to do so.

Financial Incentives: North Shore

A heritage fund was similarly established in North Shore in 2003, but it has had very limited influence on development outcomes in the Residential 3 zone, as was foreshadowed by the North Shore City Council personnel who participated in the RAP workshop. In fact, of all the consents that were assessed as part of my research, only one applicant received a heritage grant.²

Four reasons are apparent for the lack of take up of grants in North Shore. First, a limited pot of money is available – \$65,000 annually – which constrains the number of conservation projects that can be funded. Second, the money is available to both owners of listed heritage buildings, of which there are over 400 in the plan, as well as for residents in the Residential 3 zone. To date, greater emphasis has been placed on funding restoration projects involving listed buildings. This is demonstrated in Figure 8.1 (following page), which shows that a total of 39 grants totalling around \$233,000 have been allocated since 2003, at an average of 3:1 in favour of listed buildings. Ten grants totalling \$60,000 were funded for Residential 3 properties whereas 29 grants totalling \$173,000 were given for projects involving listed buildings.

² That particular development turned out badly because the applicant undertook work that was contrary to the terms of the grant. As a result, the full amount (\$5000) was not paid out.

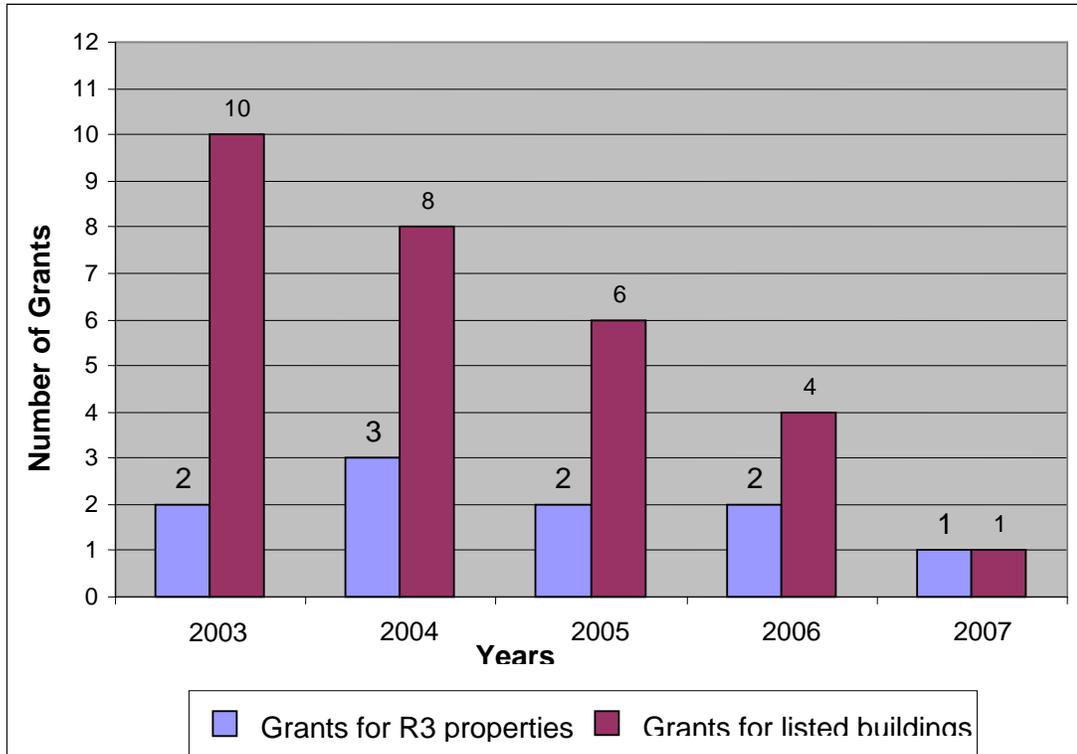


Figure 8.1: Allocation of Grants from North Shore's Heritage Fund, 2003-2007

Third, there has been a lack of publicity about the fund in recent years which has led to low levels of awareness about the grants and, as illustrated in Figure 8.1, a decline in grants applied for and approved overall. This has meant that the fund, despite its relatively small size, has been under spent in some years. Fourth, even discounting the low probability of owners of Residential 3 properties receiving funding, the sheer size of the zone (in excess of 4000 properties) means that a grant will have a minute effect on the area's heritage values.

Increasing Applicants' Capacity to Comply

The third mechanism of change in the two plans relates to interventions that aim to increase the capacity of the applicants to comply with the heritage provisions. This is largely achieved through the availability of heritage advisors who provide guidance to owners and who judge specific development proposals. The heritage advisors were dominant in the process for the consents examined in Chapter 7 and their input often

led to improvements to the initial proposals. As a consequence, this aspect of the plans' causal theory played out positively in most cases.

Council heritage advisors were able to point out to applicants where their proposals did not comply with the plans' assessment criteria and suggest ways in which the design could be amended accordingly. An example of this is The Vic where the changes suggested improved the outcome for that building. Similarly for the Central Fire Station, the heritage advisor was able to identify at an early stage (a pre-application meeting) several aspects of the scheme where the consent failed to comply with the plan, notably the planned removal of the original steel windows. In these cases, the heritage advisors' input was central to improving the outcomes for the buildings; for the former the owners were already pursuing work that would enhance the building's heritage values, although in the latter case the outcome would have been adverse. For Futuna Chapel, even though the heritage advisor was essentially shut out of the resource consent process she still influenced the development by engaging specialists to generate information that was not available at the time.

This was not always the case, however, as shown in examples of the Johnson and Edilson Building in Wellington and the transitional/bungalow and Art Deco dwellings in North Shore. This was largely because of factors that worked against the heritage advisors' counsel being heeded. In other words, it was not that the heritage advisors were not trying to negotiate changes with the applicants, but rather that they came up against significant barriers in terms of plan quality and the willingness of applicants to listen.

Compelling Applicants to Comply

The fourth mechanism of change aimed to compel applicants to comply with the plans in the event that the preceding mechanisms failed to 'trigger'. As was seen in a number of examples in Chapter 7, the council personnel were very successful in

getting reluctant applicants to change their proposals. This occurred in instances that led to not only an enhancement of values but also a loss. For example, the applicant for the Central Fire Station development was very grudging to change aspects of the proposal, but capitulated because he felt that the council had the upper hand. In the case of Futuna Chapel, the council personnel impeded the developers' attempts to maximize the development potential of the site and were successful insofar as forcing the applicant to substantially revise their scheme. The decision to publicly notify the application was the main impetus for the change of heart in this case.

In other situations, council staff were not successful in their bid to sway applicants. The owners of the Art Deco dwelling in North Shore, for example, were adamant that they wanted to be rid of the building so that they could build a new home. Despite protracted attempts by the heritage advisor to persuade the owners to retain the dwelling, reinforced by strong opposition from the Commissioners, the owners had their way and the building was relocated. Again in North Shore, a heritage advisor allowed the owners of the transitional/bungalow dwelling to radically alter its historically and architecturally defining features, even though he expressed reservations about the merits of the scheme. Similarly, the balcony addition to the Johnson and Edilson building went ahead despite doubts by the urban designer and heritage advisor over the proposal.

There are a number of reasons why council personnel were unable (or unwilling) to secure a better outcome in these instances, including perceptions that the plan did not enable them to force the owners to comply, unwillingness on the part of the applicants to amend their proposals, conflicting opinions about the merits of the proposals being expressed from others involved in the decision-making process, and pressure to meet statutory deadlines for the granting of consents. Each of these factors is related to the implementation theory of the plans and thus suggests that the inability of the councils to influence the outcomes in these examples was a direct result of implementation failure.

Summary of Key Factors Influencing the Effectiveness of the Plans' Causal Theory

The effectiveness of the plans' causal theory for built heritage protection are summarised in Table 8.1 (following page). The aspects of the theory that proved effective in practice are shown in the middle column. In particular, the plans provided the councils with an opportunity to influence decisions affecting the use of heritage buildings in many instances. Council personnel were often effective in raising owners' awareness about their buildings and negotiating amendments to proposals. This was supported by heritage grants in Wellington that led to the retention of many buildings that were susceptible to earthquake damage.

Table 8.1: Key Factors Influencing the Effectiveness of the Plans' Causal Theory		
	Causal Theory Effective	Causal Theory Ineffective
Intervene in the Development Process	<ul style="list-style-type: none"> ▪ Heritage rules for activities that cause adverse effects, particularly additions and alteration, and demolition and removal, enabled council intervention (both plans) 	<ul style="list-style-type: none"> ▪ Lack of a heritage rule for new buildings (Wellington), front yard fences (North Shore), and the pre-1930 'cut-off' date (North Shore) restricted or prevented council intervention
Increase Applicants' Commitment to Comply	<ul style="list-style-type: none"> ▪ Grants for earthquake strengthening encouraged owners to retain their buildings (Wellington) ▪ Heritage grants rewarded applicants whose development proposals complied (Wellington) 	<ul style="list-style-type: none"> ▪ Heritage grants not targeted or sufficient for Residential 3 property owners (North Shore) ▪ Condition attached to heritage grant requiring retention of building was unacceptable for some developers (Wellington)
Increase Applicants' Capacity to Comply	<ul style="list-style-type: none"> ▪ Specialist advice from heritage advisors led to positive amendments to proposals ▪ Research commissioned by heritage advisors informed applicants (and others) about the effects of proposals 	<ul style="list-style-type: none"> ▪ Lack of heritage rules for certain activities restricted or prevented input from heritage advisors ▪ Poor implementation undermined heritage advisors' input, e.g. plan quality, willingness of applicants to negotiate etc.
Compel Applicants to Comply	<ul style="list-style-type: none"> ▪ Ability to publicly notify or decline applications (both plans) ▪ Applicants' perceptions of the power wielded by council staff (both plans) 	<ul style="list-style-type: none"> ▪ Inability to publicly notify or decline applications (both plans) ▪ Lack of heritage rules for certain activities (both plans)

The right hand column points out gaps in the plans' causal theory. The lack of rules in both plans to control the adverse effects of certain development activities was the predominant deficiency. This limited or excluded council involvement in the development process. The heritage grants in North Shore were ineffective in securing positive outcomes in the Residential 3 zone. As mentioned, factors relating to plan implementation help explain why aspects of the causal theory were ineffective and these are outlined in the following section.

Implementation Theory

The plans' implementation theory is the set of suppositions about the contextual conditions necessary for a plan to be effective, that is, for the causal theory to work in practice. It comprises five groups of interrelated factors that influence the degree to which plan policies are implemented via the resource consent process. In this section, each aspect of the plans' implementation theory is looked at in turn, beginning with the quality of the plan.

Plan Quality

The following three facets of plan quality are examined in this sub-section: 1) the strength of the rules; 2) the degree of internal consistency within the plans' heritage section; and 3) the level of implementation guidance offered.

Weak Plan Rules: Controlled Activity Status

Without doubt, the Controlled Activity status assigned to heritage rules in the district plans was a substantial barrier to achieving good outcomes, especially for additions and alterations which were prevalent in both cities. This was identified as a severe deficiency in the plans by every council staff member that I interviewed. The predominant misgiving was that the councils had no ability to decline such consents, even if they found that a significant loss of heritage values would result. The

application outlined in Chapter 7 for the balcony addition to Wellington's Johnson and Edilson building is a case-in-point.

The councils' rationale for using the Controlled Activity status rather than a more stringent rule category was twofold. First, it offered a way to soften owners' reactions against the potential loss of development rights arising from their properties being singled out in the plans, especially given that a large number had been nominated for listing in Wellington³ and incorporated in the North Shore's Residential 3 zone. This was on the basis that, while a resource consent application was necessary, council was obliged to grant it. Further, given that the RMA Act anticipates Controlled Activities to be those that have only a minor impact on the environment, the Act expressly states that public notification is not required. Moreover, councils can opt to waive the requirement in the RMA Act that applicants obtain the written approval of parties judged affected by a proposal. The councils, therefore, hoped that the Controlled Activity status would provide owners with confidence that their buildings could still be adapted with a minimum of fuss.

Second, at the time that both plans were drafted (in the early-mid 1990s) council personnel believed they would be able to avoid, remedy, or mitigate adverse effects arising from applications for Controlled Activities by imposing appropriate conditions of consent. This was allowed by the RMA Act provided that any conditions related directly to the matters over which control had been exercised in the plans. In other words, while the councils had no choice about granting the applications they did expect to influence outcomes by ensuring that the consents incorporated any necessary provisos. The Controlled Activity status was thus seen by the council decision-makers as a balance between protection of heritage values on one hand and flexibility and certainty for owners on the other. This was a popular approach at the

³ According to heritage consultant Michael Kelly (2000, p.133), Wellington City Council's wish to list over 500 buildings in the plan's heritage schedule was "a comprehensive, even ambitious venture."

time the first generation district plans were being prepared and many other councils relied on the Controlled Activity status for the protection of built heritage.⁴

However, as revealed by the consent outcomes in Chapter 6, councils' intentions were thwarted in practice as the Controlled Activity rules proved ineffective in many instances. This was due in large part to the fact that the definitions of additions and alterations in both plans were too broad and so failed to discern between small-scale changes and those that had a larger impact. In the experience of a consent planner at North Shore City Council, the Controlled Activity status was only strong enough for applications that involved minor work, but not for proposals that involved a more substantial degree of change. Similarly, a policy planner at Wellington City Council said that the additions and alterations rule was suitable for "changing a window or door", but that it was not geared up for wholesale modifications, for instance rooftop additions to listed buildings.

The inability of the rules to effectively control intensive development was further exacerbated by case law, which deemed that conditions placed on consents by local authorities could not have the effect of declining the activity for which consent was sought. In practice, this meant that the councils could not impose conditions that prevented applicants from undertaking the activities they were seeking consent for, such as adding extra stories to buildings, even if the potential impacts on heritage values were dire. The extent to which the Environment Court's ruling limited the imposition of conditions was a moot point in Wellington. One heritage advisor there considered that the level of restriction on conditions was more perception than reality. In support, a senior Wellington policy planner said that he had been keen to "stand up and be counted" over the issue by defending in court any conditions that the council thought were necessary. However, he maintained that he could not get the support of the resource consent planners to do so.

⁴ As shown in a number of reviews of district plan heritage provisions, namely Woodward, 1996, Ministry for the Environment, 1997, and Mason, Day and McEwan, 2006.

As a consequence, many of the council personnel that I spoke to, particularly the heritage advisors, said that they were reliant on “persuasion”, “arm twisting” and “bluffing” as a means of getting developers to amend their proposals so as to better comply with the plan. In other words, staff attempted to exploit the ignorance of applicants by giving the impression that they had more power to intervene in their development plans than was the case. This approach certainly had success, as shown by the application to alter the Central Fire Station in Wellington. Nevertheless, this ability to dupe applicants was hampered by other developers who held firm to their intentions.

A More Stringent Rule: Demolition and Removal

In contrast, key informants considered that the more stringent rules regulating the demolition or removal of buildings were far more effective. For instance, a heritage advisor at North Shore City Council thought that “the ability to say no has been a big plus” and another council staff member was “surprised that we haven’t had more applications”. In Wellington, a Historic Places Trust representative judged that the stronger rule had been effective in deterring owners against demolition of listed buildings. In fact, he was aware of only one building that had been demolished since the plan had been notified (in 1994) and thus held that council personnel were effective in dissuading developers at the pre-application stage. A long-standing and now senior member of the planning team within Wellington City Council said that from the start the council (led by several passionate politicians) wanted to prevent the destruction of historic buildings that was evidenced during the 1980s when there were few planning controls. This desire resulted in the large list of buildings being included in the heritage schedule, the tougher rule category being applied, and the heritage fund being established to encourage positive development. These views and experiences are reinforced by the finding that very few applications in either Wellington or North Shore were submitted to council for demolition or removal.

Poor Internal Consistency

As explained in Chapter 2, internal consistency was a criterion used in the on-going research programme on Planning Under Cooperative Mandates (PUCM) to gauge the quality of RMAct plans. It refers to the hierarchical and feedback relationship between provisions, namely the objectives, policies, methods (including rules), assessment criteria, and anticipated environmental results (Ericksen et al., 2003). Flaws in both the Wellington and North Shore district plans undermined the internal consistency of the heritage provisions, namely the limited scope of the heritage schedule in Wellington's district plan, and the fixation with pre-1930 dwellings in North Shore.

Wellington District Plan: Heritage Schedule Undermines Rules

As noted, the Wellington district plan heritage schedule predominantly identifies the exterior of individual buildings, which means that only physical change to the external fabric of a building and in a number of cases one or two façades are subject to the rules. The risk is that any changes to the building beyond the protected façade(s), such as to the roof, would not require consent under the heritage rules and effects on the heritage values of the building may be ignored. Similarly, the group value of listed buildings in the central business district is not recognised, even though nearly all buildings in some streets have been listed. Interior elements are also only protected for a minute number of buildings (about 1%).

This gives the appearance of a plan that has the wish to protect heritage in its broader sense, but not the will. The result is a regulatory framework that essentially protects the streetscape values of historic buildings, but not necessarily their heritage values. Put another way, the heritage objective, policies and assessment criteria imply that the plan is seeking grander outcomes than the current rules can deliver given the limited scope of the heritage schedule. Coupled with the Controlled Activity status for additions and alterations, the ability of Wellington City Council to influence outcomes has been severely limited as a result. The Futuna Chapel case clearly

showed that simply protecting the outside of buildings cannot prevent their heritage values from being compromised.

North Shore District Plan: Pre-1930 vs. Post-1930 Dwellings

North Shore's district plan states that buildings constructed prior to 1930 reflect the predominant character of the area and that the public supports the retention of this character through the planning mechanisms in the Plan. This meant that the 'cut-off date' elevated the importance of buildings constructed prior to this time at the expense of those built later, rather than focusing on the extent to which a building contributes to the area's heritage values. As evidenced by the consent application involving the removal of the 1930s Art Deco dwelling, houses constructed after 1930 can still add to the character and amenity values of the street. This example clearly highlights the risk of protecting buildings based solely on their date of construction.

While support for protection at the time the district plan was drafted was for buildings constructed before 1930, the risk of using a fixed date is that public tastes may change faster than planning provisions. Additionally, being less concerned about changes to post-1930 buildings may mean that the quality of later residential developments has already been undermined by the time the public (and district plan) support their protection.

Degree of Implementation Guidance

The final matter relating to the quality of the North Shore plan is the extent to which the heritage provisions provided guidance to those implementing the plan, including applicants.

North Shore District Plan: Heritage Protection vs. Maintenance of Character

An important issue in this regard is whether the Residential 3 provisions are concerned with retaining the authenticity of individual dwellings, or whether it is simply interested in encouraging development that reflects the general character of

the area. In this regard, the review of resource consent outcomes revealed that additions and alterations often did not maintain the heritage values of individual properties (just over half of the consents were assessed as leading to a loss of heritage values). However, the same consents were largely considered to maintain the more generic concept of ‘streetscape character’.

One heritage advisor believed that the plan was confused about what it was trying to achieve and that the words used were ambiguous. He argued that the provisions were largely concerned with maintaining the visual amenity of the zone rather than protecting the heritage values of individual houses. In his experience, when deciding on the merits of applications, Commissioners gave overriding weight to issues of visual amenity rather than heritage “purism”. Consequently, he stated that when assessing applications (as he did for the transitional/bungalow dwelling) he looked more at the features that are common to the Residential 3 zone as a whole rather than being concerned with whether development retained the authenticity of the subject houses.

This stance was backed up by a consent planner at the council who said that it would help her job if the provisions were more prescriptive with respect to what changes are appropriate. She felt that the assessment criteria needed to use stricter language, for example you *must* retain the original style and form of the dwelling, use timber joinery etc., rather than this being the *preferred* option. She also felt that historical information about individual houses, such as the original plans and details of its previous use and development, should have to be provided with the resource consent applications so as to better understand their historical values.

In contrast, when asked about the goal of the Residential 3 provisions, another heritage advisor contended that the plan aimed to maintain the existing character of the area, but that this involved recognising the detail of specific houses. That is, he considered that the maintenance of authenticity was an important function in protecting the area’s character. He was pragmatic, though, in his view about the

feasibility of protecting the heritage values of individual houses, particularly given the Controlled Activity status and what he considered to be a lack of awareness amongst the public about heritage. Thus, he contended that the pursuit of authenticity was “a luxury when you’re there on the battle front”. In his experience, this only came into bearing when there was a willing and capable owner, a point that is well supported by the findings in the previous chapter.

Planning Agency

Moving away from the content of the plan, this section examines the role played by council personnel in implementing its provisions. The consent process examined in Chapter 7 for the eight properties revealed that the *commitment* and *capacity* of the two planning agencies to implement the plans’ heritage provisions was generally strong, but variable. It also showed that a number of council staff have input into the process, namely heritage advisors, resource consent planners, and Commissioners (North Shore). Beginning with the heritage advisors, the influence of each of these planning agents on outcomes for built heritage in the two cities is considered further below, including discussion on the contextual factors that supported or inhibited their commitment and capacity to the plans’ heritage objectives.

Heritage Advisors: Wellington and North Shore

For the most part, the heritage advisors demonstrated a strong *commitment* to the goals of the plan and a *capacity* to provide sage advice to owners. They were often able to influence the design of consent applications and provide clear guidelines to the owners regarding the ways in which the schemes needed to be amended. Their input in the consent process was extensive and included discussing proposals at the pre-application stage, assessing applications once lodged, commissioning reports to assist in understanding the effects of proposals, negotiating changes with the applicants and their professional advisors, liaising with other council personnel, Historic Places Trust representatives and locals, and making recommendations to the

decision-makers. The input of heritage advisors was appreciated, including from several consent applicants who recognised the contribution they had made to the overall design of the proposal when granted. For instance, the architect who amended the Futuna Chapel proposal considered that the heritage advisors went “beyond the call of duty” by commissioning the heritage report and alternative design scheme.

Their job is not easy, however, and they were often dealing with developers whose plans went counter to the heritage provisions and who proved reluctant to alter their schemes. This was certainly the case for five of the eight development proposals examined in Chapter 7. In several of these examples, namely the Central Fire Station and Futuna Chapel, the heritage advisors were able to significantly change the initial proposals sought by the applicants and therefore help secure a better outcome that would have otherwise eventuated, although this did not always result in an enhancement of the properties heritage values.

In the remaining three examples, though, the input of the heritage advisors amounted to very little or no change to the applicants’ scheme. In the case of the Johnson and Edilson building, the heritage advisor and urban designer demonstrated they did have sufficient capacity because they were involved in other consents outlined Chapter 7 where the outcome was very positive. The urban designer argued that she was responding to pressure from the consent planner to get the consent granted and so decided not to request additional information that would have assisted her appraisal of the application. While this may be seen as a convenient excuse she was nevertheless very honest in berating her performance. Similarly, the heritage advisor maintained that she did attempt to sway the applicant, but was ultimately constrained by the Controlled Activity status.

The heritage advisors involved with the two North Shore properties (the transitional/bungalow and Art Deco dwellings) relayed similar reasons for why their efforts proved fruitless. For the former, it came down to the fact that dwelling was constructed after 1930 and so fell outside the purview of the plan’s demolition and

removal rule. For the latter, the main limitation was the heritage advisor's perception that the veranda could be considered in-keeping with the character of the wider Residential 3 zone even if it compromised the authenticity of the dwelling. The determination of the applicants to have their way is a common feature in each of these consents.

These cases show that the ability of heritage advisors to positively influence outcomes were constrained by other aspects of plan implementation, notably the quality of the plan, the commitment of consent planners to achieving good heritage outcomes, and the willingness of the applicants to negotiate.

Consent Planners: Wellington and North Shore

The consent planners also performed a wide range of duties in the course of the development control process. They had responsibilities for participating in pre-application discussions, identifying and assessing all relevant effects of proposals once applications had been submitted, seeking specialist input from a range of council departments and integrating their views, fulfilling requirements of the RMA in determining whether there were parties affected by the proposal that needed to be consulted and whether the applications warranted public notification, and ultimately resolving whether the applications were in conformity with the plans and thus able to be granted. In North Shore, the consent planners then took their deliberations to the Commissioners for resolution. Consent planners in Wellington, on the other hand, played a dual role as both 'processors' and decision-makers.

Working within similar constraints to the heritage advisors, the consent planners were influential at times (notably in the Futuna Chapel consent), but they were also singled out for the most criticism by other key informants. In particular, inexperienced planners were chastised for interpreting the plan rules in a rigid manner and lacking the *capacity* to negotiate a solution with developers. Planner's *commitment* to the plan's heritage goals were also questioned, particularly in Wellington, where they

were accused of being more concerned with processing consents within statutory timeframes than securing high quality outcomes.

Planners' Inexperience in Negotiating Heritage Outcomes

A senior policy staff member at Wellington City Council felt that there were issues surrounding the interpretation of the plan by resource consent planners, whom he believed struggled to secure consistency and continuity in their decision-making. A heritage advisor put this down to the fact that consent planners (particularly junior staff) did not talk to the policy staff in order to clarify the intent of the policies. She also contended that the consent planners were only concerned with the rules rather than the whole cascade, which she felt limited their consideration of the consents given they were for Controlled Activities in most cases.

In support of this view, a consent applicant in Wellington claimed that planners “are not doing their jobs properly”. He thought the problem was with “officious” and “pedantic” junior planners who “write everything down”. In contrast, he found that he was able to build up a good working relationship with the experienced planners who were able to take a more flexible view. In the applicant’s experience, planning works best when it is solutions focused and, to this end, he found that pre-application meetings had improved communication with Wellington City Council and allowed solutions to problems to be identified at an early stage.

The same issue surfaced in North Shore, with a heritage advisor there echoing the sentiments of Wellington key informants:

What I often find with planners is that someone will come in and test the waters about what they're proposing to do to a building and if that planner doesn't have any design background or ability to provide some constructive feedback, all they can do is say 'no that's not acceptable' and that's not much use to the person seeking the advice because you've left them with nothing positive to build on... I think you get more out of saying 'no I don't think that's positive but have you thought about doing this? Have you thought about doing that? This is what you could do' ... Planners aren't trained in that way they're just trained to look at the rules and tell you whether [a proposal] fits them or not. [Although] an experienced planner that does have good problem solving skills can do that...

Another heritage advisor pointed out that “In North Shore high earning professionals won’t take ‘no’” for an answer and, in his experience, landowners often knew what was protected in the plan, often consulting a lawyer for advice. Consequently, “stupid [decisions] by young planners” could lead to a furore where owners would go to councillors and create “a storm in a duck pond”. In his view, greater contact between consent planners and owners would help this situation but he said this seldom occurred because the planners were working under time pressure to process the consents. Since junior planners populate most councils and there is high turnover of staff (O’Callahan and Sweetman, 2006a; 2006b), this is a worrisome finding that has implications for other matters dealt with under the RMAct.

Processing Speed versus Quality Outcomes

A major concern expressed by many in-house key informants was the emphasis planners placed on the speed with which decisions were made rather than the environmental effects of those decisions. This was certainly the complaint laid by the urban designer against the planner responsible for deciding on the balcony addition to the Johnson and Edilson Building. In support, the consent planner in Wellington who oversaw the Futuna proposal argued that the requirement in the RMAct for decisions on non-notified consents to be made within 20 working days impeded planners’ ability to secure good outcomes (the Futuna application took a year to be granted). This is exacerbated by the fact that around 97% of consents granted by Wellington City Council each year are non-notified (the figure is around 98% for North Shore City Council; Ministry for the Environment, 2007). The issue seems to be more acute in Wellington, perhaps due to the fact that planners there have the final say on whether consent is granted, whereas planners in North Shore must take their recommendations to the Commissioners. Furthermore, applications in Wellington tend to be more complex and of a larger scale, as they typically involve commercial development.

According to several Wellington staff members, the pressure to comply with the 20 working-day requirement was intensified by the large number of consents that

individual planners were processing at any one time. One heritage advisor noted that planners deal with “hundreds of resource consents” and are under considerable pressure from developers to grant them with a minimum of fuss. Another agreed that the planners were “completely overwhelmed” by the volume of work and the pressure to get consents though in time. Similarly, an urban designer thought the timeframe for decisions was too short, but that the council and planners take it “very seriously”. She argued that this was demonstrated by the fact that the council recorded the *time* when applications were handed over the counter, not just the date, and that she had seen planners “scampering around” in the morning to get a consent signed off before the deadline was up. These skewed priorities were held as the main reason why there was a high turnover of staff within the council.⁵

As noted in Chapters 2 and 3, concern about efficiency as opposed to effectiveness is a hallmark of the neoliberal economic model introduced in New Zealand and other western countries. As a consequence, planners have faced relentless criticism by central and local government politicians and developers for not processing consents fast enough. The Ministry for the Environment also exerts pressure by requiring councils to record the proportion of consents that are processed within and outside the statutory timeframe, and publishing the findings every two years. Thus, the 20 working day pressure is a national problem pushed by vested interests of developers and can only change if central government amends the RMA Act.

Commissioners as Decision-Makers: North Shore

Last, the decision-makers in North Shore showed that they were prepared to stand up to belligerent developers and compel them when possible, even if such a stance went against the recommendations of their advisors. They therefore displayed a strong

⁵ I endeavored to get information from the human resources departments of each council regarding the length of tenure that consent planners served. However, this was not possible because the databases of both councils could not be searched for such specific data. As an indication of the high turnover, none of the North Shore consent planners who processed the applications assessed as part of my research (the most recent being granted in 2004) remain at the council. Similarly, only one consent planner from Wellington City Council was still in the job.

commitment to the heritage goals of the Residential 3 zone. Regardless, they were not entirely consistent in their deliberations and proposals that they deemed to have less than minor adverse effects resulted in very poor outcomes, thus bringing in to question their *capacity* in these instances.

Key informants from North Shore were very positive in their views about the level of political support for the plan's heritage goals. In particular, they noted that the Commissioners who decided upon the resource consent applications demonstrated a strong willingness to challenge applicants if they found their proposals to be contrary to the plan's intent. In the words of one Heritage Advisor, the Commissioners were "committed, sincere and supportive" in looking after heritage for their constituency. The same staff member considered that the community was evenly split between those who supported heritage protection and those that did not, so the Commissioners were not simply taking an expedient political position and would stand by their decisions if they proved unpopular. Another heritage advisor believed this devotion was driven by Commissioners' personal interest in heritage: "some Commissioners are passionate about the area they live in and are making decisions about their patch."

A quote from a Heritage Advisor at North Shore City Council sums up the feelings expressed by interviewees regarding the commitment of the Commissioners:

I have to say that our politicians seem to be fairly willing to use arm-twisting and persuasion to get a better outcome and they've only failed when the person has been totally unwilling to take it on board. When they've [the Commissioners] been pushed to the limit, they've lost – the plan's let them down on the activity status. If they'd had the ability to say no they would be more successful because they have demonstrated that they are willing to say no.

For one Heritage Advisor, though, the lengths the Commissioners were prepared to go to at times amounted to "an abuse of power". Like other informants, he asserted that there was a "certain amount of bluffing going on" during the decision-making process because of the limitations imposed by the Controlled Activity status. However, in his view this resulted in the Commissioners unreasonably impeding applicants, for instance by making them obtain the written approval of neighbours

over matters of design (in one case the applicants wanted to use a flat roof form which the Commissioners did not like) rather than because there was a genuine encroachment on the neighbouring property. In the Heritage Advisor's opinion, this amounted to "a war of attrition" where owners succumbed to the Commissioners bidding simply to ensure the consent was granted. He felt that such approaches operated outside the bounds of the RMAct and were counter to a transparent planning process. Despite these ethical reservations, he thought the Commissioners were effective in securing better outcomes than would otherwise be realised.

A final point about the North Shore Commissioners relates to their capacity to assess the effects of development proposals. As shown in the consent for the transitional/bungalow dwelling, the Commissioners did not question the merits of the proposed veranda despite the fact that it was contrary to most of the district plan assessment criteria, and the heritage advisor exhibited discomfort about the degree of change the proposal would introduce. The outcome of this consent supports the view that the Commissioners are concerned with visual amenity only, that is, the degree to which proposed changes 'blend' in with the wider surroundings regardless of whether they are authentic to a property's architectural and historical qualities.

Developers (Consent Applicants)

Occupying the other side of the development coin are the private owners of heritage buildings and the professional advisors they engage. Together, they play a vital role because they are responsible for initiating the changes to buildings that the plans regulate and council staff respond to. The consent narratives presented in Chapter 7 showed that the values, perceptions, and motives of owners largely shaped the extent to which their development ideals conformed to the plan's heritage goals. This in turn dictated how hard pushed the heritage advisors, planners and others on the control side of the coin were during the resource consent process and, ultimately, whether or not the consent outcomes aligned with the plans' anticipated environmental results.

As with the planning agencies, the plans' implementation theory signals that two important characteristics of consent applicants affect administration of the plan: their *commitment* to the goals of the plan and their *capacity* to comply with it. The influence of each of these factors on plan implementation is considered below.

Applicant Commitment

The willingness of owners to undertake a development proposal that complied with the plans proved to be a crucial factor. Indeed, many of the key informants held that the commitment of developers to achieving the heritage goals of the plan was the most important requirement in the implementation process. As one heritage advisor from North Shore said:

My experience is that the outcome is dependant on the willingness of the person to take the advice... if you do have a willing listener there's potential for a good impact as it can lead them in the right direction and can give them options to pursue to retain the heritage values while meeting their needs.

Another North Shore heritage advisor agreed and found that his job was much easier when owners realised "that it's better to get 80-90% of what [they] want rather than try[ing] to push it all through."

A heritage advisor from Wellington City Council also contended that the "developers' attitude" was an important determinant in whether or not they were willing to compromise. This, she believed, depended on whether applicants felt a responsibility to the wider community and thus wanted to produce a good heritage outcome, or whether they simply "want[ed] to build a big tower". In her experience, where developers were genuinely interested in heritage they would take the advice offered by the council and apply it.

The examples of positive outcomes outlined in the previous chapter demonstrated that applicants who were willing to undertake work that met the plans' assessment criteria often did so without input from council personnel. In other words, they had

the desire and the wherewithal to plan and execute a development that retained and enhanced the heritage values of the buildings. This was demonstrated in North Shore by the two single bay villas and in Wellington by The Vic. What is consistent in these three examples is that the owners would not have had the plans designed in any other way. The direction for the schemes came from the owners and their architectural advisors were sufficiently skilled to design the plans in accordance with the owners' wishes. In the North Shore cases the councils' involvement in the consent process was largely token, amounting to a 'rubber stamping' exercise, which led me to conclude that the same outcomes might have arisen even if there were no plan provisions in place.

A consent planner in Wellington made the point that economics becomes an important consideration in the commercial development of heritage properties and that this could create difficulties when applicants treated a development as a "numbers game", as occurred in the Futuna development. A senior policy planner also pointed out that the plan has led to heritage buildings being retained when they might have previously been demolished (prior to the district plan). This has meant that some owners have been faced with the costs involved in earthquake strengthening, notwithstanding the fact that Wellington City Council helps to meet some of the expense. As a result, owners can push for more intensive proposals in order to make the development of a building economically viable.

Applicant Capacity

Turning now to the capacity of applicants to comply with the plan, one important feature is the quality of consent applications that were submitted to council, which reflects the sensitivity and skill of applicants and their advisors designing the scheme. Indeed, there were some very poor examples, as revealed by the applications involving the transitional/bungalow dwelling in North Shore and the Johnson and Edilson building in Wellington. The assessment of effects for the former comprised a one paragraph statement by the owner's son who stated that the work was necessary

because the existing (original) façade was “ugly”. Similarly, the applicant for the latter building designed a proposal that completely its heritage values and the assessment of effects failed to address even one of the plan's assessment criteria. As a consequence, the council personnel were at a disadvantage from the beginning with respect to assessing the effects of the applications and negotiating a more acceptable scheme. It is hard to understand why they accepted applications of such poor quality in the first place.

The design philosophy of the architects or draughtsmen involved in the applications was considered to be an important influence. For instance, a number of council personnel said that architects do not always value the architectural and historic qualities of buildings and instead want to stamp their own distinctive mark. In the experience of a heritage advisor in North Shore, some architects have a real feeling for the work and “don’t want to push the boundaries”. Others, however, want to design the latest styles “illustrated in the magazines”. Similarly, some architects were known to be “incredibly sensitive” about having their work scrutinised and challenged by council staff, and this was a problem that came up “time and time again”. There was also a perception in both cities that applicants were withholding information so that the council would not be able to accurately appraise the effects of a proposal.

Where applicants were prepared to pay for the services of heritage specialists, such as in the case of the Central Fire Station and eventually in the Futuna Chapel development, it made a notable difference to the quality of application, to the way in which it met the plans’ assessment criteria, and ultimately led to a better outcome. Thus, the capacity of the developers’ advisors was crucial as well, but that was ultimately dependent on the willingness of the developer to design a complying proposal. In the Futuna Chapel case, the applicant initially wanted to crowd the site with units in a profit driven development and they engaged consultants who would pursue that goal through the planning process. However, when the proposal met resistance from the council and the developer was told it would be notified, they

engaged someone who did have the capacity to design something better. The architect in this case had completed a heritage conservation course as part of their training and also appreciated the significance of the building and site.

An important distinction to make between the two case study areas is that development in Wellington was primarily for commercial activities (80%) whereas in North Shore it was dwelling owners undertaking changes to their house for their own benefit and enjoyment. So there was not the profit driven motivation in North Shore and there was in Wellington. Because there was a strong pecuniary interest for commercial developers in Wellington it meant that they had an incentive to spend money to get professional input. The capital gain in North Shore was not so much a factor (the gains would not be realised until such time as the houses sold) so there was not the same impetus or financial benefit to engage heritage consultants. A good example of this is the transitional bungalow where the owner's son opted to prepare the application himself rather than seek professional advice. He clearly lacked the capacity necessary given the woefully inadequate assessment of effects and set of plans that were submitted as part of the application.

Interactions between the Planning Agencies and Developers

Turning now to the interactions that took place between the planning agencies and developers, this sub-section considers the factors that influenced the negotiation position of council and applicants. It then briefly considers the enforcement style adopted in the councils, which has already been touched on above (in the sub-section on the planning agency).

Strength of Negotiation Position

All of the implementation factors covered in this section converged to influence the interactions between developers and council personnel. For example, the councils' negotiation position was often weakened (and the developers' position strengthened)

by poor plan quality, which meant that staff were limited in the degree to which they could encourage or coerce applicants to amend their proposals. Similarly, planners eagerness to have consents granted within the statutory timeframe to appease developers (and others) deflected their attention away from outcomes and reduced their commitment to the goals of the plan.

On the other hand, councils were able to promote better outcomes than would otherwise have occurred when the developers were willing to make amendments when requested. Given the Controlled Activity status, this strategy relied on applicants supporting the goal of heritage protection and so willingly adopting the councils' recommendations, or else believing that the councils had more power to influence their plans than was actually the case and acceding on that basis.

Notwithstanding the above, one factor stands out as being a crucial element in bolstering the councils position in the development control process, namely through pre-application meetings. Such discussions enable developers to spell out their objectives for a site and allow council personnel to identify potential adverse effects that will need to be addressed. The advantages of pre-applications meetings were emphasised by council staff, Historic Places Trust personnel and applicants alike.

To succeed, however, key informants stressed that the discussions needed to take place at an early stage in the development cycle before a developer had settled on a particular scheme. As one consent planner in North Shore has found, this is because "applicants [that] come [in] with set ideas of what they want are hard to shift." Similarly, an Historic Places Trust representative in Wellington highlighted that it is better if a developer consults with the Historic Places Trust at the pre-design stage because "if they have spent \$10,000 on plans they don't want to change them."

When these prerequisites were met council personnel felt that they were in a strong position to positively influence the design of a proposal in an amicable and less reactionary manner, rather than being forced to adopt more coercive techniques.

Depending on the willingness of the developer, they were also able to secure better outcomes than that sought by the plans, for instance in the case of Wellington's Central Fire Station where important interior elements were protected during the upgrade of the building. In these circumstances, a heritage advisor from North Shore claimed that the district plan becomes a backstop and "there could be anything in the district plan, but if you meet with [an applicant] first and negotiate an outcome it doesn't matter."

Enforcement Style Adopted by Council Staff

As signalled in the discussion above regarding the capacity of the planning agency, the two types of enforcement style presented in Chapter 5 are evident in the practice of staff in both city councils. In particular, consent planners were accused of adopting a coercive style of plan implementation that was dominated by their interpretation of the plan rules, and which relied on formal letters to communicate with applicants. On the other hand, the heritage advisors (and urban designers in Wellington) tended to communicate on a face-to-face basis with developers in order to negotiate the best outcome possible. They also were more facilitative in their style and tended less towards strict adherence to rules in favour of pragmatic solutions given the set of circumstances they were faced with. A North Shore heritage advisor summed up this approach when he stated that "there is no magic rule to heritage protection – it has to be dealt with on a case-by-case basis."

Development Characteristics

The final aspect of the plans' implementation theory relates to characteristics of the property being developed, as well as of the project itself. In terms of site characteristics, two factors were found to be influential, namely the heritage significance of listed buildings in Wellington, and the pattern of subdivision in North Shore. With respect to the development activity itself, the predominant influence on

outcomes was the scale and type of project being undertaken. Each of these factors is now considered.

Site Characteristics: Heritage Significance of Listed Buildings in Wellington

As the Futuna Chapel example aptly demonstrates, strong opposition is mounted when a building held in high public esteem is threatened from development. The significance of the Chapel was instrumental in the consent planner's decision to publicly notify the application. As already discussed, the plan-makers in Wellington wanted to provide as much certainty as possible to owners that they would be able to develop their buildings with minimal interference and so the plan expressly states that public notification is not required. As a result, very few of the development proposals affecting listed buildings in Wellington were notified (there were no notified applications in North Shore). However, given the outcry by the architectural community, the Historic Places Trust, and the public generally, the council committed itself to protecting the building's heritage values even though the plan's heritage provisions offered very little support.

The architect responsible for revising the application was keenly aware of this pressure and was also concerned that he would be "lambasted by fellow professionals" if he did an unfavourable development. He consequently felt that he was "putting his head on the chopping block" in taking on the project and did his "absolute level best to get a good outcome for all parties."

Site Characteristics: Subdivision Patterns in North Shore

On a different matter, the three suburbs that make up the Residential 3 zone in North Shore have different patterns of subdivision. For instance, Devonport is characterised by smaller lot sizes with houses being located close to the street. In contrast, properties in Birkenhead tend to have larger lot sizes and houses can therefore be situated some distance from the front boundary. Northcote is somewhere in between

and has a mix of lower and higher density sites. There were a number of implications of this diversity for plan implementation. For one, property owners who wanted to erect a carport or garage on smaller sites, typically in Devonport, were often restricted to the front yard because there was insufficient room for a driveway down the side of the house. As shown in Chapter 6, accessory buildings located in this way tended to have an adverse impact on a properties heritage values as well as the wider streetscape. The effects of activities undertaken on larger sites in the zone tended to be muted by the fact that they were further from the street and so less visible. On the other hand, owners with more spacious sites, typically in Birkenhead, tended to pursue more intensive forms of development, such as erecting minor residential units or, less commonly, infill development where new dwellings occupied the backyards of existing properties.

Development Characteristics: Project Scale and Type

A significant indicator of the quality of the consent outcomes in Wellington was the scale of the work being pursued by developers. As a general rule, proposals that introduced small-scale change in relation to the building's size had no impact on a building's heritage values or else led to a minor (and reversible) loss only. This is also true of development in North Shore, particularly when the work was also directed towards the rear of the properties to minimise its visual impact.

In contrast, large-scale development activities that introduced significant changes to the buildings tended to produce the worst outcomes. Examples in Wellington include the multi-unit development of Futuna Chapel, the balcony addition to the Johnson and Edilson building, and the addition of residential apartments to the rooftops of buildings. In North Shore, large scale changes saw the authentic facade of the transitional/bungalow dwelling erased and many other additions and alterations to pre-1930 dwellings reduced their architectural and historical authenticity. As noted, the definitions of additions and alterations are particularly problematic in this regard as they do not distinguish between developments of high and low intensity.

Summary of Key Factors Influencing Plan Implementation

This section has identified the key factors that influenced the implementation of the Wellington and North Shore district plans' built heritage provisions. These matters are summarised in Table 8.2.

Table 8.2: Key Factors Influencing Plan Implementation		
	Promotes Successful Implementation	Impedes Successful Implementation
Plan Quality	<ul style="list-style-type: none"> ▪ Stricter rules for demolition and removal (both plans) ▪ Clear implementation guidance via assessment criteria 	<ul style="list-style-type: none"> ▪ Weak rules for additions and alterations (both plans), new buildings (North Shore) ▪ Poor internal consistency (heritage schedule, Wellington; 1930 cut-off date, North Shore) ▪ Lack of implementation guidance (North Shore)
Planning Agency	<ul style="list-style-type: none"> ▪ Staff involved in discussions with developers at an early stage ▪ Skilled staff able to accurately appraise effects ▪ Decision-makers committed to achieving quality outcomes ▪ Staff and decision-makers able to persuade developers to amend plans 	<ul style="list-style-type: none"> ▪ Decision-makers focusing on process speed rather than quality outcomes ▪ Inexperience and/or lack of awareness about heritage amongst planners ▪ Lack of problem solving and negotiation skills amongst junior staff ▪ High turnover of planning staff
Developers	<ul style="list-style-type: none"> ▪ Personal motivation to protect heritage values ▪ Willing to undertake early discussions with councils ▪ High quality applications from appropriately skilled advisors 	<ul style="list-style-type: none"> ▪ Cost of adapting buildings (Wellington) ▪ Profit-driven motivation to develop (Wellington) ▪ Lack of regard for and/or awareness of heritage values ▪ Poor applications from unskilled advisors, or 'DIY' attempts from property owners
Relations between Planning Agency and Developers	<ul style="list-style-type: none"> ▪ All of the factors in this column 	<ul style="list-style-type: none"> ▪ All of the factors in this column
Development Characteristics	<ul style="list-style-type: none"> ▪ Significant heritage values (Wellington) ▪ Small-scale projects ▪ Subdivision patterns (North Shore) 	<ul style="list-style-type: none"> ▪ Large-scale projects ▪ Subdivision patterns (North Shore)

The middle column of the table illustrates the set of circumstances that promoted good outcomes for built heritage via district plan implementation in both cities. Conversely, the right hand column reveals the range of factors that have impeded implementation. The ways in which these factors work to influence the resource consent process are far from straightforward or uniform and they are not all brought to bear in a single development proposal. In the section that follows, I discuss some of the implications for the case study councils (and local government generally) that arise from these research findings.

Improving Plan Effectiveness: Learning from Plan Reviews

Testing a method for evaluating the built heritage provisions in district plans is in effect the application of a plan review, as required under the RMAct. Council staff and politicians can learn a great deal from such a review in terms of the effectiveness of their plan and how best to improve its provisions and their implementation. In this regard, the penultimate section of this chapter considers some practical and institutional implications for the case study councils. It also has lessons for councils in general operating under the RMAct. The section is divided under three headings that reflect the core aspects of planning (Litchfield and Pratt, 1998), that is: plan making; plan implementation; and plan review.

Implications for Plan Making

The quality of the plans was a major influencing factor on heritage outcomes in both cities. At present, plan outcomes tend to address only the aesthetic contribution older buildings make to the urban streetscape. In other words, heritage protection is relegated to a subset of urban design and fails to adequately provide for a building's architectural and historical values. To improve this situation it is clear that the plan provisions need to be sufficiently strict so as to provide councils with the leverage required to negotiate effectively with the applicants and, if needed, to publicly notify and/or decline an application when the adverse effects are significant. As was shown

in both councils, the Controlled Activity status for additions and alterations and new buildings severely constrains the councils' jurisdiction and prevents opportunities for public participation. Councils should therefore do away with Controlled Activities and impose a stricter rule category.

Moreover, for the rules to have maximum effect, the district plans need to identify more broadly the heritage values of the buildings that they seek to protect. For Wellington this requires scheduling the exterior of listed buildings (not just facades) as well as interiors and the building's setting. A rule that addresses the effects of new buildings on heritage values is also essential if the unanticipated and undesirable outcomes evident for Futuna Chapel are to be avoided in the future. Further, historic precincts need to be identified in the plan's heritage schedule so that the collective value of heritage buildings in close proximity can be taken into account in the resource consent process, rather than effects on individual buildings alone. In North Shore, the pre-1930 date limits the ability of councils to consider the effects of changes to properties with later dwellings. Therefore, an amendment is required that either removes the date altogether or at least changes it to include building styles from more recent periods. The North Shore plan also needs to be clearer about its intentions with respect to protecting the architectural and historical values of individual dwellings, as opposed to simply maintaining a generic visual character.

A final point, which also relates to plan implementation, is that the information provided in many of the consent applications was not sufficient to allow a full assessment of effects, and the approved plans often omitted important details such as existing elevations. The councils therefore need to lift the standard of applications they are willing to accept and the district plans need to specify in more detail the range of information to be provided.

Implications for Plan Implementation

With regard to plan implementation, the factor that influenced the quality of consent outcomes the most was the willingness of the applicants to take account of heritage values in their development plans. As has been illustrated, the consent process had a minimal effect on many of the best outcomes because the property owners exhibited a strong commitment and capacity to comply with the plans' heritage goals.

Nevertheless, given that heritage is inherently a value laden concept, it is inevitable that there will be tensions between council personnel and property owners regarding what development should or should not take place. Some developers will continue to value buildings in commercial terms only and 'push the boundaries' in seeking intensive development. Similarly, some architects are always going to resist councils' attempts to 'interfere' with their design flair. A more stringent regulatory framework as outlined above may well be the best option to *compel* the more belligerent consent applicants. Additionally, if the councils take a strong leadership approach by controlling more rigorously the effects of development on heritage values the level of public awareness and support for heritage protection may grow.

A number of options are available to increase the *commitment of owners* to comply with the plans. This includes offering a wider range of regulatory and non-regulatory incentives, such as allowing for transferable development rights (a method Wellington City Council used in the district scheme prior to the RMAct), waiving resource consents fees, and offering rates relief or rates 'holidays'. Greater publicity of proposals that lead to enhancements of heritage values could also be used to raise public awareness and support for heritage protection, for instance by instigating a high profile annual awards ceremony. Options such as these have been flagged by Wellington City Council in their Built Heritage Policy (2005), including a timetable for instigating changes.

Some of the institutional factors that have inhibited effective plan implementation are more embedded and thus harder to address. In particular, the difficulty retaining planning staff in local government is a substantial issue that cannot be alleviated by individual councils. A related concern is that planners lack sufficient knowledge about heritage management practice. This was viewed by specialists working across the heritage sector in New Zealand as one of the most significant barriers for local authorities in implementing the RMAct's heritage mandate (Day et al., 2007). This is a particular concern given that many councils in New Zealand do not employ heritage advisors and instead rely on the judgement of planners. Insufficient training opportunities at New Zealand's tertiary institutions were singled out as the main reason for this, which may be an indication that planning degrees are more concerned about planning procedure rather than substance.

There were also clear signs that both councils have been reluctant to restrict owners' development rights. This is manifest in the Controlled Activity status, which was seen as a compromise to appease owners who opposed having their properties singled out. The weak plan rules also shut the public out of the resource consent process despite strong public interest in heritage protection in both cities⁶ and the presumption under the RMAct that consent applications that have more than minor adverse effects will be publicly notified. The willingness of Wellington City Council to list only exteriors (or facades) is further indication of that council's reticence to impede owners' property rights, as is the practice in North Shore to accept unchallenged proposals that reduce the authenticity of individual houses. The fixation with RMAct timeframes for consent processing rather than environmental outcomes illustrates another institutional shortcoming that favours applicants over protection. This is a national level political problem, due to developer pressure on members of parliament, that has a strangle hold on council practice throughout the country.

⁶ For example, as evidenced in the councils' recent *Long Term Council Community Plans, 2006-2016*, prepared under the *Local Government Act 2002*, which identify built heritage protection as one of the priority outcomes sought by residents in each city.

This does need to be kept in perspective, however, bearing in mind that the heritage provisions significantly increased both councils' involvement in heritage management at the time the plans were drafted, and in the face of strong opposition by many landowners. Moreover, both councils have demonstrated a willingness to evaluate and improve the effectiveness of the heritage provisions, as discussed in the following sub-section, although their commitment is to be tested further in this regard as council decision-makers are yet to resolve whether to adopt the proposed changes or not. If the proposed plan changes are approved, many of the implementation challenges mentioned above will need to be tackled to ensure the enhanced provisions are given full effect.

Implications for Plan Review

Finally, I want to comment on the implications of this research for the third aspect of planning under the RMA, namely plan review. It is clear that evaluating whether or not well-intentioned plan provisions have delivered the desired results 'on the ground' is a crucial undertaking. This research has uncovered significant shortcomings that have led to the erosion of heritage values in both cities to an alarming degree. It is therefore of considerable concern that councils in New Zealand are not attempting to assess the impact of development on heritage values and the effectiveness of their plans' heritage provisions in curbing adverse effects. The same can be said for other matters dealt with in plans.

Plan Review as an Agent of Change

A particularly pleasing aspect of the research for me, therefore, is that both case study councils have acted upon the findings and significantly amended their plans' heritage provisions. The changes made are summarised below.

Wellington City Council notified *Plan Change 43 Heritage Provisions* (May 2006) and *Plan Change 48 Central Area Review* (September 2006), which propose:

- redrafted objectives and policies to emphasise the protection of built heritage in accordance with section 6(f) of the RMAct;
- removal of Controlled Activity provisions, and additions and alterations to listed heritage buildings made a Discretionary Activity (Restricted or Unrestricted, depending on the location and extent of proposed modifications);
- new rules controlling development on the site of a listed heritage building;
- creation of nine heritage areas within the central business district, and reduced building heights within those areas, to reflect the existing scale and built form;
- enhanced heritage area provisions, including control of the demolition or relocation of all buildings or structures (listed or not), subdivision and earthworks;
- new provisions outlining the information to be supplied with resource consent applications.⁷

Similarly, North Shore City Council agreed that the plan controls were not effective and the desired results were not being achieved in practice. Consequently *Plan Change 21 Residential 3 Zone: Built Heritage* was notified in March 2007 and proposes to:

- revise and expand the objective and policies to provide greater clarity that the goal is to protect heritage values of individual properties;
- protect dwellings ‘in the round’ rather than just those parts that are visible from the street, but with more flexibility at the rear;
- increase the activity status of additions and alterations and new buildings from Controlled to Restricted Discretionary;
- introduce controls on fences in the front yard;
- amend the date of houses that the plan seeks to protect from 1930 to 1940;
- require a contextual analysis to be included as part of the assessment of effects.⁸

⁷ Visit www.wellington.govt.nz/plans/district/planchanges/index.html for further details about the plan change

⁸ Further details on the plan change are available at: www.northshorecity.govt.nz/your%5Fcouncil/strategies%5Fand%5Fplans/Districtplan/Modifications.htm

The proposed changes take cognisance of the gaps in the plans' causal theory, notably the lack of control on new buildings in Wellington and the fixation on pre-1930 buildings in North Shore. With respect to the former, the Wellington plan change introduces a new rule that requires resource consent (as a Restricted Discretionary Activity) for any development on a site containing a listed building. This will enable the council to *intervene* in a wider range of development proposals in order to assess effects on heritage values, when previously their ability to influence outcomes was restricted. In regard to the latter, the North Shore plan change seeks to protect buildings constructed up to 1940, that is, a decade later than under the existing provisions. As well, it includes a new rule to control the design and appearance of front yard fences that exceed 1.2 metres in height.

Given these amendments, a number of key implementation factors have been taken into account, especially: *plan quality*, by applying a stronger activity status for additions and alterations, identifying a broader range of heritage values to be protected, and providing greater guidance regarding the intent of the provisions; and *interactions between the planning agency and developers*, by bolstering the councils' negotiation position via the strengthened regulatory provisions. Arguably, the *commitment and capacity of council staff* to the plans' heritage goals may be enhanced given that the heritage advisors and other personnel now have a clearer and stronger mandate. Similarly, the *commitment and capacity of developers* may improve for the same reasons, as well as in response to the new provisions aimed at improving the quality of resource consent applications. It remains to be seen how the implementation factors that are not as easy to address may influence the effectiveness of the proposed provisions.

In the meantime, both councils are currently reviewing the public submissions made on the plan changes and will conduct hearings to allow interested parties to present their views. After this they will announce their decisions regarding whether to adopt, modify, or reject the proposed change. At that time, submitters whose interests are not served by the councils' verdict may appeal to the Environment Court.

Conclusion

In this penultimate chapter of the thesis, I have critiqued whether or not, and why, the Wellington and North Shore district plan heritage provisions were effective. I have done this by synthesising the findings presented in previous chapters, namely the data on consent correspondence with plan goals (Chapter 6) and the insights gained into the implementation process (Chapter 7). In making judgements about plan effectiveness, I have contrasted the causal and implementation theories that underpin both plans (set out in Chapter 5) with plan implementation as it actually occurred. The findings illustrated that the plans do enable positive outcomes to be achieved when the right ingredients are in place. However, I also highlighted a number of key factors that had undermined the effectiveness of the plans in many instances, such as missing or weak rules, poor identification of heritage values, developer resistance, and competing priorities within the councils. I discussed the implications of the findings for the two case study councils, and local authorities generally, with the view to improving the overall effectiveness of plan provisions and implementation.

Chapter 9 completes the thesis by revisiting the research questions and objectives, summarising the key findings, and discussing the merits of the theory-based methodology in evaluating district plan effectiveness.

Chapter 9

Evaluating Built Heritage Protection

Using a Theory-Based Approach: Conclusions

Introduction

The goal of this thesis was to develop and apply a methodology for evaluating the effectiveness of district plans for protecting built heritage under the Resource Management Act 1991 (RMAct). This enquiry is necessary given the persistent concern voiced about the inability of the planning system in New Zealand to engender good heritage outcomes. While such disquiet led to a variety of legislative and institutional changes at the national level, including the elevation of historic heritage protection to one of seven matters of national importance under section 6 of the RMAct,¹ the effectiveness or otherwise of district plans in protecting heritage at the local level has never been established. The failure to evaluate plan effectiveness in New Zealand (for built heritage protection and other plan topics) is of particular concern given that the RMAct expressly directs local authorities to do so on a regular basis. Regardless, councils have balked at this requirement, even for matters of national importance.

Complicating the issue is the fact that planning theory and practice internationally has exhibited a lack of concern about the quality of environmental outcomes arising from plan implementation. Various reasons for the deficiency have been exposed, a prominent one being that researchers and planners lack a suitable evaluation framework for showing the extent to which plan intentions are met. This is evidenced by the limited number of evaluation methods that have been used to evaluate plan effectiveness, none of which are well suited to the task.

¹ The other six matters concern: 1) preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development; 2) protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development; 3) protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna; 4) maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers; 5) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga; 6) protection of recognised customary activities.

Thus, in order to make sound judgments about the performance of plans in protecting built heritage I first had to develop an evaluation methodology.

In pursuing this goal, an overarching research question was posed in Chapter 1:

How can local authorities know whether or not, and why, their district plan provisions for built heritage protection have been effective?

To answer this question, the following overarching research objective was set:

To develop and apply a methodology for evaluating district plan effectiveness, in order to ascertain whether or not, and why, district plan provisions for built heritage have been successfully implemented.

In this final chapter, I encapsulate the extent to which the research endeavour has achieved the overarching objective and answered the overarching question. To begin, it is essential that I encapsulate and discuss the methodology – known as theory-based evaluation – used for carrying out the research. Trailing the methodology for built heritage proved successful and the extent to which that is so is highlighted in the summary of results below. Following that, the implications of the methodology is discussed with respect to its potential application to other RMAct topics. I then highlight the ways in which the research makes an original contribution to knowledge.

The Theory-Based Approach

The theory-based approach proved to be a useful evaluation framework for built heritage protection. As demonstrated in Chapter 3, it is far superior to method-based approaches, such as state of the environment monitoring, because at its heart it is a methodology for addressing the attribution challenge. In other words, theory-based evaluation does not simply prescribe data gathering methods, but rather sets up a research framework for answering the critical question *why were the plans' goals achieved or not?* In this way, the evaluation moves beyond making associations between plan intentions and environmental outcomes (*were*

the plans' goals achieved or not?) to actually informing about the effectiveness of existing provisions and the reasons for success and failure.

Plans as theories of cause and effect

The theory-based approach places the plan at the centre of the evaluation effort by emphasising that, in order to measure effectiveness, the means by which plans are expected to engender desired outcomes must first be made explicit. Expounding the links between plan inputs and environmental outcomes is not a straight forward task, however, given the complexity of the environmental systems that plans seek to influence. Moreover, the causal assumptions in plans are unlikely to have been clearly documented in the plan-making process.² Hence, eliciting the 'mental models' from those involved in plan-making and implementation was necessary, in order to depict the plans' causal theory. This also required highlighting the *causal mechanisms* inherent in the plan provisions, which aimed to influence the reasoning and response of developers during the resource consent process so that they undertake proposals that comply with the plan.

Accounting for the Implementation Context

A criticism of rational planning (such as that advocated by the RMA Act) is that it assumes perfect implementation will follow adoption of a plan. In contrast, the theory-based approach anticipates that implementation will influence both positively and negatively the extent to which a plan's causal theory takes effect. Therefore, a particular focus of any evaluation is to determine which implementation conditions were conducive to the attainment of plan goals and which were not. This meant that the plan's implementation theory, that is, the core set of social, institutional, political and environmental conditions deemed necessary for the plan to be fully administered, needed to be spelt out and investigated. This information highlighted whether poor outcomes were attained

² There are various reasons for this, notably: 1) piecemeal changes to key sections of the RMA Act (particularly section 32) meant that planners had to change tact during the plan-making process; 2) *ad hoc* changes to proposed plan provisions by local authority decision-makers in response to public submissions distorted the planners intentions; and 3) a lack of capacity and/or commitment within councils to plan-making led to plans of low quality (Ericksen et al., 2003; Miller, 2007).

because of ‘theory failure’, that is, where the plan’s causal assumptions were wrong, or ‘implementation failure’, where the plans’ goals were not met due to administrative and contextual barriers.

Case Study Research Strategy

As detailed in Chapter 4, the centrality of context for exploring and explaining plan effectiveness meant that a case study strategy was essential. Such a strategy was beneficial for several reasons: 1) like theory-based evaluation, it emphasised the construction of theoretical models to help focus the research; 2) it allowed actual planning practice to be examined in an uncontrolled, real-life setting; and 3) it supported the use of a wide range of quantitative and qualitative data gathering and analysis techniques. Wellington City and North Shore City district plans were chosen as cases because they each identified built heritage protection as a significant planning issue; for the Wellington plan protection related to individually listed buildings, whereas in North Shore concern was for the protection of a concentration of early residential buildings. Moreover, each plan had been in force for ten years and the pressure to develop protected buildings meant that the plans had been well tested.

In adapting the theory-based methodology to plan effectiveness evaluation under the RMAct, I established four research sub-questions and objectives that sought to: 1) make explicit the plans’ causal and implementation theories; 2) reveal the built heritage outcomes that followed plan implementation; 3) establish the influence of the implementation process on the attainment of intended and unintended outcomes; and 4) expose the contextual factors that enabled or disabled plan success. The results are summarised in the following four sections.

1. Framing the Evaluation: Uncovering the Plans’ Theory of Change

The first research sub-question asked: *how are district plan provisions intended to influence environmental outcomes for built heritage?* The corresponding object

was to construct a model of the causal and implementation theories for built heritage in each of two district plans, in order to make explicit the ways in which the plans are expected to influence outcomes via the development control process.

Causal Theory

In Chapter 5, the causal theories of the two district plans were modelled using RAP (Rapid Assessment Program), computer software based on system dynamics, which enabled the cause-effect assumptions underlying each plan provision to be depicted, as well as the combined effect of the provisions. The information that was used to build the models came from two sources: workshops with council personnel; and content analyses of the plans and supporting documentation. This information showed that both plans included a combination of regulatory (plan rules) and non-regulatory methods (provision of advice and financial incentives), which were considered necessary to avoid, remedy or mitigate the adverse effects of uncontrolled development on built heritage values.

Four causal mechanisms were obvious in the provisions of both plans. First, the plans acted as a flag when changes to heritage buildings were proposed by requiring consent be given before potentially detrimental work could be pursued. This alerted owners to the fact their buildings were protected and allowed the councils to *intervene in the development process* and assess the likely effects development proposals may have. Second, heritage grants aimed to *increase the commitment of applicants* to the goals of the plan, thereby encouraging them to design schemes that satisfied the plans' assessment criteria. Third, the plans also sought to *improve the capacity of applicants* to comply with the plan by making specialists available to guide and review an applicant's plans. Lastly, the resource consent process enabled council personnel to *compel unwilling owners* to design a scheme that complied with the plan so as to ensure the best possible outcome.

Implementation Theory

The second piece of the theoretical puzzle dealt with in Chapter 5 was each plan's implementation theory. The planning and urban morphology literature was the

predominant source of information, reinforced by views of council personnel expressed during the RAP workshops. Five matters were theorised as influencing the implementation of plans. First, the *quality of the plan* was deemed important based on the assumption that high quality plans promote good outcomes. Chief aspects of plan quality included clear issue identification, strength of the rules, and the level of implementation guidance. Second, characteristics of the planning agencies were important, notably their *commitment* to implement the heritage provisions of the plan to their fullest intent and the *capacity* of council staff to do so. Third, characteristics of developers (resource consent applicants) were similarly held up as a crucial element, namely their *commitment* to design proposals that complied with the plans' heritage provisions and their *capacity* to do so. Fourth, the *interactions between developers and planning staff* during the development control process were considered influential, especially with respect to who occupied the strongest grounds for negotiation. Lastly, *characteristics of the development site* also needed to be taken into account, principally the heritage values of the property and the scale and type of development undertaken.

2. Correspondence between Plan Goals and Environment Outcomes

The second research sub-question asked: *How closely do resource consent outcomes correspond with the district plans' goals for built heritage?* Its objective was to assess the extent to which outcomes from resource consents corresponded with the anticipated environmental results for built heritage in each district plan, in order to gauge whether or not the plans' goals have been realised in practice. The assessments were undertaken by an architectural historian and the analyses of results were detailed in Chapter 6.

Summary of Findings for Wellington City

Fifty-five listed buildings that had been subject to consented changes under the district plan heritage rules were selected for assessment in Wellington using a stratified random sampling method. The heritage values of 10% of the buildings

were enhanced following consent implementation; a key factor being that applicants sought to retain and restore important exterior elements of the building. They also minimised the loss of heritage fabric and ensured that significant materials and craftsmanship were retained. The heritage values of a third (35%) of the buildings were maintained as there was neither an enhancement nor a decline in values. Typically, these consents were of a small scale in terms of the degree of impact on the building, for example, new signage and shop front alterations.

The outcomes for just over half of the buildings (55%) led to a loss of values, ranging from minor and reversible impacts to total and irrevocable loss. Consents that led to a loss of heritage values often failed to avoid or minimise changes to street elevations, maintain a high degree of architectural design authenticity, reflect the style of the existing buildings, or use compatible cladding materials and colours. The pressure to adapt listed buildings was driven by commercial activities undertaken in Wellington's central business district. The most destructive forms of change were the construction of large verandas and balconies to the facades of buildings and the reuse of commercial buildings for residential purposes, including the addition of rooftop apartments.

Summary of Findings for North Shore City

Of the 250 properties chosen from North Shore using a stratified cluster sampling method, 126 consents had been granted by council for 100 properties. Following site visits, however, the number reduced to 82 consents (relating to 68 properties) because the effects of a large number of consents were either not visible from the street or else the consents had not been implemented. The range of environmental outcomes in North Shore were similar to those for Wellington in that consents led to an enhancement of heritage values for a small proportion of properties (10%), consents maintained the heritage values for 32% of properties, and the majority of properties with a consent history (58%) had a loss of heritage values. In general, the degree of adverse effect was of a minor scale in North Shore and the consented changes maintained 'streetscape character' in most instances.

Positive scores resulted where additions and alterations involved restoration of prominent architectural features and/or alterations to less sympathetic additions or structures that better reflected the values of the property. Similarly, enhancements occurred when existing garages and carports were replaced by new structures that were less conspicuously located at the rear of the property and/or were designed to better complement the subject dwelling. Heritage values were maintained typically where additions and alterations, new buildings and demolition and removal were directed to the rear of the property, where the work was of a minor scale, and/or where consented changes affected post-1930 buildings that do not reflect the heritage values protected by the plan. With respect to adverse outcomes, additions and alterations often failed to sufficiently retain and reflect the historic and architectural form of early buildings. For new buildings, negative outcomes arose where garages and carports were sited conspicuously on the front boundary and where new dwellings were incompatible to their surroundings in terms of scale, density, form, materials and colour. Finally, the removal of a distinctive 1930s Art Deco house had a detrimental effect despite that fact it was not representative of housing styles found in the zone.

3. Plan Theory versus Implementation Reality:

Confessions of a Resource Consent

The third sub-question asked: *how does the plan implementation process influence the attainment of environmental outcomes?* The corresponding objective was to explore the development control process that led to both intended and unintended outcomes, in order to understand when and why the theory of change for each plan was realised in practice. To this end, eight consents that led to the best and worst outcomes in each council were chosen for in-depth analysis and the results were set out in Chapter 7.

Heritage Values Enhanced

Good outcomes were achieved largely because the owners understood and valued the architectural and historical qualities of their buildings and so ensured that they

were maintained and *enhanced* during the development process. The architects engaged by the owners demonstrated the capacity to design proposals that accorded strongly with the district plans' assessment criteria. For two North Shore villas, the plan implementation process played a negligible role, as demonstrated by the fact that the council did not provide pre-application advice to the owners or their advisors and the applications were not altered in any way once they had been lodged. Consequently, the resource consent process amounted to little more than a rubber stamping exercise in these cases. The main aspect of the implementation theory that was influential was clearly the commitment and capacity of the applicants to design proposals that complied fully with the plan.

The applicant for the Vic in Wellington took a similarly sensitive approach to adapting the building, which confirmed his awareness of the buildings' heritage values and ability to retain and enhance them. Council's heritage advisor played an important role by requesting changes to aspects of the proposal that ultimately led to better compliance with the plan's criteria and improved outcomes. In contrast, the applicant for the Wellington Central Fire Station initially sought changes to the buildings that would have undermined the buildings' heritage values to a marked degree. However, early consultation with the council meant that the heritage advisor was able to point out areas of non-compliance and direct the applicant in addressing the shortcomings. Unlike the other applicants, this one believed that the demands made by council staff were unreasonable and that heritage issues were elevated to the detriment of the building's functionality. He was ultimately compelled to obey because he felt he had no other choice.

Heritage Values Destroyed

An explanation for the demise of the other four buildings is more complicated. For two, the Johnson and Edilson Building in Wellington and the transitional/bungalow dwelling in North Shore, additions and alterations were allowed to the facades of two small-scale buildings that substantially undermined their architectural and historical integrity. In these cases aspects of the implementation theory were not realised in practice. The applicants were adamant about pursuing the changes and neither demonstrated the slightest awareness of

the building's heritage values or a desire to retain them. Council personnel exhibited poor capacity by failing to appraise the extent of non-compliance with the plans. The planner involved in the Johnson and Edilson Building also exercised poor commitment by hurrying the decision-making process. Limitations in each plan were also relevant: for the Johnson and Edilson Building this related to the Controlled Activity status for additions and alterations, which meant that Wellington City Council had to grant the application; in North Shore the issue surrounded whether the plan protected the general character of the area as opposed to the architectural and historical authenticity of individual dwellings.

Additional factors were at play for the two other consents that led to a negative outcome. With respect to the North Shore example, the owners of the Art Deco dwelling bought the property specifically to redevelop it. Council's heritage advisor and the Commissioners were unable to convince the owners to retain the building and were prevented from declining consent because the plan only sought to retain dwellings constructed prior to 1930. The consent for the intensive multi-unit development on the Futuna Chapel site in Wellington did not trigger the heritage rules because new buildings were not regulated by the plan and the Chapel was not to be altered in any way. Moreover, the heritage values of the site had not been fully recognised in the plan's heritage schedule. Council personnel had to rely on indirect means to compel the developer to amend the scheme and, while ultimately successful, a very poor outcome nevertheless resulted. The desire of the applicants in each of these consents to exploit the gaps in the plan provisions was a central factor.

4. Factors that Promoted or Inhibited the Plans' Theory of Change

Finally, the fourth research sub-question asked: *what factors promote or inhibit the successful implementation of the district plan's built heritage provisions?* In addressing this question, the objective was to identify and explain the main factors that promoted or inhibited successful implementation of the built heritage

provisions of the two district plans, in order to learn about plan effectiveness. The range of factors highlighted by the research was explained in Chapter 8.

Effectiveness of each Plan's Causal Theory

In many instances the provisions in both the Wellington and North Shore plans allowed council personnel to intervene in the development process and influence owners' decisions about the use of their buildings. Heritage advisors in particular have often been very effective in gathering information to enable an accurate assessment of applications and in negotiating changes to proposals so that they better reflect the intentions of the plans. Heritage grants provided by Wellington City Council have encouraged owners to strengthen buildings at risk from earthquakes rather than demolishing them. The grants have also rewarded a few owners whose development proposals led to an enhancement of heritage values.

Conversely, the omission of rules for activities that can and do have an adverse impact on heritage values represents a gap in the plans' causal theory. This has undermined the councils' ability to intervene in the development process, which in turn has prevented council staff from advising applicants on how to comply with the plans' heritage provisions or compelling them to do so. Unlike Wellington, heritage grants in North Shore had a negligible impact on outcomes due to the modest size of the fund and the fact it was targeted towards owners of listed buildings.

Effectiveness of each Plan's Implementation Theory

The commitment and capacity of council personnel to implement the heritage provisions was generally strong in both councils. The input of heritage advisors in the consent process led to improvements to development proposals and outcomes in many instances. This was particularly the case when council staff were involved in the development process at an early stage before applicants had invested money in a particular scheme. Council efforts were also greatly assisted by consent applicants that were willing and able to protect the heritage values of their buildings.

When the efforts of council staff faltered consent outcomes tended to be very poor. Factors at play in this regard included poor identification of heritage values in plans and weak plan provisions that undermined heritage advisors' advocacy efforts, conflicting priorities within the councils, applicants being motivated by commercial gains and/or lacking knowledge about and interest in heritage protection. In these circumstances the councils' efforts to influence outcomes were diluted due to their weak negotiating position.

Implications for Improving Plan Effectiveness

The factors identified as influencing plan effectiveness revealed that both councils need to strengthen their plans by including: 1) rules for all activities that impact on built heritage values; 2) removing the Controlled Activity status and applying a more stringent rule category; and 3) more accurately identifying the range of built heritage values to be protected. Greater implementation guidance is required in the North Shore plan regarding whether its goal is to protect the authenticity of individual dwellings or simply maintain a generic streetscape character.

To improve implementation, the councils need to lift the standard of resource consent applications that they are willing to accept, as poor applications inevitably led to poor outcomes. Capacity building is also required in order to improve decision-making, particularly for resource consent planners in Wellington and Commissioners in North Shore. In this regard, planners need to be encouraged to focus more on attaining high quality outcomes as opposed to processing efficiency. Continued support of pre-application meetings by council staff and applicants alike is also stressed, as they offer a way for issues to be identified and addressed at an early stage. The councils could also consider applying a wider range of regulatory and non-regulatory methods to assist in achieving plan goals.

Broader implications also emerged that cannot readily be addressed by the councils, but that instead require national coordination and leadership. In particular, the councils' reticence to restrict private property rights could be alleviated by a national policy statement that unequivocally avers the need to protect heritage, and that institutes the policy framework to achieve this. A

national policy statement would also help build capacity and commitment amongst regional and local government officials and politicians. The difficulty councils have with attracting and retaining planning staff is another national problem that will take time and creative thinking to resolve.

Overall, the theory-based approach provided a useful framework for evaluating the effectiveness of two district plan's built heritage provisions. In applying the methodology, I was able to make explicit each plan's theory of change and test its utility in 'the real world' by exploring the process of plan implementation as it actually unfolded. This exposed a wide range of factors that had a bearing, positively and negatively, on the attainment of good built heritage outcomes.

Usefulness of the Theory-Based Approach to Plan Topics other than Built Heritage

Theory-based evaluation also holds promise as a methodology for evaluating plan topics other than built heritage, for several reasons. First, RMAct plans are conformance-based – they are intended to be implemented as written and departures from the plan are not expected. This clarifies the evaluation endeavour, specifically that the measure of plan success is the extent to which anticipated environmental outcomes specified in plans (as required by the RMAct) have been achieved following implementation. Therefore, the assumption inherent in the RMAct that plans are necessary and sufficient for resolving resource management issues aligns with theory-based evaluation which sets out to test that assumption.

Second, that plans embody theories of cause and effect is obvious in the rational cascade of provisions required by the RMAct, namely the identification of issues and the formulation of solutions by way of objectives, policies, methods and rules, and their anticipated results. All topics identified in plans explicitly reflect these causal links and are thus able to be modelled in the same way as for built heritage. In this regard, RAP is a valuable tool for modelling causal theories as it is able to represent the complexities of environmental systems and assess the intended and unintended effects of plan interventions in a way that other methods, such as logic

models, do not allow.³ Computer simulation is particularly advantageous given our bounded cognitive ability to comprehend and depict the myriad ways in which plan interventions may influence system function.

Applying the Methodology to Stormwater Management in Papakura District

Since carrying out my research, the broader utility of the theory-based approach using RAP has been tested for a plan topic quite different to built heritage protection. Members of the PUCM team, including myself, evaluated the effectiveness of the Papakura District Plan and the Auckland Regional Plan (of Auckland Regional Council) in managing the effects of stormwater on water quality in Papakura District.⁴ With the assistance of key local authority personnel, RAP models for the urban and rural environment were developed and the intended influence of a range of plan provisions were assessed, such as sediment control, protection of riparian margins and controls on residential subdivision.⁵

The models showed that the Papakura District Plan was expected to avoid, remedy or mitigate moderate to significant adverse effects of stormwater on water quality, and that the district plan and Auckland Regional Plan combined alleviated negative impacts further. However, each plan's focus on minimising the worst impacts of stormwater meant that they lacked proactive methods for actually improving water quality. Unfortunately, it proved difficult to draw firm conclusions about the effectiveness of each plan's causal theory or the influence of implementation on outcomes given that there was a paucity of state of the environment data. This meant that there was no way of confirming whether or not stormwater effects had lessened as expected during the life of the plan (Day and Crawford, forthcoming).

³ As mentioned in Chapters 3 and 5, logic models are diagrams that illustrate the interrelationships or causal pathways between plan inputs and expected outcomes using boxes and arrows.

⁴ Papakura District Council is one of seven territorial local authorities making up the Auckland region in New Zealand. It includes a mix of urban and rural land uses.

⁵ Depending on the issue under investigation, relevant provisions may be contained in one section in the plan, such as for built heritage, or else they may be spread throughout the plan, as was the case for stormwater management in the Papakura District Plan, which had provisions in the Rural, Urban and Industrial sections.

Impediments to Plan Effectiveness Evaluation Persist

Consequently, while I believe the theory-based approach offers a constructive methodology its use will be curtailed by barriers such as a lack of meaningful state of the environment data. Councils will initially need to prioritise the plan topics they choose to evaluate⁶ and focus their resources on issues where sufficient outcome data is available, or where it can be gathered with relative ease. Moreover, low capacity within councils to undertake the various planning functions required by the RMA and other legislation is likely to be a problem for some time to come. The risk here is that plan effectiveness evaluation will continue to be sidelined or carried out on a perfunctory basis only.

Addressing these problems will require a long-term commitment by central and local government planning agencies, a commitment that is not yet obvious. In particular, the Ministry for the Environment needs to offset its concern with the efficiency of planning processes (the speed with which development proposals are granted and the costs borne by developers) with an equivalent concern for the environmental outcomes that follow. In order to fulfil its capacity-building role, the Ministry must lift its expectations about plan effectiveness evaluation by promoting the use of methodologies, such as the theory-based approach and modelling tools such as RAP. In turn, local government decision-makers need to support and adequately fund a monitoring and evaluation programme, including the creation of new positions, or the training of existing personnel, so that baseline and time series information can be compiled for key environmental issues and the effectiveness of plan provisions evaluated on a regular basis.

Original Contributions to Knowledge

In short, this thesis makes a timely and original contribution to knowledge both in New Zealand and overseas by: 1) highlighting the shortcomings in current approaches to plan effectiveness evaluation internationally; 2) proposing and

⁶ Plan topics for evaluation should reflect the key resource management issues addressed in a plan, such as the matters of national importance set out in the RMA, and other significant issues including urban growth management, provision of integrated transportation networks, maintenance of urban and rural amenity, and natural hazard management.

applying a methodology for evaluating plan effectiveness with respect to built heritage protection, but that also holds promise for other plan topics and planning contexts/regimes; 3) providing insights into the effectiveness of district plan built heritage provisions, including institutional deficiencies that have national implications. These contributions to knowledge are explained in turn below.

Current Evaluation Methods Deficient

First, I have identified and critiqued four methods commonly used for plan effectiveness evaluation nationally and internationally. They are: 1) development pattern matching; 2) the intuitive/experiential method; 3) state of the environment monitoring; and 4) statistical analysis. While I found that each method has its attractions, none are suitable for the task because, being ‘method-specific’ (that is, they simply prescribe how to collect and/or analyse data), they are devoid of an explicit methodological framework for determining and explaining plan effectiveness. For instance, the most commonly used approach internationally – state of the environment monitoring – can provide useful information about changes in environmental quality over time, but it cannot be used to determine whether or not, and why, plan implementation influenced observed changes. In New Zealand, this problem is compounded by the fact that the Ministry for the Environment has promoted the use of state of the environment monitoring as the sole means of evaluating plan performance.

This is an important finding given that many planning agencies in New Zealand and abroad are currently making decisions about plan effectiveness based on incomplete or inaccurate information. Put differently, the methods that local authorities have been using to conclude whether or not their plans have worked are simply not capable of providing such information. This situation further highlights the fact that, while New Zealand’s RMAct requires councils to review the effectiveness of their plans, they have lacked the means to do so.

A Methodology to Fill the Gap

Second, in response to the above shortcomings, I have developed and applied a novel methodology for evaluating plan effectiveness. While application of the method was to a specific topic it ought to apply to other topics in district plans and in other national settings. The theory-based approach has provided a rigorous and demanding evaluation framework that I believe has the potential to influence the way planning agencies in New Zealand and abroad conceive of, and carry out, plan effectiveness evaluations. A particular strength is that the approach not only attributes environmental outcomes to plan implementation, but also explains why plan goals are achieved or not, thereby providing plan-makers with the information needed to improve plan effectiveness.

The methodology therefore extends previous attempts to evaluate plan effectiveness, most notably by Emily Talen (1997; 1996a; 1996b), a vocal advocate of plan evaluation, who argued that the scope of the research had to be limited to making associations between plans and outcomes. Being more ambitious, the theory-based approach sheds light on the connection between three crucial planning components: plan-making; plan implementation; and environmental outcomes. It challenges the rational view that a linear relationship exists between these components and instead stresses that the context within which plans are implemented has a direct bearing on their success. The methodology therefore reinforces the view of planning academics, such as Gleeson (2003) and Alterman (1982), that there is no one ‘theory’ to explain why plans work or not, and that research must instead be ‘context directed’.

Evidence of the Effectiveness of Plans and Plan Implementation in Protecting Built Heritage

Third, the research has shed light on planning practice with respect to built heritage protection in two urban councils – the first time such a detailed study has been undertaken in New Zealand or abroad. In this regard, the findings identified the correspondence between plan goals and outcomes, examined the causal assumptions underpinning plan interventions, revealed the strengths and

weaknesses of plan implementation, identified contextual factors that promoted and inhibited plan success, and informed plan-makers about the changes required to improve effectiveness. The usefulness of the findings has been demonstrated by the willingness of both case study councils to substantially amend their plans.

The research findings have also confirmed speculation that institutional shortcomings have undermined efforts to protect heritage in New Zealand. A number of reviews and studies outlined in Chapter 2 provided a worrying critique of the heritage management system in New Zealand and exposed problems relating to administrative and legislative arrangements (Allen, 1998; Day et al., 2007; Department of Conservation, 1998; Mason et al., 2006; Ministry for the Environment, 1997; Parliamentary Commissioner for the Environment, 1996; Tanner, 2002; Woodward, 1996). In focusing on the planning process in general and plan implementation in particular, I have been able to demonstrate that concern for private property rights has resulted in weak plan provisions, a fixation on consent processing efficiency rather than high quality outcomes, and a lack of public participation in the resource consent process. I have also provided concrete evidence that permissive plans lead to poor outcomes. Moreover, I have shown that inexperienced planners who lack awareness about heritage can undermine plan implementation and outcomes. Addressing these issues will require a national effort and central government leadership.

Limitations of the Research

The main limitation of this research relates to difficulties I experienced in selecting resource consent applications for in-depth examination (presented in Chapter 7). The major issue was that the consents had been granted by the councils as far back as 1995, thereby bringing into question the ability of interviewees to accurately recall what took place. For this reason, I considered only those consents that had been granted since 2000. A related concern was that many of the people involved in the consent process, including consent applicants and council personnel, no longer worked at the case study councils or had since sold the property subject to the consent. This meant that I had to exclude consents when key informants were unavailable for an interview and where the consent

documentation was not detailed enough to provide an accurate account of events. This meant discounting a number of interesting consents that may have revealed additional information about plan effectiveness.

A further limitation is that the evaluation methodology has been applied to only one plan topic. In this regard, built heritage protection is reasonably straightforward to evaluate because: 1) multi-causality is not an issue given that only a limited number of activities affect built heritage values, most of which require consent (that is, changes to buildings are largely controlled by plans); and 2) the effects of plan implementation on built heritage can be identified and assessed years after the activities have been undertaken. The effectiveness of plans in dealing with other environmental issues will be more challenging to evaluate, particularly those that are influenced by a multitude of activities (natural and human) only some of which are controlled by plan provisions. Thus, until the methodology is tested on other topics in RMAAct plans and in other countries, claims as to its generic value would be premature.

Opportunities for Further Research

The latter limitation also presents a research challenge, however. Having applied the evaluation methodology for one plan topic, its usefulness in evaluating the effectiveness of other plan heritage provisions needs to be trialled. In this regard, it would be interesting to expand the research to include other categories of historic heritage protected in plans, such as archaeological sites and sites of significance to Māori. Such research would provide additional insights into the effectiveness of historic heritage management under the RMAAct. It would also be worthwhile to consider the unintended *consequences* of heritage protection in plans, such as the effect of regulation on residents' attitudes (for example, Kuipers, 2002; Larkham, 2000), and on property values (for instance, Ashworth, 2002; Coulson and Leichenko, 2001; Deodhar, 2006; Leichenko et al., 2001; Shipley, 2000).

As signalled earlier, it is also necessary to test the evaluation methodology on other district plan topics, as well as those dealt with in regional policy statements

and regional plans (such as the evaluation of stormwater management in Papakura District). In addition, it would be interesting to apply it in different environmental planning settings abroad. Planning mandates and implementation styles vary considerably between nations, ranging from centralised and coercive to devolved and cooperative (see, for instance, Berke and French, 1994; Berke et al., 1997, 1996; May et al., 1996). It would thus be informative to determine the influence of these planning contexts on plan effectiveness.

Finally, the opportunity exists to extend the application of the methodology from evaluating plan effectiveness to determining planning impact, along the lines of Gilg (2005), Gleeson (2003) and Rydin (2003). This would involve identifying the extent to which planning overall has contributed to higher level policy goals, such as environmental, social, cultural and economic wellbeing. Currently, Phase 4 of the PUCM research programme is evaluating the effectiveness of long-term council community plans, prepared the *Local Government Act 2002*, in achieving these four 'bottom-lines' (for example, Borrie and Memon, 2005; Borrie et al., 2004). This work, combined with the extensive research now completed on the RMAct, provides an excellent starting point from which to consider the wider implications of planning in New Zealand.

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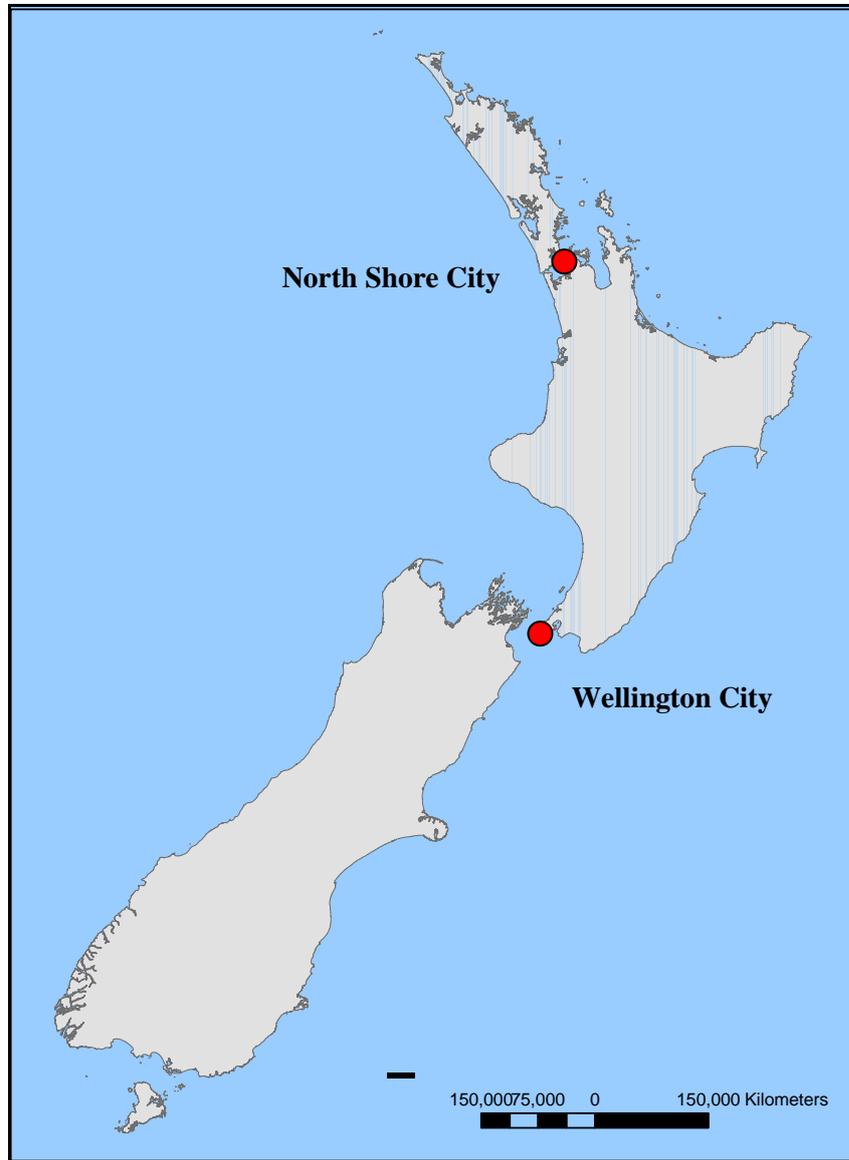
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Appendix 1

Location of the Two Case Study Areas in New Zealand



Views of Wellington City

(Photos by Wellington City Council)



Views of North Shore City

(Photos by North Shore City Council)



APPENDIX 2

Consents Chosen from Stratified Random Sample (Wellington)

RESOURCE CONSENTS ASSESSED AS PART OF THE WELLINGTON CITY DISTRICT PLAN MONITORING PROJECT

No	Building Name	SR No.	Date Granted	District Plan Rule	Description
1.	All Saints Church	9603772	Don't know	21.2.2 Additions & Alterations	Erect cell site
2.	Anscombe Flats	76511	24.05.01	21.2.2 Additions & Alterations	Replace perspex window material with glass; remove window transoms from curved corner penthouse window
3.	Apartment Building	71047	01.12.00	21.2.2 Additions & Alterations	Addition of a roof canopy over rear exterior stairway
4.	Backbencher	82436	30.01.02	21.2.2 Additions & Alterations; assessed as a Discretionary Activity (Restricted) due to wind requirements	New 10 storey building adjoining the Backbencher; changes to building only involve new verandah
5.	Brandon House	107999	05.12.03	21.2.1 Signage 21.2.2 Additions & Alterations	Three storey addition
6.	Brooklyn Playcentre	29517	16.05.97	21.2.2 Additions & Alterations	Addition of a reading room; construction of a deck
7.	Caesars Palace	101704	10.06.03	21.2.2 Additions & Alterations	Add a balcony at 1 st floor level supported by four verandah posts; replace 1 st floor window with a door opening
8.	Cambridge Hotel	68203	10.11.00	21.2.1 Signage 21.2.2 Additions & Alterations; assessed as a Discretionary Activity (Restricted) due to not meeting on-site servicing requirements	Convert to backpackers accommodation involving: reinstatement and restoration of window joinery and fire escape verandahs; replace partial canopies with continuous verandah
9.	Cambridge Hotel	74986	12.04.01	21.2.1 Signage 21.2.2 Additions & Alterations	Proposed continuous verandah changed to three separate sections of suspended canopies; signage
10.	Castles the Chemist	97144	11.03.03	21.2.2 Additions & Alterations	Replace existing lean-to at rear of building and replace with larger addition; enlarge existing shop front door

No	Building Name	SR No.	Date Granted	District Plan Rule	Description
11.	Central Fire Station	112119	26.03.04	21.2.1 Signage 21.2.2 Additions & Alterations	Fill existing public entry and convert one appliance bay into new entry; new doors to rear accommodation block; sign at new public entry; restoration work
12.	Children's Dental Clinic	111476 & 98531	06.07.04	21.2.2 Additions & Alterations; assessed as a Non-Complying Activity due to height controls	Two storey addition
13.	Children's Dental Clinic	112004 & 96984	26.04.04	21.2.2 Additions & Alterations; assessed as a Non-Complying Activity due to height controls	Convert building into residential apartments; replace basement windows with door openings; reinstate façade; repaint exterior
14.	CMC Building	114407	19.05.04	21.2.1 Signage	Sign on fascia of Courtenay PI verandah
15.	Cottage	79652	02.10.01	21.2.2 Additions & Alterations	Erect single garage attached to existing building
16.	Cottage	100423	13.06.03	21.3.1 Total or Partial Demolition or Removal; assessed as a Discretionary Activity (Unrestricted)	Relocate building to 16 Newtown Ave
17.	Cottage	110925	16.02.04	21.2.2 Additions & Alterations; assessed a Non-Complying Activity due to residential rules (Rule 7.1.2.5)	Addition of kitchen and living room; re-clad in corrugated iron; roller door replaced with window
18.	Craft Village	86261	10.05.02	21.2.2 Additions & Alterations	Shop front alterations involving: replacement of existing door entry bay to Cuba St; replace window with door
19.	Craft Village	88689	21.06.02	21.2.1 Signage	Two under verandah signs
20.	Dominion Building	79904	03.09.01	21.2.2 Additions & Alterations	Erect a satellite dish on roof level
21.	Dominion Building	9603024	17.05.95	21.2.2 Additions & Alterations	Veranda alterations & refurbishment of retail frontages at ground level; new design for the existing penthouse apartment; two new bay windows into the existing parapet; bay windows and balcony for tower at seventh floor level; repaint main building façade

No	Building Name	SR No.	Date Granted	District Plan Rule	Description
22.	Dr Pollen's House	30440	09.05.97	21.2.1 Signage 21.2.2 Additions & Alterations	Convert building to wine bar involving: paint exterior; new deck and wheelchair ramp; new entrance; signage
23.	Dr Pollen's House	39896	17.03.98	21.2.1 Signage 21.2.2 Additions & Alterations	New Willis St entrance canopy; handrail to secondary entrance; signage
24.	Johnson & Edilson's Building	81024	28.01.02	21.2.2 Additions & Alterations	New balcony
25.	Johnson & Edilson's Building	113407	20.04.04	21.2.2 Additions & Alterations	Alter entrance door
26.	Erskine College Main Block	79405	14.12.01	21.2.2 Additions & Alterations; assessed as a Discretionary Activity (Unrestricted) due to Outer Residential Area rules; site is also subject to a Heritage Order covering the building's exterior, interior & grounds	Alterations to the Main Block to accommodate a function centre, including cutting down of window to create an entranceway, removal of windows enclosing ground level verandah, & restoration of verandah
27.	Evening Post Building	101093 & 68602	23.05.03	21.2.2 Additions & Alterations	Alterations at shop front involving: removal of bulkhead above entrance and two central columns; replacement of display windows; main doors set back and reinstated
28.	Former Central Police Station	100756	09.05.03	21.2.1 Signage	Two Vodafone signs
29.	Former Mount Cook Police Barracks	113356	05.05.04	21.2.1 Signage	Two bracket signs
30.	Former McDonalds Building	94368	29.01.03	21.2.2 Additions & Alterations	Four two storey apartments behind the gables on the façade; requires alteration to roof structure to accommodate living space
31.	Former McDonalds Building	101133 & 112247	12.05.04	21.2.2 Additions & Alterations	Four two storey apartments to rear of the apartments approved by SR 94368 (above). Extend ridgeline to shield skylights

No	Building Name	SR No.	Date Granted	District Plan Rule	Description
32.	Former McDonalds Building	114903	26.05.04	21.2.2 Additions & Alterations	Shop front alterations – new doors and windows
33.	Former Post Office	71902	28.09.01	21.2.2 Additions & Alterations	Addition of three levels in the 'existing central core' adjoining neighbouring building to the south
34.	Former Post Office	105924	02.10.03	21.2.1 Signage	Illuminated signage
35.	Former South British Building	20266	19.07.96	21.2.2 Additions & Alterations	Shop front alterations involving removal of existing setback
36.	Former South British Building	79631	07.09.01	21.2.2 Additions & Alterations	Two storey addition on 1976 addition at rear of building
37.	Free Ambulance Building	48749	24.01.99	21.2.1 Signage	Erect 3 signs on each of the southern and western facades, & four signs on the northern façade
38.	Futuna Chapel	70980	29.11.01	Assessed as a Discretionary Activity (Restricted) under multi-unit housing provisions; not assessed against the heritage rules	Develop site for 68 units (a retirement village)
39.	Futuna Chapel	98968	24.07.03	Rule introduced by Plan Change 13 – Futuna Chapel (Appendix 3 of Chapter 21); assessed as a Discretionary Activity (Unrestricted)	Brick wall along Friend St and 'Futuna' lettering; temporary sign
40.	Government Life Building	33493	15.09.97	21.2.1 Signage 21.2.2 Additions & Alterations; assessed as a Non-Complying Activity under the Transitional District Plan	Replace existing 'Tower' signage; alter verandah over entrance hall to expose leadlight detailing
41.	Government Life Building	70022	06.11.00	21.2.1 Signage 21.2.2 Additions & Alterations	Enlarge pedestrian access along Panama St; remove & store original gate; install under verandah sign

No	Building Name	SR No.	Date Granted	District Plan Rule	Description
42.	Harbour Centre City	26081	01.12.96	21.2.2 Additions & Alterations	Alter central entrance on Lambton Quay frontage
43.	Harbour Centre City	103239	11.07.03	21.2.2 Additions & Alterations	Alter Brandon St entrance from single door to double
44.	Harbour Centre City	107210	21.10.03	21.3.1 Total or Partial Demolition or Removal; assessed as a Discretionary Activity (Unrestricted)	Remove and replace 6 panel antennas on parapet
45.	Harcourts Building	109313	19.12.03	21.2.2 Additions & Alterations	Shop front alterations involving installation of glass sliding doors; remove Air NZ signage panels over toplight windows
46.	Hollylodge	50804	25.03.99	21.2.2 Additions & Alterations	Replace southern (rear) timber wall with glass
47.	Hotel St George	57757	21.10.99	21.2.1 Signage 21.2.2 Additions & Alterations	Replace existing window with a larger one; new signage to canopy over the entrance
48.	House	79810	18.09.01	21.2.2 Additions & Alterations	Extend building at rear; replace existing window on west façade to match original; install small toilet window on west façade; install fire egress stair from 1 st floor
49.	House	98678	13.03.03	21.2.2 Additions & Alterations	Addition of three skylights; replace decramastic roof tiles with corrugated iron
50.	House (former shop)	74849	19.04.01	21.2.2 Additions & Alterations	Small extension to existing lean-to at rear of building
51.	Hyams Building	99407	14.08.03	21.2.2 Additions & Alterations	Convert building to backpackers' hotel involving: new canopies above main entrance doors; replace existing large windows with doors; replace existing front steps with disabled access ramp; repaint exterior; seismic strengthening
52.	Inverleith Flats	59435	10.12.99	21.2.2 Additions & Alterations	New windows in east (rear) wall of apartments 2,3,4 & 5
53.	Inverleith Flats	93782	08.11.02	21.2.2 Additions & Alterations	Two new windows on south and east wall
54.	John Chambers Building	110595	10.02.04	21.2.1 Signage	Billboard on eastern facade

No	Building Name	SR No.	Date Granted	District Plan Rule	Description
55.	Kelburn Chambers	48429	10.03.99	21.2.2 Additions & Alterations 21.3.1 Total or Partial Demolition or Removal; assessed as a Discretionary Activity (Unrestricted)	Alteration of existing entry for new coffee bar; Replace windows on first floor with large glass ones to be 'pushed out' from façade
56.	Kelburn Chambers	57761 & 74917	01.11.01	21.2.2 Additions & Alterations	Demolish non-original canopies and balconies; new balcony and balustrading along Lambton Quay and Cable Car Lane facades; paint exterior
57.	Kelburn Chambers	75930	18.05.01	21.2.2 Additions & Alterations	Convert three shops into a Star Mart involving: replacing two doors with windows; coloured fascia in window; removal of canopies; signage
58.	Kennedy Building	111735	19.04.04	21.2.2 Additions & Alterations	Ground floor façade alterations; install skylights in verandah and increase fascia depth; remove fire escapes; replace roof
59.	MLC Building	49189	18.01.99	21.2.1 Signage	Signage on verandah fascia and façade
60.	MLC Building	79640	05.09.01	21.2.1 Signage 21.2.2 Additions & Alterations	Mount awnings to six existing openings on Lambton Quay & Hunter St frontages; signage
61.	MLC Building	102633	27.06.03	21.2.1 Signage 21.2.2 Additions & Alterations	Various alterations to shop frontage and replacement signage
62.	Neil's Fisheries	114648 & 66734	24.05.04	21.2.2 Additions & Alterations	Add penthouse level and roof balcony; basement addition for car parking & storage; earthquake strengthening
63.	Newport Chambers	120076	01.11.04	21.2.2 Additions & Alterations	Replace existing shop front windows & door with aluminium bi-fold ones & solid core timber door
64.	Office Building	66353	20.07.00	21.2.2 Additions & Alterations	Earthquake strengthening – portal frames added to exterior

No	Building Name	SR No.	Date Granted	District Plan Rule	Description
65.	Opera Bar	107266 & 108807 (change of condns)	19.10.03	21.2.1 Signage 21.2.2 Additions & Alterations 21.3.1 Total or Partial Demolition or Removal; assessed as a Discretionary Activity (Unrestricted)	Remove existing portion of first floor façade on Blair St and install double width door to balcony; replace 1 st floor corner window with door opening; fill existing door to balcony; reinstate corner door and widen for wheelchair access; remove main entry door and reinstate two windows to match original; remove existing arch and embellishments at parapet level; new balcony rails and windscreen; new illuminated signage & lighting
66.	Prudential Building	67143	20.07.00	21.2.2 Additions & Alterations; assessed as a Discretionary Activity (Restricted) due to wind requirements	Remove rooftop additions & replace with four storey addition; new retail building in space between Prudential & neighbouring CBA building; refurbish original elevations
67.	Rod's Block	78906	10.08.01	21.2.1 Signage 21.2.2 Additions & Alterations	Establish a new bar involving: four new windows, a new door (within existing opening) and 'fill in' existing roller door on Allen St façade; new bi-fold doors and window on Courtenay PI façade; two signs
68.	Rod's Block	98491	19.03.03	21.2.2 Additions & Alterations	Remove Courtenay PI front door and shop front doors and replace with sash aluminium windows; relocate ATM
69.	Shop/Dwelling	77210	15.06.01	21.2.2 Additions & Alterations	Additional storey
70.	T.G. McCarthy Building	95102	29.11.02	21.2.1 Signage 21.2.2 Additions & Alterations	Alterations to shop front involving: replacement of door and windows; removal of lead light windows beneath verandah; lower signage on verandah to match adjoining building; relocate sign; install three light behind signs on verandah
71.	The Vic	82512	27.12.02	21.2.2 Additions & Alterations	Alterations to shop fronts and second floor balcony balustrading; removal of fire escapes
72.	Warehouse	81710	13.11.01	21.2.1 Signage 21.2.2 Additions & Alterations	Four signs removed and replaced with one; two small speakers added to Blair St façade
73.	Warehouse	117034 & 39769	16.07.04	21.2.2 Additions & Alterations	Shop front alterations including replacement of ground floor door and windows

No	Building Name	SR No.	Date Granted	District Plan Rule	Description
74.	Warehouse	69493	04.12.00	21.2.2 Additions & Alterations; assessed as a Discretionary Activity (Restricted) due to wind requirements	Addition of three storey apartments
75.	Wellington Produce Market	79412	23.08.01	21.2.1 Signage	Illuminated sign at 1 st floor level
76.	Wellington Produce Market	80467	03.10.01	21.2.1 Signage 21.2.2 Additions & Alterations	Convert loading dock into new entry; remove roller door and replace with steps, recessed balcony and louvered access doors; replace ground floor windows with timber frames; two signs on facade
77.	Wellington Rowing Club	50556	12.03.99	21.2.2 Additions & Alterations	Small addition to rear of building; erect deck above addition
78.	Wellington Rowing Club	78714	18.07.01	21.2.2 Additions & Alterations	New windows above existing doors
79.	Wellington Working Men's Club	41503	27.05.98	21.2.2 Additions & Alterations	New verandah and balconies
80.	Wellington Working Men's Club	112134	16.03.04	21.2.1 Signage 21.2.2 Additions & Alterations	Three new doors at rear of building; shop front alterations; sign under verandah

APPENDIX 3

Consents Chosen from Stratified Cluster Sample (North Shore)

Buildings Chosen for North Shore Residential 3 Sample: Devonport

RESIDENTIAL 3A: DEVONPORT		
Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
1.	Y	SA/00692/01; 12.11.01 Subdivision boundary adjustment LE/1481/01; 26.11.01 68m ² addition; work in drip line of protected tree
2.	N	
3.	Y	LB/01926/01; 15.04.02 Erect roof over gate at end of driveway to form a 'lych gate' R20596D; 16.02.99 Extend dwelling & form two storey bay window with gable over; add family room incl. new bay window & gable; new kitchen incl. new bay window; flat roof veranda over rear lean-to extending to cover spa pool R104790; 26.02.96 Erect a double gge
4.	N	
5.	N	BA/10367/03; 10.04.03 NB: Replace stairs at rear (north elevation) considered a permitted activity
6.	Y	LUC/2019541; 13.10.03 (restrospective) Convert gge to carport and extend 1.8m to rear; new loft in roof incl. dormer; enclose first floor veranda; alter windows/doors
7.	N	
8.	Y	LUC/2032131; 19.01.04 (retrospective) Change of use from gge to playroom; replace gge doors with French doors
9.	Y	R20155D; 05.05.97 Demolish lean-to & carport; extend house to S incl. decking & new carport
10.	Y	R20618D; 18.10.99 Construct a deck incl. trellis screening and pergola on existing veranda

RESIDENTIAL 3A: DEVONPORT

Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
11.	Y	LD/02087/02; 03.09.02 Addressing non-compliance with consent below (site coverage and earthworks) LF/01297/01; 05.11.01 New dwelling
12.	N	
13.	Y	R20608D; 20.01.99 Extend dwelling at rear
14.	N	
15.	N	
16.	N	
17.	Y	LUC/2065021; 06.07.04 Construct veranda at front of dwelling
18.	Y	No number; 19.09.95 New vehicle accessway & basement gge
19.	N	
20.	N	
21.	N	
22.	Y	O20013D; 17.10.97 Outline plan to alter dwelling to establish a daycare centre incl. chimney removal & replacement with bay window on E elevation; timber ramp & porch at rear; new veranda & entrance way on W elevation, incl. new fenestration
23.	N	
24.	Y	LUC/2032721; 24.02.04 Convert existing gges into bedrooms; two storey veranda addition along N (rear) elevation; three car gge in front of site R21241D; 12.03.01 Construct recessed balcony & French doors at 1 st floor level in front elevation; new windows & French doors along side elevation
25.	N	
26.	N	

RESIDENTIAL 3A: DEVONPORT		
Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
27.	N	
28.	N	
29.	N	
30.	Y	LD/03912/02; 24.10.02 Reinstate original roof & veranda; new veranda at rear; redevelop carport
31.	Y	LD/3240/02; 18.07.02 Small addition (9.6m ²) to rear, NE corner of dwelling
32.	N	
33.	N	
34.	N	
35.	N	
36.	Y	R11526D; 07.05.96 New minor residential unit at rear incl. gge, workshop & studio
37.	Y	R21113D; 09.10.00 Erect gge; extend kitchen at rear of dwelling
38.	N	
39.	N	
40.	N	
41.	N	
42.	Y	R20168D; 28.11.97 Increase capacity of rest home to 18 people; extend deck at rear & construct new roof over; new doors & windows
43.	Y	R20798D; 30.09.99 Small extension of dwelling to rear; reinstate front veranda
44.	N	
45.	N	
46.	N	
47.	N	

RESIDENTIAL 3A: DEVONPORT		
Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
48.	Y	R12733D; 09.09.96 Construct conservatory addition at rear of dwelling
49.	Y	R21190D; 04.12.00 Add bathroom to W elevation of existing two storey gge/rumpus room addition at rear of dwelling
50.	Y	LU/01956/01; 04.02.02 Extension of time to 20.09.03 for consent below R20794D; 20.09.99 Build pergola over existing deck; develop roof space in gge for bedroom & ensuite; alter existing dormer window on E elevation of gge; extend gge roof to link to deck
51.	N	
52.	Y	No number; 06.11.95 Replace existing carport with gge (deck on top); build in roof space incl. glazed 'roof lights'; new steps & extension to veranda roof on N elevation
53.	N	
54.	N	
55.	N	
56.	Y	R20262D; 25.09.95 (re Unit 2) Erect single carport; replace picture window with steps and bifold doors on W elevation; landscaping incl. gatehouse, pavilion & gazebo; relocate garden shed to SW corner R20002D; 27.09.96 (relates to Unit 1) Erect single carport in front yard
57.	Y	R20228D; 15.08.97 Upper storey addition incl. a dormer window on NW elevation
58.	N	
59.	Y	R20309D; 28.11.97 New balustrade to front veranda; demolish lean-to at rear; large addition to rear; replace windows at front with French doors; demolish gge

RESIDENTIAL 3A: DEVONPORT

Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
60.	Y	R20651D; 26.03.99 Extend existing lean-to at rear of dwelling
61.	Y	LD/00381/01; 21.05.01 (14a at rear) Extend veranda along N & W boundaries; replace two doors and a window with French doors
62.	N	
63.	N	
64.	N	
65.	Y	R20961D; 07.06.00 Substantial addition to NE elevation; new decking; Erect stand alone office; replace gge with combined gge/carport
66.	N	
67.	N	
68.	N	
69.	N	
70.	Y	LD/04070/02; 12.11.02 To convert an approved but yet to be constructed deck area (approved below) into a bedroom extension LE/02700/02; 11.06.02 Extend dwelling to NW incl. a new deck & kitchen; new entry area & carport at ground floor level; two additional decks on E elevation No number; 12.09.95 New deck & stairs to SW elevation
71.	N	
72.	Y	LF/03093/02; 30.07.02 New two-storey dwelling

RESIDENTIAL 3A: DEVONPORT

Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
73.	Y	<p align="center">R20422D; 15.05.98</p> <p>Alter existing gge (concrete block with mono-pitch roof) to incl. gable roof, timber façade and timber door; Replace concrete block fence on front boundary with timber & set back; to allow planting; erect pergola over gate</p> <p align="center">R11391D; 11.04.96</p> <p align="center">Extend bathroom on W elevation</p>
74.	Y	<p align="center">LW/2120153; On-going</p> <p>Application to change Condition 1 of LUC 2000331 relating to three windows that have been added without consent and a request to change material of planter box; application not supported by Commissioners who recommend notification if windows aren't removed</p> <p align="center">LUC2000331; 12.01.04</p> <p>Construct second single gge on front boundary incl. entrance stairs and extension to vehicle crossing; replace existing gge doors with wooden panel to match new gge</p> <p align="center">LE/03585/02; 12.11.02</p> <p>Construct new entry and basement storage area; add bedroom & ensuite in roof space incl. dormer windows; remove storage sheds at rear (last point is retrospective)</p>
75.	Y	<p align="center">R20259D; 19.09.97</p> <p>Replace flat roof of dwelling with a pitched one; pergola at rear of dwelling on 1st floor; new gge door</p>
76.	N	
77.	N	
78.	Y	<p align="center">LUC/2010241; 18.09.03</p> <p align="center">Construct a bedroom on an upper level deck</p> <p align="center">R20741D; 11.08.99</p> <p align="center">Add a deck to existing dwelling; construct a new minor residential unit</p>

RESIDENTIAL 3A: DEVONPORT

Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
79.	Y	LUC2029041; Cancelled Extend first floor bedroom; Commissioners expressed concern at proposal & noted it would need further information & affected parties approvals - consent subsequently cancelled LUC/2015451; 15.09.03 Add family room to dwelling on E elevation; alter existing kitchen at rear R20733D; 09.07.99 Erect single gge at front of site
80.	N	
81.	N	
82.	N	
83.	Y	R12396D; 19.07.96 Add bedroom and balcony to first floor
84.	N	
85.	N	
86.	N	
87.	N	
88.	N	
89.	Y	R20423D; 29.04.98 Erect carport adjacent to dwelling
90.	Y	LD/04962/03; 01.04.03 Additions to house incl. new bedroom, family room, cellar, storeroom, laundry, bathroom & stairs (on ground floor), & ensuite & deck (1 st floor); enlarge existing gge; remove 3 protected trees
91.	Y	LD/03456/02; 23.08.02 New gge at front and E of dwelling; addition for new living, bedroom, ensuite & laundry at rear of dwelling
92.	Y	R10593D; 29.02.96 Construct deck; new French doors on E elevation
93.	N	
94.	N	

RESIDENTIAL 3A: DEVONPORT

Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
95.	Y	R20370D; 17.02.98 (re Unit 1) New basement gge; new deck & doors on N elevation R10723D; 22.02.96 (re Unit 3) Erect deck & steps on E elevation
96.	N	
97.	Y	R20117D; 21.03.97 New carport & associated retaining works
98.	Y	R20327D; 28.11.97 Extend entry foyer over patio incl. additional window & door joinery
99.	Y	LUC/2071821; 03.09.04 New carport, garden shed & pergola
100.	N	D10176; 04.12.95 NB: resource consent was not required for external alterations incl. two new rooflights, removing two windows & replacing front door
101.	N	
102.	Y	LD/04799/03; 19.05.03 Removal of existing porch and carport; addition of a living area and new carport at rear of dwelling
103.	Y	R12724D; 14.11.96 New carport/storage shed in front yard
104.	Y	R20533D; 01.12.98 Demolish lean-to & extend dwelling to W (rear) elevation; replace gge with carport
105.	N	
106.	N	(NB: resource consents was granted on the 15.06.94 for a carport, i.e. before the proposed district plan was notified)
107.	N	
108.	Y	R21235D; 12.03.01 (relates to 84a) Demolish existing gge & construct new gge in front yard
109.	N	

RESIDENTIAL 3A: DEVONPORT

Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
110.	Y	R20921D; 21.02.00 Convert existing gge into a study/garden room; Erect double gge on S boundary R20556D; 03.12.98 (relates to 9A) Add dormer windows to roof
111.	Y	LUC/2021231; 18.11.03 (retrospective) Build deck with roof over & install spa pool at rear of dwelling LC/04203/02; 06.12.02 Erect gge in side/rear yard
112.	N	
113.	Y	R20075D; 26.05.97 Add upper story incl. new gable roof and 1 st floor deck
114.	N	D10919; 28.11.97 NB: extension to a deck at rear of property was considered to be a permitted activity
115.	Y	R20697D; 27.05.99 Large two story addition to rear of dwelling
116.	N	
117.	N	
118.	N	D11021; 07.11.97 NB: resource consent was not required to rebuild rear extension & gge – check plans
119.	Y	LE/00757/01; 30.07.01 Additions to front NW corner and E elevation (at rear) of dwelling; French doors added to N elevation; new deck; relocated carport; 2.4m boundary fence
120.	N	D10735; 30.10.97 NB: resource consent was not required for alterations that incl. new windows/doors

RESIDENTIAL 3A: DEVONPORT		
Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
121.	Y	<p>R20681D; 12.05.99 New veranda along front side & rear elevations; substantial addition at rear and sides incl. new fenestration & doors; gge in front yard</p> <p>R20595D; 21.01.99 Demolish two flats at the rear of site</p> <p>R10511D; 02.02.96 (relates to Unit 1) Replace gge with carport</p> <p>NB: resource consent was not required for a pergola in the rear yard (D12237, granted on 12.01.01)</p>
122.	N	
123.	N	
124.	N	
125.	Y	<p>LD/00265/01; 30.04.01 Replace carport with new gge/office; add bay window to dwelling; reduce size of roof over deck at rear of dwelling</p> <p>R20658D; 01.04.99 Return dwelling to one residential unit from four; reinstate front veranda and bay window; new window on front elevation; porch entrance and windows on side elevations removed; new window & door on SE elevation; heating stove flue through hipped roof; new deck at rear</p>
126.	N	
127.	Y	<p>R10425D; 23.02.96 Add rooms in roof space resulting in new gable roofline & dormer windows; erect carport in front yard</p>
128.	N	
129.	Y	<p>LUC2102051; 26.10.04 Replace windows with windows/doors; add two roof-lights; add a pergola</p>
130.	N	
131.	N	<p>NB: resource consent was granted on the 14.10.94 for 1st floor additions and a new gge in the front yard, i.e. prior to proposed DP being notified</p>

RESIDENTIAL 3A: DEVONPORT		
Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
132.	N	
133.	Y	LUC/2007951; 19.09.03 Replace deck and lean-to at the rear of dwelling with new lean-to; extend existing roof to a new gable incl. a small upper level bay style window on the western elevation; extended western gabled roof to rear and returned to the west to create a new bay; add skylight into roof on upper level; extend non-original bay window in main living room & add a matching parallel bay to the rear facing west; remove eastern elevation windows and replace with a double hung window and round lead light window.
134.	Y	LUC/2097111; 24.11.04 Retaining wall along front and side boundaries R20475D; 13.10.98 Construct new dwelling (supersedes consent below) R20066D; 26.02.97 Remove existing dwelling (plans dated 1936) & construct new dwelling
135.	N	

RESIDENTIAL 3C: DEVONPORT

Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
1.	Y	LD/03009/02; 14.08.02 (relates to unit 1) Extend deck LD/00018/01 / R21195D; cancelled? (relates to unit 2) No details proposed activity but NSCC letter asked applicant to confirm that they wished to continue – no other correspondence or consent info available
2.	Y	R20636D; 10.03.99 Enclose existing deck on SE corner of unit 4B R20084D; 10.01.97 Enclose part of a covered walkway to provide an entry porch; enclose an existing covered balcony R12476D; 05.08.96 Enclose the existing west deck on level 12 with glazing
3.	N	
4.	N	
5.	N	
6.	N	
7.	N	
8.	Y	R20425D; 18.05.98 New deck & stairway at rear of dwelling; door to replace window on E elevation for access to deck
9.	Y	LUC/2045351; 29.03.04 Demolish existing lean-to at rear and extend dwelling; new gge; change street facade villa balustrade; deck off lounge
10.	N	
11.	N	
12.	N	
13.	Y	LUC/2011621; 01.10.03 Erect a minor dwelling unit & gge

RESIDENTIAL 3C: DEVONPORT

Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
14.	N	
15.	N	
16.	N	
17.	N	
18.	N	
19.	Y	<p align="center">LUC/2008861; 12.12.03</p> <p align="center">Alter roof to create living space at 1st floor; add veranda; reconfigure existing two flats into a flat at 1st floor about gge at ground level</p> <p align="center">R20631D; 04.03.99</p> <p align="center">Construct deck & install bi-fold doors</p>
20.	Y	<p align="center">R20995D; 13.06.00</p> <p align="center">Add two dormers on N elevation; remove one window & add one on N elevation; add skylights to S & rear roof; replace lean-to with larger addition incl. deck; convert existing gge to a minor residential unit</p>
21.	N	

Buildings Chosen for North Shore Residential 3 Sample: Northcote

RESIDENTIAL 3A: NORTHCOTE		
Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
1.	Y	R10891B; 23.02.96 Extend house at rear; add second storey
2.	N	
3.	Y	R50495B; 03.03.98 Substantial extension of dwelling at rear; new gge, carport & covered entry in front yard (incl. removal of gge in rear yard); construct minor residential unit at rear; retaining wall on S boundary
4.	Y	LUC/2012671; 25.08.03 Replace front porch with veranda along street elevation R51609B; 18.12.00 (retrospective) Construct deck at rear of dwelling
5.	Y	LD/02291/02; 08.04.02 Extending dwelling from east elevation (rear) and replace deck; develop basement level at rear of site for bedrooms/living space R50082B; 02.12.96 Extend NE corner (rear) of dwelling; replace single window for double on N elevation; change deck railing at rear
6.	N	
7.	Y	LD/02847/02; 05.09.02 (retrospective; re: unit 20A at front) Erect double carport in rear yard
8.	Y	R11446B; 26.04.96 Convert lower floor storage area to a 2 bdm residential unit incl. new windows/doors and a deck on N elevation
9.	N	
10.	N	
11.	N	
12.	N	

RESIDENTIAL 3A: NORTHCOTE		
Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
13.	N	
14.	Y	LD/2015921; 18.09.03 New 5.5m wide crossing; cover existing pergola; remove part of front boundary wall R50597B; 01.05.98 Enlarge bedroom on W elevation to a family room, incl. French doors and a new deck
15.	N	

RESIDENTIAL 3B: NORTHCOTE		
Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
1.	N	
2.	N	
3.	N	
4.	Y	<p>R50842B; 23.02.99 Add family room to side & rear elevation (S & W); add sunroom on SE corner of dwelling at rear (NB: Building consent B13307 was cancelled on 25.02.99 so consent may not have been implemented)</p> <p>R50283B; 18.08.97 Carport in front yard; retaining wall with fence atop to 2.2m</p>
5.	N	
6.	Y	<p>LUC/2052291; 01.11.04 Replace retaining walls on either side of driveway and across the front boundary</p>
7.	N	
8.	N	
9.	N	
10.	Y	<p>R51340B; 19.06.00 Extend existing deck at rear and side of dwelling</p> <p>R50976B; 09.07.99 Addition to rear of dwelling above existing dwelling (NB: resource consent no. B3286 was granted for adds/alts in May 1994, i.e. before the proposed DP was notified)</p>
11.	N	
12.	Y	<p>LD/05425/03; 06.06.03 New deck to the east with a roof over part; new French doors on the E elevation; replace windows on S elevation; new family room incorporating the sunroom and new deck on N elevation; new semi attached garage towards the street frontage; a swimming pool and bbq area on the NW side of the site; removal of the existing garage, carport and woodstore</p>
13.	N	

RESIDENTIAL 3B: NORTHCOTE		
Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
14.	N	
15.	N	
16.	N	
17.	N	
18.	N	
19.	N	
20.	N	
21.	N	
22.	Y	LUC/2041551; 12.03.04 Extend dwelling at rear & add deck; construct loft space in roof incl. a dormer window in W façade; erect carport
23.	Y	R51397B; 27.07.00 Add deck & folding doors on N (side) elevation
24.	N	
25.	N	

RESIDENTIAL 3C: NORTHCOTE		
Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
1.	N	
2.	N	
3.	N	
4.	N	
5.	Y	LUC/2108131; 24.12.04 Upper storey addition; new front entry & veranda; enlarge carport and converted to a gge; small addition to E & N of dwelling for new family/dining area (NB: Appears the building consent has not yet been granted, so probably no work started)
6.	N	
7.	Y	LD/01539/01; 16.11.01 Add bedroom to north elevation
8.	N	
9.	N	(NB: resource consent for a deck was granted in October 1994, i.e. prior to DP notification)
10.	Y (NB: still being processed)	LS/2120233; current Erect new dwelling LT/2065061; current Remove existing dwelling (built 1946)
11.	N	(NB: resource consent for 2 townhouses were granted on 25.07.94, i.e. before the DP was notified)
12.	N	NB: original house was resited on the property and a second dwelling was erected in 1994, i.e. prior to the DP being notified

Buildings Chosen for North Shore Residential 3 Sample: Birkenhead

RESIDENTIAL 3C: BIRKENHEAD		
Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
1.	N	
2.	N	
3.	Y	LUC/2120130; 27.01.05 Extend dwelling at rear with a skillion roofed double carport incl. basement
4.	Y	LD/02395/02; 30.04.02 New double level deck at rear of dwelling incl. bi-fold doors; new carport (NB: resource consent was granted on 20.10.94 for the construction of two dwellings at 18-20 Rawene Rd, i.e. just before the proposed DP was notified)
5.	N	
6.	N	
7.	Y	R50684B; 21.09.98 (relates to Unit 2) New gge in front side yard of rear dwelling R50407B; 03.10.97 (relates to Unit 1) Add room at 1 st floor level (atop existing 'shed') on NW elevation
8.	N	(NB: a second dwelling on the site was granted resource consent (no number) on 12.10.94, i.e. before the proposed DP was notified)
9.	Y	LT/01755/01; 15.02.02 Re-position existing building 3m forward (applicant originally wanted to demolish it); remove lean-to at rear and replace with pergola; new dwelling towards rear of site; replace gge in front yard with carport
10.	N	
11.	N	
12.	Y	R51428B; 18.08.00 Construct deck at rear incl. roof over French doors; new timber window joinery on S & W elevation

RESIDENTIAL 3C: BIRKENHEAD

Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
13.	Y	No number; 27.09.95 (relates to unit 1) Extend upper floor; small deck extension on lower level (NB: amended deck plans were consented on 31.08.99 via b/c no. B13794 but no resource consent was required)
14.	Y	R10953B; 22.03.96 Construct new dwelling (NB: resource consent was granted on 10.02.94 for dwelling in the front yard at 60-62 Palmerston Rd, i.e. before the proposed DP was notified)
15.	Y	R50485B; 23.12.97 Erect minor residential unit at rear of dwelling
16.	N	
17.	N	
18.	Y	No number; 27.03.95 Add 1 st floor to dwelling; new deck
19.	N	
20.	N	
21.	N	
22.	Y	LT/04459/02; 14.03.03 Relocate post-1930s timber 'deco' dwelling off-site; construct new dwelling incl. accessory building
23.	Y	R50665B; 14.08.98 Remove existing bedroom on E elevation and replace with gge at ground level & bedroom/ensuite/study above
24.	Y	R50018B; 24.01.97 Construct a second residential dwelling (NB: consent was granted but may not have been implemented as a later subdivision consent was submitted to divide property into four lots (S10265B), which was declined.
25.	N	
26.	N	
27.	N	

RESIDENTIAL 3C: BIRKENHEAD

Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
28.	N	R/51488B / LE/00051/01 Letter dated 14.11.02 mentions application to replace existing dwelling with a new one (received 05.09.00) that was on hold for further information. No further details on Dataworks
29.	N	
30.	Y	R51379B; 15.11.00 Additions to dwelling; new gge; construct new shed & jetty/ramp (NB: compliance monitoring notes on Dataworks indicate that consent was not implemented and has now expired)
31.	N	
32.	Y	R50120B; 13.01.97 Extend existing deck & create double gge below
33.	N	
34.	N	
35.	N	
36.	N	
37.	Y	LD/2019601; 31.10.03 Extension at rear of dwelling to provide a 1 bedroom residential unit incl. deck & carport R51722B / R51640B; 30.03.01 Addition at rear of dwelling incl. new deck; replace carport (NB: R50434B was granted on 14.11.97 for a new deck & veranda but the consent was subsequently cancelled)
38.	Y	LB/03524/02; 23.08.02 Replace single gge with double gge at rear of site
39.	Y	LB/01736/01; 21.12.01 Add decks at rear of dwelling; erect workshop/storage shed at rear
40.	Y	LD/01955/01; 25.01.02 Convert roof of carport to a deck at rear of site
41.	Y	R12295B; 22.07.96 Addition to ground floor at rear incl. deck & new basement underneath; new gge in front yard

RESIDENTIAL 3C: BIRKENHEAD

Property Number	Consent Granted (Y/N)	Consent Number / Date Granted / Description
42.	Y	<p align="center">R50541B; 25.03.98 Lighting & fencing (up to 3m) for tennis court</p> <p align="center">R50087B; 03.12.96 New gge/games room, which supersedes that part of the consent below</p> <p align="center">R12545B; 10.09.96 Relocate dwelling 5m SE of original location; re-pitch roof from 35-38 degrees; new upper storey addition incl. turret; extend dwelling on W elevation; new gge & driveway; new tennis court; tree removal</p>

APPENDIX 4

Structured Observation Schedules

OUTCOMES FROM RESOURCE CONSENTS: NORTH SHORE RESIDENTIAL 3 ZONE

Property number:	LUC number:				
Name of heritage assessor:	Date of assessment:				
House constructed (i) pre-1930 or (ii) post-1930? (circle)					
Additions or Alterations to Any Existing Building in the Residential 3 Zone (Rule 16.7.3.1)					
District plan Assessment Criteria	Outcomes				
	Yes	No	In Part	Can't Tell	N/A
<p><u>Criterion A</u></p> <p>a) Were changes to the street-front façade avoided?</p> <p>b) Do additions & alterations preserve the essential character of the:</p> <p style="padding-left: 20px;">(i) street-front façade?</p> <p style="padding-left: 20px;">(ii) side elevations (not rear)?</p> <p style="padding-left: 20px;">(iii) roof planes of houses built before 1930?</p> <p>(NB: any additions & alterations should preserve the essential character with street facade changes generally avoided except for original detail uncovered & sympathetic alterations)</p>	a)				
	b)(i)				
	b)(ii)				
	b)(iii)				
<p><u>Criterion B</u></p> <p>c) Do alterations &/or additions to houses built before 1930 retain & reflect design characteristics of the original house:</p> <p style="padding-left: 20px;">(i) Detailing?</p> <p style="padding-left: 20px;">(ii) Materials?</p> <p style="padding-left: 20px;">(iii) Finishes?</p> <p style="padding-left: 20px;">(iv) Proportions?</p> <p style="padding-left: 20px;">(v) Fenestration?</p> <p style="padding-left: 20px;">(vi) Other _____</p> <p>d) Are the additions &/or alterations in keeping with the building's:</p> <p style="padding-left: 20px;">(i) Architectural form?</p> <p style="padding-left: 20px;">(ii) Historic form?</p> <p style="padding-left: 20px;">(iii) Proportions?</p> <p style="padding-left: 20px;">(vi) Style?</p>	c)(i)				
	c)(ii)				
	c)(iii)				
	c)(iv)				
	c)(v)				
	c)(vi)				
	d)(i)				
	d)(ii)				
	d)(iii)				
	d)(vi)				

Additions or Alterations to Any Existing Building in the Residential 3 Zone (Rule 16.7.3.1)					
District plan Assessment Criteria	Outcomes				
	Yes	No	In Part	Can't Tell	N/A
Criterion C e) Do the additions & alterations adversely affect the contribution a number of buildings make to the character of the area (streetscape group significance)?	e)				
Criterion D f) Are the materials of additions & alterations to older houses sympathetic to: (i) The built heritage of the area? (ii) The house itself? (NB: traditional materials such as corrugated steel sheet, timber shingles, timber horizontal or vertical weatherboards, & timber joinery are generally considered appropriate)	f)(i)				
	f)(ii)				
Criterion E g) Is the design & appearance of alterations &/or additions to houses built after 1930 in keeping with surrounding residential buildings? h) Are additions &/or alterations to houses built after 1930 compatible with the streetscape, in terms of: (i) Form (ii) Mass (iii) Proportion (iv) Materials i) Are roof forms sympathetic to the original form of the house or pitched?	g)				
	h)(i)				
	h)(ii)				
	h)(iii)				
	h)(iv)				
	i)				
	Outcomes				
	Yes	No	Can't Tell	N/A	
Has there been a loss of heritage values as a result of the consented activity?					
Overall Score: effect of consented activities: 10 = Strong positive effect 5 = Moderate positive effect 0 = No effect -5 = Moderate negative effect -10 = Strong negative effect	-10 ← -5 ← 0 → 5 → 10				
Comments					

OUTCOMES FROM RESOURCE CONSENTS: NORTH SHORE RESIDENTIAL 3 ZONE

Property number:	LUC number:				
Name of heritage assessor:	Date of assessment:				
House constructed (i) pre-1930 or (ii) post-1930? (circle)					
New Buildings & Relocated Buildings Within the Residential 3 Zone (Rule 16.7.3.2)					
District Plan Assessment Criteria	Outcomes				
	Yes	No	In Part	Can't Tell	N/A
<u>Criterion A</u> a) Is the design & external appearance of new buildings & structures in keeping with that of surrounding residential buildings & the streetscape?	a)				
<u>Criterion B</u> b) Are new & relocated buildings compatible with the characteristic era of the particular street of the site, in terms of : (i) Form? (ii) Mass? (iii) Proportion? (iv) Materials?	b)(i)				
	b)(ii)				
	b)(iii)				
	b)(iv)				
<u>Criterion C</u> c) Does the spaciousness of the siting in relation to the siting of neighbouring buildings contribute to the character & amenity of the area, by: (i) Ensuring that building siting does not detract from existing facade lines? (ii) Protecting the physical setting of older buildings?	c)(i)				
	c)(ii)				
<u>Criterion D</u> d) Where the building will be seen in the context of neighbouring houses, are roof forms sympathetic to the earlier existing roof forms of the area? (NB: flat roofs & mansard types are generally considered inappropriate)	d)				
<u>Criterion E</u> e) Does the provision of vehicle access & parking, (where required) complement the character of the neighbourhood?	e)				
<u>Criterion F</u> f) Has significant landscape planting, especially mature specimen trees, been conserved & enhance?	f)				

New Buildings & Relocated Buildings Within the Residential 3 Zone (Rule 16.7.3.2)				
Criterion G g) Is the front boundary treatment sympathetic to the character of the area? (NB: in particular, by including the conservation or reinstatement of fences & hedges, where practicable)	g)			
	Outcomes			
	Yes	No	Can't Tell	N/A
Has there been a loss of heritage values as a result of the consented activity?				
Overall Score: effect of consented activities: 10 = Strong positive effect 5 = Moderate positive effect 0 = No effect -5 = Moderate negative effect -10 = Strong negative effect	-10 ← -5 ← 0 → 5 → 10			
Comments				

OUTCOMES FROM RESOURCE CONSENTS: NORTH SHORE RESIDENTIAL 3 ZONE

Property number:	LUC number:				
Name of heritage assessor:	Date of assessment:				
Demolition or Removal of Existing House in the Residential 3 Zone (Rule 16.7.3.3)					
District Plan Assessment Criteria	Outcomes				
	Yes	No	In Part	Can't Tell	N/A
<p><u>Criterion A</u> a) Was the house that was demolished or removed constructed after 1930?</p> <p>(NB: earlier houses are generally considered to contribute strongly to the heritage character of the Residential 3 areas)</p>	a)				
<p><u>Criterion B</u> b) Was the house relocated within the same community as the original site?</p>	(b)				
<p><u>Criterion C</u> c) For houses constructed prior to 1930 was restoration not practicable because: (i) It was in such poor structural or physical condition? (ii) Substantially altered</p>	c)(i)				
	c)(ii)				
<p><u>Criterion D</u> d) Was evidence presented by the owner as to the consequences of the demolition or removal consent process, or other compelling reasons indicating why the work is necessary?</p>	d)				
<p><u>Criterion E</u> e) Were the effects on the townscape, streetscape and architectural contributions of older houses to the character of the area adequately assessed prior to their demolition or removal?</p>	e)				
<p><u>Criterion F</u> f) Before demolition or removal was approved, was the extent of any Council commitment to financial assistance or Heritage Orders ascertained?</p>	f)				
<p><u>Criterion G</u> g) Did demolition or removal have any significant adverse effect on major landscape features such as mature specimen trees?</p>	g)				

Demolition or Removal of Existing House in the Residential 3 Zone (Rule 16.7.3.3)					
Criterion H h) Were re-use options actively pursued as a means of mitigating adverse effects on neighbourhood and streetscape character, of the loss of the building?	h)				
Criterion I i) Did the appearance of the demolished or removed house contribute to the character and amenity of the area?	i)				
	Outcomes				
	Yes	No	Can't Tell	N/A	
Has there been a loss of heritage values as a result of the consented activity?					
Overall Score: effect of consented activities: 10 = Strong positive effect 5 = Moderate positive effect 0 = No effect -5 = Moderate negative effect -10 = Strong negative effect	-10 ← -5 ← 0 → 5 → 10				
Comments					

HERITAGE MONITORING WELLINGTON CITY: ASSESSMENT OF BUILT HERITAGE OUTCOMES

District Plan listing number:	Service Request Number:
General name and location of heritage item:	Metric Grid Reference Easting: Northing:
Name of heritage assessor:	
Date:	

Resource Consent Analysis

(NB: Complete one form per resource consent application)

Assessment of Heritage Outcomes against specific Assessment Criteria outlined in Rule 21.2.2: Alterations and Additions to listed heritage items, and Rule 21.2.1: Signs on listed heritage items

ASSESSMENT CRITERIA	YES	NO	IN PART	CAN'T TELL	N/A
1. Building exterior and/or façade (where applicable)					
(a) Were alterations avoided to street elevation(s)?					
(b) If alterations to street elevation(s) were not avoided, were the changes minimized?					
(c) Were the main determinants of the style and character of the building retained?					
(d) Was the style of the existing building reflected in the alteration or addition?					
(e) Did the addition or alteration respect the scale of the original?					
(f) Was the addition or alteration sympathetic to the existing form?					
(g) Was the addition or alteration sympathetic to the existing cladding materials?					
(h) Was the addition or alteration sympathetic to the existing building and opening proportions?					
(i) Was the addition or alteration sympathetic to the existing colour(s)?					
(j) Was a high level of architectural design authenticity maintained?					
(k) Did any restoration of missing elements occur and were they authentic in architectural design?					

(l) Were existing additions retained where they had heritage significance in their own right?					
(m) Did the modifications to the building respect movable cultural property?					
(n) Did the activity minimise the loss of historic fabric?					
ASSESSMENT CRITERIA (continued)	YES	NO	IN PART	CAN'T TELL	N/A
1. Building exterior and/or façade (where applicable)					
(o) Were significant materials and craftsmanship retained?					
(p) Was the authenticity of setting retained?					
(q) Was repair favoured over replacement?					
(r) Was the retention of historic fabric maximized?					
(s) Was respect shown for the patina of age of the materials?					
(t) Has the relationship of the building with its setting been maintained?					
(u) Where the building had only the façade listed, was the depth of one bay back from the line of the original façade retained?					
(v) Where signs have been installed, was the method of attachment appropriate in minimising damage to exterior fabric?					

Assessment of Heritage Outcomes against specific Assessment Criteria outlined in Rule 21.3.1: Total or Partial Demolition, destruction or removal to listed heritage items

ASSESSMENT CRITERIA	YES	NO	IN PART	CAN'T TELL	N/A
2. Building, façade or significant element of a building (where applicable)					
(a) Prior to the resource consent application, was there a change in circumstance that resulted in a reduction of the building's heritage significance? If so, please describe the change.					
(b) Could the building have been adapted for re-use, rather than being completely demolished?					
(c) Did the alteration retain the significant heritage elements of the building?					
(d) Did the building pose a risk to humans in the event of an earthquake?					

(e) Was relocation of the building considered?					
(f) Was the impact that relocation could have on the heritage significance of the building considered?					
(g) Were there other statutory protection mechanisms considered to protect the building?					
OVERALL EFFECTS	YES	NO	COMMENTS		
1. Has there been a loss of heritage value as a result of the project that required a resource consent?					
2. Is it permanent loss, or is it recoverable or temporary?					
3. Does the heritage item retain its eligibility for inclusion on the District Plan Heritage List?					
OVERALL SCORE					
1. Overall Score: effect of consented activities on the building's exterior or façade (as protected in the Plan): 10 = Strong positive effect 5 = Moderate positive effect 0 = No effect -5 = Moderate negative effect -10 = Strong negative effect	<p style="text-align: center;">-10 ← -5 ← 0 → 5 → 10</p>				

APPENDIX 5

Scorecards for RAP Workshops

SCORECARDS FOR RAP WORKSHOP: WELLINGTON CITY COUNCIL

TABLE 1: UNCONSTRAINED DEVELOPMENT

If there were no district plan, what effect would a strong (++++) increase in *property value* have on the following building elements?

- | | |
|---|---|
| +++ denotes a strong increase | --- denotes a strong decrease |
| ++ denotes a moderate increase | -- denotes a moderate decrease |
| + denotes a weak increase | - denotes a weak decrease |
| +...++ denotes a weak to moderate increase (etc.) | --...--- denotes a moderate to strong decrease (etc.) |

Building Element	Architectural Integrity (including design, materials, workmanship/craftsmanship)	Historical Integrity (including age, continuity of use, association with people, groups or events)	Setting (the relationship of a building to its surroundings)	Utility (a building's usefulness & functionality)	Physical Condition (a building's state of repair)
Case					
Assessment					
Explanation (why do you expect unconstrained development to cause these effects?)					

TABLE 2: CONTROL SIGNAGE

Compared to unconstrained development, what effect would you expect this rule to have on the following building elements?

Building Elements Case	Architectural Integrity (including a building's design, materials, workmanship/craftsmanship)	Historical Integrity (including a building's age, continuity of use, association with people, groups or events)	Setting (the relationship of a building to its surroundings)	Utility (a building's usefulness & functionality)	Physical Condition (a building's state of repair)
Unconstrained Development (from Table 1)					
Assessment					
Explanation (why do you think this rule will cause these effects?)					

TABLE 3: CONTROL EXTERIOR ADDITIONS AND ALTERATIONS

Compared to unconstrained development, what effect would you expect this rule to have on the following building elements?

Building Elements Case	Architectural Integrity (including a building's design, materials, workmanship/craftsmanship)	Historical Integrity (including a building's age, continuity of use, association with people, groups or events)	Setting (the relationship of a building to its surroundings)	Utility (a building's usefulness & functionality)	Physical Condition (a building's state of repair)
Unconstrained Development (from Table 1)					
Assessment					
Explanation (why do you think this rule will cause these effects?)					

TABLE 4: CONTROL DEMOLITION AND REMOVAL

Compared to unconstrained development, what effect would you expect this rule to have on the following building elements?

Building Elements Case	Architectural Integrity (including a building's design, materials, workmanship/craftsmanship)	Historical Integrity (including a building's age, continuity of use, association with people, groups or events)	Setting (the relationship of a building to its surroundings)	Utility (a building's usefulness & functionality)	Physical Condition (a building's state of repair)
Unconstrained Development (from Table 1)					
Assessment					
Explanation (why do you think this rule will cause these effects?)					

TABLE 5: CONTROL NEW BUILDINGS
(taking into account the influence of the character area and multi unit design guides)

Compared to unconstrained development, what effect would you expect this plan rule to have on the following building elements?

Building Elements	Architectural Integrity (including a building's design, materials, workmanship/craftsmanship)	Historical Integrity (including a building's age, continuity of use, association with people, groups or events)	Setting (the relationship of a building to its surroundings)	Utility (a building's usefulness & functionality)	Physical Condition (a building's state of repair)
Case					
Unconstrained Development (from Table 1)					
Assessment					
Explanation (why do you think this method will cause these effects?)					

TABLE 6: FINANCIAL INCENTIVES (i.e. heritage grant)

Compared to unconstrained development, what effect would you expect this plan method to have on the following building elements?

Building Elements Case	Architectural Integrity (including a building's design, materials, workmanship/craftsmanship)	Historical Integrity (including a building's age, continuity of use, association with people, groups or events)	Setting (the relationship of a building to its surroundings)	Utility (a building's usefulness & functionality)	Physical Condition (a building's state of repair)
Unconstrained Development (from Table 1)					
Assessment					
Explanation (why do you think this method will cause these effects?)					

TABLE 7: PROVISION OF ADVICE (i.e. pre-application meetings, consultation with WCC Heritage Advisor)
 Compared to unconstrained development, what effect would you expect this plan method to have on the following building elements?

Building Elements Case	Architectural Integrity (including a building's design, materials, workmanship/craftsmanship)	Historical Integrity (including a building's age, continuity of use, association with people, groups or events)	Setting (the relationship of a building to its surroundings)	Utility (a building's usefulness & functionality)	Physical Condition (a building's state of repair)
Unconstrained Development (from Table 1)					
Assessment					
Explanation (why do you think this method will cause these effects?)					

TABLE 8: PLAN AS A WHOLE

Compared to unconstrained development, what effect would you expect the plan as a whole to have on the following building elements?

Building Elements Case	Architectural Integrity (including a building's design, materials, workmanship/craftsmanship)	Historical Integrity (including a building's age, continuity of use, association with people, groups or events)	Setting (the relationship of a building to its surroundings)	Utility (a building's usefulness & functionality)	Physical Condition (a building's state of repair)
Unconstrained Development (from Table 1)					
Assessment					
Explanation (why do you think the plan will cause these effects?)					

SCORECARDS FOR RAP WORKSHOP: NORTH SHORE CITY COUNCIL

TABLE 1: UNCONSTRAINED DEVELOPMENT

If there were no district plan, what effect would a strong (+++) increase in *property value* have on the following heritage values?

- | | |
|--|---|
| <p>+++ denotes a significant enhancement of heritage values</p> <p>++ denotes a moderate enhancement</p> <p>+ denotes a minor enhancement</p> <p>+...++ denotes a minor to moderate enhancement (etc.)</p> <p>0 denotes neither a loss nor enhancement (i.e., no effect)</p> | <p>--- denotes a significant loss of heritage values</p> <p>-- denotes a moderate loss</p> <p>- denotes a minor loss</p> <p>---...--- denotes a moderate to significant loss (etc.)</p> |
|--|---|

Case	Heritage Values	Architectural Integrity (including design and appearance, materials)	Historical Integrity (including age and style of buildings, pattern of development)	Setting (including orientation/ placement of buildings within a site, space around buildings, landscaping)	Streetscape (the focus of buildings within the street)	Physical Condition (a building's state of repair)
Assessment						
Explanation (why do you expect unconstrained development to cause these effects?)						

**TABLE 2: CONTROL EXTERIOR ADDITIONS AND ALTERATIONS
(without the influence of the Good Solutions Guide)**

Compared to unconstrained development, what effect would you expect this rule to have on the following heritage values?

Heritage Values Case	Architectural Integrity (including design and appearance, materials)	Historical Integrity (including age and style of buildings, pattern of development)	Setting (including orientation/ placement of buildings within a site, space around buildings, landscaping)	Streetscape (the focus of buildings within the street)	Physical Condition (a building's state of repair)
Unconstrained Development (from Table 1)					
Assessment					
Explanation (why do you expect unconstrained development to cause these effects?)					

TABLE 3: CONTROL NEW BUILDINGS

Compared to unconstrained development, what effect would you expect this plan rule to have on the following heritage values?

Heritage Values Case	Architectural Integrity (including design and appearance, materials)	Historical Integrity (including age and style of buildings, pattern of development)	Setting (including orientation/ placement of buildings within a site, space around buildings, landscaping)	Streetscape (the focus of buildings within the street)	Physical Condition (a building's state of repair)
Unconstrained Development (from Table 1)					
Assessment					
Explanation (why do you expect unconstrained development to cause these effects?)					

TABLE 4: CONTROL DEMOLITION AND REMOVAL

Compared to unconstrained development, what effect would you expect this rule to have on the following heritage values?

Heritage Values Case	Architectural Integrity (including design and appearance, materials)	Historical Integrity (including age and style of buildings, pattern of development)	Setting (including orientation/ placement of buildings within a site, space around buildings, landscaping)	Streetscape (the focus of buildings within the street)	Physical Condition (a building's state of repair)
Unconstrained Development (from Table 1)					
Assessment					
Explanation (why do you expect unconstrained development to cause these effects?)					

TABLE 5: FINANCIAL INCENTIVES (i.e. heritage grant)

Compared to unconstrained development, what effect would you expect this plan method to have on the following heritage values?

Heritage Values Case	Architectural Integrity (including design and appearance, materials)	Historical Integrity (including age and style of buildings, pattern of development)	Setting (including orientation/ placement of buildings within a site, space around buildings, landscaping)	Streetscape (the focus of buildings within the street)	Physical Condition (a building's state of repair)
Unconstrained Development (from Table 1)					
Assessment					
Explanation (why do you expect unconstrained development to cause these effects?)					

TABLE 6: PROVISION OF ADVICE (i.e. pre-application meetings, early consultation with NSCC Heritage Advisor)
 Compared to unconstrained development, what effect would you expect this plan method to have on the following heritage values?

Heritage Values Case	Architectural Integrity (including design and appearance, materials)	Historical Integrity (including age and style of buildings, pattern of development)	Setting (including orientation/ placement of buildings within a site, space around buildings, landscaping)	Streetscape (the focus of buildings within the street)	Physical Condition (a building's state of repair)
Unconstrained Development (from Table 1)					
Assessment					
Explanation (why do you expect unconstrained development to cause these effects?)					

TABLE 7: PLAN AS A WHOLE

Compared to unconstrained development, what effect would you expect the plan as a whole to have on the following heritage values?

Heritage Values Case	Architectural Integrity (including design and appearance, materials)	Historical Integrity (including age and style of buildings, pattern of development)	Setting (including orientation/ placement of buildings within a site, space around buildings, landscaping)	Streetscape (the focus of buildings within the street)	Physical Condition (a building's state of repair)
Unconstrained Development (from Table 1)					
Assessment					
Explanation (why do you expect unconstrained development to cause these effects?)					

APPENDIX 6

Semi-Structured Interview Schedules

Semi-Structured Interview Schedule for Council Personnel (and HPT)

Questions Relating to Specific Resource Consent Applications

1. How long have you been employed by WCC/NSCC?
2. Have you had any training in heritage management? If yes, what?
3. Did you have input at the pre-application discussions stage for the consent in question? What advice did you give and was it acted upon?
4. What responsibility did you have in assessing the application once it was submitted to WCC/NSCC?
5. Who else had input into assessing the proposal (within council)?
Who made the final decision?
6. What factors (or effects) relating to heritage did you take into account when assessing the proposal?
7. Did you refer to the district plan's assessment criteria when assessing the proposal?
If no, why not?
If yes, did the proposal meet the assessment criteria?
8. Did the proposal change after it had been submitted to WCC/NSCC?
If yes, (i) what changes were made; (ii) why were the changes made; (iii) who requested the changes; and (iv) did you agree with the need for the changes?
9. Would you have assessed the proposal differently if you did not need to take into account the district plan's heritage provisions?
If yes, in what ways?
If no, why not?
10. How much influence did the heritage provisions have on your assessment of the proposal as compared to other district plan provisions?
11. Who do you think had more control on the resource consent process – the applicant or WCC/NSCC? Why?
In other words, did the applicant exert pressure on WCC/NSCC to approve the application? If so, how did they do this and was it successful?
12. In your opinion, could a better outcome have been achieved?
If so, how? Why was this not achieved at the time?
13. Overall, what were the main factors that influenced the final outcome of this consent?

General Question to Council Personnel Regarding their Perceptions of Plan Effectiveness

14. What factors do you think promoted or inhibited implementation of the plans heritage provisions?

Prompt: there are several factors that are generally recognised as being influential in plan implementation that might be relevant to your experience:

- Quality of plan provisions (e.g. strength of rules, robustness of heritage schedule/assessment criteria etc);
- Capacity and commitment of council to implement the plan (staff numbers, expertise, level of management/political support etc);
- Capacity and commitment of consent applicants to comply with the heritage provisions (technical knowledge, willingness etc);
- Negotiations between council and applicants (e.g. who influences who?).

Semi-Structured Interview Schedule for Resource Consent Applicants

1. What were your goals in designing the proposal – what were you hoping to achieve?
2. Who was responsible for the design of the proposal?
3. Do you support the district plan’s objective to protect buildings with heritage values? Why/why not?
4. Were you aware of the district plan’s heritage provisions prior to this proposal?
If yes, (i) what did you know; (ii) where did your information come from (e.g. previous resource consent applications); and (iii) how did this knowledge influence the design of the proposal?
5. What other factors did you take into account when designing the proposal (e.g. financial requirements, site characteristics, building regulations etc)?
6. Did you receive heritage advice and/or financial assistance from WCC/NSCC?
If yes, (i) at what stage of the process; and (ii) how did that advice/assistance influence the proposal?
7. Did your initial proposal change after you submitted it to WCC/NSCC?
If yes, (i) what changes were made; (ii) why were the changes made; (iii) who requested the changes; and (iv) did you agree with the need for the changes?
8. Would you have designed the proposal differently if you did not need to take into account the district plan’s heritage provisions?
If yes, in what ways?
If not, why not?
9. Who do you believe exerted more control on the resource consent process – yourself as the applicant or WCC/NSCC? Why?
10. Were your initial goals achieved through this consent? Why/why not?
11. If you were contemplating another development what would you do differently based on your experience in this consent process?

Appendix 7

Explanatory Notes on Building and Interpreting a Systems Model using RAP

The screenshots and explanations that are used in this Appendix come from an early and incomplete model that was created with the input of heritage specialists in the first two RAP workshops. I have used this model to aid the explanation of RAP by illustrating the steps used in building a model and the information required for each step. The models that I ultimately used to depict the plans' causal theory are quite different to this one, as set out in Chapter 5.

How Does RAP Work?

The information needed to build and apply a RAP model includes details on: 1) the problem to be addressed and its causes; 2) the goals sought in addressing the problem; 3) the policy options available; and 4) the means by which the policies are expected to counter the problem (i.e. the policies' causal theory). Each of these requirements is now looked at in turn.

Problem definition

The first step in the process is essentially a brainstorming exercise; it involves **defining the problem** for which a solution is sought, as well as specifying the policy or plan **goal(s)** that would be realised once the problem has been addressed (Figure A7.1, following page).

The information inputted at this stage does not form part of the model. There are, however, several advantages of starting the process here. For one, "When RAP is used in a workshop setting, the problem definition step is especially valuable as it ensures the same starting point for all participants based on a shared view of what is at stake" (van der Werff ten Bosch and Kouwenhoven, 2004, p.1164). Moreover, the information that goes into defining the problem is useful for

indicating the sorts of information that needs to be captured in the actual model. In other words, the problem definition helps foreshadow the ingredients of the model itself.

The screenshot shows the RAP interface with three numbered steps:

- Step 1:** "Describe your problem below." A text area contains a paragraph about sustainable development and built heritage. A "Brainstorm" button is in the top right.
- Step 2:** "Provide lists of project objectives and of overall objectives." It features two list boxes. The left box is labeled "Project" and contains three items: "1. Retention of built heritage", "2. Recognition of built heritage", and "3. Balance between costs and benefits". The right box is labeled "Overall" and is empty. Both boxes have "New", "Edit", and "Delete" buttons below them.
- Step 3:** "What are the boundaries, scales and preconditions?" It has two text areas. The left one is labeled "Spatial" and contains "district, region". The right one is labeled "Temporal" and contains "long term protection".

Figure A7.1: Defining the problem to be addressed as well as the policy or plan objectives is the first step in building a systems model using RAP

Building a RAP Model

Once the policy problem has been defined, the actual process of building a qualitative systems model begins. This comprises three steps: 1) identifying the components of the system; 2) defining the characteristics of each component; and 3) delineating the relationship between characteristics. It is important to note that the model building process is iterative; previous steps can be reviewed and modified at any point.

First, **components** are the building blocks of the system being modelled. They represent the key elements of the system at an abstract level and can include “compartments (air, water, land), actors (population, society), functions (drinking

water) or activities (economy, transport)” (van der Werff ten Bosch and Kouwenhoven, 2004. p.1164). The role of components in a RAP model is largely descriptive, as they do not influence, and are not influenced by, the operation of the system per se. The components shown in Figure A7.2 (following page) are represented by the 11 colour boxes and include ‘Public’, ‘Demography’, ‘Buildings’, ‘Governance’, ‘Technology’, etc.

While the components may be thought of as the main descriptors or ‘umbrella’ concepts, the **characteristics** are more tangible and play an active role in system function. They are the feature(s) that define the components in the system in relation to the problem (van der Werff ten Bosch and Kouwenhoven, 2004). More specifically, what is it about the component ‘Buildings’ in Figure A7.2 that is relevant to the issue of heritage protection? In this case, the heritage specialists that attended the RAP workshops thought that a building’s *integrity* (or authenticity), *landscape and streetscape* qualities, *physical condition*, heritage *significance*, and *utility* (or usefulness) were important. Similarly, when characterising ‘Governance’, the participants considered that political *commitment*, the *degree of regulation*, the availability of *incentives*, and the *quality of the definitions* for historic heritage in legislation were critical aspects.

A prerequisite when defining the characteristics is that they must be expressed as something that can increase or decrease. This is so “that RAP can analyse system changes resulting from interventions later on” (van der Werff ten Bosch and Kouwenhoven, 2004, p.1165). For example, the characteristics *average age* and *income* under the ‘Demography’ component are features that fluctuate over time, as are the characteristics *investment* and *property value* under ‘Economy’. A number of other characteristics, however, do not satisfy this condition, notably *fashion diktats* under ‘Trends’ and *sense of place* for the component ‘Public’. While both of these characteristics can and do change (fashions come and go and perceptions of sense of place vary between people and across locations), such change is not typically expressed in terms of an increase or decrease.

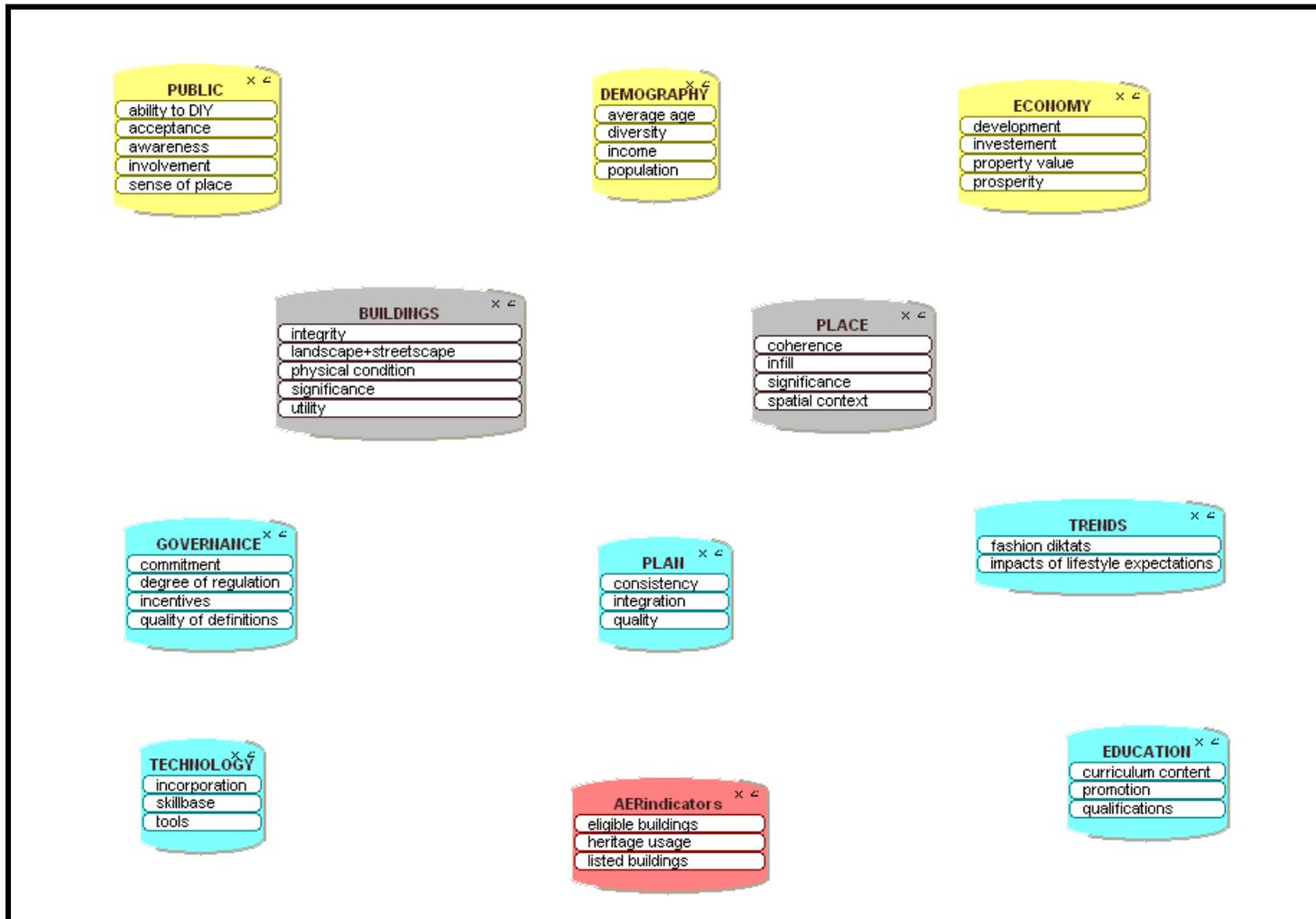


Figure A7.2: Components (indicated by the 11 boxes) and their characteristics form the main ingredients of a RAP model

The third model building stage involves delineating the **relationships** between characteristics. The simple question that needs to be asked is: if Characteristic ‘A’ increases, which other characteristics will change as a *direct* result, and will this be an increase or decrease? Where the *direction of change* between characteristics is the same, a positive relationship exists; that is, where an increase in one characteristic will lead to an increase in another or, similarly, where a decrease in one characteristic will bring about a decrease in another. Conversely, a negative relationship occurs where the direction of change between characteristics is opposite; namely, where a decrease in one characteristic causes an increase in another and vice versa. A common misconception is to interpret a positive relationship as desired and a negative relationship as undesired. This is not the case, however, as the terms merely refer to the way in which change in one characteristic affects change in another; they do not indicate a judgement about the desirability of the relationship. As shown in Figure A7.3 (following page), the relationships are depicted in the model by coloured lines connecting the characteristics, with orange reflecting a positive relationship and blue a negative one. The direction of change is further indicated by arrows that show whether a characteristic causes change (an outward arrow) and/or responds to change triggered somewhere else in the model (an inward arrow).

As well as the direction of change between characteristics, the *intensity of the relationship* needs to be specified. In RAP, a relationship can be expressed as weak, moderate or strong depending on how much influence the change in one characteristic has on the change of another. The intensity of change is inputted in RAP by way of pluses (+) and minuses (-), whereby three pluses (+++) and three minuses (---) represent a strong increase or decrease, two pluses or minuses (++, --) a moderate increase or decrease, and one plus or minus (+, -) a weak increase or decrease. The intensity of change is reflected visually in the model by lines of differing thickness; thin, medium or bold lines indicating a weak, moderate or strong relationship respectively.

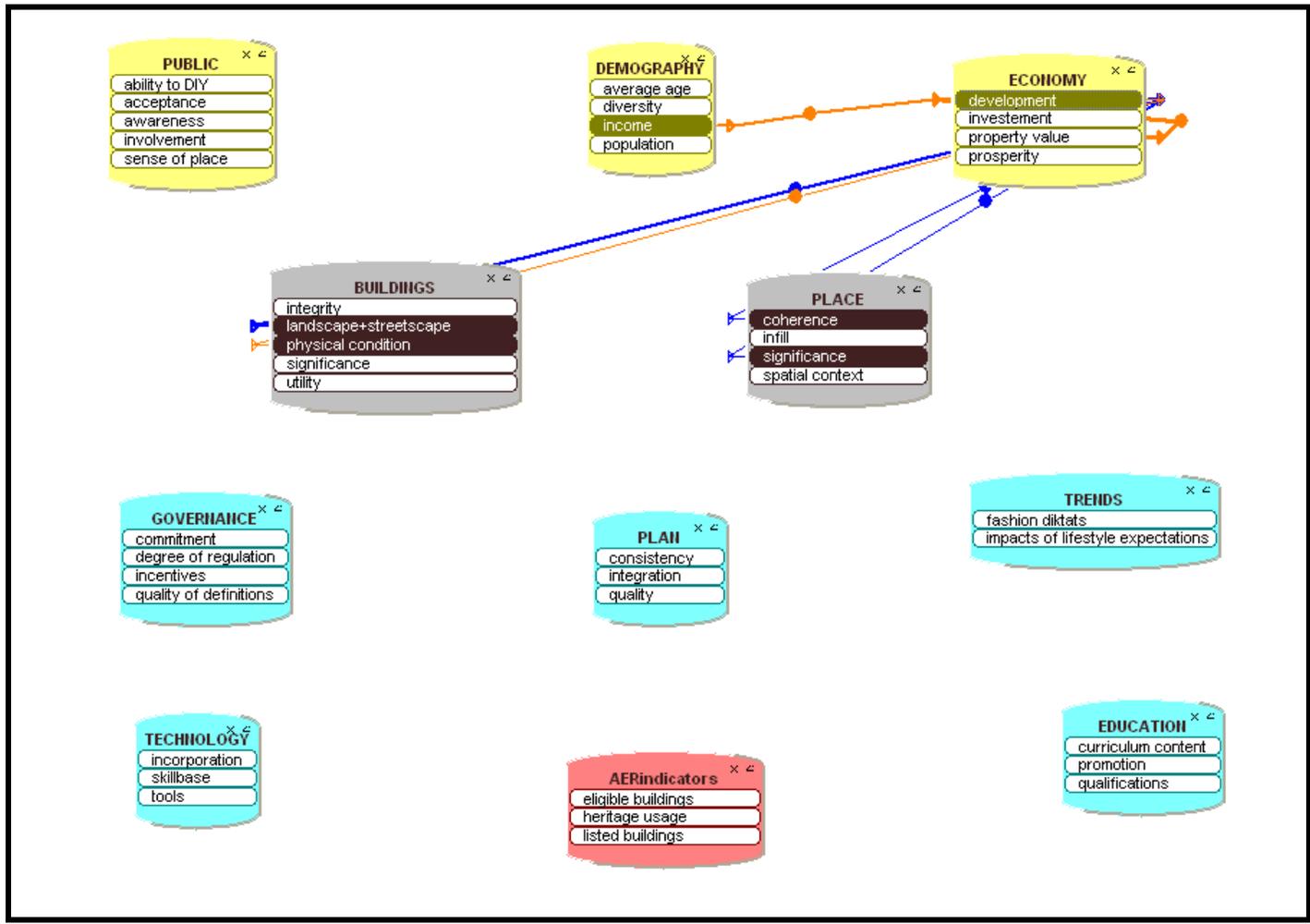


Figure A7.3: The relationships between the characteristic *development* and other characteristics have been defined in the model (including the direction and intensity of change)

The relationships can also be defined as ‘hard’ or ‘soft’ depending on whether they are fixed or variable. For instance, knowledge about relationships may be based on well-proven evidence, such as “physical, chemical, biological (or comparable) ‘laws’” (Kouwenhoven et al., 2005, p.3). In this case, the relationships would be considered ‘hard’ as they are well-established or accepted. However, other relationships may be “the result of certain human behaviour” (Kouwenhoven et al., 2005, p.3) and, as such, may be inconsistent or unreliable. Such unpredictability can be indicated in a model by demarcating the relationships as ‘soft’. RAP can calculate system function with or without the ‘soft’ relations, in order for their impacts to be analysed.

As an example of relationships in RAP, the characteristic *development* has been selected in Figure A7.3 above. Other characteristics that influence or are influenced by development in the model are also highlighted. Two characteristics influence development positively (note the line colour), namely *income* under the ‘Demography’ component and *property values* under the ‘Economy’ component. The intensity of these ‘inward’ relationships is strong as denoted by the bold lines leading from them to the development characteristic. Such a relationship can be read as ‘a strong increase (or decrease) in income and/or property values will lead to a correspondingly strong increase (or decrease) in development’. The remainder of the relationships are in an ‘outward’ direction, meaning that the other characteristics respond to changes in the level of development. This includes *coherence* and heritage *significance* for the ‘Place’ component, which both have a negative, weak relationship with development (read as ‘a strong increase in development will lead to a weak decrease in coherence/significance’). Similarly, development weakly influences *physical condition* under the ‘Building’ component, although this relationship is positive (‘a strong increase or decrease in development will lead to a weak increase or decrease in a building’s physical condition’). Lastly, the characteristic *landscape and streetscape*, also under the ‘Buildings’ component, has a moderate, negative relationship with development. This means that ‘a strong increase in development will moderately decrease the landscape and streetscape qualities of a building’

Changes to characteristics in the model ‘flow’ from one to another thus creating a series of interconnecting causal pathways. As shown in Figure A7.4 (over page), these pathways can result in a complex web of inter-relationships, particularly when a model is comprised of many characteristics. Not surprisingly, van der Werff ten Bosch and Kouwenhoven (2004) have found it beneficial to limit the number of characteristics, especially when a model is being developed in a workshop setting, in order to minimise the amount of time required.

Evaluating the impact of the interventions on the system

Once the model is built it can be applied. First, however, **criteria** (or indicators) need to be chosen to signify how closely the policy or plan goals specified at the problem definition stage have been achieved. Criteria are usually: “1) linked to the achievement of an objective; 2) directly linked to the actual implementation of a measure; [and/or] 3) linked to the status of the system” (van der Werff ten Bosch and Kouwenhoven, 2004, p.1165; only in the original paper, as erroneously omitted in published version). The first two categories are relevant in my case, as the criteria in the built heritage models have been chosen to gauge how closely the plans’ anticipated environmental results have been satisfied as well as the impact of each plan intervention (and the plan as a whole) on the system.

The criteria are taken from characteristics in the model that best signal the effect of changes on the system, thus the RAP model is also a useful tool for identifying indicators for state of the environment reporting. It may become apparent at this stage that changes to the system brought about by plan interventions cannot be modelled by the existing characteristics. In other words, key characteristics required to model the impact of the plan might be missing. In this event, the model may need to be revisited and new or alternative characteristic(s) added, as well as their relationships with other characteristics (Kouwenhoven et al., 2005; van der Werff ten Bosch and Kouwenhoven, 2004).

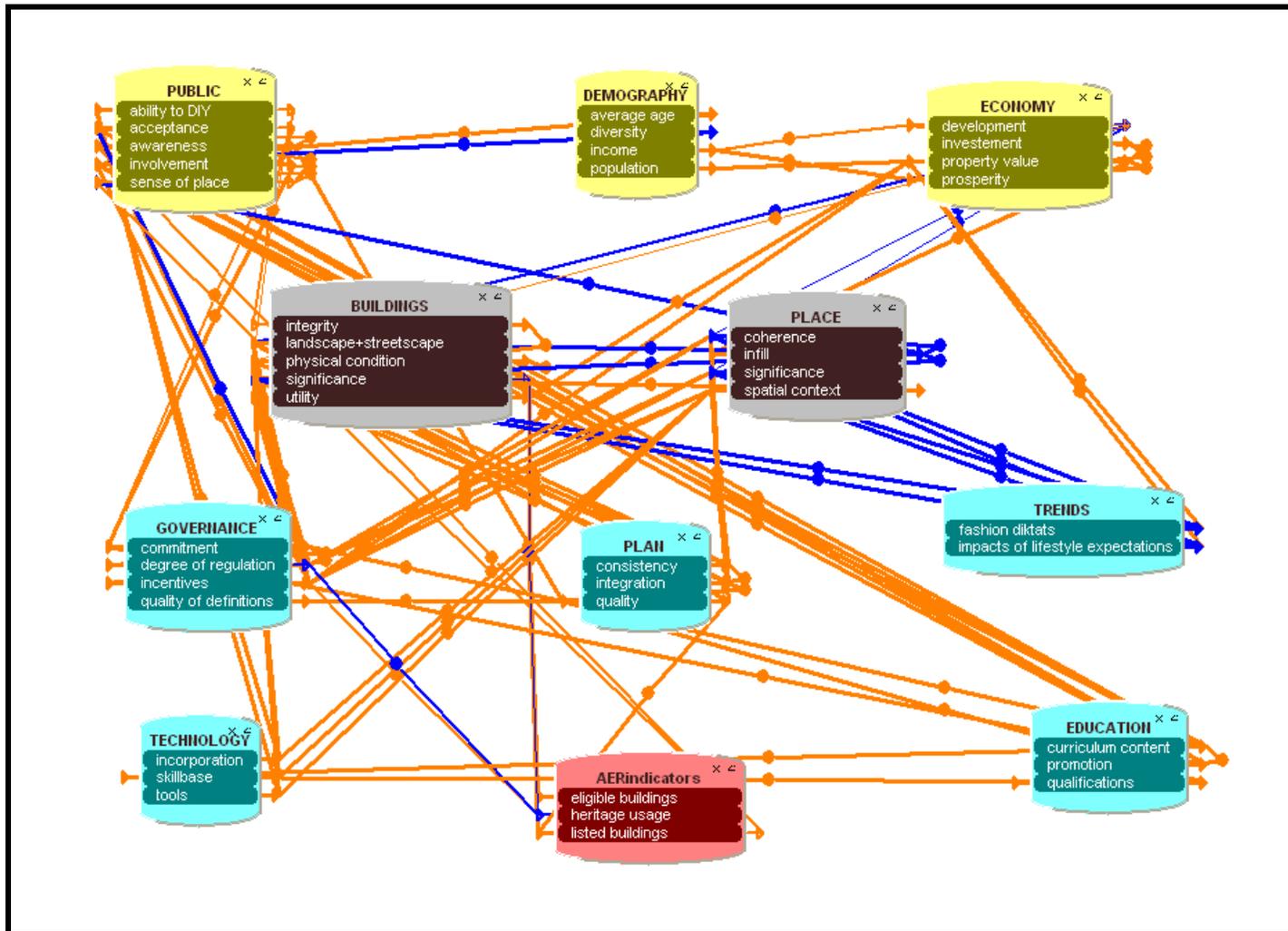


Figure A7.4: The complexity of the model is revealed when all relations between characteristics are shown

The **interventions** can now be ‘implemented’ in the model and their impacts on the system evaluated. Interventions can be either internal, which refers to changes introduced by a plan, or external, which are exogenous influences on the system over which the plan exerts little or no control. In the case of built heritage, internal interventions include both regulatory and non-regulatory methods, whereas an obvious external intervention is the rate of economic growth or decline which has a direct bearing on the demand for urban development.

The question that needs to be asked is: what *direct* effect do we expect intervention ‘X’ to have on the system? With this in mind, interventions can cause changes in the model in two ways: first, by directly changing the behaviour of characteristics and; second, by changing the intensity of relationships between characteristics. In both instances the change is initiated by amplifying or reducing the influence of the relevant characteristic or relationship. There is an important difference, however: changing a characteristic will lead to other changes in the system, whereas changing a relationship will only have an effect if it is on the pathway of a characteristic that has been changed. As an example of the former, strong economic growth (an external intervention) fuels urban development, which in turn exposes heritage to unsympathetic change, especially in the absence of development controls. In this case, economic growth would strongly increase the level of *development* in the model which would in turn cause changes to characteristics ‘down stream’, such as by decreasing the *landscape and streetscape* qualities of heritage buildings (refer again to Figure A7.3 above).

District plans typically seek to address this situation by introducing interventions aimed at minimising the negative effects of development on built heritage. As mentioned in Chapter 2, councils apply rules in district plans that require landowners to apply for resource consent when undertaking changes that may adversely affect the heritage values of a protected building. So, while economic growth may lead to a development boom, plan provisions are intended to dampen the negative consequences by reducing the intensity of the relationship between *development* and

valued built heritage characteristics, such as *landscape and streetscape* qualities. The degree to which interventions increase or decrease the behaviour of a characteristic or relationship must be specified as strong, moderate or weak, again by using a factor of three, two or one pluses or minuses respectively.

Once all the interventions have been ‘implemented’ in the model their effect on system function can be assessed by way of a scorecard which compares the outcomes per intervention for the specified criteria. A hypothetical scorecard for the above model is shown in Figure A7.5 (following page). The ellipses indicate the effect that the interventions are expected to have on each of the three criteria (‘eligible buildings’, ‘heritage usage’, and ‘listed buildings’) given the cause-effect relationships that underpin the model. Blue ellipses show that a negative ‘change’ or decrease will result (which in this case means a loss of heritage values), whereas yellow ellipses show a positive ‘change’ or increase (heritage values will be enhanced). The ellipses range from large, medium and small in size, thus illustrating that the effects may be strong, moderate or weak. A blank field illustrates that the intervention will be benign, in other words, it will have neither a positive nor negative influence on that particular criterion. The impact of two or more interventions implemented simultaneously can also be modelled (as is the case for Intervention 1 & 3) so as to assess whether combinations might engender better or worse effects on the model’s effectiveness criteria.

As can be seen, outcomes on the scorecard are usually depicted as a range shown by the variance in ellipse size and/or colour in a field. This demonstrates that an intervention usually influences a model’s characteristics and relationships in a host of ways, both positively and negatively, and as a result multiple causal pathways ‘arrive’ at an indicator with differing intensities. For instance, Intervention 4 has a weak to moderate positive effect on the ‘eligible buildings’ indicator, as shown by the small and medium-sized yellow ellipses, whereas Intervention 3 has a strong positive to strong negative impact on the ‘listed buildings’ indicator (large blue – large yellow

ellipses). The wide ranging score for Intervention 3 on listed buildings implies that its effectiveness is uncertain and that it might therefore be a poor policy option.

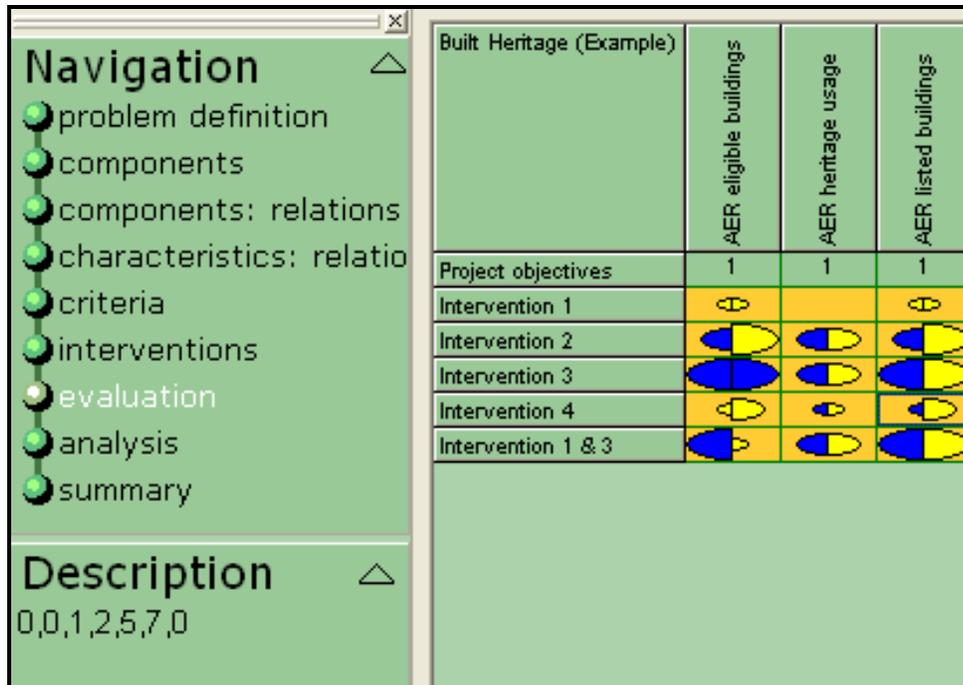


Figure A7.5: Hypothetical scorecard showing the effectiveness of interventions in achieving the built heritage criteria

As well as specifying the inputs (interventions) and outputs (scores) of a model, RAP also tracks causal pathways that affect an outcome and can trace them through the model from the criteria back to the intervention. For instance, referring again to Figure A7.5, Intervention 4 has a weak negative to moderate positive effect on the ‘listed buildings’ indicator (small blue - medium yellow ellipses). Further detail about this outcome is provided under the Description heading at the bottom-left of Figure A7.5 where a series of seven numbers are displayed. These numbers reveal the amount and intensity of causal pathways following implementation of Intervention 4 that ultimately influence the ‘listed building’ criterion. These numbers have been repeated in Table A7.1 (following page) in order to illustrate more clearly their significance for interpreting the scorecard.

Table A7.1: Number and Intensity of Causal Pathways from Intervention 4 to the ‘Listed Building’ Criterion						
---	--	-	0	+	++	+++
0	0	1	2	5	7	0

The table shows that following implementation of Intervention 4: 1) no pathways lead to a strongly (---) or moderately (--) negative impact on the ‘listed building’ criterion; 2) one pathway leads to a minor negative impact (-); 3) two pathways have no effect (0); 4) five pathways have a minor positive effect (+); seven pathways have a moderate positive effect (++); and 5) no pathways have a strongly positive effect (+++). Thus the outcome ranges from –...++, as depicted by the ellipses in the scorecard, but 12 of the 15 pathways result in a positive outcome compared to one negative pathway.

The Theory Underpinning RAP

The theoretical basis on which RAP operates is illustrated in Figure A7.6 (following page). It starts with a problem or issue that needs to be resolved (**Sc**). In the case of district plans, the problem will relate to the natural and/or physical environment (such as built heritage protection). The ideal state (**Si**) is indicated in plans by the anticipated environmental results, or the environment conditions expected following plan implementation.

Next, the responses necessary to counter the problem (Δ_i) need to be formulated through the plan-making or plan change process. The exact interventions needed are not always clear or obtainable for reasons such as incomplete information about the problem and its causes, lack of knowledge about the range of policy options available or their likely effects, and public and political resistance, so the provisions that are finally adopted in a plan often represent a negotiated ‘best guess’ (Δ_a). Once the adopted changes have been implemented the environmental conditions that result (**Sa**) are determined, typically via state of the environment monitoring, and compared to the desired outcomes set out in the plans. This is done by way of criteria (**C**),

which, in my case, reflect the assessment matters contained in district plans for evaluating the likely effects of resource consent proposals.

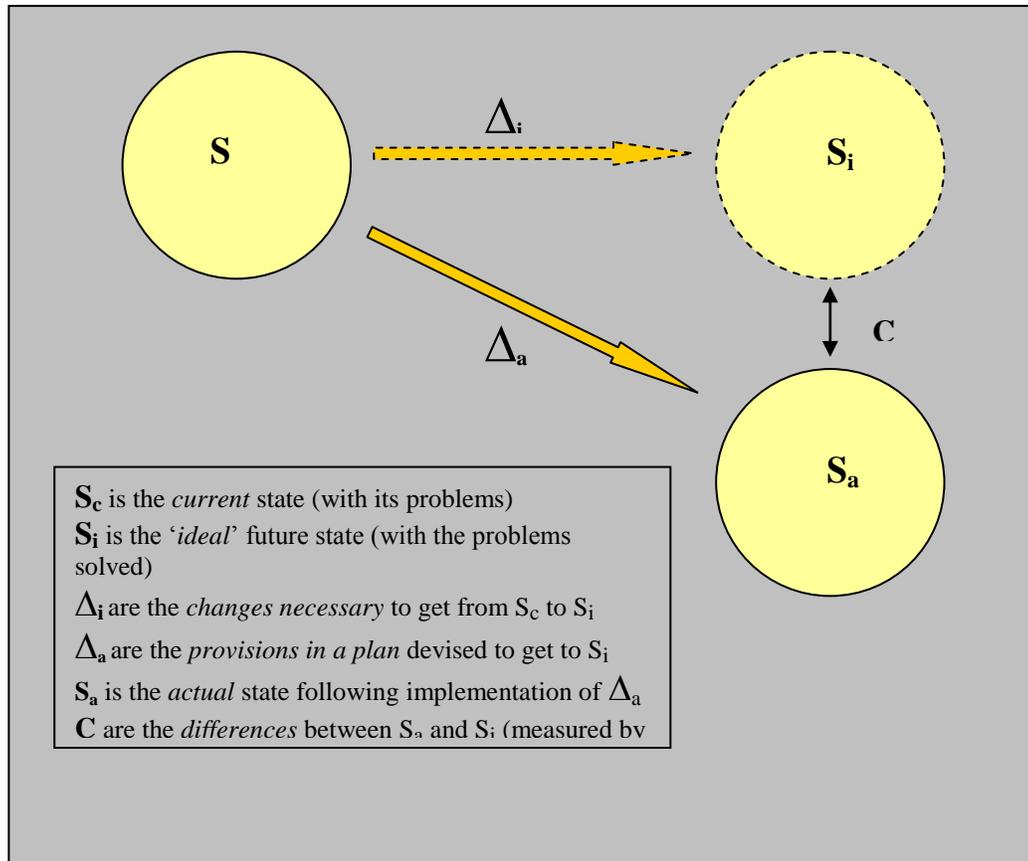
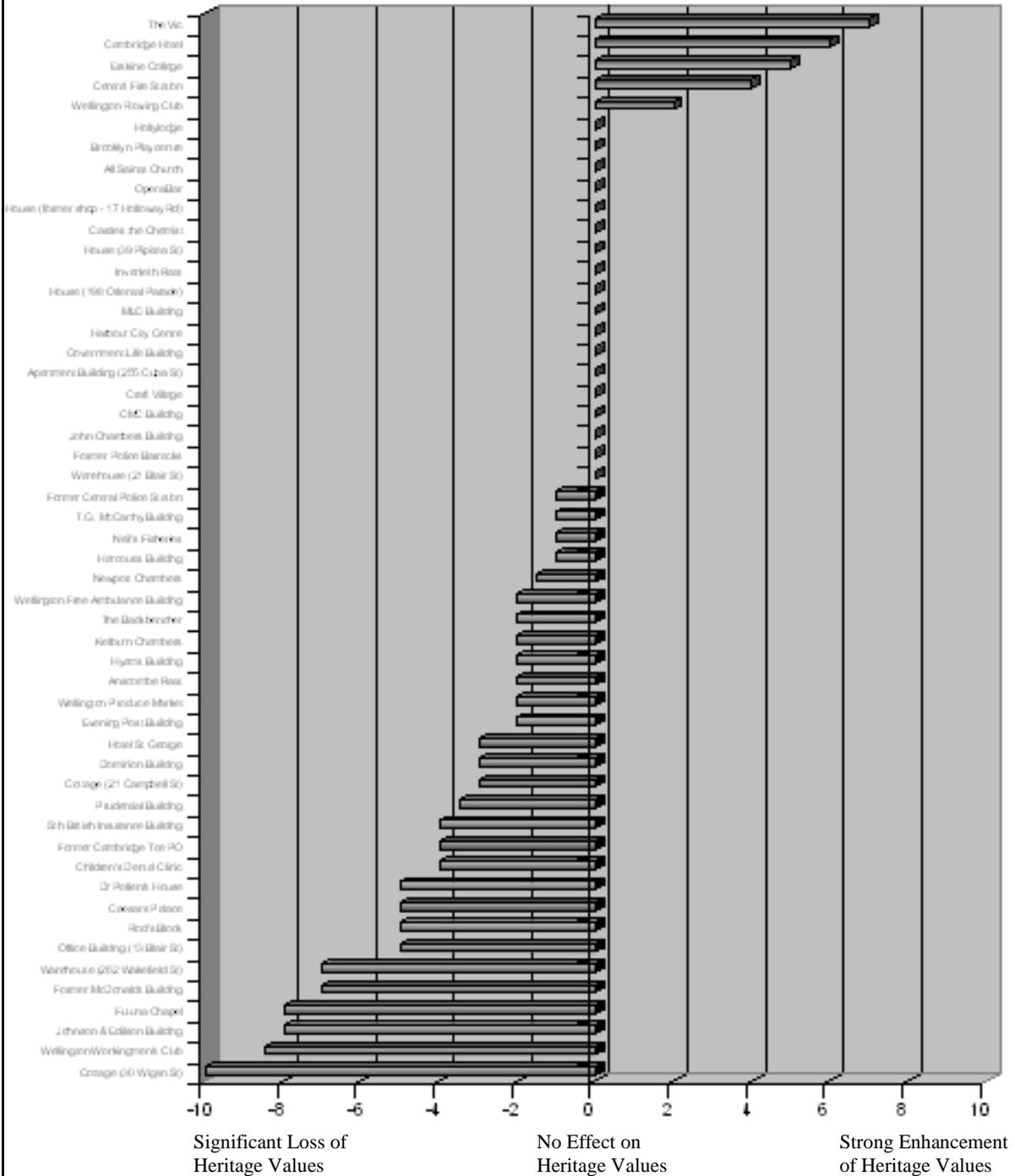


Figure A7.6: Theoretical Background of RAP (after Kouwenhoven et al., 2005, p.6)

APPENDIX 8
Resource Consent Scores in
Wellington and North Shore

Outcomes of Resource Consents Granted for Listed Buildings in Wellington (n=52)



**Outcomes of Resource Consents Granted for
Properties in the North Shore Residential 3 Zone
(n=68)**

