

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of Hearing of Submissions and Further Submissions
on the Wellington City Proposed District Plan –
Hearing Stream 2

JOINT STATEMENT OF URBAN DESIGN EXPERTS (JWS 1)

23 March 2023

INTRODUCTION

1. This joint witness statement relates to expert conferencing on the topic of urban design, as requested by the Panel. Participants in the conferencing were:
 - Nick Rae engaged by Kāinga Ora (NR)
 - Farzad Zamani engaged by Wellington City Council (FZ)
2. The conferencing was held on-line (Microsoft Teams), facilitated by Stewart McKenzie as observer.
3. We confirm that we have read the Environment Court’s Code of Conduct set out in the Environment Court’s Practice Note 2023. We have complied with the Code of Conduct in preparing this joint statement. Except where we state that we are relying on the evidence of another person, this evidence is within our area of expertise. We have not omitted to consider material facts known to us that might alter or detract from the opinions expressed in this evidence.
4. The primary data on which the opinions are based is:
 - The Wellington City Proposed District Plan (PDP);
 - The statement of evidence of Dr Zamani (1 March 2023);
 - The statement of evidence of Mr Rae (17 March 2023);
 - The statement of evidence of Mr Heale (16 March 2023) including the s32AA assessment in Appendix 2; and
 - The Section 42A report for the residential zones.

MATTERS COVERED BY THIS STATEMENT

ISSUE 1:	MRZ bulk and location standards
FACTS / ASSUMPTIONS	<ol style="list-style-type: none"> 1. Refer to Section 5.3 of Mr Rae’s statement, which states: “I understand there is general alignment between the reporting officer and Mr Heale on the bulk and location standards in the MRZ with some adjustments.” 2. The adjustments are set out in Attachment 1 of Mr Heale’s statement starting at page 66: <ul style="list-style-type: none"> • Refined drafting of the MRZ-S1 height standard, including a change from 14m to 18m where identified on the planning maps (around Local Centres). • MRZ-S3 – a change from 5m to 6m as the starting point on the boundary for the HIRB control in areas where the increased height standard applies. 3. Refer to analysis in Mr Rae’s statement from paragraph 6.41.
AGREED POSITION	<ol style="list-style-type: none"> 4. We agree that the changes listed above are appropriate as they provide increased development opportunities in the MRZ around local centres where increased density is suitable.

ISSUE 2:	HIRB Alternative in HRZ
FACTS / ASSUMPTIONS	<ol style="list-style-type: none"> 1. Refer to Section 5 and Section 6 of Mr Rae’s statement. 2. The HRZ is used for predominantly residential activities with a high concentration and bulk of buildings (HRZ Introduction). 3. HRZ-O1 (...“2. <i>The neighbourhood’s planned urban built character, of at least 6 storeys and 6-12 storey buildings proximate to Centres and Rapid Transit Stops.</i>” As recommended in Appendix 1 of Mr Heale’s statement of evidence.
AGREED POSITION	<ol style="list-style-type: none"> 4. We agree that the alternative HIRB of 19m+60° proposed by Kāinga Ora in their submission, together with 50% building coverage, is an appropriate method for enabling at least 6-storey buildings close to and aligned with the street boundary. This will better achieve the planned urban built form in the HRZ.

ISSUE 3:	Boundary Setbacks in the MRZ
FACTS / ASSUMPTIONS	<ol style="list-style-type: none"> 1. Refer to the analysis in Mr Rae’s statement from paragraph 6.45 to 6.50. 2. NR confirms para 6.45 is incorrect as yards were included in the PDP within the MRZ. 3. NR states that Paras. 6.45 to 6.50 of his statement are to be deleted. 4. FZ does not comment on this matter in his statement. 5. Section 42A report Para 765 and Appendix A sets out the proposed standard.
AGREED POSITION	<ol style="list-style-type: none"> 6. We agree that the standard MRZ-S4 boundary setbacks as per the Section 42A report is appropriate for the MRZ.

ISSUE 4:	Boundary Setbacks in the HRZ
FACTS / ASSUMPTIONS	<ol style="list-style-type: none"> 1. Refer to paragraph 36 of Mr Zamani’s statement. 2. Refer to analysis in Mr Rae’s statement from paragraph 6.51. 3. Refer to S42A report Appendix A HRZ (HRZ-S4 page 15). 4. FZ recommended at para 36 that no front yard is required, and advised in this conference that he refrained from commenting on the side yard requirement. 5. Stewart sought clarification on this issue from Josh Patterson, the Council S42a reporting officer, who advised that the HRZ-S4 has a drafting error. The revised wording provided by Mr Patterson is as follows: <i>“This standard does not apply to: a. Developments of 1-3 household units with respect to the front yard setback requirements”;</i> 6. The justification provided by Mr Patterson is as follows: <i>“Justification for this is that the buildings are located within a high density residential zone, front yard setbacks are not considered to be required, encourages development at the front of the site”</i> 7. Mr Patterson advised that he will address this error in his rebuttal.
AGREED POSITION	<ol style="list-style-type: none"> 8. The following agreed position is based on the revised wording as set out above. 9. We agree that providing yard requirements for permitted activities provides some ability to manage the interface where no assessment of the built form is enabled (i.e. MDRS). 10. We agree that in a residential zone, a front yard setback can achieve good outcomes particularly in terms of the transition from the public street to the residential activity. 11. NR supports a 1.5m front yard standard on the basis that these buildings will require a consent and infringements to this standard can be considered on the merits. 12. FZ does not support this as a required standard as such, and would rather the matter be addressed in the assessment with reference to the design guide. 13. We agree that 1m side yards are not required due to the minimal difference that a 1m setback to a side wall has on the amenity values of a neighbouring property. We note that multi-unit development will require a consent, and through the consent process the quality of the outcome can be assessed and determined.

ISSUE 5:	Maximum Building depth and minimum building separation for multi-unit housing
FACTS / ASSUMPTIONS	<ol style="list-style-type: none"> 1. Refer NR statement, paras. 6.56 to 6.59. 2. Refer FZ statement, para. 34. 3. FZ confirms the assumption at NR para. 6.57 as being correct.
AGREED POSITION	<ol style="list-style-type: none"> 4. No agreement reached, however we undertook initial discussions on this issue. It is complex and we consider there may be other methods to manage the issue, which is about avoiding the adverse effects of very long 6 storey buildings as experienced from a neighbouring property along side boundaries.
DISAGREEMENT	<ol style="list-style-type: none"> 5. We maintain our positions as in evidence at this time.

ISSUE 6:	Heights in HRZ
FACTS / ASSUMPTIONS	<ol style="list-style-type: none"> 1. Refer NR statement paras. 6.4 to 6.22. 2. Refer FZ statement para. 33. 3. Refer Mr Heale statement, Appendix 1, HRZ-S1 (includes S42A recommended changes). 4. Mr Patterson was asked to clarify the reference in HRZ-R14 to HRZ-P13 as matters for assessment. Mr Patterson confirmed this is an error and should refer to HRZ-P12.
AGREED POSITION	<ol style="list-style-type: none"> 5. We agree that the height standard of 21m or 22m is appropriate and this standard applies to any building in the zone, and that 22m would provide more flexibility. As a result we both support 22m. 6. We agree that enabling height in specific parts of the city provides more opportunity for high density residential buildings in locations around city centre and metropolitan centres where it is desirable to intensify the residential population, while responding to the enabled heights in the centres. 7. We agree that a stepped approach consisting of 2 additional storeys at each change is appropriate, resulting in 6, 8, 10 and 12 storey opportunities. 8. We agree that the standard as proposed in HRZ-S1 set out in Appendix 1 of Mr Heale's statement is suitable to achieve these outcomes. FZ considers that if this is accepted, further work would be required to the guidelines. NR concurs such that the guides respond to the planned outcome suggested by these standards. 9. We agree that there is a complicated planning framework for enabling additional height as proposed in the s42a where it is linked to the City Outcome Contribution. We agree that this matter should be considered separately.

ISSUE 7:	Design Guides
FACTS / ASSUMPTIONS	<ol style="list-style-type: none"> 1. Refer NR statement, section 9 2. Refer FZ statement, para. 41 to 44
AGREED POSITION	<ol style="list-style-type: none"> 3. In our opinion, the big picture planning framework which confirms the planned built character for each zone is required prior to finalising the Design Guides s, and other experts have provided evidence on this matter and should be included in conferencing. We consider that further discussion on this matter would be beneficial.

ISSUES NOT RELEVANT TO THIS CONFERENCE

1. The issues covered in the evidence of Mr Rae that are not addressed above are outside the scope for Dr Zamani, these are listed as the following topics:
 - Walkable catchments
 - Application of zones
 - Commercial at ground floor in HRZ
 - Character precincts

PARTICIPANTS TO JOINT WITNESS STATEMENT

We confirm that we agree that the outcome(s) of the expert conferencing are as recorded in this statement.

22 March 2023

A handwritten signature in dark ink, consisting of a stylized 'R' with a dot at the end.

Nick Rae
for Kāinga Ora

A handwritten signature in dark ink, appearing to read 'Farzad Zamani' in a cursive style.

Farzad Zamani
for Wellington City Council