

**BEFORE INDEPENDENT HEARING COMMISSIONERS
IN WELLINGTON CITY**

**TE MAHERE Ā-ROHE I TŪTOHUA MŌ TE
TĀONE O TE WHANGANUI-A-TARA**

IN THE MATTER of the Resource Management Act 1991
AND
IN THE MATTER of the hearing of submissions on the Wellington
City Proposed District Plan

HEARING TOPIC: Hearing 4 – Centres

**STATEMENT OF PRIMARY EVIDENCE OF NICHOLAS JAMES RAE
ON BEHALF OF KĀINGA ORA – HOMES AND COMMUNITIES**

(URBAN DESIGN)

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1. EXECUTIVE SUMMARY

1.1 My full name is Nicholas James Rae. I am an Urban Designer and Landscape Architect. I am the Director of Transurban Limited, consultants on urban development. I have been engaged by Kāinga Ora – Homes and Communities (**Kāinga Ora**) to provide evidence in support of its primary and further submissions on the Proposed Wellington District Plan (**PDP**) which incorporates the Intensification Planning Instruments (**IPi**) as required by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**Amendment Act**), which amended the Resource Management Act 1991 (**RMA**).

1.2 My evidence concludes with the following key points:

Methodology for the size and role of centre zones

- (a) It is difficult to understand the methodology used to define the size and role of the centre zones, but appears to rely on the Housing and Business Capacity Assessment.
- (b) I have found there are potential amenity benefits that will better support walkability and a well-functioning urban environment by applying a centre zone to some areas rather than providing only for residential activities in a residential zone.
- (c) There are urban form benefits in expanding the centre zone, to assist with placemaking.
- (d) I consider the application of the centre zones should take a consistent approach and include existing community facilities where they are clearly part of the centre.
- (e) Centre zones should be informed with a long term view, rather than only what is required in the next 30 years, to ensure that the built form resulting provides for the future generations through providing opportunities in the right locations.

Proposed Town Centre zone;

- (f) I consider that including a Town Centre zone in the PDP would be helpful in providing direction as to the scale of the centre being larger in area and built form than a Local Centre.

Recommended centre zone application

- (g) I recommend the expansion of the following centres: Tawa, Johnsonville, Karori, Kilbirnie and Miramar, however not to the full extent as sought in the original submissions by Kānga Ora. An updated set of Maps are included in Attachment C.

Frontage controls in the CCZ, MCZ, LCZ, NCZ

- (h) I generally agree with using frontage controls to manage the design response at street interfaces and while the methodology used by Council to determine the locations of these is not clear, I agree with the locations proposed. I consider there are additional locations where frontage controls should apply and these are identified on the Maps in Attachment C.
- (i) I have recommended some changes to the standards to clarify where the frontage controls apply and remove exclusions for listed activities.
- (j) I have provided some recommendations in the CCZ, however there are inconsistencies of application which should be reviewed.

Heights in City Centre

- (k) I support the Section 42A recommendation that there is no height control in the CCZ, however, achieving this is problematic as the City Outcomes Contributions is a pseudo height control.

NCZ -Rx – Retirement Villages new rule

- (l) I consider that retirement villages can adversely affect the form and function of a centre and should not be provided for as a permitted activity without the qualifications as required for residential activities.

City Outcome Contributions

- (m) I support the intent of the City Outcome Contribution provisions as they benefit the quality of our urban environments. However, I am concerned with how the proposed City Outcome Contribution provisions will work in practice and the prospects for their success for the following reasons:
- (i) The policy framework uses buildings heights as the trigger to require these outcomes, whereas many of the benefits listed relate to the way public use the site at ground level or the performance of the building that has no direct relationship to height;
 - (ii) The method used in Appendix 16 is unclear and unworkable;
 - (iii) Additional height is enabled without contributions being made which is not consistent with the policy framework;
 - (iv) Confuses the plan reader as to the anticipated outcomes such as there is no height limit in the MCZ for example;
 - (v) Dominance and shading effects are required to be considered alongside contributions and including low height standards will set a benchmark for this assessment, with a high likelihood of conflict between the two issues making assessment very difficult;
 - (vi) Greenstar, Homestar and Lifemark require building consent drawings which are too detailed at resource consent stage and do not relate to the height of buildings or contribution to public life.
- (n) I consider that even achieving the City Outcome Contribution points to support the proposed height, there is reasonable risk that a proposal in the centres other than the CCZ may be turned down due to adverse effects from the additional height.
- (o) Greater guidance on the acceptability of impacts from taller buildings is required. I consider that if taller buildings are encouraged and are anticipated in a zone, then including higher

height standards would assist in providing a statutory context that would enable taller buildings to be consented. There still could be City Outcome Contribution triggers at lower heights if these aspects are required.

Fence height

- (p) I consider side and rear fences in centres should be enabled to 2m in height. I do not support fences in front yards taller than 1.8m and question whether any fence in the front yard in centres should be a permitted activity, due to the potentially negative effects on the street amenity of the centre.

Minimum Building Separation Distance and Outlook Space

- (q) I consider the proposed 1m by 1m outlook space requirement in the MCZ is too small and will not provide adequate outlook for residents from their main living spaces. I accept it is appropriate for bedrooms as a minimum.
- (r) I question the rationale for an 8m separation between buildings in the MCZ for example, which I consider is too narrow to provide appropriate privacy between opposing living spaces. If such a standard is retained it should relate to the windows of living rooms and outdoor living space and should have at least a 6m separation for each unit.
- (s) I do not agree that buildings need to be separated as proposed where windows are not provided. There should be greater flexibility in building location opportunities.
- (t) The requirement for separation distances to apply to residential buildings appears to relate to managing effects on neighbouring sites, however non-residential buildings do not. There is inconsistency of the outcome sought. I recommend the separation standard as proposed is deleted and rely on the assessment of any proposed building to provide appropriate outcomes.

Maximum Building Depth

- (u) I consider that the proposed standards will not achieve their intent of preventing long buildings into the site facing neighbours, or providing privacy for residential activities, particularly as this standard in the MCZ for example, relates only to residential buildings. The assessment criteria to be considered for non-compliances disadvantages residential buildings as they are required to manage dominance, privacy and shading effects on a neighbour, whereas the same standard does not require this of non-residential buildings.

1.3 These matters are further discussed below.

2. INTRODUCTION

- 2.1 My full name is Nicholas James Rae. I am an Urban Designer and Landscape Architect. I am the Director of Transurban Limited, consultants on urban development. I hold a Master of Urban Design from the University of Sydney and a Bachelor of Landscape Architecture (Honours) degree from Lincoln University. I have approximately 23 years' experience in this field in New Zealand, the United Kingdom, France, Portugal, Saudi Arabia, and Australia.
- 2.2 My experience and qualifications are set out in my statement of evidence for Hearing Stream 1.

Involvement with Kāinga Ora Submission

- 2.3 I have been retained by Kāinga Ora – Homes and Communities (**Kāinga Ora**) to provide urban design advice and supporting evidence relating to the plan changes notified by the five district Councils in Wellington dealing with the application of the Medium Density Residential Standards (**MDRS**) and the National Policy Statement on Urban Development (**NPS-UD**). This is to ensure a consistent approach is applied where possible to the Wellington Region, understanding the relationships between the different districts.
- 2.4 I was instructed in July 2022 and undertook site investigations in August 2022 to assist with the preparation of the submissions particularly on the matters of walkable catchments, role and scale of centres, zone

opportunities, and provision testing. I was assisted by Fabio Namiki (registered architect) of my office in our work. I had no involvement with the preparations of further submissions.

- 2.5 I have visited the Wellington District over a two day period on 11 and 12 August 2022 where I visited locations on the public road network and reserves. This included significant time walking the central area of Wellington, Newtown, Mt Victoria, Mt Cook, and Kelburn to experience the existing urban fabric from a pedestrian perspective and to investigate recent developments.
- 2.6 I undertook a site visit with Mr Mike Cullen on 16 January 2023 where we focused on the centres in the Wellington region to assist with the consideration on the role and form of these.
- 2.7 I undertook a further site visit with Mr Heale on 1 June 2023 to confirm and check areas in specific centres.

Evidence of other experts

- 2.8 I rely on the evidence of Mr Liggett, who sets out why Kāinga Ora is involved in this plan review process. Importantly from my perspective, the Kāinga Ora focus is not on individual land holdings owned by Kāinga Ora, but rather focused on urban development outcomes more generally across Wellington City, as well as providing for a consistent planning policy across the Wellington Region and Aotearoa that enables well-functioning urban environments and the opportunity for growth and intensification of our cities with ease and confidence.
- 2.9 Where appropriate and relevant, my evidence will reference and rely on the evidence of Mr Matt Heale and Mr Michael Cullen.
- 2.10 To assist with preparing this evidence, I have reviewed the following:
- (a) Planning for Growth District Plan Review Centres Issues and Options Report 2019;
 - (b) Section 32 Evaluation Report Part 2: Centres, Commercial, Mixed Use and Industrial Zones;
 - (c) Parts of the various Section 42A reports for hearing stream 4 including associated reports (Appendix c – Jasmax report,

Appendix g – CCZ test site models, The Property Group Report, Proposed Amenity and Design Provisions);

- (d) The statements of evidence by Dr Zamani for Hearing Streams 2 and 4; and
- (e) The statement of evidence of Dr Lees for Hearing Stream 4.

Code of Conduct

2.11 Although this is a Council hearing, I have read the Environment Court's Code of Conduct for Expert Witnesses within Practice Note 2023, and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this statement of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

Scope of Evidence

2.12 My evidence will address and is organised by the following matters:

- (a) Statutory context;
- (b) Methodology for the size and role of centre zones
- (c) Proposed Town Centre zone;
- (d) Recommended centre zone application and frontage controls;
- (e) Frontage controls in the CCZ;
- (f) Active frontage control in MCZ, LCZ, NCZ;
- (g) Heights in City Centre
- (h) NCZ -Rx – Retirement Villages new rule;
- (i) City Outcomes Contribution;
- (j) Fence heights;
- (k) Minimum Building Separation Distance and Outlook Space; and
- (l) Maximum Building Depth.

2.13 As per Minute 15 issued by the Hearings Panel, issues on the Design Guidelines for centres are deferred to the wrap-up hearing, and as such my statement of evidence does not cover this topic. I state in this evidence where additional guidance would be useful when considering some of the matters.

3. STATUTORY CONTEXT

3.1 I have reviewed and rely on the statutory context set out in Mr Heale's evidence.¹

3.2 The role, size and shape of the centres were considered by Kāinga Ora in the submission stage as these are critical to well-functioning urban environments.² At that time, the consensus was that greater opportunity should be enabled in centres to provide for the larger population that is planned to live around these centres, particularly to enable people to live, work and play without needing to travel across the city.³ The submissions seek to introduce a Town Centre zone, enlarged centre zone application and increased heights in some centres in response.

3.3 The reporting officer for Hearing Stream 4 has recommended no changes to centre zone hierarchy application, and does not support the introduction of a Town Centre zone.

3.4 Many of the centres fall within the walking catchments of existing and planned rapid transit stops where building heights of at least 6 storeys are required to be enabled by NPS-UD Policy 3(c)(i). This scale has some influence on the expected function of the centre, particularly where the RTS enables the centre to service a wider range of people, and form expected.

3.5 The NPS-UD Objective 3 requires plans to enable more people to live in and more businesses and community services to be located in, or near a centre zone or other area with many employment opportunities.⁴

3.6 District plans need to respond to NPS-UD Policy 3 (a), (b), and (d):

¹ Mr Heale, SOE, Section 6.

² NPS-UD Objective 1.

³ Accepting that people will travel as not all employment, community or commercial offerings will likely occur at each location.

⁴ Refer NPS-UD Objective 3.

- (a) in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and
- (b) in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and
- (d) within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and densities of urban form commensurate with the level of commercial activity and community services.

3.7 The NPS-UD expects plans to enable taller buildings and greater density of activities within the centres. However, the NPS-UD does not include guidance on the size of the centre zones. I consider this to be an important consideration in achieving the policy direction for growth in the urban environment as a greater mix of activities could occur in a wider area.

4. METHODOLOGY FOR THE SIZE AND ROLE OF CENTRE ZONES

4.1 I consider that the existing centres within Wellington are appropriately located, as they have developed over time in response to the community's needs. For this evidence I have not considered whether any of the existing centres are in the wrong location, rather I have considered what their future use and function should be.

4.2 Mr Cullen considers a principled approach to the expansion of centres rather than specific GFA or land areas.⁵ The exact size of a centre is somewhat difficult to determine as a result.

4.3 It appears that the methodology used by Council when planning for growth in centres is based on the Issues and Options report, titled Planning for Growth, District Plan Review, Centres (2019). Three options were recommended, two of which can be addressed in the District Plan. These are:

- (a) A maximum permitted floor area for supermarkets; and
- (b) Increase the height limits in identified centres.

4.4 A significant list of issues in the report have no associated recommended options as further work is required to confidently

⁵ Mr Cullen, SOE Hearing Stream 4, Section 6, in particular paragraph 6.12 for a summary of Mr Cullen's approach.

recommend next steps.⁶ Included in this list are “*Further consideration of zone boundary changes*” and “*Further consideration of planning standards zones*”.⁷

4.5 The Centres and Options Report identified issues in relation to centres, which included that “*greater district plan enabled potential is needed*”, and “*current boundaries could change to better reflect current and future uses*”.⁸

4.6 The Section 32, Part 1 “Context to Evaluation and Strategic Objectives” states that:

*“The HBA 2019 shows that the City has sufficient supply of commercial land and floor space to meet this expected demand⁹. However, it is important that the Proposed District Plan settings ensure that this capacity is retained”.*¹⁰

This statement suggests that the Section 32 analysis confirms that no expansion for the commercial zones is required. I have found it difficult to understand where this assessment is, and how the issues identified in the Issues and Options report are addressed.

4.7 In addition to the HBA, the MCZ Section 42A report considers that “*the notified zone boundaries will encourage the centre activities to occur within a more condensed area thereby establishing and maintaining more cohesive accessible and viable centres*”¹¹. I consider the areas proposed for expansion are modest in size, well connected to the existing centre and provide greater opportunities to support the centres.

4.8 With regard to centre zone boundaries, the Centres and Options Report provides some direction in the table included in section 3.5.1, where it stated that there is some opportunity to upzone in Tawa, Ngaio, Karori and Kelburn, Kilbirnie, and Miramar.

4.9 I have found there are potential amenity benefits that will better support walkability and a well-functioning urban environment by applying a

⁶ Planning for Growth, Centres, Issues and options, WCC 2019, Executive Summary.

⁷ Planning for Growth, Centres, Issues and options, WCC 2019, Executive Summary.

⁸ District Plan Review – Centres and Options Report – October 2019, Executive summary.

⁹ “More than 23 hectares of land and 78 hectares of floor space over the next 30 years to meet future commercial and business development demand”.

¹⁰ <https://wellington.govt.nz/-/media/your-council/plans-policies-and-by-laws/district-plan/proposed-district-plan/reports/section-32-part-1-context-to-evaluation-and-strategic-objectives.pdf?la=en&hash=C433D3521179B827BBCA3822BD154886D619A463> Page 21.

¹¹ Section 42A, MCZ, Para 33

centre zone to some areas rather than providing only for residential activities in a residential zone.

- 4.10 The key principles I have used when considering each centre in terms of its size are:
- (a) The potential growth opportunities generally within the existing centre such as the age and condition of existing building stock;
 - (b) The location of railway stations that service the centre;
 - (c) The existing street network with importance placed on the function and nodal points;
 - (d) The topography;
 - (e) The location of community facilities;
 - (f) The amenity of locations and appropriateness for residential activities, particularly at ground floor level, and whether a greater range of activities enabled would better enable response to the environmental conditions; and
 - (g) The potential increase in population that could reside around these centres.
- 4.11 Mr Cullen considers that the centres should enable growth up and out¹². I have considered where and how the urban form could provide for that within the scope of the Kāinga Ora submissions.
- 4.12 I consider the application of the centre zones in the PDP does not take a consistent approach to zoning land where community facilities exist (such as places of worship and libraries).
- 4.13 The centres zone framework best provides for these activities as permitted activities rather than restricted discretionary activities in the HRZ zone for example. The purpose of the centre zones includes reference to community facilities as a clear anticipated outcome, whereas in the residential zone it does not.
- 4.14 I agree these community facilities can occur in both centre and residential zones. However, when considering the application of a

¹² Mr Cullen, SOE, Para 6.8.

centre zone, I have found that in many cases a church or library as examples, form a key component of a centre and would be best zoned as such.

- 4.15 In Tawa for example, Our Lady of Fatima Church exists on the north western corner of a key intersection at the southern end of (and contiguous with) the existing Tawa Local Centre. However, the Church is zoned HRZ (PDP). Likewise, the south western corner houses St Christopher's Anglican Church. These are illustrated in **Figure 1** below within the yellow circles.
- 4.16 This intersection provides an important access point for people residing to the west of the centre, to the Tawa centre and beyond to the railway station along Oxford Street. The four corners of this intersection should assist with physical markers to help with wayfinding to strengthen this meeting point, which is currently dominated by vehicles. The three garages fronting this intersection located at the south eastern corner (illustrated with a green line in **Figure 1**) are providing no benefit to the quality or function of this important urban space.
- 4.17 The question I asked myself was what zone would best enable a suitable response to this intersection. In my opinion, a non-residential ground floor should occur at all four corners. Three of the four corners currently achieve this (two churches and the library), but with a relatively poor response, both in built form and activity. However, the building design response to the street could be significantly enhanced with active frontages that provide for pedestrian amenity, and extending the centre zone to include the properties at this intersection would enable a greater range of activities that would better achieve this.



Figure 1: Intersection of Lyndhurst Road, Cambridge Street and Main Road in Tawa. Yellow circles indicate the location Our Lady of Fatima and St Christopher's Anglican Churches, orange circles indicate the location of Tawa Union Church and Gospel Hall; green line indicates the location of garages, affecting active frontage.

- 4.18 A similar outcome has resulted in Miramar where a key intersection of two main roads has a centre zone to the northern side and HRZ to the southern side. However, a significant community facility (the Holy Cross Catholic Church) and a Bridge Club exists to the south east corner, and a library exists to the south west of the intersection, both zoned HRZ. Again, I consider this to be a missed opportunity to provide a strong boundary indicator for the Miramar centre.
- 4.19 In contrast, the Cornerstone Congregational Church in Linden, is located on the corner of the block zoned LCZ.
- 4.20 There are other churches on sites in a residential context and zone which is appropriate. Where churches or other community facilities contribute to a centre, any development on the site should respond to a centre context rather than a residential context, these facilities should have a centre zoning. My recommendation is to apply a contiguous zoning pattern, rather than spot zoning church sites that are less related to the centre.

- 4.21 As outlined in my evidence for Hearing Stream 1, in order to achieve good walkable environments, the route needs to be direct, interesting, safe, comfortable, useful and be located in a good quality environment.¹³
- 4.22 In the case of Tawa and Miramar, the two intersections discussed above are key nodes in the future walking routes for residents, along with streets leading to them. The built form response alongside should promote a vibrant and/or interesting place or landmark in the centre, and I consider a centre zone provides greater opportunities for development to contribute to this.

5. PROPOSED TOWN CENTRE ZONE

- 5.1 I consider that including a Town Centre zone in the PDP would be helpful in providing direction as to the scale of the centre being larger in area and built form than a Local Centre (such as Khandallah) or Neighbourhood Centre (such as Ngaio).
- 5.2 It provides a clearly defined area where growth is encouraged, greater than other centres, and should provide guidance on the anticipated scale of built form in the policy framework. This in turn is achieved by different built form standards, to the planned outcome for the Local and neighbourhood centres.

6. RECOMMENDED CENTRE ZONE APPLICATION AND FRONTAGE CONTROLS

- 6.1 Further analysis has been undertaken by Mr Cullen, Mr Heale and myself to confirm the role and size of the centres that were illustrated in the Maps¹⁴ presented at Hearing Stream 2. This process has resulted in adjustments to the centre zones as discussed below and represented in **Attachment C** "Hearing Stream 4 maps".
- 6.2 A summary of my recommendations for each centre follows.

Tawa zone

- 6.3 Tawa is a traditional high street centre and expanding to the south along Main Road continues this urban fabric. Within the expansion area,

¹³ Statement of evidence for Nick Rae, 7 February 2023, paragraph 1.9.

¹⁴ Maps as presented to Hearing Stream 2 panel after hearing – "version: Hearing V3 28/04/2023".

existing uses to the western side of Main Road have a limited residential component, and the eastern side exists as mainly low-density single dwellings which provide very good opportunities for redevelopment.

- 6.4 The neighbourhood centre at Oxford Street consists of some uses that one would expect in such a centre. However, it is heavily influenced by car sale activities which are not consistent with the expectations of a neighbourhood centre and as a result, I consider this area to be inappropriately zoned. This centre is also within 400m of the Tawa Street Railway Station which assists in providing greater opportunities around this transport node.
- 6.5 The future function of this centre has significant opportunities supported by the expansion of the centre along Main Road to the south of Cambridge Street to include the neighbourhood centre at Oxford Street.
- 6.6 The Section 42A report recommends an increased height standard of 27m in the LCZ in Tawa centre (which, interestingly, is the same height as the Section 42A recommends in the MCZ in Kilbirnie). However, the assessment does not explain how a conclusion of 27m was reached, other than to “*provide further differentiation between the heights at different LCZ.*”¹⁵ As I understand the Section 42A report position, heights in Tawa are recommended at 27m (LCZ), 21m (HRZ) adjacent and 22m (NCZ). The difference of 6m between the LCZ and HRZ is a tight two levels of residential.
- 6.7 In contrast the Kāinga Ora submission sought an overall higher standard of 36m (TCZ) and a height overlay of 29m to the HRZ surrounding it, then 22m (HRZ) beyond. These recommended heights use a 7m difference which provides for a 3.5m floor to floor distance which is more realistic for commercial space while providing for residential.
- 6.8 I note that if the City Outcome Contributions are retained as recommended in the Section 42A report, it enables an additional 24.99% of height (or total of 33.75m) without needing to provide any contribution. However, this would be assessed on streetscape and visual amenity effects; dominance, privacy and shading effects on adjoining sites; and the extent to which taller buildings would contribute

¹⁵ Section 42A Hearing Stream 4 Part 3, Commercial and Mixed Use Zones Part 3: Local Centre Zone, paras 366 - 376

to a substantial increase in residential accommodation. As discussed below, I consider there are serious limitations in achieving this “free” additional height, let alone any height over this where contributions are required, particularly in the LCZ where the policy framework seeks “*medium to high density mixed use development*”.¹⁶ I consider this centre should not encourage medium density residential housing, it should be high density at least consistent with the surrounding HRZ.

- 6.9 The height in the residential zone (HRZ) responds to the centre zone and in this case, a taller centre height is considered desirable, where it enables greater opportunities in the centre on flat land next to the railway stations.
- 6.10 I consider taller buildings in the centres should correspond to taller buildings in the surrounding residential zone such that the ability to access sunlight for more of the building is enabled. The additional height in both options better provide for a high density outcome, which is a method of achieving bigger aspirations of a Town Centre, than a Local Centre.

Tawa centre expansion

- 6.11 The expansion proposed by Kāinga Ora between the two centres would enable a connected main street with the same development opportunities along both sides of the street. Refer Map 2, Attachment C for location.
- 6.12 The Section 42A report agrees in part and recommends to extend the LCZ to the south along the western side of Main Road to Elena Place, and extend the NCZ north to Elena Place, where 27m applies to the north and 22m applies to the south of this street. I agree with expanding the centre along the western side as it is mostly not used for residential purposes and contains a high number of churches and a funeral service business. However, I do not agree that a LCZ and NCZ needs to apply.
- 6.13 This expansion does not include the site of Our Lady of Fatima Church as illustrated with an asterisk in Figure 2 and outlined in Figure 1 above, which would be zoned HRZ with 22m height between two 27m sites. This is not a consistent extension of the centre zone and there is no

¹⁶ LCZ-O3.

reason provided in the Section 42A or Section 32 reports as to why this church site is not zoned centre whereas the site opposite is.

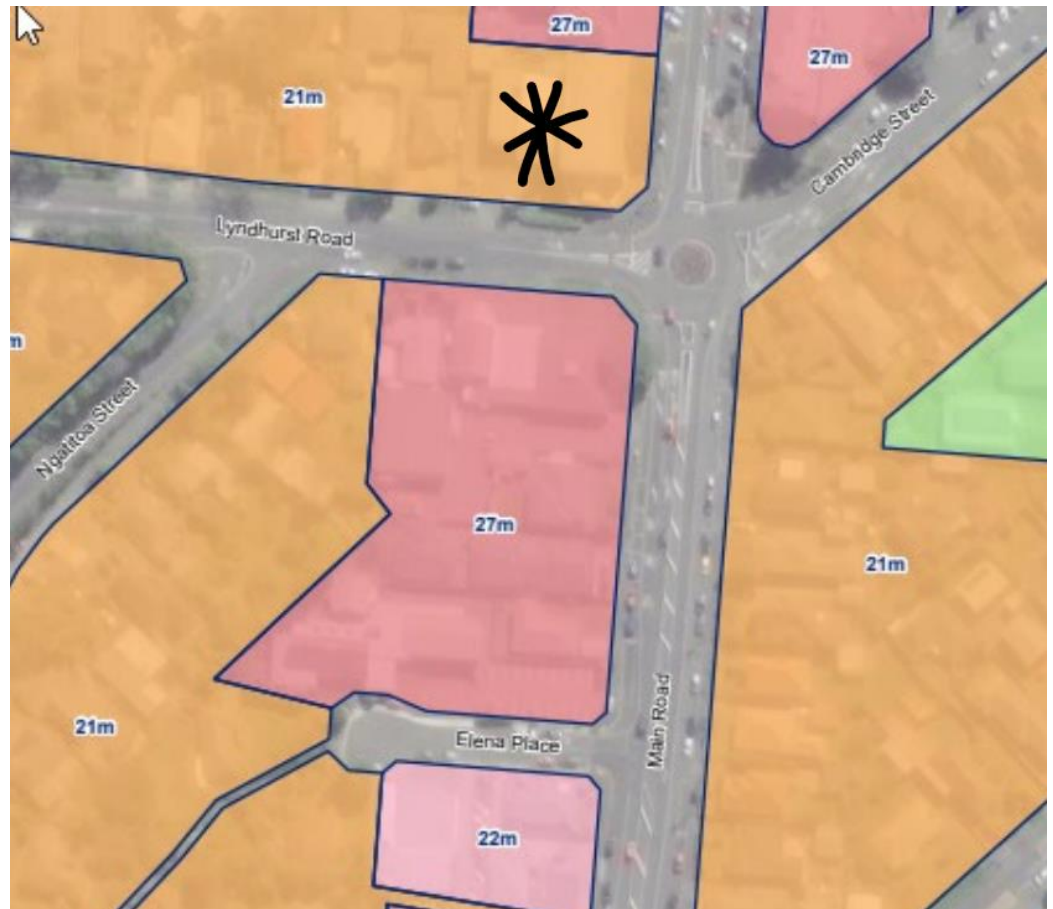


Figure 2 – Section 42A report recommended zones in Tawa and church site identified with asterisk.¹⁷

- 6.14 To the east of Main Road, one residential house is being used as a cafe and the other ten sites are occupied with one house per site, single level. This provides a very good redevelopment opportunity where residential activity could be maximised, but also provides a location where other business activities could occur as it is connected to the main street.
- 6.15 The street context is such that residential activities should not occur at ground floor along this eastern side. HRZ could achieve this if submissions on commercial at ground floor are accepted. However, the HRZ does not discourage residential at ground floor. The centre zones can do so through frontage controls, which I consider is a better outcome for both residential and the street amenity.

¹⁷ <https://wellington.govt.nz/-/media/your-council/plans-policies-and-bylaws/district-plan/proposed-district-plan/files/hearing-streams/04/section-42a-reports/section-42a-report---part-3---local-centre-zone.pdf> page 109.

- 6.16 The Section 42A report recommends retaining the HRZ to the eastern side of Main Road, as the expansion along the western side allows suitable expansion without further expanding this across the road where it notes the existing land use (residential). I disagree, since with three existing churches on the western side there is limited potential for growth, unless these sites are redeveloped. I do not agree that the existing land use on the eastern side suggests this is the right land use for the future.
- 6.17 The expectation is that this existing land use will significantly change with opportunities provided by the HRZ (at least 6 storeys) and as both the centres and the HRZ provide for this outcome, I consider a TCZ provides a more flexible framework, especially in dealing with the street frontage. I note that the Section 42A report states that “*Further to this we note that the additional development potential available to each of these centres is limited...*”¹⁸ and lists Natural Hazards – Inundation and flood hazard (overland flow path) for Tawa.
- 6.18 **Figure 3** illustrates these two overlays. It is true that the inundation area exists over the eastern side of Main Road. However, if this is a reason for not applying a centre zone to the eastern side, it is inconsistent with the western side as the flooding overlay affects both sides. Any building with any use will need to address the inundation issue and this has not prevented other areas having a centre zone applied.

¹⁸ <https://wellington.govt.nz/-/media/your-council/plans-policies-and-bylaws/district-plan/proposed-district-plan/files/hearing-streams/04/section-42a-reports/section-42a---overview-and-general-matters-for-commercial-and-mixed-use-zones.pdf> para 110.

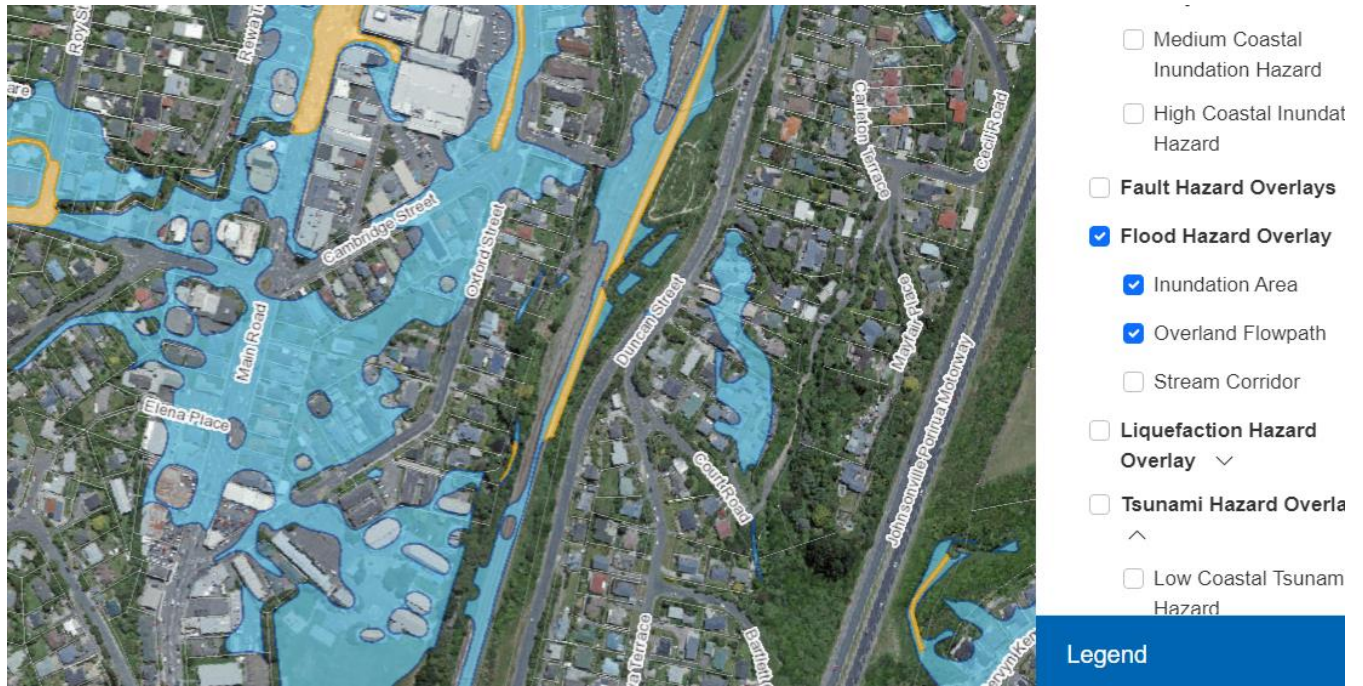


Figure 3 – Screen capture of Tawa from the Wellington City Proposed District plan GIS viewer, blue is the inundation area.

6.19 The application of the TCZ at the intersection of Cambridge Street and Main Street would also enable a greater range of activities and design responses at this main intersection that leads to the centre of Tawa to the east and the train station and to a larger residential catchment to the west accessed from Lyndhurst Road as a central location of this community. This would provide a much better outcome than the existing three garages at the south eastern corner for example (refer **Figure 4**).



Figure 4 – photo illustrating existing poor response to central centre intersection, view from Main Road looking along Cambridge Street. Also shown by the green line in Figure 1.

- 6.20 I do not support the expansion sought along The Drive at the intersection with Main Road, due to the significant topography issues where development has responded to The Drive up the hill rather than to Main Road.¹⁹ However, if this issue could be overcome, the location would support a centre zone.

Height Impacts in Tawa

- 6.21 With a change to a centre zone or with the height overlay control of 36m sought by Kāinga Ora to the TCZ, different impacts on the environment will result. To test this, my team have prepared a basic model to compare the different options as illustrated in **Attachment A** to explore the impact. This effectively illustrates the additional height to the western side (27m – 36m) and the change from HRZ to TCZ at 36m on the eastern side of Main Road.
- 6.22 The impact will be different depending on which HIRB option is selected for the HRZ, and whether individual sites or multiple are developed.

¹⁹ I Note that Dr Zamani SOE hearing stream 2, Right of Reply, Appendix 3, Para 16 states he agrees with the extension to the Tawa centre and HRZ as proposed in Map 2 and 3, and 'The centre increase will create a more continuous active frontage and will justify the expansion of the HRZ in this area. In addition, these zone changes will provide a higher level of commercial activity and more amenities for future residents'.

- 6.23 Regardless of whether the eastern side is zoned a centre or residential zone, the 8m + 60° HIRB standard would apply to the common boundary with the surrounding HRZ which would limit height and bulk adjacent to this residential zone. The model illustrates the envelope created by bulk and location standards, not the built-form outcome as other aspects like site coverage will apply.
- 6.24 The existing residential lots along the eastern side of Main Street are 35.42m deep which enables a 36m high building along the frontage for a depth of approximately 19m due to the HIRB restriction.²⁰ This supports the concept of enabling taller buildings at the front of the site, where no side HIRB applies (TCZ) and enables very good use of the land.
- 6.25 The potential impact on a HRZ sites to the east of the proposed TCZ is that less sun access would result in the afternoon and larger buildings could be seen. An example at 2pm in September on SK02 (see **Attachment A**) illustrates the shadow cast from the different building envelope standards, and as one would expect the taller building casts a longer shadow. This might not cause an effect if other sites adjacent are also developed and cast a similar shadow. Later in the afternoon, the shadows will be longer towards the east from taller buildings. The tricky aspect is that 6 or 8 storey buildings might be developed on sites to the east and cast their own shadow. It is not known where on the sites the buildings might be positioned and therefore it is difficult to determine the scale of effect.
- 6.26 The recession plane is one method of managing bulk of buildings relative to others, and while a taller building might be seen from a HRZ neighbour, it is setback further the taller it is. I consider that seeing a taller building in the centre is not necessarily going to cause adverse effects if the expectation is established. That is why I consider if taller buildings are anticipated, this should be communicated to the Plan audience with greater certainty than relying on the outcome contributions.
- 6.27 Either height option would result in a significant change to the streetscape, which would transform from a one to two level form with a wide street space to a more urban street which is more enclosed and

²⁰ Refer Attachment 4. SK04

feels narrower. This is a positive impact assisting with creating a more urban centre streetscape. It hinges on the desired future form for the various zones and the compromises that are associated with each.

6.28 A taller centre zone will enable a bigger impact on the existing residential uses than a lower HRZ zone (and depending on which HIRB standard is selected). This impact would potentially be considered a negative effect on the amenity of the existing properties, but that needs to be considered along with the beneficial attributes of higher density centres.

6.29 **Attachment C Map 2** of my evidence illustrates a slightly adjusted recommendation compared to the Hearing Stream 2 maps. Three changes are:

- (a) the removal of a height overlay control at the north eastern corner of the TCZ (the car park of the New World). This was an error in the mapping as there is no reason why a restriction should apply at that location;
- (b) The removal of the TCZ (retain HRZ) to the south of the existing neighbourhood centre; and
- (c) that the active frontage and verandah control apply to full length of Main Road where the TCZ applies and around the corners of the connecting streets the same as the PDP has proposed.

Newlands

6.30 No change of zone or extent is recommended at Newlands. However, I recommend applying the active frontage and verandah controls to the frontages of Newlands Road, Bracken Road and the eastern end of Stewart Drive. Refer Map 5 in **Attachment C**.

Johnsonville

6.31 The Kāinga Ora submission sought to expand the MCZ generally to the west of the existing centre and increase the height standard to 55m.

6.32 The Section 42A assessment of Johnsonville is bundled with the submission on expanding the Kilbirnie centre. There is no specific assessment for each centre, rather it is high level and the conclusion

reached relies on the 2019 Housing and Business Capacity Report²¹ which basically says no more land is needed to meet business demand. The Section 42A conclusion is that not expanding the centre “*will encourage the centres activities to occur within a more condensed area thereby establishing and maintaining more cohesive accessible and viable centres*”.²²

- 6.33 Defining the scale of the Johnsonville centre is difficult as there is significant redevelopment opportunity, but when and how this might occur is unknown. For example, the Mall site in Johnsonville centre provides a significant opportunity, but will this be realised through redevelopment? Maybe at some stage, but this depends on the aspirations of the owner and developer as to whether the site includes residential above a retail / commercial offering for example. 277 Broadway in Newmarket, Auckland is a recent redevelopment of a Mall typology that contains no residential activity for example.
- 6.34 From a big picture perspective, mindful that the Government is expecting a step change in our urban environments, much longer timeframes need to be considered than the 30 years addressed in the capacity assessment. This is because any new developments will likely last at least 50 or more years, so decisions now have a big influence on the opportunities and outcomes of the future.
- 6.35 In this vein, while it is encouraging that there are enough land opportunities as assessed now, there is an opportunity to provide more through a more enabling zoning framework, especially as the existing improvements on the land identified for expansion of the centre will take a long time to change. If 6 storey buildings are to be constructed on the land in question within the next 30 years, we should consider whether this is the best outcome we can achieve.
- 6.36 Zoning more land as MCZ provides an opportunity for a greater mix of activities at Johnsonville. The MCZ enables and encourages a non-residential ground floor which would significantly assist with the interface issues that have occurred right next to the centre along Frankmoore Avenue and Trafalgar Street as illustrated in **Figure 5** below. This

²¹ <https://wellington.govt.nz/-/media/your-council/plans-policies-and-bylaws/district-plan/proposed-district-plan/files/hearing-streams/04/section-42a-reports/section-42a-report---part-2---metropolitan-centre-zone.pdf> para 33.

²² S42A report MCZ, Para 33.

residential development is viewed from Moorefield Road with the Countdown supermarket behind the camera position. The residential development is flanked on both sides by the MCZ. The development has a poor interaction with the street and does not provide a good outcome in terms of the contribution it has to the quality of the centre.



Figure 5 - Google Streetview photo from Moorefield Road looking to the recent three storey dwelling on the corner of Frankmoore Avenue and Trafalgar Street.

- 6.37 The MCZ also responds better to Moorefield Road where Council has invested significantly in new community facilities. These facilities can and should be supported with density around them. Sadly, I consider that this council development represents a missed opportunity for these sites in the heart of Johnsonville.
- 6.38 Zoning all of the block between Moorefield Road and Trafalgar Street as MCZ (rather than only part of it) would enable greater opportunities for the whole block rather than design responses being limited by an existing random cadastral boundary at the interface.
- 6.39 The Section 42A report does not acknowledge the general support offered by Dr Zamani for the expansion of all centres where expansion is sought. He considers that *“This can lead to better urban design outcomes as it provides more urban amenities and improve pedestrian network and vitality of the Centres”*.²³ Dr Zamani acknowledged that he has a different view to Ms Hayes.²⁴

²³ Dr Zamani SOE Para 41.

²⁴ Whom I assume has drafted the section 42A report on MCZ.

- 6.40 Given the differing views from the Council experts, I would expect a greater level of assessment to have occurred in order to reach the conclusions made. I also acknowledge that a planner's role is to consider all of the various advice to form a recommendation. I accept that while rezoning can be supported from an urban perspective, it may not be supportable from a planning perspective. I refer to Mr Heale's statement for an alternative planning position in this regard.
- 6.41 I note that Dr Zamani has previously advised in Hearing Stream 2 that he agrees with all of the proposals by Kāinga Ora in Johnsonville. However, he qualifies this with the need to consider certain topography issues and issues with narrow streets before accepting any rezoning or height increase.²⁵
- 6.42 I assume the issues he speaks of are situations where abrupt level changes exist along a street edge in the form of a bank or retaining wall such as illustrated in **Figure 6**, and the functionality and form of narrow streets such as Trafalgar or Rotoiti Street as illustrated in **Figure 7**.



Figure 6 – View along Broderick Road looking west illustrating tallest part of retaining structure where an active frontage is recommended.

²⁵ Hearing Stream 2 Right of reply, Appendix 3.

- 6.43 I have considered these issues and provide the following advice.
- (a) The topography could cause issues along the western side of Moorefield Road and the southern side of Broderick Road if zoned HRZ on the edge of the notified MCZ. These are further complicated by the bridge over the railway and the level changes at this location; and
 - (b) An unretained cut face of approximately 2m high exists at the edge of Moorefield Road and a vegetated slope continues to rise to the west. A similar scale retaining wall exists with a steeper vegetated slope along the Broderick Road edge. Both provide barriers to enabling activities on the sites above them to appropriately integrate with the street and therefore do not enable positive responses to support walkability and a vibrant connected urban environment.
- 6.44 These landforms are not so significant that they would prevent excavation and a built form response that would achieve the outcomes that should be encouraged along these street edges. There is opportunity to enable and encourage a solution to these existing issues.
- 6.45 The zoning needs to allow a development feasibility to achieve this. If these sites were zoned HRZ, they might be feasible, however, the additional height sought could assist this. If the submission to enable 200m² of commercial at the ground floor of apartment buildings in the HRZ is not accepted, then a residential outcome at this interface would be a poor response in terms of the street, but also for the amenity of the units at ground level. I suspect there would be no good rationale to excavate the site to achieve a residential outcome such as this.
- 6.46 I consider that commercial / community activities at ground floor or even upper floors should be encouraged to exist and address these two streets at footpath level. Both of these two locations are directly opposite the MCZ as notified on key streets where the response should be better than 6 storey residential in my opinion. This is an example of the better urban outcomes that Dr Zamani speaks of.
- 6.47 From an urban form and amenity perspective, there is good opportunity for Moorefield Road to be a highly pedestrianised and high amenity environment. The PDP has responded to this by zoning both sides of

this street to the north as MCZ and applying active frontage and verandah controls to some frontages.

- 6.48 I consider Moorefield Road is a key access route for the potential population residing to the west (north and south) of the centre. The intersection at Broderick Road is a key entry point to the centre for people travelling from the south west which is worth enhancing and celebrating. Frankmoore Avenue provides for a smaller catchment to the west, and Trafalgar Street and Bassett Road to the north are other entry points. This is supported by the existing council-controlled community facilities such as the library, swimming pool and park all west of Moorefield Road.
- 6.49 Likewise, Broderick Road provides an important connection from the residential and recreational activities to the west and south west of the centre and should play a more significant role in assisting walkability.
- 6.50 I support the application of the MCZ to the blocks to the south of Broderick Road where the ground levels near the railway are lower than the surrounding road network and alongside the railway. The current transport infrastructure contributes to a poor environment for residential activity in this location. It is suitable for some commercial activities and residential above it that might connect directly to Broderick Road would be a much better outcome than expecting residential at lower levels (with maybe some commercial activity) if zoned HRZ.
- 6.51 By zoning the land at the intersection of Broderick Road and Moorefield Road MCZ, it provides the opportunity for this intersection to be surrounded by an urban built form, providing a gateway to the centre and providing good views to the open space sports fields on the southern western corner.
- 6.52 I consider that the areas submitted on by Kāinga Ora to the south of Broderick Road and one block west of Moorefield Road should be zoned MCZ.
- 6.53 In terms of the consideration of narrow streets, I measure both Trafalgar Street and Rotoiti Street as being 9.2m wide.²⁶

²⁶ Using Wellington City Council GIS Proposed District Plan viewer.

6.54 The notified zoning is illustrated in Figure 6 for ease of reference, with 21m and 35m heights proposed along the length of these two streets. Frankmoore Street is 12m wide. Council must have considered both streets as being suitable for at least part of their length to be zoned MCZ with HRZ opposite. This compares with Burgess Road at 10m wide, Gothic Street at 12m wide, (both with MCZ applying either side) and central city examples of Lorne Street at 10.7m wide, College Street and Vivian Street at 15.2m wide, and Barker Street at 12.2m wide, where the CCZ applies either side with unlimited height opportunity. High Street and O'Connell Street in Auckland central city are approximately 10m wide.



Figure 7 – Screen capture of the notified Plan identifying narrow streets in Johnsonville.

- 6.55 Buildings built to 21m high both sides of Trafalgar Street or Rotoiti Street are illustrated in Attachment B SK05. I have applied a sun angle being about 2pm in September. However, the street alignment is not due north south so the actual angle at 2pm in this street would be slightly different. The exactness is not important, but it illustrates that sun access to the lower levels is limited by built form opposite in the afternoon.
- 6.56 A further two sections are illustrated illustrating the relationship of MCZ to HRZ as notified, and as I recommend.

- 6.57 Having different building heights on opposite sides of a street means that more of the street façade of the taller building receives sun, and in this case in the afternoon. On the flip side, less of the street facade of the lower HRZ receives sun in the morning. However, these two streets are aligned to the east of north meaning that the eastern side of the street will receive sun for longer as it is more north facing as opposed to the western side which is more south facing. Therefore, both sides of the street can be developed with apartments facing north west. The quantum of sun access will depend on the resulting building form.
- 6.58 I conclude that zoning Rotoiti Street with MCZ and HRZ on opposite sides will enable non-residential at lower levels where sun access will be limited in the MCZ but provide good residential opportunities above. I note that these streets provide a narrow separation distance if apartments are developed either side which does not provide for good privacy, however, this should be considered with the placement and design of the buildings. The narrowness of the street needs to be addressed with responding built form. It may be better that commercial activities exist where sun access is not as important. The MCZ enables this outcome better than the HRZ.
- 6.59 If height and relationship of buildings are considered an issue on narrow streets, or at the interface between different zones, the PDP could provide a more nuanced approach like other district plans where recession planes from opposite sides of streets or buildings setbacks are used. The standards do not need to be as blunt as proposed. However, the issues are hard to deal with at all locations across the city, so matters for assessment could / can enable designs to be assessed. The guidance could also include appropriate separation of residential activities across a street for example.
- 6.60 If there is a long term demand and the centre zone needs to be larger to provide a greater employment offering, then I consider the areas proposed in the Kāinga Ora submission to be a good extension.²⁷
- 6.61 If the areas sought for expansion are retained as HRZ, and the 200m² commercial at ground floor in apartment buildings is not accepted, then

²⁷ I note Dr Zamani SOE Hearing Stream 2 para 19 supports the zoning proposed by Kāinga Ora however raises concerns with narrow streets and topography that would need to be considered and worked through before accepting any rezoning of height change.

the redevelopment will lose the opportunity for commercial activities, not address the interface issues as well, and may not appropriately address the sun access issue above. It may not result in redevelopment as the context may not be as attractive for residential as other locations.

- 6.62 The redevelopment of these areas should use an apartment typology given the proximity to the centre. If this is accepted, then the question is whether other activities should occur on these sites. From a design perspective, I consider a non-residential ground floor can address the issues particularly relating to privacy for ground floor residential along street frontages, and I do not believe that these should be restricted. The centre zone is better at providing for this.
- 6.63 The centre zone does not require any residential activity, the residential zone does not require any commercial or community activity, and neither requires any particular built form, which makes it difficult to achieve particular outcomes.
- 6.64 In terms of location, the edge blocks (to north west of the centre) of the Kāinga Ora suggested expansion of the MCZ have less risk of achieving residential at ground floor. The edge blocks are also more removed from the centre and on more elevated landform, meaning they currently feel less connected or part of the centre. This is not to say this could not change, it is that these areas that are not a priority to be zoned MCZ given there is uncertainty on the scale the centre should be. I recommend at this time the western areas in the Kāinga Ora submission remain HRZ, but with the 36m height overlay.
- 6.65 I consider that there is good redevelopment opportunity if the whole of the block defined by Moorefield, Ironside Road and Trafalgar Street was zoned MCZ, rather than the split zoning.
- 6.66 The block between Trafalgar Street and Rotoiti Street fronting Frankmore Avenue is also an appropriate location for the MCZ zone opposite the MCZ on two other frontages and at the intersection with Moorefield Road. It is also opposite the Council Pool. The recent development on many of the sites at the southern end means that the potential is locked up for many years, unless there is a very compelling business case to redevelop. A more appropriate outcome at these sites would have been a commercial active frontage.

6.67 As a side issue, the rail station is currently a barrier to good development of the centre, particularly since it could more appropriately relate to Moorefield Road. The long term location of the railway station should be questioned. For example, in my opinion the station could be moved under the Broderick Road overbridge with vertical access to this intersection, or moved under development. This would open up the possibility for greater development opportunities along Moorefield Road where a vibrant active edge could be created along this main access into the centre. Such an outcome has been achieved in the Metropolitan centre of Manukau in Auckland. This is not something that can be resolved in the PDP, but demonstrates an idea that should be considered when thinking about how Johnsonville should developed in the future. The amount of land zoned MCZ currently used by the railway and access to it should be considered.

6.68 **Map 6 of Attachment C** illustrates areas of expanded MCZ that I consider provide good opportunities for a greater range of activities rather than focusing on residential. This could be done in a way that supports Moorefield Road and Broderick Road as equally important to Johnsonville Road, and if not more important from a pedestrian perspective given the potential residential growth to the south and south west of the centre.

6.69 I also recommend that active frontages and verandah controls apply to the western side of Moorefield Road at the northern end, along Broderick Street (both sides) and along Gothic Street. These outcomes ideally would be achieved alongside Moorefield Road if the station were to move and along the edge of the overbridge. The standards should apply to encourage this type of outcome.

MCZ Building Height

6.70 In terms of building height in the MCZ, Kāinga Ora seeks 55m or 15 storeys to enable a reasonable amount of development at a scale that is consistent with a metropolitan centre. In Porirua recently, which is also zoned as a metropolitan centre, the reporting officer recommended an increased height limit at 53m²⁸. In Kāpiti, the reporting planner confirmed 15 storeys is appropriate in the Metropolitan zone.²⁹ In Lower

²⁸ Porirua City Council, Part B – Residential Zones, Planning Maps and General Topics.

²⁹ <https://www.kapiticoast.govt.nz/media/u0rocq13/council-reply-andrew-banks.pdf> para 140.

Hutt City Centre, no limit on building height is proposed.³⁰ The 55m building height that Kāinga Ora seeks provides for a little more flexibility for ground floor height and roof forms. I consider 53m would be suitable to be consistent with other Metropolitan centres in the Wellington region, but 55m would be better.

- 6.71 15 storeys also works alongside the relief sought Kāinga Ora in the HRZ around the centre of 10 storeys, stepping down to 6 storeys. This is a traditional urban form of tallest buildings in the centre stepping down at greater distance from the centre.
- 6.72 However, as discussed below, the City Outcome Contribution, Appendix 16, as recommended in the Section 42A report provides for taller buildings than 35m (as the Section 42A recommended height standard), up to 43.4m without the need to provide any contribution. I consider the height standard recommended by the Section 42A report is essentially 43.4m (effectively 12 storeys), however, the effect of such height is required to be considered. There is no height limit if a proposal achieves City Outcome Contributions worth 30 points.
- 6.73 I discuss the issues I have found with implementing the City Outcome Contributions later in this statement. However, I recommend that if taller buildings are anticipated and even encouraged in the MCZ, then the height limit should be increased to provide certainty of outcome particularly when it comes to the assessment of over height buildings as proposed.
- 6.74 For the reasons above, I partially disagree with the conclusion reached by the Section 42A report, and consider that the expansion I now recommend will better encourage the centre activities to occur within a more condensed area and enable Johnsonville to develop as a cohesive accessible and viable centre.

Ngaio

- 6.75 No centre expansion is requested at Ngaio. However, I recommend that the active frontage and verandah controls are extended to apply to the NCZ on the corner of Awarua Street and Khandallah Road, and the full length of the NCZ on the southern side of Awarua Street. In my view, a

³⁰ Kāinga Ora consider this centre as a Metropolitan Centre.

covered connection to the rail station along Awarua Road is also desirable, but at least at the centre, pedestrians can take shelter and better interact with the facilities on offer.

6.76 I note that the land on the northern corner is currently occupied by a residential use. However, this should not prevent the planning framework from applying such rules for future development. This connects the centre to the south with the superette to the north where these standards apply.

6.77 Refer **Map 9 at Attachment C.**

Karori

6.78 The Kāinga Ora submission sought for a greatly expanded LCZ along Karori Road with the view that it would support the planned intensification of Karori and provide greater employment opportunities to assist with reducing the need to travel.

6.79 I do not disagree with the concept. However, when considering this with the methodology above, there are issues with this strategy for expansion with limited opportunities due to the existing schools and land occupied by churches, and topographical level changes, particularly at the top of the hill where the road is in a cutting.

6.80 Having spent more time in Karori recently, it is clear that the Marsden Centre and the Karori Centre operate independently and have a very different character. Trying to connect the two with street-fronting commercial activities is unlikely to be successful. As with other centres, St Ninian's Uniting Church, and the Catholic Church St Teresa are not within a local centre zone, and are somewhat disconnected from the centre. The St Mary's Anglican Church is close to the Marsden Centre separated by only two residential properties. An early learning centre is under construction on the church site adding to the community facilities at this location.

6.81 In my opinion, the small number of residential properties that front Karori Road between the St Mary's church and the centre, and the school and the centre, do not assist with a well-functioning urban environment. I consider that St Mary's could have a centre zoning in line with the

discussion above, however it is not essential. Likewise, Marsden School could also have a centre zoning.

- 6.82 I recommend that the centre zone is expanded west to include the three residential zoned lots on the southern side of Karori Road west of the Baptist Church, and the two residential lots west of Halton Street on the northern side of Karori Road, with application of the active frontage and verandah controls to their frontages. Over time this would provide the opportunity for these sites to better respond to the street and reduce the impact these have on the urban fabric connecting St Mary's and Marsden School with the centre.
- 6.83 I also recommend the centre expands east to Lancaster Street such that it avoids retaining one residential property within the block and would strengthen the centre identity when arriving up the hill from the east. I recommend the centre is expanded to the east on the northern side of Karori Road to include the town house development opposite the end of Lancaster Street where one of these units is being used as a real estate agency. The urban fabric changes at this point where the road exist in a cutting and residential exist on elevated land. This is illustrated on **Map 11 of Attachment C**.
- 6.84 In the main Karori Centre, I recommend a small expansion to the east to include three lots east of Campbell Street opposite the centre zone on the western side, and to include the front part of the Karori United Tennis Club within the centre. This provides the opportunity to strengthen the built form at the Campbell Street and Karori Road intersection as an entry to the centre, supporting a key access route from the south, linking the centre to Ben Burn Park. Active frontage and verandah controls should apply to these street frontages.
- 6.85 To the west, no expansion is sought. However, I recommend that active frontage and verandah controls also apply to the full length of Karori Road and along the centre zone part of Beauchamp Street. Most of these locations display these attributes and should continue to support the amenity of the centre.
- 6.86 There is some opportunity for redevelopment in the centre, however the two petrol stations do not assist with a high quality pedestrian environment. I consider there is significant opportunity for

redevelopment of the mall site which is a key site that could provide significant enhancement to the centre.

- 6.87 This zoning may not achieve much in the way of employment growth to support the population and other areas such as the blocks north along Parkvale Road or south around the Karori Bowling Club and Karori United Tennis Club could be considered through a separate process.
- 6.88 I note that the height available in the LCZ will be limited on small sites by the 5m+60° HIRB control applying to the MRZ boundary. This standard will encourage taller buildings away from the lower scale residential and provide a reasonable transition between the two zones.
- 6.89 I consider the Marsden Centre should have a Local Centre zone, and both centres should enable 6 storeys in conjunction with the 5 storeys recommended adjacent in the MRZ if the Kāinga Ora submission on that point is accepted. This might encourage redevelopment to occur. I do not understand why Karori would not have similar opportunities to Newlands for example, other than it is located further distance from a main centre.

Brooklyn

- 6.90 Map 17 submitted to the Hearing Panel in Hearing Stream 2 included a few lots north of the local Brooklyn centre identified as local centre expansion. However, the maps did not include a blue line around it to identify this as an expansion area. This expansion is not recommended and the maps have been adjusted to remain as MRZ.
- 6.91 I recommend that the active frontage and verandah controls also apply to the frontage of the LCZ on the southern corner of Todman Street and Ohiro Road to ensure the existing qualities continue.
- 6.92 Refer to **Map 17 of Attachment C**.

Newtown

- 6.93 Map 18 submitted to the Hearings Panel in Hearing Stream 2 included an area at the intersection of Adelaide Road and Riddiford Street with a blue line indicating a zone expansion. This is an error as this land is included in the PDP as a LCZ. Kāinga Ora seeks to change the zone to TCZ along with the rest of the Newtown commercial centre zone.

- 6.94 This provides the opportunity for a generally higher height standard of 36m which may be overridden by heritage area overlays. It is consistent with the 10 storey height (36m) of the HRZ sought around the Newtown centre due to the close proximity of Newtown, the hospital and the City Centre.
- 6.95 While I have not been involved with the heritage overlay hearing in Hearing Stream 3, I understand that the height reductions in heritage areas in Newtown effectively create an inverse height relationship from the more normal outcome of taller buildings in the centre with lower around them and in this case the PDP proposes 12m in the heritage areas with 21m in the HRZ behind them. I consider this can work well where the existing built form can be maintained with taller newer buildings being seen behind and above the foreground. This is illustrated in **Figure 8**. A greater distinction with taller buildings behind the 12m heritage areas could assist in visually enhancing the heritage area buildings since, as the photo illustrates, it is visually difficult to understand foreground to background forms.



Figure 8 – Photograph taken from the corner of John Street and Adelaide Road looking south east with heritage area buildings in the foreground and the hospital behind.

- 6.96 As in Tawa, the HIRB control with the HRZ will limit height of buildings in the centre zone promoting more built form to the front of the site which is desirable. A similar opportunity is provided as the example in Tawa, for a site on the northern side of Constable Street with a slightly larger depth of 36.8m.
- 6.97 On the southern side of Newtown Avenue where the site depth is 21.4m, the HIRB would limit height to 7 or 8 storeys. However, the block between Newtown Avenue and Constable Street would not be limited by HIRB enabling 36m for the full block (except where heritage overlays apply).
- 6.98 For the Mixed Use zone at the southern end of Newtown at Rhodes Street, I consider the height standard should be the same as the adjacent residential zone.
- 6.99 Given the main street function of Riddiford Street, I recommend that the active frontage and verandah controls extend to Arney Street along both sides of the street. I also consider that they should apply to the western end of Constable Street extending to the eastern end of the library.
- 6.100 The PDP includes active frontage and verandah controls around the pocket park on Constable Street corner. I recommend consideration be given to how adjoining properties should relate to the open space which might result in these frontage controls applying to public open space in addition to street frontages.
- 6.101 Refer **Maps 18 and 19 of Attachment C**.

Island Bay

- 6.102 I do not propose any changes to the local centre zone, but I do recommend extending the active frontage and verandah controls to Avon Street connecting the existing outcome opposite the end of Avon Street through to the rest of the centre.
- 6.103 Refer to **Map 20 of Attachment C**.

Kilbirnie

6.104 I support the Kāinga Ora submission which seeks to:

- (a) expand the MCZ to the east and west of the 'Bus Barns' to complete the block;
- (b) enable the Bus Barns to be developed potentially along with the existing residential properties in front;
- (c) expand the block to Ross Street to avoid spot zoning in the block and add to the potential opportunities at, and contiguous with the centre; and
- (d) apply the transition to residential at Ross Street providing a consistent outcome along Ross Street, rather than one block west.

6.105 As discussed in relation to Johnsonville above, the Section 42A assessment of the submission is not specific to Kilbirnie, rather it is high level and does not support this submission.

6.106 I consider that the PDP includes spot zoning on the eastern side of Mahora Street to provide the existing commercial activities with a centre zone. It then requires residential activities between these two MCZ zoned sites through the HRZ, facing the relatively poor interface with the street provided by the existing supermarket. This is not a desirable place for residential, particularly at lower levels. By zoning the whole block MCZ, spot zoning will be avoided and therefore greater levels of development will be enabled, while providing a much greater range of activities that would better respond to the supermarket site.

6.107 This is a logical area to expand the centre particularly as it directly relates to the existing centre zone, and I consider it actually supports the reasoning given in the Section 42A recommendation against expansion, as it "*will encourage the centres activities to occur within a more condensed area thereby establishing and maintaining more cohesive accessible and viable centres*"³¹. This needs to be a long-term vision that provides opportunities in the short – medium term where other areas such as the Bus Barns or Bay Road may not. The alternative

³¹ S42A report MCZ, Para 33.

could be in the two blocks bound by the open space drainage reserve west of the Bus Barns south of Cruickshank Street. However, this area is less accessible to the main road networks.

- 6.108 The transition to HRZ then would occur at Ross Street rather than at Mahora Street consistent with the block to the south, acknowledging a portion of this is currently used as a retirement village.
- 6.109 The relationship of recommended heights is illustrated in **Attachment B, SK07**. This section illustrates the significant potential enabled by a small increase in area and with the additional height.
- 6.110 I recommend the addition of the non-residential frontage control to both sides of Mahora Street particularly if the inactive edge of the supermarket is retained, and all frontages of the block bound by Rongatai Road, Onepu Road and Coutts Street. The PDP includes a small section along part of Onepu Road at the car park to the supermarket, however there is no obvious reason why only this portion should be identified and controlled differently to the rest of the street.
- 6.111 I recommend the non-residential frontage control should also exist along the southern side of Evans Bay Parade consistent with the rest of that block. I consider this location is not suitable for residential activities at ground floor level.
- 6.112 I consider the MCZ has development potential, however, large parcels of land are used by supermarkets with at-ground car parking, but is it realisable? There is significant opportunity in the main street due to the existing low scale existing building stock. The retirement village provides limited redevelopment opportunity, except perhaps in the very long term assuming they operate with a right to occupy agreement which results in a long period to transition all residents out of a building in order to redevelop it. This is somewhat unfortunate as it will weaken the centre fabric between the centre and the Bus Barns area.
- 6.113 The Bus Barns site provides good development potential, but only if it ceases being used for that activity. The development plan included for the Bus Barns site³² appears to only relate to the properties that are part of the Bus Barns operation, whereas a comprehensive plan could

³² APP11 - Kilbirnie Bus Barns Development Plan

expand to include all properties within the block as sought by Kāinga Ora.

- 6.114 Given the location of the retirement village, the PDP zone application effectively provides for the MCZ mostly internal to that block, whereas by including the properties fronting the streets either side there is the potential for a much better response to the street and the open space connection to the south.
- 6.115 The development plan should be revisited in light of decisions on the MCZ and surrounding HRZ, particularly with regard to height provisions³³. As I understand it, if any development is undertaken but the use remains as a bus depot, then the MCZ should apply, which in the Kāinga Ora submission should be 55m. If not a bus depot, then the Bus Barns chapter applies in addition, and currently would provide for only 27m height for most of the site, with the medium density residential area provisions applying to some surrounding lots. This is clearly out of date and should be updated or removed.
- 6.116 The PDP proposed a height limit of 27m, except for north of Rongotai Road where the standard is 15m. I understand that the 15m restriction provides a transition to the MRZ north and opposite. I consider there is logic in this and agree that 15m north of Rongotai Road and west of Bay Road would provide this transition. The small triangle block south of Evans Bay Parade is separated from the MRZ by a wide road reserve, and surrounded by wide roads. It provides opportunity for additional height because of the spatial relationship and could be a landmark for the centre.
- 6.117 I consider it unnecessary to transition height at the southern side of Rongotai Road due to the very large road reserve and the fact that it faces north with good sun access. However, as the MRZ exists to the east of Ross Street at the Rongotai frontage, I consider it appropriate from an urban form perspective to provide a transition at the frontage between Ross Street and Mahora Street.
- 6.118 Consistent with Johnsonville Metropolitan Centre, Kāinga Ora seeks a 15 storey opportunity in Kilbirnie, whereas the Section 42A report

³³ Mr Patterson Right of reply Hearing stream 2, para 36 supports Mr Wharton in recommending the HRZ applies to a 10min walkable catchment around the MCZ, but supports a 22m height standard for the HRZ in this area.

recommendation is 7 storeys. However, as discussed above in relation to Johnsonville, the Section 42A Appendix 16 provides for taller buildings than 27m, up to 33.5m (24% taller) without the need to provide any contribution, but requires assessment. There is no height limit if a proposal achieves City Outcome Contributions worth 30 points.

6.119 As for Johnsonville, I recommend the height limit should be increased to provide certainty of outcome particularly when it comes to the assessment of over height buildings as proposed.

6.120 Refer to **Map 22 of Attachment C**.

Kilbirnie MUZ (South)

6.121 Kāinga Ora seeks a general height standard of 22m for the MUZ. I understand that the proposed heights in the MUZ west of Tirangi Road are rolled over from the Operative District Plan and are in response to the neighbouring residential.

6.122 This should be considered with the HRZ proposed by the Section 42A recommendation to apply around Kilbirnie and with the relief sought to include more land as HRZ at the interface with the MUZ. One large block west of the MUZ is a sports field and is very large which can support taller buildings around it. 22m is consistent with the 21m in the HRZ. I would suggest considering applying a lower height of 11m along the Lyall Parade for the depth of the MRZ adjacent to maintain a consistent height along the foreshore. But that depends on the opportunities within the Airport zone.

6.123 I also understand that designations for the airport apply and these can manage built form as required. I have not considered this level of detail.

Miramar

6.124 The business activities in Miramar attract people from a Wellington central catchment, except for some in Petone and Kapiti,³⁴ so rather than thinking additional growth will need to travel out of Miramar, what should be considered is how the PDP can provide greater opportunities for people to reside and work in Miramar. As with any location, there will be people who need to travel out of the area for various reasons.

³⁴ Mr Heale, SOE, Appendix 4 - journey to work data.

- 6.125 For Hearing Stream 2, Dr Zamani considered the HRZ expansion and heights proposed in Map 23 Miramar to be inappropriate due to the lack of access to the central area and major centres and amenities, and limited access to green space within the suburb.³⁵
- 6.126 The Kāinga Ora submission seeks to provide greater commercial and community amenities through an expanded centre and additional height and development potential to address some of these concerns.
- 6.127 I question whether access to the central area is that important given there is a metropolitan centre at Kilbirnie supported by bus services and cycleways. I also consider that the relationship to the airport is a factor in the opportunities for Miramar.
- 6.128 With regard to open space provision, there are two significant sports parks, one being directly east of the centre called the Polo Ground, alongside the Miramar Central school, and the second to the east of the MUZ to the north named Miramar Park, with bowling greens and tennis courts to either side. I understand these are both Council owned and publicly accessible. To the south is Crawford Green. These are not dissimilar to the open space provision in Kilbirnie. I agree that access to the first two mentioned open spaces could be significantly enhanced, but that could be achieved through redevelopment of areas around them. I have not determined density with open space provision, however the provision in Miramar appears to be good particularly when compared to Johnsonville for example.
- 6.129 I support the expansion of the centre to the south of Miramar Avenue to enable a similar response to the southern side of this street opposite the existing centre, where the library exists along with a church and businesses operating from residential buildings. The active frontage and verandah controls should also apply along Miramar Ave, Stone Street and Hobart Street as marked on **Maps 23 and 24 of Attachment C.**
- 6.130 This supports the spatial qualities of the intersection at Hobart Street, Park Road and Miramar Ave, which is the heart of this centre, being at the crossroads of two important routes through Miramar.

³⁵ Dr Zamani SOE para 29 in appendix 3 of Mr Patterson's right of reply.

- 6.131 I also support the expansion of the centre to the north along Park Road by approximately one block to Byron Street and the entry to Miramar Central School as it provides a greater opportunity for a range of activities along Park Road that has a relationship with the existing centre and can respond to the Polo Ground.
- 6.132 I consider the MUZ fronting Tauhinu Road should have the same height opportunity as the adjacent residential zone. However, I recommend no additional height in the MUZ on the hill fronting Maupia Road, Aranui Street and Ropa Lane due to its access issues and steep topography.
- 6.133 For the MUZ fronting Weka Street, I consider that if the HRZ is accepted along Camperdown Road, the MUZ opposite should also be enabled to 22m except that a transition to the MRZ to the north is appropriate and I recommend retaining the PDP 15m height standard for lots fronting Manuka Street as marked on **Map 24 at Attachment C**.
- 6.134 Likewise, I consider the MUZ fronting Park Road should be enabled to 22m consistent with surrounding HRZ, but a step down from the 29m proposed along Park Road in the HRZ. A transition to the MRZ along the Miramar North Road frontage is also recommended at the PDP 15m as marked on **Map 24 at Attachment C**.
- 6.135 The relationship to the Miramar Park is controlled with a HIRB standard of 5m + 60° which at increased height will result in some loss of sunlight access to the park over the 15m standard proposed in the afternoon.
- 6.136 I consider there are good urban form reasons for expanding the centre zone.
- 6.137 I agree with the Section 42A report that there is unrealised development potential in the existing zone due to low scale existing buildings, however some provide less opportunity than others (which is true for any centre). The garden centre provides probably the best opportunity spanning between two streets with relatively low improvement value. The next best opportunity is the site adjacent (west), however, this has a greater number of existing tenants (I assume) making it more difficult to redevelop. Then the site on which the church exists fronting Park Road, then where the Salvation Army is located. I expect the existing business activities in Park Road will make redevelopment of the sites they occupy difficult in the short to medium term.

- 6.138 The supermarket provides limited realisable potential given the long term holding and singular use.
- 6.139 The MUZ provides some opportunities but large sites like that opposite the end of Tahi Street which is a relatively recent retail centre is also unlikely to provide any realisable potential in the short to medium term.
- 6.140 When these sites are redeveloped, I consider there is good opportunity for taller buildings, particularly along Miramar Avenue where the existing pōhutukawa street trees provide a very good human scale for pedestrians and where buildings can sit comfortably behind them.
- 6.141 I consider that there are other benefits to the centre from expanding the zone. My view is a long term view to assist with enabling opportunities rather than forgoing them.

City Centre

- 6.142 Kāinga Ora seeks no change to the application of the CCZ, and therefore I have not undertaken assessment on the extent or boundaries of the CCZ. I comment on the application of frontage controls in the CCZ in the next section.

7. FRONTAGE CONTROLS IN THE CCZ

- 7.1 The Section 32 report identifies a key issue for the new CCZ is the *“adequacy of the level of amenity provided in the CCZ, particularly for inner-city residents in light of projected residential growth”*.³⁶
- 7.2 The objectives and policies³⁷ provide clear direction about the importance of the design of buildings as they relate to public space and I support these as the edge condition at the street interface (particularly at ground level) is critical to the function of streets and other open space.
- 7.3 The Te Ngakau Civic Square Precinct policies include similar themes but specifically require an active edge along a portion of each building that addresses both the internal precinct area and externally towards adjoining streets.³⁸

³⁶ Section 32 – Part 2 – City Centre zone, Special Purpose Waterfront Zone, Special Purpose Stadium zone and Te Ngakau Civic Square Precinct, page 27-28.

³⁷ CCZ-O5, CCZ-P2, CCZ-P6, CCZ-P8, CCZ-P9.

³⁸ CCZ-PREC01-P4.

- 7.4 A method employed in the PDP to achieve the objectives and policies is to use rules to control where and how certain activities exist on a site such as CCZ-R12 which provides for residential activities as permitted activities above ground floor or at ground level where no active frontage or verandah control applies. Standards and mapping identify where active frontages and verandahs³⁹ are required⁴⁰.
- 7.5 CCZ-P7 requires verandahs along building elevations on identified streets. However, while implied, the standard does not actually require the verandah to be over the public street footpath. This could be strengthened to be clear. Otherwise, I support this standard as it will assist with a comfortable pedestrian experience.
- 7.6 With regard to development where active frontages apply, CCZ-P8 requires different outcomes for new or existing buildings as follows:

CCZ-S8	Active frontage control
	<p>1. Any new <u>building</u> or addition to an existing <u>building</u> adjoining an identified street with an <u>active frontage</u> control must:</p> <ol style="list-style-type: none"> Be built up to the street edge on all street boundaries and along the full width of the <u>site</u> bordering any street boundary; Provide a minimum of 60% of continuous display windows or transparent glazing along the width of the ground floor <u>building</u> frontage; and Locate the principal public entrance on the front boundary. <p>Except that: This does not apply to any <u>heritage building</u> identified in <u>SCHED1-heritage buildings</u>; and</p> <p>2. Any <u>ground level</u> addition to, or <u>alteration</u> of, a <u>building</u> or <u>structure</u> facing a <u>public space</u> must not result in a <u>featureless façade</u> that:</p> <ol style="list-style-type: none"> Is more than 4 metres wide; Extends from a <u>height</u> of 1m above <u>ground level</u> to a maximum <u>height</u> of 2.5m; and Any roller shutter doors, security grilles, screens or similar <u>structures</u> fitted to the facade of any <u>building</u> must be at least 50% visually transparent.

- 7.7 I have not found an analysis on the merits of this standard in the Section 32 reports. However, I consider this standard should be adjusted as it is unclear.
- 7.8 CCZ-S8 1.a. for new buildings is unclear as it appears to require a building to abut all street boundaries, rather than just the street where

³⁹ While in New Zealand the term verandah is used to describe a roof over a public footpath, it was traditionally a space along the front of a building in private ownership. A canopy is more suitable in my opinion.

⁴⁰ CCZ-S7, CCZ-S8.

the active frontage control is applied. I consider this should be adjusted so it applies only to the identified street. Changes have been proposed in Mr Heale's evidence⁴¹ to address this, which I support.

- 7.9 CCZ-S8 1.b. suggests that a curtain wall outcome is required. I suggest greater flexibility is enabled by removing the word "continuous" and adjusting the grammar as set out in Mr Heale's evidence as above. This is because many architectural responses could be used to achieve this outcome including for example columns between windows or picture windows. I support the intent of the standard such that it requires windows for a minimum percentage of the length along the street edge of a building.
- 7.10 The standard does not specify a height requirement for windows. That provides flexibility but may not actually achieve much glazing, as oppose to the percentage of the ground floor façade area.
- 7.11 CCZ-S8 2. is unclear whether it applies where an active frontage control is identified or just to any public space. If the latter, it should be a difference standard. However, assuming it is intended to apply to active frontage controls locations, I consider it should apply to a new building.
- 7.12 The standard includes grilles or screens which are assumed to be over windows or inside behind the windows and therefore 50% transparent is appropriate. I do not agree that roller doors to a car park or servicing area need to be visually permeable.
- 7.13 Assessment criteria allows for this outcome to not be achieved (for example, supermarkets which have long inactive walls). The standard does not require interaction between the street and people inside the building when a display window is used, so this will not enforce passive surveillance. The criteria should encourage passive surveillance.
- 7.14 In terms of where the active frontage control applies, there was no specific assessment referenced in the Section 42A reports, and I couldn't find one that specifically addressed it in the s32 analysis.
- 7.15 Kāinga Ora sought that active frontage controls apply in the following way:⁴²

⁴¹ Mr Heale. SOE, Appendix A.

⁴² Refer Point 8 on pages 18 and 19 of submission.

- (a) Only apply active frontage controls where necessary such as along principal roads/arterials (not necessary along connecting streets);
- (b) Only control buildings that are located along any street edge rather than buildings on the whole site where an active frontage applies;
- (c) Delete active frontage controls on streets and buildings where these matters do not apply; AND
- (d) Amend and make consequential changes to give effect to this submission.

7.16 I have reviewed the proposed application of the active frontage and verandah controls in the CCZ and I generally agree with PDP application. However I wish to make the following observations:

- (a) I do not understand why on narrow streets (such as Tennyson Street or Lorne Street) a verandah is required along the northern side of the street but not the southern side, yet the active frontage is required along the southern side and not the northern side. Dr Zamani states this is for sunlight access to the buildings on the southern side which might be a reasonable proposition.⁴³ However, I have not seen any analysis to support this. This should be considered with regard to taller buildings along these streets and the amount of sun access that will be provided. I question whether any verandah is required along these streets as they are very narrow.
- (b) The northern side of Wakefield Street and either side of Taranaki Street north of Wakefield Street are proposed with a verandah control, but no active frontage control. Given that access to the convention centre and Te Papa and waterfront are via these streets I expect it is desirable for these street edges to be active also. Many of the existing buildings already achieve this and I consider it should be required to ensure the quality of these spaces for pedestrians.

⁴³ Dr Zamani. SOE, Hearing Stream 4, Para 32.

- (c) There are some locations where consistency of application along a street varies such as on Molesworth Street where the active edge and verandah control applies to part of the frontage of the Cathedral which I expect is not the anticipated outcome. On Mulgrave Street, the verandah control does not apply to part of the frontage south of Pipitea Street probably due to the existing buildings being two level dwellings but not heritage buildings, whereas along Murphy Street (being a continuation of Mulgrave Street) a verandah control applies along the frontage where town houses exist with no verandah.
- (d) At the other end of town along Cambridge Terrace the verandah control does not extend to the south to near the Basin Reserve. This may be in response to the Waka Kotahi designation, however it appears that Kent Terrace is also included in the designation and a verandah control applies there. I expect that cover along the full length of Cambridge Terrace is desirable to provide shelter from the Basin Reserve through to the city centre.

8. ACTIVE FRONTAGE CONTROL IN MCZ, LCZ, NCZ

- 8.1 Active frontage controls apply in the MCZ, LCZ and NCZ with a similar standard as in the CCZ, except that the width of feature less wall is 1m wider in the CCZ, and roller shutters, screens and the like are controlled in any building rather than only for additions to existing buildings in CCZ. A non-residential frontage control is added.
- 8.2 My concerns outlined above in the CCZ active frontage control equally apply to the respective standards in these other centre zones.⁴⁴
- 8.3 I have assisted Mr Heale with the proposed changes to the wording of these standards reflected in Appendix A of his statement.

9. HEIGHTS IN CITY CENTRE

- 9.1 The Section 42A report recommends unlimited height in the CCZ, however there are a number of overlays such as heritage areas and viewshafts that will limit height for particular reasons.

⁴⁴ LCZ-S6, NCZ-S6, MCZ-S6.

- 9.2 The unlimited height can only be achieved through delivering City Outcome Contributions which are required when a building is proposed above a listed height trigger which varies across the city ranging from 27m to 50m.⁴⁵ I do not understand why the difference and why these outcomes (or versions of them) are not expected for all buildings. Many of the outcomes do not relate to the height of a building.
- 9.3 I consider that many developers will seek to achieve some of the City Outcome Contributions such as Greenstar 6 rating as they will be seeking to secure tenants requiring A grade office space for example.
- 9.4 I consider that the CCZ is more enabling for taller buildings than other centre zones as it avoids assessment criteria such as visual dominance and shading for example. The City Outcome Contributions is a matter of discretion so while it says developments must achieve certain points, these will be discretionary.

10. NCZ -RX – RETIREMENT VILLAGES NEW RULE

- 10.1 This is a new rule proposed by the Section 42A report providing for retirement villages as permitted activities which I support. However, I consider the same issues that qualify the permitted activity status for residential activities in NCZ-R10 should also apply to retirement villages.

11. CITY OUTCOME CONTRIBUTIONS

- 11.1 I support the Section 42A report recommends to move the City Outcome Contribution provisions to an appendix in the PDP, rather than embedded in the Design Guidelines, if these provisions are to be retained.
- 11.2 I support the intent of the City Outcome Contribution provisions as they benefit the quality of our urban environments. However, I am concerned with how the proposed City Outcome Contribution provisions will work in practice and the prospects for their success for the following reasons:
- (a) The policy framework uses buildings heights as the trigger to require these outcomes, whereas many of the benefits listed relate to the way public use the site at ground level;

⁴⁵ Section 42A, CCZ-S1.

- (b) This means that the context of the site is important and providing through site links or open space needs to have benefit. My experience includes the design of a site where additional GFA was enabled by the governing plan by adding a through site link to the proposal, so the architects headed down that path. The reality was that a through site link was not a suitable outcome and provided very limited public benefit. The design was changed and the additional GFA was approved through a consent process without the through site link
 - (c) It is preferable that all buildings include these attributes (or some of them depending where and what they provide) promoted by the City Outcome Contribution, not just for over-height (or under-height) buildings. I understand that it is an incentive-based policy, and I agree that in general if you limit development at ground level it needs to be compensated for above ground from a feasibility perspective.
- 11.3 If the provisions are to be retained in the PDP, I make the following comments. My first review of Appendix 16 highlighted a number of drafting errors which were not corrected when removing this from the Guidelines, which can be easily corrected. I understand Appendix 16 is proposed to stand on its own with no reference to design guides.
- 11.4 The initial text is too long and repetitive. Reference to “large-scale” should not be used, unless the requirements are intended to apply to large-scale developments. However, I understand they only apply to buildings over a height threshold or under a height threshold or maximum height standard.
- 11.5 For the CCZ, Table 1⁴⁶ it is clear that for any building proposed higher than the thresholds listed in CCZ-S1 (which I assume is to cover the entire CCZ) by up to 24% in height, the proposal needs to achieve outcomes worth 20 points.

⁴⁶ <https://wellington.govt.nz/-/media/your-council/plans-policies-and-bylaws/district-plan/proposed-district-plan/files/hearing-streams/04/section-42a-reports/section-42a---overview-and-general-matters-for-commercial-and-mixed-use-zones.pdf> page 66 table 1.

Worked example

- 11.6 Height area control 2 – 50m threshold - would enable 62m of height. Up to 49% over 50m (74.5m) requires 30 points and anything over 50% (75m) requires 40 points.
- 11.7 For buildings lower than the minimum height, Table 1 enables even lower heights (up to 24% lower than the trigger of 22m⁴⁷, or 16.5m) before the contribution requirements trigger. If this is the appropriate trigger, then the standard should be lower as it does not align with CCZ-P11. Or if 22m is the magic number, then the table could be changed to address 0% to 49% lower.
- 11.8 Table 1 in Appendix 16 provides that for any development below the minimum height by 50%, contributions of 40 points is required. Any development therefore more than 50% under the minimum height is not required to provide any contributions. As it is drafted it would not encourage development to be as close to the minimum as possible. I question whether last line in the table was intended to read “50% or more”.
- 11.9 In the other centres, additional height of up to 24.99% is “free” as no contribution is required⁴⁸. Again, this appears at odds with the policy which requires over-height development to achieve contributions.⁴⁹ If the ‘free’ height is the intent, the height standard could then be increased by 24.99%, and the table changed to 0% to 49% to require contributions for over height buildings.
- 11.10 Table 2 is clear in relation to how many points are required for the different zones at the various over height percentages. Interestingly, there is no height limit associated with 30 points in the MCZ for example assuming the “+50%” means more than 50%.

Worked example

- 11.11 By testing this in Kilbirnie for example, if the PDP was confirmed at 27m in height control 2, then a proposal for a new 55m building (as submitted by Kāinga Ora) could be consented if it achieved contributions worth 30

⁴⁷ CCZ-S4.

⁴⁸ <https://wellington.govt.nz/-/media/your-council/plans-policies-and-bylaws/district-plan/proposed-district-plan/files/hearing-streams/04/section-42a-reports/section-42a---overview-and-general-matters-for-commercial-and-mixed-use-zones.pdf> page 67 table 2.

⁴⁹ MCZ-P10 for example.

points. However, assessment of the potential effects of the building height is required.⁵⁰

- 11.12 Given that a 55m high building is 49% taller, I have significant concerns that an assessment would likely raise adverse dominance, or shading effects on adjoining sites, as the bench mark for the level of acceptability is set relative to 27m.
- 11.13 There appears to be some policy challenges with the provisions as proposed where MCZ-P10 encourages taller buildings if the development makes additional contributions, yet MCZ-P7 2.a. seeks that development reflects the nature and scale of the development enabled within the zone, and P3 seeks to ensure development responds to the site context, assuming that is both existing physical and planned statutory context. I am not clear whether the statutory context is defined by the height standard or the potential for greater height.
- 11.14 In my opinion, this is where the assessment becomes very difficult.
- 11.15 Turning now to Table 3 - City Outcomes⁵¹, I find it very difficult to determine how many points a development may achieve for example providing public open space, or a lane-way. There are 1 – 10 points available (for each), which are awarded on the quality, extent and level of amenity that each solution provides. There are no criteria to support an assessment of this. The outcome refers to every 10% of the site, but I do not understand how the 10% influences the points score.
- 11.16 I find the first section of Table 3 unclear as to how many points could be achieved. If a development needed 30 points, these could be achieved by just providing public space and amenity, however it would need to score top marks for all.
- 11.17 For universal accessibility scores with Lifemark, the assessment for this goes into significant detail for aspects that are usually not detailed at resource consent stage. These include the type of tapware the kitchen design, steps, layout of bedrooms etc. This can be achieved.

⁵⁰ Refer to assessment criteria in MCZ-S1 and MCZ-R20.

⁵¹ <https://wellington.govt.nz/-/media/your-council/plans-policies-and-bylaws/district-plan/proposed-district-plan/files/hearing-streams/04/section-42a-reports/section-42a---overview-and-general-matters-for-commercial-and-mixed-use-zones.pdf> page 67 table 3.

- 11.18 For Greenstar ratings, it is not clear whether this needs to be under the Green Star design and as-built pathway, Green Star interiors pathway or Green Star Communities pathway. The design and as-built requires a final assessment when built. Homestar ratings enable a design rating, but require assessment of the building consent drawings and specifications. I find it difficult to understand how these can be used in support of a resource consent process.
- 11.19 There are no clear criteria for how to allocate points to reduction in embodied carbon, or seismic resilience measures.
- 11.20 The assisted housing points are clear and achievable.

Conclusion

- 11.21 I consider that there is significant uncertainty in applying the City Outcome Contribution. I consider that if the provisions are to be retained in the PDP, further work to address the points raised above is required in order to provide for meaningful urban design outcomes.
- 11.22 Furthermore, I consider that even achieving the City Outcome Contribution points to support the proposed height, there is reasonable risk that a proposal in the centres other than the CCZ may be turned down due to adverse effects from the additional height.
- 11.23 Greater guidance on the acceptability of impacts from taller buildings is required. I consider that if taller buildings are encouraged and are anticipated in a zone, then including higher height standards would assist in providing a statutory context that would enable taller buildings to be consented. There still could be City Outcome Contribution triggers at lower heights if these aspects are required.

12. FENCE HEIGHT

- 12.1 Kāinga Ora sought that the permitted height for fences in centres be 2m in order to be consistent with the Building Act.
- 12.2 I consider this request appropriate for fences along side and rear boundaries in centres, particularly as there are no standards in the centre zones requiring buildings to be set back from these boundaries. Therefore, a wall of a building can exist at the boundary at a much higher extent.

- 12.3 I consider this would provide a building that hopefully positively responds to the street and neighbours. Fences can have a negative effect on the streetscape particularly. I do not support fences taller than 1.8m along front boundaries. I question whether they should be enabled along front boundaries in centres as a permitted activity, however active frontage controls will limit their use to some extent.
- 12.4 I note that NCZ-S1 controls the height of fences, but then excludes them where it states “*This standard does not apply to:*”. I assume this is an error and the standard is intended to work the same as in the other centres where fences are not excluded.
- 12.5 The COMZ-S1 is drafted differently again, but appears to enable fences of 1.8m in height.
- 12.6 In the Section 42A report version of the CCZ, fences and walls are not controlled by the CCZ-S1 height standard, and it is proposed as a separate standard CCZ-SX also at 1.8m high. A separate standard is appropriate, however the standards in the various centre zones could be adjusted to limit fences to 1.8m high in front boundaries and 2m on side and rear boundaries.

13. MINIMUM BUILDING SEPARATION DISTANCE AND OUTLOOK SPACE

- 13.1 Kāinga Ora seeks to delete the standards requiring specific building separation distances and outlook standards from the centre zones.
- 13.2 The PDP includes a standard of 8m between new buildings or additions to existing buildings containing residential activities in the NCZ, LCZ, MCZ, CCZ zones, but does not apply in the MUZ or the COMZ zones, even though both those latter zones enable residential activities as permitted activities above ground floor.
- 13.3 The centre zones include a minimum outlook space of 1m by 1m for habitable rooms.⁵²
- 13.4 Dr Zamani explains that separation between buildings “*ensures buildings are not placed closed (sic) to each in a way that compromise the privacy of residents and their access to daylight*” and “*the space*”

⁵² Refer LCZ-S9, NCZ-S9, MUZ-S10, MCZ-S9, COMZ-S7, and CCZ-S13.

*created by this separation can be used as communal space between the building (sic) adding to the communal amenities of the residents”.*⁵³

- 13.5 This might be so for building façades with windows, however I consider walls of buildings that do not include windows do not need to be separated to this extent, and maybe not at all. Non-habitable rooms such as bathrooms do not need such separation. There is no qualification in the proposed standard to provide for such outcomes.
- 13.6 I am not sure why 8m is a key dimension, but I suspect it relates to, or has originated from, the MDRS outlook standard of a minimum of 4m for principal living rooms for each residential unit.
- 13.7 I question the appropriateness of such a small outlook particularly for living spaces especially when the HRZ requires a 4m minimum outlook from principal living rooms for residential units in apartment buildings.
- 13.8 I accept that outlook and privacy is expected to be less in a high density area or in centres. However, given the HRZ is a high density zone, I question why such a lower standard as proposed in the centres is considered acceptable.
- 13.9 This 1m by 1m standard is effectively defining that adequate outlook as required by policy MCZ-P8, for example, is 1m by 1m. The policy seeks a good standard of amenity for residential activities, by providing residents with access to adequate outlook.
- 13.10 I consider that a 1m by 1m outlook for living spaces will not provide adequate outlook contributing to suitable living environments and I disagree with the Section 42A report where it states that *“the standard seeks to provide an acceptable standard of living for residential occupants by requiring a 1 metre by 1 metre outlook space from habitable rooms”*⁵⁴ assuming this relates to all habitable rooms. I agree this standard has been used for other habitable rooms such as bedrooms in other district plans.
- 13.11 The assessment in the Section 42A report refers to the TPG report which *“identifies that a positive outlook has been shown to have a positive impact on people's sense of security and mental wellbeing”*.⁵⁵

⁵³ Dr Zamani SOE, Hearing stream 4, para 37.

⁵⁴ S42A MCZ, para 350.

⁵⁵ S42A MCZ, para 350.

That report tested standards in the draft PDP which are different to those now included in the PDP. I have not found in that report any reference to a 1m by 1m outlook space as being acceptable.

- 13.12 I also question the appropriateness of an 8m separation to provide suitable privacy between living rooms of opposing apartments for example, and suggest this needs to be a greater distance or other design elements used to enable privacy between opposing units.
- 13.13 In Plan Change 78 Metropolitan Centre zone in Auckland, a greater level of detail (or guidance) is included in the outlook control (such as the purpose to place habitable room windows to the site frontage or rear of the site in preference to side boundaries), and the minimum standard is 6m at ground level, stepping back as buildings get taller.⁵⁶ This standard also requires a 6m outlook from bedrooms. The setback also provides daylight to lower parts of the building. I consider this approach provides greater guidance and will result in better urban design outcomes.
- 13.14 In the PDP Design Guide CMU, outlook is not mentioned. However, G22 provides similar guidance on orientation, which I support.
- 13.15 When assessing a new building for residential activities reference to Policy P8 “adequate outlook” is required to be considered. As there is no guidance on this matter contained in the guidelines (which can be addressed), one would need to rely on the 1m by 1m standard as being adequate.
- 13.16 I consider the minimum outlook should be 6m from a living room where the windows do not directly face the living room of an opposing apartment. With the Auckland example, more than one building on the site can share the outlook space. The issue I have identified in that example is that there is no width to the outlook space, only a depth.
- 13.17 Referring back to the 8m building separation standard, I agree that without this standard (within the suite of proposed provisions) it would be much harder to achieve suitable privacy. However I consider this needs to relate to windows of living spaces (or outdoor space for that matter). I consider that the standard unreasonably restricts the potential

⁵⁶ <https://www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/3.pc-78-chapter-h-zones-business.pdf>
H8.6.32. Outlook space.

development potential of a site particularly where separation is not required for privacy.

- 13.18 A proposal may not wish to include communal open space, or in such a way which is therefore not necessarily a benefit as outlined by Dr Zamani.
- 13.19 I consider that the outlook standard needs to provide an adequate distance. Any proposal that does not meet this requirement can be assessed as to the quality of the space(s) being proposed. This is where good guidance is beneficial.
- 13.20 The assessment could also include the extent to which privacy is maximised between units and adjacent sites, and the guidance can provide detail including that in G22.
- 13.21 If building separation is retained, I consider this should relate to the relationship between living spaces, rather than a blanket approach to any building.

14. MAXIMUM BUILDING DEPTH

- 14.1 The centre zones include a maximum continuous building depth of 25m for any side wall (which I assume the diagram to relate to side boundaries) applying to any new building or additions to existing buildings used for residential activities.⁵⁷
- 14.2 They are all the same regardless of which centre they apply to, which I find interesting given the different scale and potential building forms that might result in the different centres.
- 14.3 Kāinga Ora seeks to delete these standards.
- 14.4 Dr Zamani considers that a “*maximum building depth will encourage the buildings to be placed at the front of the site and prevent long buildings into the site, facing the neighbours*”. He goes on to say that “*this will ensure most living spaces are either facing the street or the communal courtyards*”, and “*also prevents having blank walls along the street edge*”.⁵⁸

⁵⁷ Refer MCZ-S11, NCZ-S11, LCZ-S11, CCZ-S12, but not in the MUZ or the COMZ.

⁵⁸ Dr Zamani SOE Hearing Stream 4, para 36.

- 14.5 I appreciate the outcome that Dr Zamani is encouraging and support buildings located to the front of the site. However, I consider that this standard does not achieve this, particularly where only one building is proposed on a site. A 25m length of building could be located anywhere along the side boundary. I agree that where two or more buildings are proposed on a site, unless the site is very long, it is likely that one of those buildings will be close to the street boundary.
- 14.6 I agree that 25m provides sufficient depth for a variety of apartment designs as illustrated in the testing work undertaken by Jasmax,⁵⁹ and my own experience with apartment design.
- 14.7 The Draft City Centre zone modelling⁶⁰ includes many examples with relatively inactive side façades, many have outdoor living spaces (which I assume relates to internal living space) located on the corners of the building, or in a side elevation where they face the neighbours.⁶¹ These models also illustrate that on narrow sites buildings will be longer down the site than they are wide.
- 14.8 I therefore disagree with Dr Zamani where he considers that the building depth standard will prevent long buildings into the site facing the neighbours.
- 14.9 With regard to the standard itself, I believe it does not work as intended.
- 14.10 The Section 42A report states that the standard is intended to work in conjunction with the building separation standard to provide privacy for residential occupants of a MCZ site (for example), and confirms a recommended change to apply this standard only to residential buildings.⁶²
- 14.11 Mindful of the above statement. when reviewing the standard MCZ-S11, the assessment criteria are also helpful in guiding the intent or purpose of the standard. In this case, the criteria include consideration of the effects of a long featureless building elevation, and dominance, privacy

⁵⁹ <https://wellington.govt.nz/-/media/your-council/plans-policies-and-bylaws/district-plan/proposed-district-plan/files/hearing-streams/04/appendices/other-appendices/appendix-c---part-1---city-centre-zone---jasmax-wcc-district-plan-tests-all-sites.pdf>.

⁶⁰ <https://wellington.govt.nz/-/media/your-council/plans-policies-and-bylaws/district-plan/proposed-district-plan/files/hearing-streams/04/appendices/other-appendices/appendix-g---part-1---city-centre-zone---wellington-city-council-draft-ccz-modelling.pdf>.

⁶¹ Refer page 17 of the Wellington City Council draft CCZ modelling.pdf as example.

⁶² <https://wellington.govt.nz/-/media/your-council/plans-policies-and-bylaws/district-plan/proposed-district-plan/files/hearing-streams/04/section-42a-reports/section-42a-report---part-2---metropolitan-centre-zone.pdf> para 364.

and shading on adjoining sites. So, unless the neighbouring site is used or planned to be used for a residential building, the criteria is irrelevant.

- 14.12 The standard does not require a well-articulated side wall, but I agree that longer walls could look very featureless. However, a long featureless wall along a side boundary is anticipated for a non-residential building, neighbouring a site with residential buildings. A long featureless wall next to another long featureless wall along a side boundary will not cause adverse effects to each neighbour.
- 14.13 Likewise, a longer wall of a residential building adjacent to a long non-residential building on an adjoining site will unlikely cause adverse dominance, privacy or shading effects on that neighbour.
- 14.14 I suggest that the intention was in fact to address development on a neighbouring site, or to develop one site in a way that ensures a neighbouring site could also be developed for residential activities.
- 14.15 I consider that the standard is not fit for purpose as currently drafted, and I agree with Kāinga Ora that it should be deleted. There are a range of ways of dealing with the issues, which may need to differ between centres. As these buildings will require consent, the alternative without specifying standards is to develop assessment criteria that enable each proposal to be assessed with regard to the context.

Nicholas J Rae

12 June 2023