

**Before the Independent Hearings Panel  
At Wellington City Council**

**Under** Schedule 1 of the Resource Management Act 1991

**In the matter of** the Proposed Wellington City District Plan

---

**Statement of evidence of Sarah Duffell on behalf of Wellington City Council  
(Urban Design)**

**Date: 22 August 2023**

---

## **INTRODUCTION**

- 1 My full name is Sarah Duffell. I am employed as a Senior Urban Designer in the Urban Design team. My principal work in this role relates to urban design review of RMA consents, where I use Design Guides to support feedback about achieving good quality urban design outcomes.
- 2 I have prepared this statement of evidence on behalf of the Wellington City Council (the **Council**) in respect of technical related matters arising from the submissions and further submissions on the Proposed Wellington City District Plan (the **PDP**).
- 3 Specifically, this statement of evidence relates to the Subdivision Design Guide, incorporated at Part 4 of the PDP.
- 4 I am authorised to provide this evidence on behalf of the Council.

## **QUALIFICATIONS AND EXPERIENCE**

- 5 I hold the qualifications of Bachelor of Regional Planning (Honours) from Massey University and Master of Arts in Urban Design (Merit) from the University of Westminster.
- 6 I have worked for Wellington City Council for 6.5 years, previously I have worked for over 15 years at a variety of public and private sector organisations in NZ and the UK.
- 7 I am a member of the NZ Urban Design Forum and was previously a full member of the NZ Planning Institute (1997-20).

## **CODE OF CONDUCT**

- 8 I have read the Code of Conduct for Expert Witnesses contained in the Practice Note issued by the Environment Court, which came into effect on 1 January 2023. I have complied with the Code of Conduct in

preparing my evidence and will continue to comply with it while giving oral evidence before the Environment Court. My qualifications as an expert are set out above. Except where I state that I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

#### **INVOLVEMENT WITH THE PROPOSED DISTRICT PLAN**

- 9 I have assisted with the development and review of some of the Design Guides, and along with the Urban Design Team have assisted with the development of specific objectives, policies, rules and standards throughout the zone-based chapters of the District Plan.

#### **SCOPE OF EVIDENCE**

- 10 In Minute 24 the Independent Hearings Panel directed that the Subdivision Design Guide was included in the ambit of the urban designers' expert witness conferencing and that submission points relating to this Design Guide were deferred to the Wrap-up Hearing.
- 11 I am aware that as a result of the expert witness conferencing the structure of the Subdivision Design Guide will be updated to reflect changes to other Design Guides – namely the Centres and Mixed Use Design Guide, Residential Design Guide and Heritage Design Guide. Notably, the Design Guides will be restructured so that guidelines sit underneath the outcomes that they specifically relate to and are numbered sequentially, and the 'points ranking system' will be removed.
- 12 My statement of evidence does not address these changes but concentrates on submissions specific to the Subdivision Design Guide, including the following matters:
- i. Submissions relating to G19, G20, G21 and G23 and the addition of references to Wetlands in these provisions;

- ii. Submissions relating to the placement of the Design Guides within the Proposed District Plan;
- iii. Submission on the prioritisation of the pedestrian experience;
- iv. Submission on earthworks in elevated development areas; and
- v. Submissions relating to different types and scales of subdivision.

**SUBMISSIONS RELATING TO THE ADDITION OF WETLAND REFERENCES IN G19, G20, G21 AND G23**

13 Greater Wellington Regional Council [351.339, 351.340] (**GWRC**) considers that the wording of G21 should be amended to avoid suggesting the use of natural wetlands and natural watercourses as stormwater devices:

|   |
|---|
| <p><b>G21</b>      • • Streams or wetlands should not be disturbed. However, where development does impact a stream <u>(such as piping streams)</u>, alternative design solutions for stormwater management must be provided that will not adversely affect the waterway's quality <u>or ecological health, such as piping streams.</u></p> |
|---|

14 I agree with this request because preservation of the health and wellbeing of waterbodies should always be a high-level priority when development potentially impacts waterways or wetlands. Piping existing natural streams is no longer a favoured option to achieve these outcomes, I therefore support this amendment because it removes the suggestion of piping streams.

15 Wellington City Council [266.178] seek to amend G19, G20 and G21 to reference Natural Wetland, and G23 is amended to reference Constructed Wetland.

16 Wetlands are highly valuable resources whether they are natural or constructed. I would encourage protection and enhancement of any wetlands, either natural/original or constructed as a high quality urban

design outcome. However, given the distinction in the definitions for natural wetlands and constructed wetlands, I agree with this request and the need to amend guidelines G19, G20 and G21 to refer to natural wetlands.

- 17 Guideline 23 potentially refers to the creation of new wetland areas and it would be useful to make the distinction. I suggest an amendment to preface the first bullet point of G23 with *“Provided this does not have a negative impact on the ecological values of existing natural waterbodies, incorporate ...”* This would indicate that the existing values of a natural waterbody should be given an over-riding priority before any alteration to a ‘constructed’ state is considered.

#### **THE PLACEMENT OF DESIGN GUIDES WITHIN THE PROPOSED DISTRICT PLAN**

- 18 Kāinga Ora Homes and Communities [391.196, 391.197] (**Kāinga Ora**) seek to delete all references to design guides throughout all rules in the PDP, including the deletion of the Subdivision Design Guide. The submitter requests that the matters currently included in Design Guides are included in zone provisions with clearer definition of the design outcomes the District Plan seeks to achieve.
- 19 The matter of inclusion of Design Guides within the District Plan has been discussed in the proceedings of previous hearings and is further addressed in the Section 42A Report for the Wrap-up Hearing (Part 2 – Design Guides).
- 20 I support retention of the Design Guides as statutory within the District Plan and do not support the relief sought in the Kāinga Ora submission requesting deletion of the Subdivision Design Guide.

#### **PRIORITISATION OF THE PEDESTRIAN EXPERIENCE**

- 21 VicLabour [414.51] seek to prioritise the pedestrian experience, which includes emphasis on accessibility for subdivisions. They also support other matters included in the Subdivision Design Guide such as sound

management of stormwater, water conservation, ecology, Te Ao Māori perspectives and place-based interpretation.

- 22 No specific relief is sought to any particular guidelines in the Subdivision Design Guide; however, I agree with the points raised and therefore support the submission.

#### **EARTHWORKS IN ELEVATED DEVELOPMENT AREAS**

- 23 Glenside Progressive Association Inc [374.14] (**GPA**) seek that the Subdivision Design Guide provisions relating to earthworks should be greatly strengthened.

- 24 Specifically, they wish to see an amendment to further restrict earthworks in elevated development areas, including Upper Stebbings and Glenside West, however this is not a matter covered by the proposed Design Guide.

- 25 Their more general concern appears to relate to past methods for subdivision construction including large-scale earthworks, and the visual and environmental implications of this, which is a matter included in the Design Guide.

- 26 I support the part(s) of this submission relating to the provisions in the Subdivision Design Guide that cover respecting natural and cultural landscape and designing in a manner that is respectful of topography. These matters are already proposed in several sections of the design guide, notably G13, G14, G15 and G16. However, I consider there is some repetition of landform and earthworks-related matters throughout the guide that might benefit from consolidation to improve their usefulness.

- 27 I support this submission insofar as it relates to general earthworks provisions, but note that any site-specific restrictions or controls would be beyond the scope of a Design Guide.

## **DIFFERENT TYPES AND SCALES OF SUBDIVISION**

- 28        McIndoe Urban Limited [135.120] seek that the Subdivision Design Guide recognises different types and scales of subdivision, and introduces a mechanism to identify which guidelines apply to each type and scale of subdivision.
- 29        I disagree because the content of Design Guides has been written so that Urban Design Advisors have discretion to consider which guidelines are relevant to a proposal. This discretion is referenced in the “Application” and “Relevance” sections at the start of the guide, both of which outline the ways that the Design Guides can be applied so that they support innovation and have flexibility in their responsiveness. I also support the Design Guides not being made additionally complicated or increasing in size, as a way of ensuring their ease of access and application. I therefore do not support the request in this submission.

## **SUMMARY / CONCLUSIONS**

- 30        I have prepared this report in support of the Subdivision Design Guide changes and decisions made after receiving and reviewing the submissions and further submissions on the PDP.
- 31        I support retention of statutory Design Guides within the District Plan.
- 32        Submissions raise a number of matters of clarification to various guidelines, generally on smaller or guideline-specific points. I variously support or oppose these as outlined above. I oppose any modification to the Subdivision Design Guide that unnecessarily increases its complexity or bulk, and support the intent in the ‘Introduction’ section of the Design Guide that allows Urban Design Advisors the flexibility to use the Design Guide in a context-responsive manner and in a way that supports innovation and high quality urban design outcomes.

**Date: 22 August 2023**

Sarah Duffell

*S. Duffell.*