

**Before an Independent Commissioner of Wellington City Council**

**Under the** Resource Management Act 1991

**In the matter** of a resource consent application for the Future Accommodation Strategy to develop the western portion of the site at 1 Molesworth Street, Wellington

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**EVIDENCE OF CHRISTOPHER MURRAY MCDONALD ON BEHALF OF THE  
APPLICANT IN SUPPORT OF APPLICATION FOR RESOURCE CONSENT**

**URBAN DESIGN**

**15 May 2023**

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## **1. INTRODUCTION**

**1.1** My full name is Christopher Murray McDonald. I am an Associate Director at McIndoe Urban Limited.

**1.2** I am authorised by the Applicant, Parliamentary Service, on behalf of His Majesty the King, to give this statement of evidence on its behalf.

## **2. QUALIFICATIONS AND EXPERIENCE**

**2.1** I have a Bachelor of Building Science and a Bachelor of Architecture from Victoria University of Wellington. I have a Master of Architecture and a Master of City Planning from the University of California [Berkeley]. I have PhD in Planning History from the University of New South Wales.

**2.2** I have more than 30 years' experience as Lecturer and Senior Lecturer in the Architecture Programme at Victoria University, where I taught Architectural Design, Urban Design and Urban History. In 2000 and 2001, during leave of absence from the University, I was a Senior Urban Designer for the City of Melbourne. I was a member of the Ministry for the Environment's Urban Design Advisory Group, which oversaw preparation of the *New Zealand Urban Design Protocol*. I am currently a member of Wellington City Council's Technical Advisory Group, which provides design advice on waterfront development. I joined McIndoe Urban in 2016 and became an Associate Director in 2018. At McIndoe Urban, my work consists largely of brief writing, master planning and design review. Although I retired from my academic role in 2022, I continue to practice as an Urban Designer.

## **3. CODE OF CONDUCT**

**3.1** I have read the Code of Conduct for Expert Witnesses outlined in the Environment Court's Practice Note (2023) (**Code**) and have complied with it in preparing this evidence. I also agree to follow the Code when presenting

evidence to the Independent Hearing Commissioner. I confirm that the issues addressed in this brief of evidence are within my area of expertise, except where I state that I rely upon the evidence of other expert witnesses. I also confirm that I have not omitted to consider material facts known to me that might alter or detract from my opinions.

#### **4. SCOPE OF EVIDENCE**

**4.1** My evidence examines two Future Accommodation Strategy [FAS] effects from an urban design perspective:

(a) First, I analyse the impact the Museum Street Building [MUS] has on the content of Operative District Plan [ODP] Viewshaft 4A.

(b) Second, I comment on changes to sunlight and visual amenity on the Bowen State Terrace.

**4.2** In both cases, I focus on relationships between built form and open spaces. My frame of reference includes existing and proposed parliamentary buildings along with neighbouring structures and the broader urban setting.

**4.3** In June 2021, McIndoe Urban was engaged by Parliamentary Service to provide urban design advice on FAS and subsequently to prepare an urban design assessment for the resource consent application. I undertook this work jointly with my colleague Graeme McIndoe. Along with Mr McIndoe, I wrote the *Parliamentary Precinct Future Accommodation Strategy (FAS) Urban Design Assessment*, which is appended to the application. In my evidence, I provide a more detailed analysis of the viewshaft matters that were addressed in the earlier Assessment.

**4.4** My evidence will cover the following matters:

(a) Analysis of MUS's effect on Viewshaft 4A;

- (b) Analysis of FAS's effects on sunlight and visual amenity on Bowen State Terrace/ Huxley's restaurant and bar; and
- (c) Conclusions

## **5. SUMMARY OF EVIDENCE**

### *Viewshaft 4A*

- 5.1** Although the view of a context element is lost (the Thorndon Residential area), Viewshaft 4A continues to be effective because its focal elements remain visible.
- 5.2** The most noticeable change to Viewshaft 4A will be the substitution of MUS's planar surface and horizontal parapet for the composite form and irregular roofline of Thorndon housing.
- 5.3** This change will simplify the view and help to direct attention towards the Beehive, which will acquire greater centrality within the picture.
- 5.4** The change in context will modify and refine the context of Viewshaft 4A by making a conspicuous reference to Te Ao Māori (by way of the external design of MUS) and by expressing the advent of larger buildings and more formal spaces in the area west of Parliament. Because stringent heritage controls apply to frontal views of the Parliamentary Precinct, Viewshaft 4A is the only protected viewshaft that offers this opportunity.
- 5.5** By screening locations further to the west, MUS will conceal other tall structures from an observer at the Viewshaft 4A vantage point.

### *Sunlight and visual amenity on Bowen State Terrace*

- 5.6** MUS will cast a shadow on Bowen State Terrace/Huxley's until late morning. However, I rely on the evidence of Mr Coop that the District Plan

does not contain any objectives, policies or rules that require any sunlight access to be maintained into the Bowen State Campus.

**5.7** The context of Bowen State Terrace will change from an expansive open space with a backdrop of parliamentary buildings to a built-up urban setting where MUS will be the largest single element in the view.

**5.8** As a street-sized open space that is softened with foliage, the West Courtyard establishes a positive interface with Bowen Campus.

## **6. EFFECT OF MUS ON CONTEXT ELEMENTS OF VIEWSHAFT 4A**

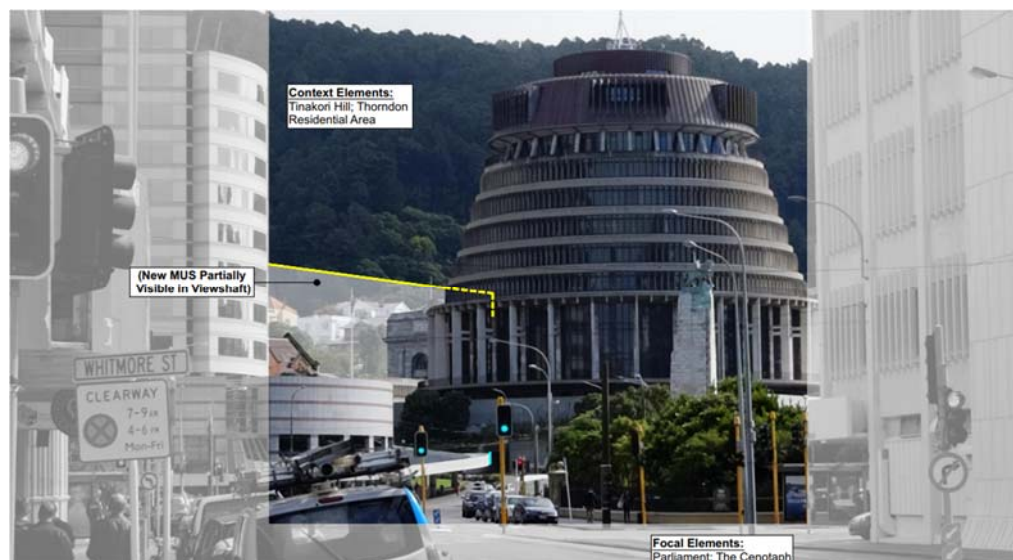


Figure 1: Viewshaft 4A with MUS indicated [RC Application Drawing P A6-04]

**6.1** Viewshaft 4A originates at the intersection of Whitmore Street and Featherston Street (see Figure 1). The viewshaft's focal elements are the Beehive and the Cenotaph. Context elements comprise Tinakori Hill and a cluster of buildings within the Hill Street/Selwyn Terrace portion of the Thorndon residential area. The viewshaft provides an oblique view of the Beehive. Other parliamentary buildings are almost completely obscured.

**6.2** McIndoe Urban's Urban Design Assessment states that MUS "has no effect" on focal elements within Viewshaft 4A [section 5.3]. This statement is correct in the sense that the Beehive and the Cenotaph are unobstructed

by the proposed development. However, my evidence presents a more detailed analysis of viewshaft conditions and effects, including changes to context elements. If MUS is built, modification of the Beehive's setting will have a modest but discernible impact on how the building is perceived. Despite these changes, the viewshaft will continue to be effective and will to some extent benefit from updated context.

### **Retention of Tinakori Hill backdrop**

**6.3** The Urban Design Assessment alludes to the Beehive's altered context when it states that the proposal has "no *appreciable* effect on Central Area Viewshafts" [emphasis added]. The qualification takes into account changes to background features within Viewshaft 4A. On this point, the Assessment is more precise when it concludes that although MUS "obscures an identified context element...Remaining context elements provide an effective backdrop" [section 6 item 22].

**6.4** My evidence reinforces the conclusion that the viewshaft's altered background continues to be effective. I note that this aspect of McIndoe Urban's argument is similar to Sarah Duffell's statements that the relationship between foreground and background changes [section 4.10] but the viewshaft as a whole "retains adequate integrity" [section 4.11] and "still has positive qualities" [section 9.5].

**6.5** In her evidence, Ms Duffell provides a comprehensive description of Viewshaft 4A. She also describes in detail how the view will change if MUS is built. I generally agree with these descriptions, although I draw different conclusions about their significance. Where possible, I refer to Ms Duffell's evidence so as to avoid duplication. I also draw from and elaborate on McIndoe Urban's Assessment.

**6.6** It is evident that MUS will completely obscure Thorndon housing within Viewshaft 4A. This outcome is shown in RC Application Drawing P A6-04 [see Figure 1].

- 6.7** Accepting this is the case, the McIndoe Urban Assessment describes how an effective backdrop is maintained: “The Beehive’s tower remains silhouetted against Tinakori Hill’s treed slopes, which continue to serve as a backdrop to the focal element.” Later, this visual relationship is described more simply: “As the primary element of context, Tinakori Hill remains almost fully in view and continues to function as a backdrop for focal elements” [Assessment section 5.3].

### **Significance of Thorndon housing**

- 6.8** I agree with the above statements including the notion that the viewshaft’s two context elements differ in their significance. Specifically, in my opinion, Thorndon housing is a less important background feature than Tinakori Hill.
- 6.9** There are two reasons for this. First, the housing occupies a much smaller area of the visual field than the forested hillside. Second, being small and distant, the residential buildings are difficult to discern individually. They merge visually with other built forms in the middle distance: the southwest corner of Parliament House, the Press Gallery, the Beehive Podium, the roof of Turnbull House and the base of Bowen House.
- 6.10** The McIndoe Urban Assessment describes a different version of this assemblage as follows: “the present amalgam of Parliament House, Thorndon housing and hillside vegetation” [section 5.3]. In this case, “hillside vegetation” refers to foliage in the vicinity of Hill Street rather than the forested slopes of Tinakori Hill.
- 6.11** Although Thorndon housing is the less significant context element, I agree with Ms Duffell’s observation that obscuring this feature removes “the reference to the mid-ground relationship” between the central city, inner suburbs and hills [section 4.7 (i)]. I also acknowledge that it is an identified context element, albeit less significant in my opinion.

- 6.12** Expanding on Ms Duffell's comments, I suggest that the viewshaft's two context features perform different roles. The dark, relatively uniform backdrop of hillside vegetation emphasises the distinctive silhouette of the Beehive's upper levels. Under the proposal, this function continues almost unchanged.
- 6.13** The second context element operates differently. Thorndon housing merges with other structures around the base of the Beehive to complete the urban setting. This amalgam of built form helps to create a foundation for the Beehive's tapered tower, which is seen to rise above the building's drum, podium and context of smaller buildings. Under the proposal, this function is modified. In the following paragraphs, I examine the implications of this change.

#### **Key visual relationships within Viewshaft 4A**

- 6.14** Importantly, the current broken roofline of Thorndon housing defines the margin between buildings and landscape. A stark, light-on-dark contrast draws attention to this interface. Especially in direct sunlight, this eye-catching feature leads the eye past the Beehive towards Tinakori Hill.
- 6.15** This phenomenon is accentuated by the Beehive's shape. With its circular plan and strong vertical axis, the building as a whole is an arresting object. It is similar in appearance on all sides. The stability of the image prompts instant recognition and contributes to the building's landmark character.
- 6.16** However, this visual property also encourages an observer's attention to wander. Once the Beehive's familiar base-middle-top hierarchy and simple profile are confirmed, the eye is free to search for further detail and more complex compositional relationships.



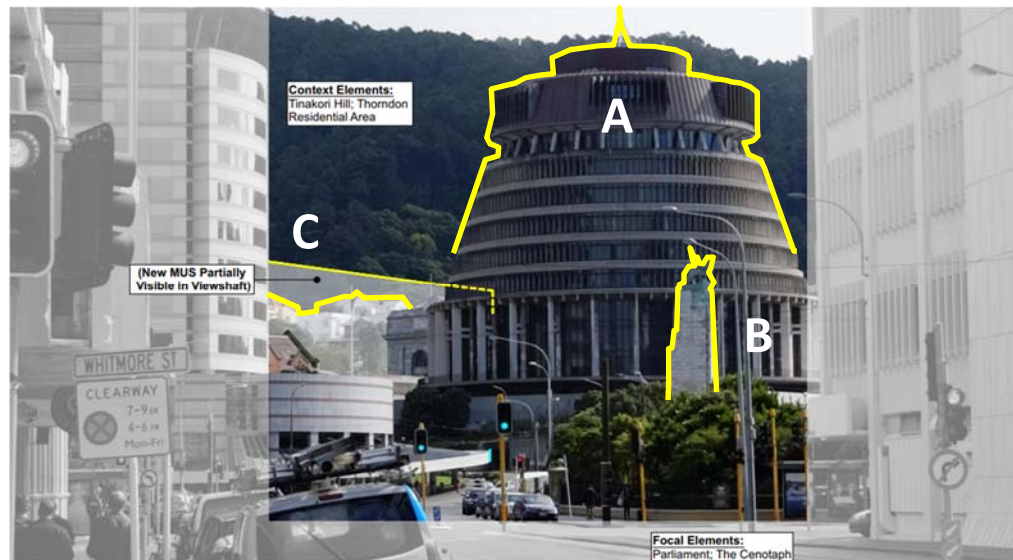


Figure 2: Viewshaft 4A with key elements highlighted [A Beehive profile, B Cenotaph, C Thorndon roofline].

**6.17** There are no obvious sub-centres or focal points within the Beehive’s lower elevations. In a sense, the building’s convex lines and rhythmic colonnade provide nowhere for the eye to rest. As a result, an observer is inclined to shift his/her eye to other details in the picture. The Cenotaph offers a second focal point. However, the most distant part of the view is also visually engaging. Here, the bright, jagged margin between housing and hillside provides a feature where the eye can settle [see Figure 2].

#### Continued effectiveness of context elements

**6.18** I agree with Ms Duffell’s comment that MUS’s “roofline” will create “a more abrupt visual transition” between the central city and the “wooded hills behind” [section 4.10]. Indeed, if the proposal goes ahead, this substitution will be the most noticeable viewshaft change. The irregular outline of the current built-form amalgam will be replaced by a single, planar surface, which will meet the hillside as an unbroken horizontal line.

**6.19** Ms Duffell states that the new relationship is “not entirely unappealing” [section 4.10]. I regard the change as partially beneficial. I offer further explanation for the evident appeal of the revised relationship between city

and hillside and – as a consequence – between the focal elements and context of Viewshaft 4A.

**6.20** Ms Duffell states: “Tinakori Hill (Te Ahumairangi) will remain as a contextual element in the background, with the ridgeline unaltered and a substantial mass of the forested slope behind the CBD still clearly visible” [section 4.7 (iii)]. I agree with this observation. I note that it paraphrases comments in the McIndoe Urban Assessment, as set out above [see paragraph 6.7]. In simple terms, hillside vegetation will remain the dominant background feature and will still encompass the upper levels of the Beehive.

**6.21** I believe there is a second reason why the revised backdrop is appealing. Quoting again from the McIndoe Urban Assessment, “MUS’s planar east elevation” will substitute for the present built-form amalgam [section 5.3]. In doing so, MUS will simplify the content of the visual field.

**6.22** Whereas the south-west corner of Parliament is vestigial in the current view, the new planar surface will throw this form into sharper relief. Whereas the eye now travels naturally towards the distant hillside [see paragraph 6.17], MUS will direct attention back towards the Beehive so that the latter building acquires greater centrality within the picture. In this transformation, the context of inner-city housing is lost but the Beehive appears to sit more squarely with a built-up Parliamentary Precinct.

#### **Refinement of context elements in Viewshaft 4A**

**6.23** The change represents an updating of the Beehive’s urban setting to include larger buildings and more formal spaces on its western flank. This is a profound shift. Since Wellington’s earliest days as the capital city, the environs of Museum Street have been ill-formed and underdeveloped. Along with Bowen Campus, FAS will convert this ad hoc, back-of-house area into a new interface between Parliament and the central city. As a manifestation of this transformation, MUS provides an appropriate indicator of this phase in the Precinct’s evolution.

- 6.24** The Beehive’s context is modified and refined in another sense. Culturally relevant patterns on MUS’s east elevation will be visible from the Whitmore Street vantage point. So, the proposal will introduce a welcome reference to Te Ao Māori. Because stringent heritage controls apply to frontal views of the Parliamentary Precinct, Viewshaft 4A is the only protected viewshaft that offers this opportunity.

#### **Interaction between Viewshaft 4A and maximum building height**

- 6.25** As further justification for the proposal’s effect on Viewshaft 4A, the McIndoe Urban Assessment draws attention to the ODP’s 27m building height limit in the area west of Museum Street. In section 5.4, the McIndoe Urban Assessment concludes that loss of context is a “less than minor” effect because “[any] building of this stature will obscure the four structures that signal the Thorndon residential area”. Later, the Assessment concludes that MUS has no more impact on viewshaft context than buildings “constructed to the permitted maximum height of 27m” [section 6 item 23].
- 6.26** I give less weight to this argument because protected viewshafts impose additional constraints on building height. As occurs elsewhere in the Central Area, it is the combination of overall height limit and viewshaft that shapes a development envelope for the site. The 27m limit may indicate a general intention for vertical scale in this part of the city. However, in the area west of Parliament, Viewshaft 4A introduces more restrictive parameters for building height.
- 6.27** Nevertheless, McIndoe Urban’s comment draws attention to the interaction between protected viewshafts and permitted building height. If built, MUS will facilitate the development of 27m high buildings in the area west of Museum Street. In simple terms, MUS will conceal other tall structures from an observer at the Viewshaft 4A vantage point.

## **7. SUNLIGHT AND VISUAL AMENITY ON BOWEN STATE TERRACE**

### **Effect of MUS on sunlight access**

- 7.1** My assessment of sunlight on Bowen State Terrace relies on Studio Pacific Architecture's plan-based Sun Studies for summer and winter solstices and for spring and autumn equinoxes.
- 7.2** These studies do not include existing conditions. As a result, I have estimated the present extent of shade cast by Parliament House and the Hill Street embankment. I have also visited the site. I am satisfied that Bowen State Terrace currently receives good morning sun [see Figure 3].
- 7.3** On the basis of the SPA assessment and my own assessment, sun access to Bowen State Terrace can be described as follows:
- (a) At the winter solstice, MUS will shade Bowen State Terrace until late morning. However, the terrace will be largely free of shadow by 11.30am. During the afternoon, shade is cast by Bowen State Building. The western side of the terrace loses sun by 12.30pm. By 1.00pm, the whole area is in shadow and remains so for the rest of the day. On this basis, MUS will make no appreciable difference to afternoon sun.
  - (b) Modelling for the equinoxes is less discriminating with one-hour intervals between observations, rather than 30 minutes. On 21 March, the modelling shows that the whole terrace will be in sun by 12 noon and will remain so until at least 1.00pm. Interpolation between plans indicates that the west side of the terrace is in shade by 1.30pm. By 2.00pm, the whole area is effectively in shadow and remains so for the rest of the day. While morning shadow will be cast by MUS, afternoon sun is already lost to Bowen State Building.

- (c) At the spring equinox, the terrace will have full or partial sun for a similar length of time. However, modelling suggests that this 1-2 hour period will occur slightly earlier in the day. Once again, MUS will have no appreciable effect on afternoon shade.
- (d) In mid-summer, the duration of full or partial sun will exceed 3 hours. Nevertheless, MUS will cast a shadow over the eastern side of the terrace until after 11.00am. By midday, the area will be in full sun and will remain so until after 1.00pm. By 2.00pm, all but a sliver of the terrace is currently in shade. Again, MUS will have no appreciable effect on afternoon conditions.

**7.4** In summary, MUS will cast a shadow over Bowen State Terrace until late morning. Depending on the time of year, the area will receive at least partial sun for 2-3 hours during the middle of the day. Full sun will occur for approximately half this period. From early afternoon, Bowen State Building already casts a shadow across the terrace, and the area remains in shade for the rest of the day. MUS will make no appreciable difference to afternoon sun.

**7.5** MUS will reduce sunlight hours on Bowen State Terrace. However, the terrace's current access to morning sun depends on the openness of the adjacent Western Carpark, which is part of the Parliamentary Precinct.

**7.6** The carpark is effectively an undeveloped Central Area site, where the ODP allows buildings up to 27m high. Recently constructed sections of Bowen Campus indicate this scale of development. Under these circumstances, any foreseeable development of the Western Carpark is likely to cause a loss of morning sun on Bowen State Terrace. Potentially, a six or seven-storey building could occupy the site boundary.

**7.7** Compared to this possibility, MUS represents a favourable outcome. The west elevation of MUS will be approximately 20m from the eastern side of Bowen State Building. This means that Bowen State Terrace will occupy a

shaft of space that is comparable in width to The Terrace or Bowen Street. Although the present expansive open space of the terrace will be reduced, the West Courtyard will be generously proportioned and will provide a positive interface between the Bowen State campus and the Parliamentary Precinct.

### **Effect of FAS on visual setting of Bowen State Terrace**

- 7.8** Bowen State Terrace currently has an uninterrupted view of the Beehive and the west elevation of Parliament House. A portion of the Parliamentary Library is also visible. To the north, the scene is bounded by vegetation on the Hill Street embankment. To the south, a cluster of mature trees partially screens office buildings on The Terrace. These trees belong to the adjacent Sculpture Park, which is not readily visible from the Bowen State terrace.
- 7.9** The terrace's immediate context consists of a view out to the large parking lot on the Parliamentary Precinct. This area has a distinctly prosaic character and contains only rudimentary landscape. A row of parking stalls is located along the boundary with Bowen Campus. However, for observers seated on the terrace, a raised datum and solid balustrade mean that parked cars and asphalt are largely hidden from view.
- 7.10** MUS will replace the view of Parliament House and the Parliamentary Library as seen from Huxley's. The Beehive will remain fully or almost fully visible from the southern end of the terrace. The Beehive will appear less dominant owing to the size and proximity of MUS. However, the landmark will remain recognizable and will continue to signal proximity to Parliament [see Figure 4].
- 7.11** Much of the Hill Street embankment will be obscured. However, some trees will remain visible in the gap between MUS and BAL. So, there will be a visual clue to Precinct's Hill Street context. To some extent, the relocated oak tree and Ballantrae Place landscape will substitute for the present green backdrop.

- 7.12** Owing to its size, MUS will produce a dramatic change in the visual setting of Bowen State Terrace. For observers on the terrace, MUS's west elevation will be the largest single feature in the visual field. BAL will have a lesser effect owing to its smaller stature and more distant location. Nevertheless, the BAL will introduce a hard edge to the northern end of the viewshed. As a result, the terrace's context will change from an expansive open space to a much tighter frame of buildings around the West Courtyard.
- 7.13** The proposed West Courtyard will not be a fully enclosed space. Its southern end will be open to the Sculpture Park. As noted above [paragraph 7.11], the gap between BAL and MUS will preserve a sightline to the Hill Street embankment. So, despite having strong spatial definition, the courtyard will offer some middle-distance views and will retain links to the wider urban setting.
- 7.14** Within the West Courtyard, trees will act as a foil to MUS's planar west elevation. For observers on Bowen State Terrace, the relocated oak tree will partially screen the southern end of the building. Likewise, MUS's northern end will be seen through a layer of elevated foliage on the western side of the courtyard. In combination with the Sculpture Park, FAS's soft landscape will create an unusually verdant central-city space. The vegetation will help to mitigate any visual dominance associated with the new, six-storey structure.
- 7.15** In summary, FAS will change the visual context of Bowen State Terrace from an expansive open space to a smaller courtyard, which is framed on three sides by buildings. Although reduced in extent, the terrace's new setting will be generously proportioned, softened by vegetation and well connected with its surroundings. As a result, the West Courtyard will create a positive visual relationship between Bowen Campus and the Parliamentary Precinct. The visual amenity will exceed what is normally achieved along the common boundaries of adjacent central-city sites [see Figure 5].



Figure 3: Bowen State Terrace at approximately 10.15 am on Friday 28 April, 2023.



Figure 4: View of Beehive from south end of Bowen State Terrace.





Figure 5: West Courtyard looking towards Bowen State Building [source Studio Pacific Architecture].

## **8. CONCLUSIONS**

**8.1** Although the view of a context element is lost (the Thorndon Residential Area), Viewshaft 4A will remain effective because the content of the view is simplified and updated. As set out above, I regard the change as partially beneficial.

**8.2** Although it will reduce morning sun on Bowen State Terrace, FAS will produce a favourable relationship with Bowen Campus because there is a street-sized, landscaped open space along the western boundary.

**Christopher Murray McDonald**

15 May 2023