

**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 Dr Farzad Zamani on behalf of Wellington City
Council (Urban Design)**

Date: 5 April 2023

INTRODUCTION

1 My full name is Farzad Zamani. I am employed as the Urban Regeneration and Design Manager at Wellington City Council. Prior to this I held the position of Manager of the Council's Urban Design Team (RMA). This is a position that comes under the umbrella of my current role.

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 SCHED5 – Viewshafts, 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 Architecture, Master of Architecture (Design) and PhD in Urban Design.

6 I have worked for Wellington City Council for 2 years and 9 months. Previously, I have worked both in private practice and academia for more 5 years.

7 I am a member of Urban Design Forum National Committee, NZIA, Urban Development Institute of New Zealand and I am a certified hearings commissioner.

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 As the manager of the Council's Urban Design Team (RMA), I have been involved in the development of the PDP since I joined the Council in October 2020. I have led the review of the Design Guides and have provided urban design advice to the District Planning Team throughout the period of the District Plan Review.

10 In addition to preparing the suite of Design Guides, the team has assisted with the development of specific objectives, policies, rules and standards throughout the zone-based chapters of the District Plan and has provided advice regarding the Viewshaft Chapter and Schedule 5 to the District Planning team.

11 Specifically, I have provided advice in relation to the following:

- Whether or not to include certain individual viewshafts in Schedule 5, and the implications of doing so from an urban design perspective.
- Extent of individual viewshafts included in Schedule 5.

SCOPE OF EVIDENCE

12 My statement of evidence addresses the following matters:

- i. Submissions relating to specific viewshafts under Schedule 5 of the Proposed District Plan (PDP).
- ii. Submissions relating to adding new viewshafts under Schedule 5 of the PDP.
- iii. Submissions seeking to bring back existing viewshafts under the Operative District Plan (ODP) that were not carried into the PDP.

- iv. Submissions relating to the extent of existing viewshafts under the PDP
- v. Submissions relating to amending the margins of existing viewshafts under the PDP.
- vi. Summary and Conclusions

13 In my evidence I speak to each of these issues at a high level, and do not comment on individual submission points.

MATTERS RAISED IN SUBMISSIONS:

SUBMISSIONS RELATING TO SPECIFIC VIEWSHAFTS UNDER SCHEDULE 5 OF THE PROPOSED DISTRICT PLAN (PDP)

AMENDING PROPOSED DISTRICT PLAN VIEWSHAFT 3

14 Argosy Property No.1 Limited [383.130] seeks that the left margin of PDP Viewshaft 3 (PDP-VS3) be amended to remove the extent to which it encroaches into 7 Waterloo Quay.

15 I disagree with the submission point as I note that the extent of PDP-VS3 has not changed from the ODP to the PDP. I understand that the review of the ODP Viewshaft provisions and Schedule undertaken as part of the PDP process, did not establish the need for any changes to the margins of this viewshaft.

16 In my view, any changes to the left margin would have implications for other sites within the viewshaft as it narrows the frame of the viewshaft. This can specifically remove some of the Oriental Bay buildings from the viewshaft. Also, the impact of VS3 on 7 Waterloo Quay is minimal as it slightly clips a narrow corner of the site. Considering the PWC Building in Site 10 is built in a way that maintains the integrity of this view, I believe it would be appropriate that the same principles are applied to 7 Waterloo Quay too.

17 I agree with the Viewshaft S42A¹ author's position that it is inappropriate to change the extent of the viewshaft in response to one land owners request as this risks undermining the integrity of the viewshaft and could have an unintended and unjustifiable precedence effect.

18 Therefore, I concur with rejection of this proposed change by Argosy Property for reasoned outlined above.

AMENDING PROPOSED DISTRICT PLAN VIEWSHAFT 9

¹ [Hearing Stream 3 Viewshaft S42A report](#)

- 19 Argosy Property No.1 Limited [383.131] seeks that the margins of Viewshaft 9 be amended to remove the extent to which it encroaches into the site at 360 Lambton Quay.
- 20 I disagree with the submission point to change PDP-VS9 so that it does not encroach onto 360 Lambton Quay. I agree with the Viewshaft S42A² author's position that changing the viewshaft to not intersect 360 Lambton Quay would result in:
- The AON Centre (one of the two focal elements) being less visible. This is the critical issue.
 - Narrowing the frame of the viewshaft as it would mean other sites closer to the viewing location would also not be incorporated.
 - An impact on the extent of the frame, and the visibility and extent of inclusion of both context elements and focal elements.
- 21 As the Viewshaft S42A³ author notes this site has recently been redeveloped and is also subject to a heritage listing in the PDP. Hence, I consider that this viewshaft will not limit the development capacity of this site or have any significant impact on the design of this building, considering the heritage aspects.
- 22 Therefore, I concur with rejection of this proposed change by Argosy Property for reasons outlined above.

AMENDING PROPOSED DISTRICT PLAN VIEWSHAFT 14

- 23 David Wamsley [229.1 and 229.2] seeks that Council amend the margins of PDP-VS14 to remove PDP-VS14 from covering the property at 1 Carlton Gore Road.
- 24 I note that the receipt of these submission points has led to further consideration of the extent of SCHED 5 – Viewshafts Overlay Mapping as noted in the Viewshaft S42A⁴ report's recommendations, specifically in terms of where the mapped extent of the viewshafts should terminate.
- 25 I note that SCHED5- Viewshafts details (for each view), along with the associated viewshafts images, provides clarity on the extent of the viewshafts in terms of the frames shown. Additionally, and in my opinion most importantly, SCHED 5 outlines the respective focal elements that each viewshaft extends to and incorporates.

^{2 3 4} [Hearing Stream 3 Viewshaft S42A report](#)

- 26 I agree with the Viewshaft S42A⁵ report's commentary that properties that are located under viewshafts (i.e. Viewshafts 13, 14 and 15 of the Cable Car), and that present a risk of intruding into their base, need to be subject to the Viewshaft Overlay control in the PDP mapping and thus the Viewshaft Chapter provisions.
- 27 I also agree with the Viewshaft S42A⁶ report's commentary that the risk of PDP-VS14 being built out by properties in Roseneath (including 1 Carleton Gore Road), and thus blocking the focal elements of Point Jerningham and Point Halswell is low, because the properties in Roseneath are a context element and are located above Point Jerningham. Considering the distance and topography, even redevelopment of these sites will not have a tangible impact on the integrity of the view.
- 28 Therefore, I concur with recommendation in the Viewshaft S42A⁷ report to amend the termination point of PDP-VS14 back to the road edge at Carlton Gore Road and Oriental Parade.
- 29 I note as per the S42A report⁸ (section 6.0 Minor and Inconsequential Amendments) changes/corrections have been made to respond to errors identified in the Viewshaft Overlay Mapping and Schedule 5, to ensure the mapping and schedule are accurate. I agree with the proposed changes as detailed in the report.

SUBMISSIONS RELATING TO ADDING NEW VIEWSHAFTS UNDER SCHEDULE 5 OF THE PDP

- 30 Historic Places Wellington [182.51 and 182.52] submit that new viewshafts be added that give enhanced protection towards the views of:
- The Carillon at Pukeahu National War Memorial Park [182.51, 182.52];
 - Old St Paul's church [182.53 (supported by Thorndon Residents Association Inc FS69.107)];
 - Oriental Bay from the top of Parliament Steps [182.54]; and
 - Oriental Bay from the top of the Cable Car [182.55].
- 31 Kāinga Ora [391.769] submit that a new viewshaft that manages significant public views to St Gerard's Monastery and Mt Victoria be created and that all Character Precincts, including Oriental Bay Height

^{5 6 7 8} [Hearing Stream 3 Viewshaft S42A report](#)

Precinct be removed, with the proposed viewshaft being a measure intended to ensure protection of Mount Victoria and St Gerard's Monastery in the absence of these precincts.

32 A new viewshaft back towards the Carillon:

- I do not agree with Historic Places Wellington [182.51-182.52]. I concur with the Viewshaft S42A⁹ report's commentary that ODP VS 21 is not intended to protect that view, instead it protects the reverse of this view, in short it protects the view from the Carillon and not to the Carillon.
- I also concur with the Viewshaft S42A¹⁰ report's commentary that the submitter does not provide the location for which the viewshaft would be taken from, so it is unclear where they are referring to with regards to the starting point and viewing platform.
- In my opinion, there is no risk of losing or compromising existing views between Pukeahu National War Memorial Park and the Carillon as these views are protected by the Open Space Zoning (OSZ) and other controls i.e. heritage building listing.

33 A new viewshaft focusing on Oriental Bay from Parliament:

- I note that PDP-VS2 an existing Viewshaft from the top of the Parliament steps across to Oriental Bay, already provides a protected viewshaft towards Oriental Bay, with Oriental Bay being one of the focal elements. Because of existing viewshafts in the PDP I do not consider an additional viewshaft is warranted.
- I also concur with the Viewshaft S42A¹¹ report's commentary that even if the location of the Viewshaft is shifted from the top of the steps to the end of the steps, the visibility of Oriental Bay will not be enhanced due to the buildings and vegetation in the foreground.

34 A new viewshaft from Cable Car:

- I disagree with the submission point from Historic Places Wellington [182.55] as I note that Viewshafts 13, 14, 15 and 18 already provide established views of Oriental Bay from the viewing platform at the top of the cable car.

35 A new viewshaft of Mount Victoria and Monastery:

^{9 10 11} [Hearing Stream 3 Viewshaft S42A report](#)

- I disagree with the submission point from Kāinga Ora, for the following reasons:
 - The views of Mount Victoria and Monastery are protected by both viewshafts and the Character Precincts
 - This submission point appears to seek to replace the precincts with a new viewshaft. The two mechanisms are different, yet both needed to maintain the integrity and cohesiveness of the urban fabric of Mount Victoria and St Gerard monastery. The VS11, 12 and 15 protect the panoramic, holistic and integration natural and built environment in this area. While the Character Precincts protect and enhance the architectural values of the building that form the built environment. Therefore, I believe that both mechanisms are needed.
- As the Viewshaft S42A¹² report notes Mount Victoria and St Gerard’s monastery are already protected by Viewshafts 11, 12 and 15 in particular, but overall Oriental Bay, St Gerard’s Monastery and Mt Victoria feature as focal and/or as context elements in 8 of the 18 PDP Viewshafts. Key public views to these landmark elements in Wellington’s townscape have been comprehensively captured.
- They have also been comprehensively captured by Mount Victoria North Townscape Precinct controls and Oriental Bay Height Precinct which Council’s experts have proposed be retained in Hearing Stream 2¹³.
- In summary, I consider the methods in the PDP are appropriate, sufficient and effective in managing effects of new development within Oriental Bay and Mount Victoria.

36 A new viewshaft of Old St Pauls:

- In my opinion the potential new Viewshaft proposed is both unnecessary to protect Old St Pauls church, and is no longer feasible due to diminished opportunities to protect views of it.
- One of my colleagues, experienced urban designer Jane Black, undertook an assessment of a handful of potential viewshafts. One potential viewshaft was of Old St Paul’s Church. The report found that a viewshaft would be inappropriate as it would be obscured by adjacent tall buildings, trees and other heritage

¹² [Hearing Stream 3 Viewshaft S42A report](#)

¹³ [Hearing Stream 2 – Part 3, Residential Zones – Part 3: Medium Density Residential Zone Section 42A Report](#)

buildings and that the primary views of the church are from closer to the church.

- As canvassed in the Viewshaft S42A¹⁴ report, there are already significant protection measures for the church through a heritage listing, sunlight protection controls in CCZ-S6, Old St Pauls Adjoining site specific building height in CCZ-S2, and is within the extent of the Pipitea Pā SASM.

SUBMISSIONS RELATING TO THE EXTENT OF EXISTING VIEWSHAFTS UNDER THE PDP

Bringing back VS3 from the Operative Plan:

37 Eldin Family Trust [287.13] submit that Viewshaft 3 from the ODP (ODP-VS3) should be reinstated into the PDP to capture more of the Old Government Buildings. In particular, they seek a viewshaft be added to Schedule 5 from the corner of Bunny Street and Waterloo Quay as provided in the ODP.

38 In my opinion, re-introducing the ODP VS3 is unnecessary because the focal element is the Beehive and not the Victoria University of Wellington (VUW) Law building.

39 I concur with the Viewshaft S42A¹⁵ report's commentary that the VUW Law building is naturally protected by its location, its positioning across a whole block of the CCZ and the fact it is surrounded by road networks, thereby constraining the ability for other buildings to be built immediately adjacent to it.

40 I also agree with the Viewshaft S42A¹⁶ report's commentary that PDP-VS1 captures other valued elements including the equally important contributory buildings in the Parliament Precinct, being Parliament House and the Parliamentary Library, and captures a significant area of Te Ahu Mairangi.

41 Therefore, I concur with rejection of this proposed change by Eldin Family Trust, and I believe that reinstatement of ODP VS3 is unnecessary.

Bringing back VS21 from the Operative Plan:

42 Heritage New Zealand Pouhere Taonga [70.74] (Supported by Onslow Historical Society [FS6.29] and Historic Places Wellington [FS111.64]), Sarah Walker [367.3 and 367.4], Thomas John Broadmore [417.3], Il

¹⁴ ¹⁴ ¹⁵ [Hearing Stream 3 Viewshaft S42A report](#)

Casino Apartment Body Corporate [426.5], Harish Ravji [427.1], and Juliet Broadmore [471.2 and 471.3] submit that Viewshaft 21 from the ODP (ODP-VS21) should be reinstated into the PDP.

43 I do agree with reinstating ODP-VS21, however I believe for the reasons below as discussed in the Viewshaft S42A¹⁷ report, the extent of this viewshaft needs to change:

- ODP-VS21 has been diminished through intrusions into the viewshaft from development over the lifespan of the ODP:
 - The focal element being the ‘inner harbour’ is obscured by the City Century Hotel.
 - Te Papa, a context element, is also obscured.
 - There have been two other less than minor intrusions into the Viewshaft through 47 – 49 Vivian Street and 106 – 112 Tory Street.
 - The continuing growth and intrusion of Pohutukawa trees in the immediate foreground by the Carillon.
- However, I believe the Western escarpment as the only focal point of this viewshaft can be retain.

44 Therefore, I recommend reinstating the ODP-VS21 and change the base of this viewshaft to the upper limits of Century City Hotel at the CCZ maximum building height of 42.5m measured from the ground level at the Century City Hotel site. This is the tallest existing building in ODP-VS21 viewshaft frame. In this way, the western hills and their skyline will be protected and would be visible from the viewing location. As the Section 42A author has discussed and which concur with, further assessment will be needed to identify the location point, margins and base detail for this viewshaft for it to then be included in SCHED 5.

SUMMARY / CONCLUSIONS

45 I have prepared this report in support of the Schedule 5 (Viewshafts) and general viewshaft changes and decisions made after receiving and reviewing the submissions and further submissions on the PDP.

46 I do not support removal of two properties from two viewshafts proposed change by Argosy Property for reasoned outlined above.

47 I agree with removal of number of properties from VS14 and clipping back the extent of the viewshaft for the reasons outlined above.

48 I do not agree with any proposed new viewshafts for the reasoned outlined above.

¹⁷ [Hearing Stream 3 Viewshaft S42A report](#)

- 49 I do not agree with reinstating ODP-VS21 as it is in the ODP, as I believe this is unnecessary.
- 50 I do agree with reinstating an amended version of ODP-VS21 viewshaft with amendment to the base of the viewshaft frame as described above.

Date: 05 April 2023

Dr. Farzad Zamani

A handwritten signature in black ink, appearing to read 'Dr. Farzad Zamani', with a large, sweeping flourish at the beginning.