

*under:* the Resource Management Act 1991

*in the matter of:* an application by Ryman Healthcare Limited for resource consent to construct, operate and maintain a comprehensive care retirement village at 26 Donald Street and 37 Campbell Street, Karori, Wellington

*between:* **Ryman Healthcare Limited**  
*Applicant*

*and:* **Wellington City Council**  
*Consent Authority*

Summary Statement of **Andrew Davies Burns** on behalf of  
Ryman Healthcare Limited

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Dated: 13 September 2022

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## **SUMMARY STATEMENT OF ANDREW DAVIES BURNS ON BEHALF OF RYMAN HEALTHCARE LIMITED**

- 1 My full name is Andrew Davies Burns. My qualifications and experience are set out in my statement of evidence dated 29 August 2022.

### **Introduction**

- 2 I assessed the potential urban design effects of the Proposed Village in relation to (a) analysis of local and contextual conditions, (b) relevant planning provisions of the Operative Plan and Proposed Plan, and (c) urban design good practice.

- 3 My assessment is structured around an urban design framework made up of six urban design topics. This framework was informed by the Operative Plan. I have reviewed the framework in light of the Proposed Plan and consider it remains appropriate. My approach to assessment is supported by Ms Sarah Duffell, the Council's urban design expert.

### **Urban structure and site planning**

- 4 I consider the Site to be well-suited for residential intensification, being close to local amenities and of a large size. The Proposed Village integrates well with the prevailing street grid and reflects the former Teachers' College layout. Accessways and entrances maintain permeability and ensure positive connections to the surrounding streets. Car parking is contained, providing optimal amenity outcomes along adjoining streets and within the Site. A rhythm of positive, high amenity open spaces is created through the sequence of courtyards between buildings.

### **Character and urban form**

- 5 I consider greater intensity of development on the Site to be appropriate in light of the Operative and Proposed Plan provisions. Both Ms Duffell and I agree that it is not appropriate for new development on the Site to 'match' the surrounding residential character but that a level of 'contrast' is appropriate. The central portion of the Site is utilised for the taller buildings, locating them away from more sensitive edges and in positions that contained the former Teachers' College structures. At the boundaries with streets and neighbouring properties, the Proposed Village buildings have been limited to 2 and 3 stories to ensure acceptable interfaces.
- 6 I note that the buildings at the Site's residential edges generally comply with the Operative Plan standards. The Proposed Plan permits much greater height, density and bulk, and the design comfortably complies with the new medium density standards on the residential boundaries, except for minor elements.

- 7 I undertook a detailed assessment of the existing Site, street context and neighbouring properties to set the basis for determining character and visual dominance effects. In relation to all relevant receiving environments, I conclude that character and visual dominance effects will be acceptable.

**Privacy and sunlight shading effects**

- 8 I have assessed the sunlight shading and privacy effects of the Proposed Village on all potentially affected properties including those adjoining the Site and those further away on a street-by-street basis. I considered these effects again in light of public submissions.
- 9 In my opinion, any privacy effects on properties that adjoin the Site will be acceptable due to the range of design techniques that have been deployed including yard setbacks, height stepping, window position and type, fencing and plant screening. I consider any privacy effects on other properties are acceptable as they are mitigated by public street separation, yard setback and planting.
- 10 I assessed sunlight shading effects using a methodology informed by the RDG. In my opinion, any shading on affected properties is acceptable in the context of the RDG, the shade cast by existing buildings, the availability of sunlight across the full year, shade from permitted fencing and shade cast by Operative and Proposed Plan height, yard and recession plane compliant envelopes.

**Architectural concept and design**

- 11 In terms of design coherence and identity, I consider the Proposed Village presents a coherent design language that is consistent across the Proposed Village as a whole, but also varies according to local conditions, including the heritage context.
- 12 In terms of street frontages and entrance legibility, I consider all street facing buildings create positive frontages with high levels of façade articulation, glazing, balconies, entrances and front yards that reinforce the residential role of these streets. All of the Proposed Village residential buildings have legible entrances. The buildings are configured around courtyards and gardens or overlook streets and accessways offering a high level of amenity.
- 13 In terms of the planning guidance on internal amenity, unit sizes exceed published standards, and most are provided with private open spaces. The buildings have been arranged to provide sunny east or west facing apartments, though Building B01B has some south facing units due to site layout constraints. Sunlight access to units varies with some receiving reduced sun at midwinter though much improved at other times. Given the nature of the Proposed Village use and extensive provision of sunny communal spaces, I consider appropriate on-site amenity has been achieved.

### **Open space design**

- 14 The Proposed Village will provide seven types of communal space, which reinforce the Lopdell Gardens and provide quality outdoor amenity for residents. A public pocket park is provided on Donald Street referencing the former open space in this part of the Site. All communal spaces face north and receive good sun at midwinter. The public pocket park will have a positive effect on the streetscape.
- 15 Most apartments are provided with good sized private terraces or balconies, while units facing streets benefit from deeper front yards. All spaces connect directly with internal living areas. I consider the private open space provision is appropriate for the intended Proposed Village occupants.
- 16 A balanced use of space for both vehicles and pedestrians creating visually attractive outcomes has been achieved with variation in surfaces promoting pedestrian priority. Fencing heights and visual connections across front boundaries has been achieved and service areas have been integrated into the Proposed Village.

### **Safety**

- 17 I carried out an assessment against the Ministry of Justice National Guidelines for CPTED. I conclude that the Proposed Village establishes conditions that will deliver a suitably safe public realm as well as safe and secure on-site streets and spaces. I note that the Proposed Village maximises the potential for overlook to Campbell and Donald Streets and provides a high degree of legibility for the two Donald Street entrances.

### **Submissions**

- 18 I considered all of the submissions relevant to urban design and identified four common themes: site suitability and access, consistency with the RDG, neighbourhood character and fit and effects on residential amenity. I have provided a detailed response to each of these themes, including a site-by-site response to submitters who raise concerns in relation to residential amenity. I disagree with those submissions for the reasons provided in my evidence and confirm my conclusions that the urban design-related effects of the Proposed Village will be acceptable. I provide a fuller response to Submission 67, who reside at 40 Campbell Street and lodged a late change to their position, in the **Appendix**.

### **Officer's Report**

- 19 Ms Duffell and I are aligned on the urban design effects of the Proposed Village. Any differences of opinion are not material. Overall, Ms Duffell adopts the UDA and supports the Proposed Village from an urban design perspective.
- 20 The Officer's Report generally adopts Ms Duffell's report but provides more detail on shading effects. There are some differences

in the assessment approach adopted by Ms Laura Brownlie and myself in relation to shading effects. Nevertheless, the Officer's Report reaches the same or similar conclusions as the UDA in relation to the shading effects on neighbouring properties.

**Updated drawings**

- 21 I confirm that I have reviewed the updated drawings and descriptions of the changes to the drawings contained in the memorandum dated 11 September 2022. There are some corrections to my evidence required for accuracy.<sup>1</sup> The changes do not otherwise alter my previous assessment and conclusions.

**Conclusion**

- 22 For the reasons set out in my statement of evidence, I support the Proposed Village from an urban design perspective.

**Andrew Burns**  
**13 September 2022**

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<sup>1</sup> Figure 8 and Appendix D: see updated Drawing RCA101. Paragraph 97: Building B07 exceeds the 8m height standard by 3.2m not 3.4m and the Allan Ward VC Hall exceeds the 8m height standard by 3.39m not 1.53m. Paragraph 108: Building B02 exceeds the 8m height standard by 3.163m not 2.67m. Paragraphs 108, 110, 112, 255: Building B02 exceeds the 11m standard by 0.163m.

**Appendix – Submission 67 (40 Campbell Street)**

- 23 I have considered the amended submission by Ms and Mr Hao in relation to the concerns about potential sunlight shading, outlook and headlight glare effects.
- 24 The submitter’s single storey property is located on the western side of Campbell Street opposite the southern corner of the Site. The primary outdoor living space is located to the rear (west) of the dwelling oriented away from the Site. The property includes a double garage / car port built to the street frontage with the dwelling set 10m back from the street behind the garage / car port. The garage / car port occupy some 54% of the property’s frontage. A 4m-5m tall evergreen Banksia tree exists within the street berm in front of the property’s front yard.
- 25 I have considered character and visual dominance effects on 32 to 40 Campbell Street at paragraph 112 of my evidence. In addition, I would note that views from the submitter’s property towards the proposed car park entry will be oblique rather than direct, screened by the existing street tree and limited due to the dwelling setback and foreground garage arrangement. For these reasons, I consider an acceptable outlook for this property will be maintained.
- 26 I have considered shading effects on 40 Campbell Street at paragraphs 162-164 of my evidence. I note that at midsummer and the equinox no shade falls on the property from the Proposed Village. At midwinter, shade cast by the Proposed Village is limited to 8:30am – 9:15am. The RDG guideline is easily achieved for this property. I consider sunlight shading effects will be acceptable.
- 27 The submission raises a concern about headlight glare. The image below indicates the relative (offset) positions of the submitter’s property and the car park entry to Building B02. I consider headlight glare is likely to be limited due to the offset, the setback of the dwelling and the foreground presence of a street tree and the property’s garage / car port.

