

**Before Independent Hearing Commissioners appointed by Wellington
City Council**

In the matter of the Resource Management Act 1991 (**RMA**)

And

In the matter of hearing of submissions on the Proposed Wellington City District
Plan

Between

**Stride Investment Management Limited and Investore
Property Limited**

and

Wellington City Council

Statement of Urban Design evidence of Cameron Wallace on
behalf of Stride Investment Management Limited (submitter 470)
and Investore Property Limited (submitter 405)

Hearing Stream 4 – Metropolitan Centre Zone

Dated 12 June 2023

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MAY IT PLEASE THE COMMISSIONERS

INTRODUCTION

1. My full name is Cameron Wallace. I am a Partner and Urban Designer at Barker & Associates (**B&A**), an independent, specialist urban and environmental planning consultancy.
2. I have been engaged by Stride Investment Management Limited (**Stride**) and Investore Property Limited (**Investore**) to provide expert evidence on their behalf, as they have made submissions on the Proposed Wellington City District Plan (**Proposed Plan**). In this Centres hearing, my evidence refers primarily to the Metropolitan Centre Zone (**MCZ**) Chapter of the Proposed Plan.
3. I hold a Master of Urban Design (1st Class Honours) and a Bachelor of Planning (1st Class Honours) from the University of Auckland. I have been a Full Member of the New Zealand Planning Institute since 2014 and am a Member of the NZ Urban Design Forum.
4. I have 15 years' professional experience working in urban design and urban planning, gained in both the public and private sector, in the United Kingdom and New Zealand. Since 2018, I have been employed as an urban designer at B&A. In my current role, I regularly assist local authorities and government departments with policy and district plan development in relation to growth management and urban design matters. I also provide up-front urban design input into a wide range of development schemes for private clients, including multi-unit residential and commercial buildings in centre environments. This includes regular attendance before urban design panels.
5. Prior to my employment at B&A, I worked for over 3 years as a City Planner, then Principal City Planner, at Transport for London where I assisted in the development of planning frameworks to support large-scale brownfield regeneration and growth in "Opportunity Areas" across Greater London.

6. Of particular relevance to the matters that will be covered in my evidence, I am or have been a member of urban design and planning teams for policy planning and development projects including:
- (a) Private Plan Change 48 – Drury Central to the Auckland Unitary Plan, specifically acting as urban design lead in the proposal to rezone 91 hectares of land in South Auckland from ‘Future Urban’ to ‘Business – Metropolitan Centre’, ‘Business – Mixed Use’ and ‘Open Space – Informal Recreation’ zones;
 - (b) Plan Change 9 – Rotorua District Plan, specifically acting as lead urban designer advising Rotorua Lakes Council on development of a new High Density Residential Zone, amendments to the City Centre zone to give effect to Policy 5 of the National Policy Statement on Urban Development 2020 (**NPS-UD**) and the development of supporting non-statutory urban design guidelines;
 - (c) Queenstown Lakes Proposed District Plan Review, specifically ongoing provision of spatial analysis to inform an urban design review of existing provisions (with a focus on height and density of development) across all residential and commercial zones to ensure alignment with Policy 1 and Policy 5 of the NPS-UD; and
 - (d) Northwest Shopping Centre Expansion, specifically acting as a consultant urban designer to Stride Property Group for their now consented (LUC60350368) 52,000m² retail, entertainment and office expansion at the Westgate Metropolitan Centre in north-west Auckland.

CODE OF CONDUCT

7. I have read and am familiar with the Environment Court’s Code of Conduct for Expert Witnesses, contained in the Environment Court Practice Note 2023, and agree to comply with it. My qualifications as an expert are set out above. Other than where I state that I am relying on the advice of another person, 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 that I express.

SCOPE

8. My evidence will address the primary and further submission points of Stride and Investore on the Proposed Plan insofar as they relate to urban design matters:
 - (a) Permitted building heights within the MCZ;
 - (b) Various development standards within the MCZ relating to minimum heights, active frontages, building depth, building separation, minimum dwelling size; and
 - (c) The City Outcomes Contributions Framework.

9. I was not involved with the preparation of primary and further submissions. However, I can confirm that I have read the submissions and further submissions of both Stride and Investore in relation to the Proposed Plan.

10. In preparing my evidence, I have reviewed:
 - (a) The Proposed Plan;
 - (b) The accompanying s32 report;
 - (c) The s42A report covering the MCZ;
 - (d) The s42A report covering the overview and general matters for commercial and mixed-use zones;
 - (e) Urban Design evidence of Dr Farzad Zamani; and
 - (f) Economic evidence of Kirdan Lees.

BUILDING HEIGHTS

11. In their primary submissions, Stride and Investore both sought an increase in the permitted building heights within part of the Johnsonville MCZ from 35m to 50m. From an urban design perspective, I consider that a permitted building height of 50m within the Johnsonville MCZ is appropriate. Indeed, from an urban design perspective I could comfortably support permitted building heights far greater than this within the Johnsonville MCZ noting that

they would still be subject to a resource consent / design review process under Rule MCZ-R20.

12. In my opinion, tall buildings can make positive contributions to the life and identity of a city. Within the context of the Johnsonville MCZ, the provision of greater permitted building heights could support a concentration / cluster of vertical buildings around the Johnsonville Rail Station / Bus Interchange as well as the centre itself consistent with the general focus of centres intensification as set out within Policy 3 of the NPS-UD and the policy framework of the MCZ itself.
13. My position appears to be consistent with that of Dr Zamani in his urban design evidence on behalf of Wellington City Council (**Council**).¹ He notes in paragraph 41 that “the increase in height by itself does not lead to negative outcomes. In contrary, increased can have more public amenity benefits.” He provides general support for height increases across centres.
14. A legible development node that is visible within the wider urban environment (as an identifiable cluster of taller buildings) is considered a desired urban design outcome for the future of the Johnsonville MCZ. Such an outcome would serve to visually reinforce the importance that has been placed on this centre as a highly accessible place offering a dense and diverse concentration of mixed-use activity immediately adjoining the rail station and bus interchange. This will reinforce Johnsonville MCZ’s place in the future built character and identity of Wellington commensurate with its increased role as a destination for people from across the northern suburbs of Wellington.
15. This is in addition to benefits associated with increased residential densities such as reduced infrastructure costs, increased vibrancy / vitality of centres, and reduced reliance on private vehicle use.
16. Whilst acknowledging that taller buildings can have a number of positive effects on the immediate area and wider urban environment, they can give rise to a range of potential adverse effects on the environment due to their scale and prominence within the urban environment. The main potential

¹ Statement of evidence of Dr Farzad Zamani on behalf of Wellington City Council dated 24 May 2023 (**EiC of Dr Zamani**).

adverse (off-site) effects of tall buildings include microclimate effects such as adverse shading and wind, and visual amenity effects such as building dominance, and overlooking / loss of privacy.

17. I acknowledge that the increased building height limit of 35m for the Johnsonville MCZ provided for in the Proposed Plan would represent a substantial change to the existing built character of Johnsonville. A new building built to this standard would, in all likelihood be highly visible. However, there is a distinction between the visibility of a proposal and any adverse visual effects it may create. In this regard, a shorter, wider building (the likelihood of which increases with lower building heights) could give rise to more visual effects than a taller, narrower building.
18. In my opinion, there is not a significant difference in visual amenity effects between a 35m and 50m high building within a centre environment, noting that under both options a resource consent / design review process would apply. Both would represent visually prominent features within the existing urban fabric of Johnsonville. In addition, the surrounding topography (with the centre sitting within a valley) and proposed building heights in the surrounding high density residential areas means that taller buildings will remain obscured to a degree from many surrounding areas.
19. Potential wind effects are likely to be greater from a taller building. However, quantification of such effects is a well-established technical exercise and measures to address this are generally well understood by architects and engineers.
20. This leaves shading as the main potential change from any increase in permitted height to 50m. To understand the potential shading implications of a 15m increase in height over part of the Johnsonville MCZ I constructed a 3D model to help inform my opinion. It should be noted that this model represents a simple extrusion of permitted building heights so therefore represents a theoretical worst-case scenario of where shadows may fall. In reality a resource consent / design review process, combined with the commercial reality of widespread tower development across the MCZ, means that the true extent of any eventual additional shading from a 50m high building will be considerably smaller in extent. An example of the outputs is provided in Figure 1 below:

Figure 1 – Top: shading at 10am during the Spring Equinox. Bottom: Shading at 10am during the Winter Solstice.



21. This shading analysis demonstrates that sites east of the MCZ are essentially unaffected by the proposed increase in height due to the physical buffer provided by State Highway 1 as well as the rising topography. There is no change to most of the area to the south of the MCZ as shading from the 50m core largely falls onto the MCZ land. The area most likely to be affected is the high-density residential area around Bould Street. The shading here in the example above extends 1-2 sites further south than the shading from a 35m building at 10am during the winter solstice (the period / time which I

- consider represents the worst possible time for additional shading effects from the proposed height increase). Elevated sites on the eastern side of Bould Street will minimise any impact from increased heights, with additional shading occurring during morning hours which typically have reduced value (when compared with evening sunshine) for residents due to typical periods of occupancy / working hours. In addition, this area also benefits from its immediate proximity to Alex Moore Park than can provide an alternative sunny open space for residents. Based on my analysis, I consider that the increase in height sought by Stride and Investore is appropriate from a shading perspective.
22. Paragraph 267 s42A report addresses the submissions of Stride and Investore and disagrees with the relief sought. The author notes two key reasons for this opinion. Firstly, that the 35-metre building height will allow for 9 – 10 storey buildings, whereas 50 metres would provide for approximately 14 storeys which they considered moderately high within the context of Wellington’s CBD, and would be considerably out of place in the Johnsonville context. Secondly, the notified 35 metre height is considered to provide enough development capacity to meet projected residential and commercial growth.
23. The two reasons for rejecting Stride and Investore’s submission are challenging to reconcile with paragraph 42 of the s42A report which states:
- “intensive residential development within the MCZ allows people to live in close proximity to services, including work and recreational activities, and adds to the vitality and vibrancy of the centre. This will also result in shorter trips by residents living in the MCZ, encouraging greater use of low-carbon emitting forms of transport and leading to less reliance on high-carbon emitting forms of transport”.*
24. Despite the acknowledged benefits / positive effects identified above (with which I agree), the Council officer considers maximising them in Johnsonville MCZ (via greater building heights) is not necessary as sufficient theoretical capacity is proposed to be enabled in Johnsonville and elsewhere. This includes in areas where the benefits would be less likely or would be difficult to be realised. I do not consider that theoretical development capacity – especially when aggregated to a city-wide level – is a relevant or appropriate consideration when establishing permitted building heights.

25. The Council officer's position also conflicts with paragraph 23 of Dr Zamani's urban design evidence on behalf of Council which, in reference to unlimited building heights, notes that relaxed height restrictions "can also lead to better design outcomes as it enables more flexibility and accommodates different design solutions." Conversely, he notes that "maximum building heights can result in undesirable design solutions to meet the desired commercial outcomes and yield. For example, buildings with very low floor to ceiling height which results in lack of flexible uses within the building and degradation of general wellbeing of building residents and occupants."
26. I agree with Dr Zamani on these matters and consider that they are equally applicable to considering appropriate height levels within the context of the Johnsonville MCZ. I would also add that building maximums set too low also risks development not occurring or being delayed until land prices increase to the extent that construction is incentivised, as set out in Jarrod Thompson's statement of corporate evidence.²
27. A lower maximum building height across the MCZ has the potential to lead to the creation of an undifferentiated mass of buildings, which when viewed from surrounding areas appear as an overly bulky wall of buildings and visually dominant. Increased permitted building heights provide the opportunity to create a more varied and interesting skyline.
28. In my opinion, the MCZ provisions (other than those addressed further below) suitably address matters of on-site and off-site amenity and potential for adverse environmental effects of new buildings up to 50m in height. These include considerations of visual amenity, dominance, privacy, wind, and shading effects.
29. Overall, I consider providing a permitted height of 50m within the core of the Johnsonville MCZ will lead to better urban design outcomes.

² Statement of corporate evidence of Jarrod Thompson on behalf of Stride Investment Management Limited and Investore Property Limited dated 12 June 2023.

DEVELOPMENT STANDARDS

Active Frontages (MCZ-S6)

30. Stride and Investore both sought amendments to the proposed active frontage control so that buildings were only required to be built out to the boundary along 70% of the identified frontage. I am generally supportive of the intent and rationale of their submission.
31. Subsequent amendments proposed by the Council officer in the s42A report include clarification of the standard's application only to those boundaries identified with an active frontage and exclusions for pedestrian and vehicle access. I support these proposed amendments and consider that they partially address the relief sought by both Stride and Investore.
32. In my opinion, there are likely to be other circumstances where not building out to the street boundary is appropriate. Examples would include the creation of a small plaza space / recess outside of a building entrance, areas designed to accommodate outdoor dining / furniture (so as to keep the adjacent footpath clear for movement and promote activity at the street edge) or to provide a chamfer to a building edge at a corner site to improve visibility / respond to its corner location. In this regard, I consider some flexibility within the provisions would be appropriate and beneficial to support such circumstances. As such, I would recommend a threshold of 90% be included. I also support the Council officer's proposed amendment to the assessment criteria to include circumstances that otherwise "enhance the streetscape". I consider a design proposal which incorporates the example features identified would likely fit within such a criterion.
33. In addition, the standard would benefit with an amendment to clarify that the requirement to build out to the boundary only applies to a minimum building height (i.e. 7m). This provides flexibility for buildings to be set-back at upper floors as these parts of a building are unrelated to the intent and rationale of the standard. As the standard currently stands, a podium / tower building configuration would trigger an additional consent requirement under this rule even if the lower floors complied with the standard. This type of building configuration is not uncommon in a centre environment and should not be unnecessarily restricted.

Building Separation (MCZ-S10), Depth (MCZ-S11), & Outlook Space (MCZ-S9)

34. Both Stride and Investore sought deletion of both the Building Depth and Building Separation controls. Whilst I appreciate the stated rationale and intent of these rules, it is my opinion that as an overall package they are poorly targeted and may in fact promote poor urban design outcomes and I support deletion in their entirety. However, I also consider that the intent of these rules would be better supported by a consequential change to the outlook controls.
35. With regard to the building separation control, this is proposed to be applied to all buildings that include a residential component. As these will fall within a centre zone there is an expectation that at least the ground floor of buildings will contain a commercial or retail component, and residential activities would be provided above ground floor level. The ground floor having to comply with the building separation control would undermine the ability to deliver a podium / tower type building configuration and lead to an inefficient use of developable land.
36. Compounding this issue is that a new building could be sought on larger sites (such as those controlled by Stride and Investore) where the building separation control may result in a requirement for an 8m separation at ground floor to the side of a building (rather than the rear as indicated within Diagram 15 in standard MCZ-S10). Where this faces an identified active frontage, it would trigger consent requirements for infringement to this rule which requires 100% of the boundary to be built up – in other words the MCZ framework sets up a realistic situation where compliance with one standard inevitably triggers non-compliance with another standard. I consider this to be highly problematic.
37. Further, as this standard only applies to buildings within the same site it may encourage development to locate towards side boundaries in closer proximity to neighbouring sites, therefore undermining the intended outcomes the standard is proposed to support.
38. The building depth standard is intended to “encourage the buildings to be placed at the front of the site and prevent long buildings into the site, facing neighbours. This will ensure most living spaces are either facing the street or

the communal courtyards. It also prevents having blank walls along the street edge.”³ Firstly, it is not clear how a building depth standard encourages buildings to be placed at the front of a site. It in no way regulates such an outcome. Secondly, it will not prevent “long buildings, facing into the neighbours” for the following reasons:

- (a) First, although the rule references building depth, it relies on measurements of a “building wall” – these are not necessarily the same thing and a small recess / modulation in a building elevation would create a new wall from which measurements would be assessed. In other words, the depth of a building (and its ultimate massing and scale) can be the product of multiple walls along a single elevation. Further, it is also not clear how this rule would be applied or assessed in the event a developer seeks to include a building in the shape of an oval or featuring a curved wall.
 - (b) The second factor is the minimal requirements for outlook space of 1m that apply to all habitable rooms under Standard MCZ-S9. In my opinion, the limited extent of the outlook control encourages buildings to orientate over side boundaries to maximise yield potential and creates a real risk of future dwellings light / outlook being built out should neighbouring sites develop in the future. Such a scenario occurred in Auckland City Centre in the early 2000s and was a key driver for the development of outlook controls in the then Central Area Plan.
39. I note that the building depth standard has been proposed to be amended to apply only to buildings with a residential activity. This anticipates that larger / longer commercial buildings are therefore appropriate. If that is the case it is not clear why “dominance, privacy, and shading on adjoining sites” is a relevant or appropriate assessment criteria for infringement to the rule given that a complying commercial development could generate much more substantial dominance, privacy and shading effects as of right compared with a residential building.

³ EIC of Dr Zamani at [36].

40. In my opinion, a more effective and appropriate control would be to delete both the building separation and building depth standards and consequentially amend the outlook standard to increase the required depth to 6m from the principal living area of a residential unit which must be accommodated within the site boundaries or over a street / rail corridor / open space. This is a well-established approach and is used within centre zones under the Auckland Unitary Plan. The 6m depth would encourage development to maximise outlook over the street to maximise floor area that could be delivered whilst promoting passive surveillance down onto the street and privacy from building residents. Where a developer opts to orientate living spaces towards side boundaries, a 6m separation from the boundary ensures a minimum degree of privacy / light and outlook can be maintained in the event a neighbouring site is built out by a commercial development built to the boundary.
41. Increasing the required outlook space to 6m may also have the potential for other added benefits including increased sunlight access between buildings and down to streets and reductions in wind tunnel effects (if developers propose to provide residential units with outlook orientated towards a side boundary). A further benefit of the above approach is that it also avoids potential impacts / lost development opportunities for commercial / retail at lower levels of a development as it only applies to the residential component of a building rather than the entire building. In my opinion, this approach is a more appropriate method to achieve appropriate levels of on-site and off-site amenity within the context of a centre environment. It better acknowledges that both higher density residential and commercial uses are sought, often together, but have fundamentally different design drivers.

CITY OUTCOMES CONTRIBUTIONS FRAMEWORK

42. Both Stride and Investore made primary submissions opposing the City Outcomes Contribution framework on the grounds that it has the potential to act as a disincentive for development, and conflicts with the Proposed Plan strategic objectives and NPS-UD requirements of providing sufficient development capacity and providing for urban intensification.
43. Paragraph 27 of Dr Zamani's evidence in chief notes that the City Outcomes Contribution (**COC**) replaces the Design Excellence policy in the Operative

- District Plan (policy 12.2.2.5) which was considered to be complex and vague. This led to assessments of design excellence that “were in many cases dependent on the subjective interpretation of the urban design advisor assessing a resource consent application.” The proposed contribution / scoring framework was developed in an attempt to avoid this problem by providing clear and measurable indicators.
44. Based on my reading of the COC and subsequent changes recommended within the s42A report, I am of the opinion that the method remains complex, is uncertain and retains a high degree of subjectivity that it was supposedly intended to remove. The key difference from the Design Excellence policy seems to be that Council are seeking to apply a subjective numerical scoring framework on top of a subjective design assessment. Contrary to Dr Zamani’s position, I find it difficult to understand how the COC framework provides any clear or measurable assistance to developers or designers and how these would be managed through the consent process from pre-application through to a decision.
 45. Within the revised matters contained within the COC, I have concerns over the practicality of a number of outcomes identified and the upfront costs required to assess these whilst being uncertain of the eventual grant of consent for an over height development. In my experience, consideration of a resource consent application for a development that exceeds the permitted height limit usually turns principally on issues around visual effects, and off-site amenity effects (e.g. shading). In this regard I am not clear how the provision of a public toilet helps mitigate the additional shading of a public open space from a very tall building.
 46. The new Appendix 16 states that tall buildings “have the potential to impact on the quality and level of public and private amenity within the City’s commercial centres, and securing additional benefits from these developments is therefore required.” This contrasts with the urban design evidence of Dr Zamani on behalf of Council who notes in Paragraph 41 of his evidence that “the increase in height by itself does not lead to negative outcomes. In contrary, increased height can have more public amenity benefits.”

47. There is also no clarity as to the actual process of how the COCs would apply and be assessed. Obvious questions include:
- (a) Would an indicative score be provided as part of a pre-application process? How detailed would the design need to be to receive an indicative score?
 - (b) If an applicant applies for a significantly over height development in the MCZ confident they will score the required 30 points, but Council assigns a score 28, does the application get declined?
48. My further concerns with the COC's are that the other positive effects of more intensive development seem to be given little regard or are deemed irrelevant. These include those matters identified in Paragraph 23 of my evidence. The proposed framework appears to raise a situation where the provision of more housing within centres, resulting in lower carbon lifestyles, improved access to services / amenities and the increased vitality of centres is of secondary importance to designing a building to achieve prescribed outcomes that are not directly related to the building's effects.
49. With regard to the contributions themselves, some of the contributions require the preparation of detailed information that is usually provided as part of the later building consent process (e.g. building systems, structural design). In my experience, such matters are often not significantly advanced as part of the design process for a resource consent application due to the uncertainty of not having a consent as well as the need for flexibility to respond to the design review process and/or any s92 requests or suggested amendments to the design of a development. It is not uncommon for significant design changes to occur as a result of discussions with Council which could have a material impact on a range of detailed design matters requiring substantial rework at additional time and cost.
50. I also have concerns with the inclusion of "any lane-way or through block connection". This implies that this can only be a positive outcome. In my opinion, there is the potential that through-block connections could give rise to poor urban design outcomes. This would include situations where through block connections do not respond to any obvious desire lines between key destinations or activity generators, or alternatively they could make an area

too permeable and reduce the concentration of pedestrian footfall and undermine retail activity.

51. Overall, while I agree with the principal of many of the outcomes identified, I am of the opinion that it would be more appropriate to consider the merit of these (where they are provided) as part of an overall design assessment.

CONCLUSION

52. In conclusion, I am supportive of the submissions of Stride and Investore as they relate to urban design matters. I consider that further amendments to the Proposed Plan, as set out in Appendix 1 of the evidence of Mr Jefferies, are required to better enable positive urban design outcomes and give effect to the intensification objectives and policies of the NPS-UD as well as the purpose and principles of the Resource Management Act 1991.

DATED this 12 June 2023



Cameron Wallace