

Under the Resource Management Act 1991

In the matter of hearings of submissions and further submissions on the Proposed Wellington City District Plan

By **Wellington's Character Charitable Trust Inc**
Submitter

STATEMENT OF EVIDENCE OF STUART NIVEN
12 JUNE 2023

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INTRODUCTION

1. My full name is Stuart Niven.

Qualifications and Experience

2. I am an urban design consultant with over 30 years' experience providing urban design input to strategy and projects for local authorities and governments in New Zealand, Australia, South East Asia, the UK, USA and the Pacific islands. I am currently a principal urban designer at Stellar Projects Ltd.
3. I have a Bachelor of Architecture from the University of Auckland, and a Master of Arts in Urban Design from Oxford Brookes University.
4. I worked as an urban design consultant to the Wellington City Council from the late 1980s until 1999. From 1999 until 2018 I worked in Melbourne in urban design roles for the Melbourne City Council, the Victorian State Government, and as an independent consultant. Throughout that period, I maintained engagements in urban design policy and initiatives in New Zealand, including as:
 - (a) A director of Sea+City Projects Ltd (2007–2010), a subsidiary of the Auckland Regional Council, responsible for the development of the Wynyard Quarter in Auckland; and
 - (b) One of 5 permanent members of the Place-making Technical Advisory Group (2010-2017) to Waterfront Auckland and its subsequent replacement - Eke Panuku - the Auckland Council's Urban Renewal Agency, which provided urban design input on the development of the Auckland public waterfront.
5. Since July 2018 I have been based in Wellington. As an independent consultant, I have provided:
 - (a) Urban design assessments for resource consent applications for Wellington City Council and Hutt City Council (2018–present);
 - (b) Advice to Invercargill City Council on an inner city block redevelopment (2019);

- (c) A re-activation strategy for Naenae Town Centre for Hutt City Council (2019–2020);
 - (d) Assistance in the design and organisation of urban design workshops for the Ministry of Housing and Urban Development (2019); and
 - (e) Urban design contributions to projects in Malaysia, New South Wales, Victoria, Queensland, Northern Territory, Tonga, and the UK.
6. Since September 2022 I have been employed by Stellar Projects Ltd as their principal urban designer.
7. I attach a copy of my CV to this statement of evidence.

Scope of Evidence

8. I have been engaged by Wellington's Character Charitable Trust.
9. Wellington's Character Charitable Trust has lodged a further submission (FS82.130) on the proposed district plan, opposing submissions by Kainga Ora and others to remove the maximum building height control standard for the city centre zone (CCZ-S1) from the proposed plan. In connection with submissions seeking to remove the maximum building height control standard, the Council reporting officers have recommended in their section 42A report that the maximum building height control standard (CCZ-S1) be replaced by a requirement for City Outcomes Contributions to be complied with above certain height thresholds.
10. My evidence addresses the linked issues of: the appropriateness of having a City Outcomes Contribution mechanism for new buildings above certain height thresholds; the appropriateness of a maximum building height control; and the role and effectiveness of urban design panels.

Code of Conduct

11. I have read the Code of Conduct for expert witnesses in the Environment Court Practice Note 2023 and I have complied with it when preparing this evidence. My evidence is 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.

EXECUTIVE SUMMARY

12. The Proposed District Plan proposes to add a City Outcomes Contribution mechanism, by which buildings over certain height thresholds will be assessed and scored for how they provide certain public goods including public amenities, accessibility and climate change resilience. A developer can essentially construct a taller building by achieving a higher score for the provision of these public goods.
13. I consider that these sorts of incentive programmes are flawed because experience shows that the public goods that they provide do not have longevity, and because if the provision of the public goods is desirable then it ought to occur according to a strategic pattern and not be bartered for in a haphazard manner.
14. There is a proposal to remove height limits in the City Centre Zone, and for those limits to solely become thresholds above which compliance with the City Outcomes Contribution is required. I do not support this, because it relies on the flawed incentive mechanism; and also because it means that the effects associated with very tall buildings would not be directly assessed when considering a resource consent application.
15. I do however support the Council's proposal to use urban design panels in the resource consent assessment process. I make some recommendations based on my experience for how to set these panels up to operate effectively.

MATERIAL REVIEWED

16. In preparing this statement of evidence I have reviewed the following materials:
 - (a) The City Centre Zone chapter in the proposed district plan.
 - (b) Wellington City Council Proposed District Plan – Section 42A report for Hearing Stream 4 (Overview and General Matters,

and City Centre Zone, Te Ngākau Civic Square Precinct and Appendix 9).

- (c) Statement of evidence of Dr Farzad Zamani on urban design (dated 26 May 2023).
- (d) Wellington City Council Design Guide: Centres & Mixed Use (notified version).
- (e) Other specific material referenced in this statement.

CONTEXT

17. The notified plan contains a series of objectives and policies for the city centre zone. Those most relevant to my evidence are:

- (a) CCZ-O5, which is an objective that “Development in the City Centre Zone positively contributes to creating a high quality, well-functioning urban environment ...”;
- (b) CCZ-O7, which is an objective that “Adverse effects of activities and development in the City Centre Zone are managed effectively ... within the City Centre Zone ...”;
- (c) CCZ-P9, a policy to require new development to positively contribute to the sense of place and distinctive form, quality and amenity of the City Centre Zone;
- (d) CCZ-P11, a policy to require over and under height development to deliver “City Outcomes Contributions as detailed and scored in the Centres and Mixed Use Design Guide G107” — I return to this policy and the corresponding Design Guide provision shortly.
- (e) CCZ-P12, a policy to recognise the evolving, higher density development context anticipated in the City Centre Zone, while managing any associated adverse effects. The policy specifically refers to the impacts of building dominance and the height and scale relationship, and building mass effects, as examples of adverse effects.

18. The rules and standards in the notified plan that are of primary relevance to my evidence are CCZ-R20 and CCZ-S1. I now discuss these provisions.
19. CCZ-R20 is a rule stating that construction of buildings and structures is permitted where there is compliance with certain standards. Construction of buildings will otherwise have a restricted discretionary or discretionary activity status.
20. One of the standards referred to in CCZ-R20 is CCZ-S1. This is a maximum height standard that applies to the construction of buildings and structures. The maximum height depends on which height control area the new building or structure is to be located in. Where the maximum height standard is infringed, construction is a restricted discretionary activity, and the assessment criteria are: streetscape and visual amenity effects; dominance and privacy effects; and the extent to which taller buildings would substantially contribute to residential accommodation.
21. The matters in policy CCZ-P11 are also within the scope of the restricted discretion for a building that exceeds the maximum height standard. CCZ-P11 refers to the City Outcomes Contribution, and anticipates that over and under height development should deliver certain "public goods", which in summary are:
 - (a) public space;
 - (b) reduced carbon emissions and increased climate change resilience;
 - (c) increased lifespan and resilience of development;
 - (d) assisted housing for at least 25 years; and
 - (e) ease of access for people of all ages and mobility.
22. The policy refers to a scoring system in the design guide. The scoring system requires a certain number of points, depending on how much the development exceeds or is below height limits. Points are earned based on how the development provides what I refer to as the "public goods".
23. In summary, the broad effect of the provisions in the notified plan for the city centre zone is that:

- (a) New buildings can be constructed up to certain height limits as a permitted activity.
 - (b) Resource consent is required to construct a new building above the height limits, with those height limits dependent on which height control area you are in. On a resource consent application, the consent authority would consider the extent and effect of the height exceedance, as well as streetscape, visual amenity, dominance, and privacy effects associated with the building height. The consent authority would also consider the extent to which taller buildings contribute to residential accommodation.
 - (c) Separately, where the new building requires a resource consent (because it is over or under height), the development will be scored against the City Outcomes Contributions policy and guidelines. That score then forms part of the consent authority's decision making.
24. The section 42A report proposes three significant changes to the provisions I have just described.
25. First, the maximum building height standard (CCZ-S1) is proposed to be amended to say that "There are no maximum heights for buildings and structures in the City Centre Zone". The assessment criteria (streetscape, visual amenity, dominance, privacy effects) are to be deleted. Also deleted is the reference to "the extent and effect of non-compliance with CCZ-S1" from the matters of discretion in CCZ-R20.2.
26. Secondly, the height control "limits" instead become "thresholds", above which the City Outcomes Contribution must be complied with. The City Outcomes Contribution scoring system is moved from the Design Guide to an appendix to the plan.
27. Thirdly, the section 42A report also discusses urban design panels, and recommends a new method is inserted into the plan. The new method is for Council to establish and facilitate an independent Urban Design Panel to inform the urban design assessments in relevant policies and matters of discretion that apply to significant resource consent applications as required.

28. In light of this context, I now provide my opinion on the following issues:
- (a) The City Outcomes Contribution scoring mechanism, including whether it is an appropriate way of regulating over height buildings in the city centre zone.
 - (b) The appropriateness of removing the maximum height limits from CCZ-S1.
 - (c) The appropriateness and effectiveness of establishing an independent Urban Design Panel as is proposed by the section 42A report.

CITY OUTCOMES CONTRIBUTION

29. The Proposed District Plan's new mechanism — the “City Outcomes Contribution” — belongs to a long history of similar Incentive Zoning Measures in city plans where the provision of an itemised list of what I refer to as “public goods” earn a building developer additional development space – usually in the form of an increase in building height over a stipulated height threshold.
30. On the face of it, this may seem to be a sensible and appropriate mechanism. The council restricts development through the mechanism of a height limit, and then allows greater development subject to conditions or “strings attached”. Developers are permitted to build up over the height limit if they provide a public space, a through-site link or a comparable public amenity. Everybody appears to win: The developer gains extra floor space and a commercial return on that space; the public gets an amenity it might not otherwise have had, the city council gets an increased rate take and public money is not spent on providing public amenity.
31. One of the first major world cities to apply an incentive zoning measure of this type was New York City within its Manhattan CBD. New York City did this in the early 1960s and it is interesting and important to note that 20 years later, in the early 1980s, the New York City Planning Commission largely removed its Incentive Zoning measures. It did this because the measure had come to be considered a failure — both in the quality and effectiveness of what the city had received over 20 years by way of ‘bonused public goods’, and in the damage it had done to the public's confidence in the integrity of the planning system. The New York City experience is discussed in the following

book: *City – Rediscovering the Centre* by William H Whyte (2001, University of Pennsylvania Press) — which informs my opinion.

32. While the details may be different, the “City Outcomes Contribution” which is now proposed to replace a previous height limit regime across Wellington’s Central City Zone area has within it much of the danger the New York City planning system discovered over 40 years ago.
33. The City Outcomes Contribution approach asks for a range of what we might otherwise consider basic measures of specific public benefit. If the benefit is indeed of great public value, why should it be the subject of a bargained provision. If it is good enough to prioritise as a “public good” it should be good enough to require it, rather than barter for it.
34. The New York experience, which was subsequently emulated in many other cities across the world, is cautionary in the degree that very little observation or sophisticated after-the-fact assessment was undertaken as development progressed to assess the long term value to the city of what had been provided under the incentives programme. When this assessment was eventually undertaken it was found that there was very little consistent design quality or effectiveness of public use across the range of bartered “public goods”.
35. It is not as if Wellington City hasn’t undertaken an incentives mechanism approach before — indeed it has.
36. In 1985 the Wellington City Council introduced a barter system as part of a new Planning Scheme. Its list of “public goods” to be bartered for increased floor space included a more physically focused set of “goods”, including podium/tower building forms; new ground floor public space; pedestrian facilities such as through-site links, pavement widening, arcades, laybys, bus shelters, public toilets; residential and transient accommodation; and public art works.
37. I am not aware when this Incentive Zoning system was eventually withdrawn. Suffice it to say it is no longer part of the Operative District Plan.
38. But, as with many similar mechanisms popular at the time around the world, I think it would be fair to say that the permanent marks it has left on the Central City as advantageous public qualities would be slim and, in the case

of public art attached to buildings – now almost non-existent. By contrast, the extra floor space achieved by developers through this barter system is still in place and still earning a return as we speak. In short, there is a real issue with achieving longevity of impact when public goods are bartered for as part of a development proposal.

39. The currently proposed list of “public goods” that qualify for a City Outcomes Contribution in the Centres Design Guide is equally contemporaneous.
40. Under “Public Space and Amenity” it covers a familiar list of nice-to-have public and communal spaces of the small urban space, playgrounds and roof garden kinds and includes facilities such as public toilets.
41. Under “Universal Accessibility” a high standard of accessibility is required against a range of widely accepted standards.
42. Under “Sustainability and Resilience”, various Green Star ratings need to be met to get points. A developer also gets points for the adaptive reuse of a building where this relates to a listed heritage building, for providing a reduction in embodied carbon in the construction of buildings when set against outcomes of conventional construction practice and, finally, for including seismic resilience measures over and above what is required by our national earthquake resistance codes.
43. Under “Assisted Housing” points are gained by providing a quantum of low cost accommodation as part of a development with legal agreements in place to ensure no changes are made to remove access to this provision for a period of 25 years.
44. For the last item, under “Urban Design Panel” a developer would need to be willing to subject the design of a proposed building development to a Council-appointed, independent Urban Design Panel for city design assessment against specific urban design criteria (as, for example, set out in a Design Guide). The Panel's assessment and any subsequent adjustment to a building's design would then become material considerations in awarding “points” and increased development rights to the proposal.
45. Given the tortured and largely unsatisfactory history of Incentive Zoning, the question has to be asked: is this new list of “public goods” — most of them embodying important standards of public amenity one would reasonably

expect to be integral to the design of any moderately large City Centre building — an any less feasible basis for bartering extra development entitlements?

46. As an experienced urban designer, I would have to say “no”.
47. While the provision of any new public space or public facilities in the City Centre is a genuinely welcome thing, especially where an anticipated increase in residential densities is anticipated, to have this attached to a site entirely determined by the random nature of building development proposals that exceed a stipulated height threshold seems a rather perverse method for carefully locating new public space facilities. Any pattern of new public space provision across the City Centre Zone is best determined by a long-term strategy that ensures a reasonable and considered distribution of these facilities over time, with a possible bias towards new areas of increased residential density. Even more important will be the qualities of good sunlight access and shelter available to a new public space, for example. Introducing a mechanism to encourage the private development delivery of new public space solely determined by random building development applications for buildings that happen to exceed the various height thresholds seems a very uneven and inconsistent way of adding to the Central City's quantum of public open spaces and amenities.
48. Universal access is far too important a quality of a well-functioning city to limit its delivery to those buildings that choose to exceed the Central City's height thresholds.
49. Given the Council's commitment to the sustainability and resilience of the city in these times of increasing climate change, it is also surprising to find specific design standards and measures that ensure a sound approach to sustainability for new urban development similarly confined to only those new developments that exceed the various height thresholds. These measures should rightly be an expected standard for all new city buildings, not just for those effected by a City Outcomes mechanism.
50. The provision of new assisted housing opportunities in the City Centre is a more difficult issue as residential facilities aimed, in part, to accommodate the city's service population are infrequently provided by the private residential development market. It is important to find a way to encourage a reasonable measure of this kind of central area accommodation. Given the

limited and haphazard bartering involved for the other “public goods” listed under the City Outcomes Contribution, the “assisted housing” issue is probably the only item where a development inducement of some kind could be an advantage. But to construct a new incentive zoning system around this one item alone seems as perverse as the circumstances facing the other “public goods” listed under this measure.

51. Finally, by linking the use of a new Urban Design Panel to assess the urban design qualities of over-threshold buildings exhibiting the same random location pattern seems to contradict the purpose and utility of such a Panel. From the description in the PDP's Design Guide, it is clear that the Panel would be targeted at any building proposal where the type, location, size and presence of the proposal required particularly careful urban design assessment. To link the Panel by way of a bonus alone to the City Outcomes mechanism introduces potential confusion into the clear intent of the Panel and its use. After all, not all over-threshold buildings will require an Urban Design Panel assessment.
52. At this point it is important to note that none of the deliverable “public goods” itemised in the City Outcomes Contribution have anything to do with the delivery of specific good city design measures pertinent to the design of a tall Central City building. Specifically:
 - (a) they don't address building mass issues that permit the effects of the visual scale of a tall building to be modified to reduce apparent bulk;
 - (b) they don't address how the design of a tall building can be addressed to reduce shading impacts and access to sunlight;
 - (c) they don't mention issues related to the way a tall building addresses the street to better relate a tall Central City building to its immediate built and street front surroundings;
 - (d) they don't address the possible overlooking issues related to ensuring a reasonable measure of privacy for the main interior living spaces of Central City apartments relative to their immediate built surroundings; and

- (e) they fail to itemise any issues of visual amenity for the occupants of a tall building or for those within the viewing range of such a building.

- 53. In fact, all these important city design measures previously included to allow over-height buildings to be assessed against these measures and the height limits themselves are proposed by the section 42A report to be removed from the PDP. The implication behind this is that for some reason, the Plan's expressed desire to "do density well" for over-threshold height buildings will somehow be achieved by applying the points system constraints of the City Outcomes mechanism. In my view this will mean that other important urban design qualities for over-threshold buildings will not be achieved.
- 54. What is most surprising is that the proposed qualities identified in the City Outcomes Contribution system only apply to new city development proposed above the threshold heights. In short, this means that buildings from 1 to approximately 12 to 13 storeys (in other words, under the relevant threshold height) will not be part of this bonus system. Surely if these specified "public goods" are considered important strategic objectives for new Central City development they should properly be an expectation of all new city development not reserved for only those buildings which are over the relevant height threshold?
- 55. In conclusion, I do not support the City Outcome Contribution mechanism that is in the proposed district plan.

MAXIMUM HEIGHT LIMIT

- 56. The Council's S42A Report proposes the removal of all height limits across the Central City Zone with the corresponding removal of specific urban design assessment criteria related to streetscape, visual amenity, physical dominance and privacy effects for situations where the height limits are infringed.
- 57. This effectively is a proposal for height limits to be removed, although, in a sense, they remain as "threshold heights".
- 58. "Threshold heights" are then utilised as a trigger for the City Outcomes Contribution, which I have discussed above.

59. In the evidence of Dr Zamani at paragraph 20 he states that the City Outcomes Contribution "...is a mechanism for assessing over-height buildings.....to ensure high quality design outcomes...".
60. In the light of my previous comments about the City Outcomes Contribution mechanism, I disagree with Dr Zamani's statement. Bartering increased height and development space for the delivery of a rather limited list of "public goods" (which as I have explained, are, more properly, a matter for mandatory insistence) does not substitute for the delivery of comprehensive, well-tested urban design qualities that address a range of bulk and physical amenity issues. These are, after all, the very qualities that typically form the strong basis for a building's successful design response to its surroundings. Those qualities therefore ought to be expressly considered when considering a proposal for a new over-height building.
61. Consequently, it is my strong professional opinion that incentive zoning measures such as this are problematic and generally best avoided, and that height limits are required above which there is assessment of the urban design effects of the height exceedance.
62. The problem lies with the nature of these "public goods" as they usually involve city design and development qualities that should be insisted on rather than bartered for.
63. Incentive zoning measures such as the City Outcomes Contribution are often difficult for the public to understand or to see clearly in any kind of transparent way. What the public will see, over time, will be a limiting height threshold operating only as a trigger for barter. That height threshold or limit will no longer represent a city design value with its own inherent meaning and value in "good city design" terms.
64. If the "public goods" involved are indeed to be identified as important priorities for good city design, they should be insisted on through explicit plan rules; not made the subject of a barter system that ensures these priorities have only limited and potentially uneven distribution across the Central City.
65. Removing height limits from the Central City Zone gives one clear message – and that is - "the sky is the limit". Admittedly this is modified by the number of points you end up acquiring through the application of the City Outcomes

Contribution approach. But as already explained, I think it would be most unwise to continue with a flawed mechanism of this kind.

66. Additionally, while it is unlikely that very many future building development proposals will seek to exploit this removal of height constraint with a building whose sheer height and size will severely depart from Wellington's city design rules and urban design guidance – with the removal of height limits, the fact remains that this could happen without express consideration of the effects that result from having a very tall building
67. I therefore support retaining height limits as "limits". By doing so, the plan avoids sending the message that "the sky's the limit", and instead indicates that beyond a threshold height, a high building proposal would become a matter of very particular and exacting urban design scrutiny. Furthermore, it would be clearly signaled that only those high building proposals that are deemed sufficiently thoughtful, innovative and respectful of the city's urban design objectives would be likely to be granted resource consent.
68. Such an approach seems a much simpler, more straight forward way to manage the future density expectations of the Council and the Government (through the objectives of the UPS-UD), as well as achieving good urban design outcomes in relation to any proposals for very tall buildings.
69. In short, and by way of conclusion, I would strongly recommend that the PDP take two coordinated steps:
 - (a) Remove the arbitrarily located, and potentially confusing, City Outcomes Contribution measure from the Plan; and
 - (b) Ensure a robust and comprehensive set of city design rules and related urban design guidance measures are firmly in place, including height limits (beyond which the effects associated with the height exceedance are assessed) and the special assessment measure of a credible and experienced Urban Design Panel.

URBAN DESIGN PANELS

70. The proposal to introduce an Urban Design Panel into the Council's development assessment process for new Central City developments of particular significance is a sound and somewhat overdue measure.
71. The usual practice of urban design assessment for Wellington City Council (prior to the appointment of any Panel) has been undertaken by a number of suitably credentialled and experienced urban design professionals (although sometimes the experience of assessors has been more varied than desirable). Typically, these assessments are undertaken without any contact between the urban design assessor and the development party and/or their architect/designer, the resource consent planner acting as the "bridge" between the urban designer and the development applicant.
72. In a Panel process this relationship fundamentally changes with the Panel directly engaging with, and communicating advice and recommendations directly to, the development party and their designers.
73. Additionally, it would be rare on the current system for the Council's individual urban design assessors to be brought together with the Resource Consent Planning Team in the interests of discussing and generally agreeing an approach to assessment focused on a consistency of urban design advice across the assessors and the degree this would offer a measure of certainty to the development community. Generally speaking, individual urban design assessors for resource consents work largely in isolation from their professional colleagues.
74. Over the last 10 years a reasonably significant number of New Zealand City and District Councils have acquired some experience of specialist Urban Design Panels. Wellington's engagement with this process has been through the isolated operation of the Waterfront TAG (Technical Advisory Group) that has been regularly used for development projects exclusively located within Wellington's Public Waterfront zone.
75. This familiarity aside, the composition of Panels, the consistency and longevity of their members, a relative variation in urban design experience and professional credentials in urban design have been quite varied with correspondingly chequered results and effectiveness.

76. My own Urban Design Panel membership and experience has been extensive and is informative of my comments here.
77. I sat for two years as the Government-appointed member of the Victorian Government's Design Review Panel and for seven years consistently as one of five permanent members of, firstly, Waterfront Auckland's The Technical Advisory Group (TAG) which then morphed in 2016 into the TAG for Eke Panuku - the Auckland Council's Urban Renewal Agency.
78. The TAG engagement (which was, effectively, an Urban Design Panel) generally met on a monthly basis.
79. I have also been for the last 4.5 years one of Wellington City Council's individual urban design assessors providing advice and guidance for Resource Consent applications.
80. This experience has given me a number of important insights into how best to set up and run an independent Urban Design Panel to ensure an efficient, high performing source of consistent urban design advice to planning and development communities.
81. This largely concerns Panel composition and the relative longevity of its appointed members.
82. Urban Design Panels work best;
 - (a) where they have a composition of no more than 5 members – with one of those members acting as the permanent Panel Chair;
 - (b) Where all Panel members are suitably credentialled in urban design (usually with a post graduate degree or equivalent lengthy practice experience involving urban design matters);
 - (c) Where all Panel members have similar, lengthy and varied experience as urban design practitioners; and
 - (d) Where the appointed members are granted a longevity of appointment to ensure a culture of consistency is developed across the advice they give and the recommendations they make over time.

83. In my experience, achieving these results creates an advice culture with a high measure of consistency and clarity for the planning and development communities that engage with the Panel.
84. Panel situations where Panel membership and urban design experience is varied and Panel members regularly come and go is unlikely to develop that crucial effectiveness that comes from longevity of Panel membership and a consequent consistency of advice.
85. I would strongly recommend that the proposed Urban Design Panel envisaged in the PDP be formed and operate in line with these recommendations.

STUART NIVEN
12 JUNE 2023

Appendix A: Stuart Niven CV

STUART NIVEN

B Arch (Auckland)

M A Urban Design (Oxford Brookes)

STUART NIVEN URBAN DESIGN

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Trained as an architect and an urban designer in the 1970's, Stuart Niven moved from a seven year career as an architect, through a gradual transformation into a full time, practicing urban designer, a discipline he has pursued for the last 30 years. This has included work as an urban designer (in both public and private roles) in Britain, the USA, Southeast Asia, New Zealand and Australia.

Beginning with his role as an **Urban Design Consultant and Advisor to Wellington City Council** in the late 1980s, he was appointed as the City's first formally constituted urban designer in 1993, a position he held for the next six years. During this time, he worked on the production of Wellington's first urban design strategy and was responsible for initiating and leading a major conceptual overhaul of the concept plan for Lambton Harbour - Wellington's then troubled public waterfront project.

In **1999** he was appointed **Manager Urban Design** within the City Projects Division of Melbourne City Council – Australia's leading local government urban design studio. His work during his time at the City of Melbourne included responsibility for a \$25 million annual capital works budget and assisting in representing the City internationally, within Australia and Victoria in all urban design-related matters. While at Melbourne he was also responsible for the development of the first draft of *Public Melbourne* (a major revision of the City's previous urban design strategy); for overseeing the development of the City's first comprehensive *Lighting Strategy*; for initiating a new *Walking Strategy* for the municipality and its surrounding urban areas; and for a major study (and the development of related policy) for the laneways of Melbourne CBD and their role in the street and economic life of the city.

As part of this role, he acted as the City's urban design advisor to the *Melbourne Docklands Project* and (in this role) as a member of the **Melbourne Docklands Design and Integration Advisory Panel** advising the State Government-appointed Melbourne Docklands Authority, and its Board, on internationally-sourced bids for key land development parcels and on the design and development of particular private development proposals and the public space environment of Docklands. This role continued (but with a widened perspective) in his move from Melbourne City Council to the Victorian State Government public service.

In **August 2002** he joined the **Victorian State Government's Urban Design Group** in the new position of **Senior Urban Designer, Research and Policy**. In that position he led a project to develop a new Urban Design Strategy for the Southbank district of Melbourne's inner city (*The Southbank Plan*); assisted in developing and running an urban design workshop programme for Victorian local governments across the State; and acted as the principal urban design advisor to the then State Government's *Transit Cities Programme* – a major urban renewal and growth deployment project based around major public transport interchanges within Metro Melbourne and for Victoria's four largest regional cities. This involved advancing a sustainable growth

model based on the increasing efficiencies and comfort of modern public transport interchanges as catalysts for major, new mixed-use town centre development.

In [November 2004](#), he was appointed **Director Urban Design**, originally within the Victorian Government's Department of Sustainability and Environment. At the time, this counted as the leading urban design advisory position within Australia's State and Federal government structures. As the State's principal urban design advisor, he led a team of 15 specialist urban design staff on a programme that included providing urban design input, directions and implementation strategies into "*Melbourne 2030*" – the State's then long term strategic plan to contain and deploy Melbourne's anticipated urban growth within its existing urban boundaries. This involved a thorough going commitment to an ambitious programme of sustainable development practices through a partnership between State Government agencies and Victoria's local governments. The Unit's brief also included the responsibility to support and improve the State's urban design function (through advice and direct strategic assistance) across Victoria as a whole.

Further key initiatives involved:

- Responsibility for the development of a number of specialist urban design guidelines (e.g. for higher density residential development; activity centres; and for the design of safer urban environments) as some of the key implementation tools for *Melbourne 2030* – influenced development.
- The overview of research, briefing and support for the successful establishment of a State Government Architect position in Victoria (providing cabinet-level advice and advocacy on design quality issues related to the state's built environment). Since the appointment was made in January 2006, a close working relationship was developed between the State's Urban Design Unit and the Office of the Victorian Government Architect.
- Responsibility for developing cutting-edge demonstration projects for high density, mixed-use activity centres within Metro Melbourne, as a key component of *Melbourne 2030* implementation. This included the development and promotion of the *Proposition 3047 National Design Competition* (with the **ar australia magazine and Hume City Council**) to design, as an "exemplar", a new town centre for the Broadmeadows Activity Centre in north-west metro Melbourne.
- Acting as an "external examiner" for RMIT University's *Masters in Landscape Architecture by Project* programme.
- Developing Victoria's first *Urban Design Charter*, closely modeled on the New Zealand Government's *Urban Design Protocol* and its implementation strategy.
- Advising on the development of the Federal Government's first *Urban Design Protocol*, in support of various State Government urban design initiatives.
- Setting up a comprehensive *Urban Design Training Programme* aimed at influencing all those groups formally involved in shaping Victoria's *public environment*. This was a "first" for initiatives of this kind in Australia and, to date, has been responsible for offering training to some 1500 plus people drawn from the State's strategic planning and transport agencies, Victorian Local Governments and the State's private development and development consultancy sectors.

Throughout his time in Australia, he has regularly maintained both professional contacts and engagement with the development of national urban design policy and local urban design initiatives in New Zealand.

To this end, over the last 18 years, he has acted:

- As an advocate and occasional mentor for New Zealand's ground-breaking **Urban Design Protocol**.
- As principal urban design advisor to the former Mayor of Auckland's "Outside the Square" Project – established to investigate urban design opportunities, and a new conceptual approach, to the development of Aotea Square in Central Auckland; and to propose an urban revitalisation strategy for this district of the city, in support of a new public square. In this project, he led a team of specialist designers (architects/landscape architects/urban designers) in identifying, negotiating and working through a range of strategically related public space animation and design opportunities.
- As an urban design advisor (in a sub-consultancy capacity with *Planisphere* - a Melbourne-based strategic planning consultancy) to Tauranga City Council, in the development of a Tauranga CBD Strategy.
- As a specialist urban design advisor (in a sub-consultancy capacity with *Boffa Miskell* – a prominent New Zealand planning/landscape/urban design consultancy) to Christchurch City Council – advising on the (pre-earthquake) development and implementation of the Council's *Central Christchurch Laneways Strategy* and the potential, within this, to utilise public/private partnerships.

In [December 2007](#) he was appointed to a four year term as one of seven non-executive directors of **Sea+City Projects Ltd**, a wholly owned subsidiary of the then Auckland Regional Council, tasked with delivering a major component (the Wynyard Quarter) of central Auckland's evolving public waterfront. During his tenure in this position (terminated in October 2010 with the installation of a new "single city" local government authority for Auckland) he championed a comprehensive, "design led" approach to the development of the Quarter – and for the public waterfront as a whole. This included setting up a "Design Talent Pool" of selected architects, landscape architects and urban designers responsible for maintaining a consistently high standard of "urban design thinking" in the procurement and construction, over time, of new development within the Quarter.

In [November 2010](#) he was appointed to **chair** the "**Place-making Technical Advisory Group**" (**PLACE TAG**) advising the Company and the Board of **Waterfront Auckland** – the new Auckland City Waterfront Development Agency – on a thorough-going place making strategy and the establishment of a "place making" function to operate as a specialist skill set within the new Waterfront Company. He was also appointed to a 5 year term as an urban design member of the 7 person **Technical Advisory Group (DESIGN TAG)**, also established by the Agency to advise the Company and its Board - on a regular, monthly basis – on design, urban design and sustainability matters raised by specific development projects and strategic and conceptual work produced as part of the gradual development of the Auckland Public Waterfront.

In [August 2010](#), he was appointed to a newly created, senior design advisory position within the Victorian State Government, with the title of **Principal Urban Design Advisor**, crafted to influence and work collaboratively across the procurement and "design delivery" areas of the State Government's urban growth and development strategies.

Specifically, this involved:

- acting as a “design champion” and senior urban design advisor across **Victoria’s new urban rail infrastructure projects**, including close involvement in briefing and working with successful public/private “Alliance Partnerships” delivering the new South Morang rail line (including 3 new rail stations) and the new Regional Rail Network (and stations) to the west of the city;
- Responsibility for developing a **new “place making” strategy** aimed at the State’s major urban growth centres and its regional cities.

As an extension of this, he acted as the Government’s principal urban design advisor to the Council and Government-initiated partnership responsible for the **Geelong Vision 2 Project**. This project focused on the development of a central city revival and urban renewal strategy for central Geelong, the CBD of Victoria’s largest regional city. While it was a “workshop-led” process, he was instrumental in the appointment of four, internationally experienced consultant design teams – acting with them, as the “client representative”, to generate 4 development scenarios which formed the core of the “*Geelong Visioning*” process.

In [October 2011](#), he was appointed as a Government expert to (and member of) the newly established **Victorian Design Review Panel**, established by the Office of the Victorian Government Architect to provide the State Government with an experienced “design review” process for major Government-initiated (or Government-supported) development projects.

Throughout this time, he continued to act as the State’s Urban Design Champion, with stewardship (and responsibility) for advancing the principles of Victoria’s Urban Design Charter.

In [December 2012](#), he left Victorian Government service to establish his own **private urban design consultancy (Stuart Niven Urban Design)**, based in Melbourne, and with consultancy commitments in Victoria, New South Wales, South Australia, The Pacific Islands, Malaysia and New Zealand.

In [March 2017](#) he relocated to Sydney to take on a number of short term contracts working in the NSW’s Office of the Government Architect to deliver Design Guides for *Towns and Cities*, *Buildings* and *The Public Realm* and to help develop a new *Draft Urban Design Protocol for NSW* – all conceived as measures and processes in support of **Better Placed** - the State’s new draft *Design Policy* – now included as part of the review and updating of the State’s Planning and Environment legislation.

He returned to live permanently in Wellington, New Zealand in [July 2018](#).

Since returning to New Zealand he has been involved in:

- Providing urban design assessments for the **Wellington and Hutt City Council** Resource Consents Teams - [2018 - ongoing](#);
- Advising **Invercargill City Council** on recommended urban design changes to the proposed development of the **HWCP Inner City Block Development - 2019**;
- Developing a *Re-activation Strategy* for the *Naenae Town Centre* for **Hutt City Council - 2019-2020**; and
- Assisting in the design and organisation of two Urban Design Workshops for the **Ministry of Housing and Urban Development - 2019**.

The consultancy has involved close, and ongoing, collaborative relationships with:

Stafford Strategy (a Sydney-based, specialist tourism and strategic planning practice):

This has involved significant strategic design contributions to tourism and urban development projects in Australia, Malaysia, New Zealand and the Pacific Islands, including:

- work for Malaysia's Sabah State Government on:
 - Proposals to extend the tourism stay in Sabah's major tourism centres, to diminish the visitor impact on the State's sensitive Eco Tourism sites; and
 - Proposals for the development of a EcoTourism Masterplan for Sabah's undeveloped North West Coast.
 - The development of a Competitive Cities Strategy for Kota Kinabalu (Sabah's capital city) as part of a joint Malaysian Federal Government/World Bank project to competitively reposition - regionally - a number of Malaysian cities - throughout 2017.
- A marketing strategy for the Sydney Local Government Areas of Leichhardt, Sutherland, and Manly.
- A concept design for a National Food Centre in the Lockyer Valley, Queensland.
- A strategic assessment and master plan to refresh, reposition and update the Kingdom of Tonga's tourism offer.
- A marketing and tourism investment strategy for The Cook Islands.
- A Destination Management Plan for the Blue Mountains LGA.
- Development of a new Civic Function Centre and related city precinct – Camden NSW – for the Camden LGA.
- Development of a Great Ocean Road and Torquay Visitor Generation Strategy for the Surf Coast Shire Council – Victoria.
- Development of a Transformation Strategy for Jabiru, from a former mining town to the new tourism hub for the Kakadu World Heritage region, in Australia's Northern Territory.
- Development of a Central Liverpool Activation Strategy – for Liverpool City Council, a Greater Sydney growth area.
- Development of Tourism Strategy for the Southland region of New Zealand.

Athfield Architects, McIndoe Urban, and Wraight Landscape Architects:

This involved work undertaken for the Central City Unit of the Canterbury Earthquake Recovery Authority (CERA) to design a new conceptual layout and land development diagram to re-establish Central Christchurch's retail core. The project included building trust amongst the many parties involved in the core and subsequent complex negotiations between the landowners, developers, investors and business owners involved in reaching agreement on a desired and effective result.

Separate, individual consultancy work has also involved:

- The design and facilitation of a workshop to investigate and prepare the former **Wellington Waterfront Ltd** (Wellington's Public Waterfront Company) for their potential transition into the City Council's new "Public Development Agency".
- The design and facilitation of a workshop to explore the strategic role of "place making"

- in the development of Central Melbourne's **Fisherman's Bend** – a major new urban renewal district in the initial stages of planning by the Victorian State Government.
- The preparation of specialist urban design material (and its presentation as part of a workshop) to define and scope a new “spine and hub” structure for the **NZDF's Burnham Army Camp** – as part of it's reassignment as one of the NZDF's principal training bases.

From [early 2015 through to December 2017](#), he was appointed, as one of 7 specialist members, to the Auckland Council's new **Public Art Advisory Panel**, advising the City's Arts & Culture Group on the implementation of the City's new Arts Strategy – with it's emphasis on the new role of Temporary Public Art within the Strategy.

Beginning in [early 2016 \(through to December 2017\)](#) his involvement as an urban design advisor to Waterfront Auckland was revised, with Stuart becoming one of 5 specialist design advisors to **Panuku Development Auckland**, the Council's new urban renewal company, incorporating the original **Waterfront Auckland** and the Council's former **Property Management and Development Agency**. This included urban design advisory input to urban renewal masterplans for Manukau, Onehunga, Panmure, Northcote and Takapuna.

STUART NIVEN URBAN DESIGN

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BOARD EXPERIENCE:

- Non Executive (Urban Design) Board Member – **Sea+City PTY Ltd** – Auckland Regional Council-owned company set up to initiate and implement the **Wynyard Quarter** as the “starter project” for the new **Auckland Public Waterfront**.
Dec 2007 – Dec 2010 – 1.5 terms, disestablished with the setting up of the new “Super City” Auckland Council.

QUALIFICATIONS AND AWARDS

- 2007 Alumni of the **Cranlana Public Sector Leadership Colloquium, Victoria, Australia.**
- Awarded the **2009 Absolutely Creatively Wellington Award**, by Wellington City Council – for creativity and innovation in the Wellington Region.