

**Before the Independent Hearings Panel  
At Wellington City Council**

**Under Schedule 1 of the Resource Management Act 1991**

**In the matter of the Proposed Wellington City District Plan**

---

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

**Date: 22 August 2023**

---

## **INTRODUCTION**

- 1 My full name is Farzad Zamani. I am employed as Te Ngākau Programme Manager. Previously I held the position of the Urban Regeneration and Design Manager and prior to this I was the Manager of the Urban Design Team (RMA) at Wellington City Council. I have advised the District Planning Team for District Plan matters in my previous positions. Due to my current position, as previously advised I will refrain providing any comment on Te Ngākau Precinct or any related matter.
- 2 I have prepared this statement of evidence on behalf of the Wellington City Council (the **Council**) in respect of technical related matters arising from the submissions and further submissions on the Proposed Wellington City District Plan (the **PDP**).
- 3 Specifically, this statement of evidence relates to the Design Guides and provides my response in relation to the expert witness conferencing, which I attended in the role of urban design expert.

## **QUALIFICATIONS AND EXPERIENCE**

- 4 I hold the qualifications of Bachelor of Architecture, Master of Architecture (Design) and PhD in Urban Design.
- 5 I have worked for Wellington City Council for 3 years and 4 months. Previously, I have worked both in private practice and academia for more 5 years.
- 6 I am a member of Urban Design Forum National Committee, NZIA, Urban Development Institute of New Zealand and I am a certified hearings commissioner.
- 7 I have previously provided statements of evidence in relation to Hearing Stream 3 (Historic Heritage) and Hearing Stream 4 (Residential Zones, and Commercial and Mixed-Use Zones).

## **CODE OF CONDUCT**

- 8 I have read the Code of Conduct for Expert Witnesses contained in the Practice Note issued by the Environment Court, which came into effect

on 1 January 2023. I have complied with the Code of Conduct in preparing my evidence and will continue to comply with it while giving oral evidence before the Environment Court. My qualifications as an expert are set out above. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

#### **SCOPE OF EVIDENCE**

- 9 My statement of evidence addresses the following matters:
- a. Input in the Design Guides revision process conferencing
  - b. Position on outcomes reached
  - c. The placement of the Design Guides within the Proposed District Plan
  - d. Repetition between the Design Guides
  - e. Repetition within the Design Guides
  - f. The Design Guides 'Introduction' chapter and the how the Design Guides are intended to be used
  - g. Additional comments and recommendations on the following outcomes and guidelines of Residential Design Guides (where there have been disagreements between experts):
    - O6 and G12 – Mana Whenua Sites of Significance
    - O10 – Provision of common private open spaces on site
    - O17, G46 and G47 – Relevance of the internal amenity outcome to urban design matters
    - G4 - Retention of existing trees
  - h. Applicability of the Design Guides to retirement villages
  - i. Summary and Conclusions

#### **INPUT IN THE DESIGN GUIDES REVISION PROCESS CONFERENCING**

- 10 I have participated in the Design Guides revision conferencing on the following dates:

- 21 April 2023 – Wellington City Council’s The Terrace Office and online (Microsoft Teams) - In person
- 25 July 2023 - Wellington City Council’s Boulcott Street Office – In person
- 7 August 2023 – Boffa Miskell Office (Wellington) - Online

11 I provided the history, context, and rationale for the outcomes to the revision team and the conference experts, ensuring a comprehensive understanding of the council's position and reasoning.

**POSITION ON OUTCOMES REACHED**

12 I consider that the revised version is succinct, user-friendly, and coherent. This refinement maintains the essential content and original intent of the Design Guides.

13 I note that the agreed principles to guide the process were useful and appropriate to ensure all the matters were fully discussed and resolved.

14 Throughout the process, each outcome and guideline point were systematically addressed, first in consultation with me and other Council experts, and subsequently with experts from the submitters. As a result, I believe that all concerns raised during the hearing have been thoroughly deliberated upon during the conferencing sessions. I consider that the outcomes align with the Design Guides’ intent, and will effectively foster high quality urban design outcomes for the city.

15 There were number of minor disagreements between the experts regarding number of objectives and design guidelines points. These points mostly are in relation to internal amenities of developments. I have outlined my position on these objectives and design guidelines further below.

**STATUTORY NATURE OF THE DESIGN GUIDES**

17 Following the conferencing, and the significant improvement made in the Design Guides, I maintain the view that these should remain a

statutory component of the District Plan. As detailed in my previous evidence this provides:

- i. Consistency in processes
- ii. Consistency in urban design assessments
- iii. Quality and well-functioning urban environments

18 I understand that there is agreement between the parties to the JWS that the design guides in their recommended form, are suitable as statutory documents.

#### **REPETITION BETWEEN THE DESIGN GUIDES**

19 The conferencing Joint Witness Statement proposes *“Splitting the two design guides so that the RDG only applies to development in the residential zones, and the CMUDG only applies to development in the centres, mixed use, commercial and some special purpose zones (being the hospital, tertiary education and waterfront zones)”*.

20 Considering the proposed revision, I believe that the issue of repetition between the Design Guides chapters is now resolved as only one chapter applies to a development depending on its location (zoning).

#### **REPETITION WITHIN THE DESIGN GUIDES**

21 Submitters have commented that there is unnecessary repetition within Design Guides (in particular the Residential Design Guide and Centres and Mixed-Use Design Guide), and that certain guidelines could be removed or consolidated.

22 I believe this issue has been resolved and well documented in the Joint Witness Statement and the evidence presented by independent urban design advisor, Mr. Banks.

#### **THE DESIGN GUIDES ‘INTRODUCTION’ CHAPTER AND HOW THE DESIGN GUIDES ARE INTENDED TO BE USED**

23 The issues raised regarding the use of the Design Guides and the role of the Design Guides Introduction Chapter have resolved through two methods. As the result of conferencing, now each chapter has a more

comprehensive introduction which explains how the respective Design Guides are structured and to be used.

- 24 The Design Guides Introduction chapter is proposed to function as a contextual background that explains the overall approach and includes the six overarching design principles. Therefore, I believe the proposed structure and introductions are satisfactory and address most concerns raised by submitters.

**ADDITIONAL COMMENTS AND RECOMMENDATIONS ON THE FOLLOWING OUTCOMES AND GUIDELINES OF RESIDENTIAL DESIGN GUIDES (WHERE THERE HAVE BEEN DISAGREEMENTS BETWEEN EXPERTS)**

- 25 Referring to my previous statement concerning the outcomes derived from the conference discussions, it is my perspective that a substantial portion of the concerns raised through the submissions have been successfully addressed and resolved. However, there remain several unresolved issues. These matters predominantly stem from disagreements among experts regarding the precise wording, underlying intentions, or the applicability of certain designated design guidelines. In the subsequent section, I elaborate my stance on these unresolved matters.

**O6 AND G12 – MANA WHENUA SITES OF SIGNIFICANCE**

- 26 Throughout the conferencing, some experts highlighted the significance of Mana Whenua Sites of Significance, however, they have suggested the removal of provisions O6 and G12 on the basis that the District Plan comprehensively covers these matters. While the District Plan provides for developments within sites of significance, it is crucial to note that the District Plan provisions do not completely address the matter of development adjacent or in proximity to sites and areas of significance to Māori. Consequently, it is my contention that retaining the relevant outcome would be prudent.
- 27 It is important to clarify that the guidance point doesn't impose a mandatory requirement for developments to acknowledge these aspects. Instead, it affords developers the opportunity to contemplate

the appropriateness of such recognition. This consideration becomes particularly relevant in cases where sites of significance are located either within or adjacent to a given development.

- 28 In addition, these considerations are the result of extensive workshops with mana whenua partners to address their concerns and to enhance the role of Māori world views in the design of future urban environments.

#### **O4 – PROVISION OF COMMON PRIVATE OPEN SPACES ON SITE**

- 29 Outcome 4 of the revised Design Guides states that *“new development is configured and designed to contribute to positively to the amenity, visual quality and safety of adjacent streets and the public realm”*. The experts have argued that this should provide for common private open spaces of developments too. I concur with their rationale; however, I believe this has been extensively covered by the *“well-functioning sites”* section of the Design Guides.

#### **O17, G46 AND G47 – RELEVANCE OF THE INTERNAL AMENITY OUTCOME TO URBAN DESIGN MATTERS**

- 30 Recommended outcome 17 of the revised Design Guides states that *“internal environments provide healthy, comfortable, convenient, functional and attractive places for their occupants”*.
- 31 Recommended guideline 46 maintains that developments to *“Consider matters such as... providing functional internal communal facilities, such as communal laundry or drying facilities...”*.
- 32 Recommended guideline 47 maintains that developments to *“consider the need to provide an appropriate level of interior storage for each residential unit, based on its anticipated occupancy”*.
- 33 Throughout the conferencing, some experts have put forth an argument suggesting that internal amenity might not fall within the purview of urban design matters. Their perspective implies the need to remove these objective and design guidelines. I respectfully disagree with their rationale, as I hold the firm belief that internal amenity holds a significant

role within the realm of urban design. Restricting the scope of urban design exclusively to external and landscape components strikes me as problematic. The urban design science is a holistic approach to the design of cities that encompasses both internal and external quality of buildings and how they interact with the wider context. This is further emphasised in the Urban Design Protocols of Ministry of Environment number of principles address issues regarding the use and amenities of buildings. Therefore, it is my conviction that urban design encompasses a broader spectrum.

34 It is noteworthy that the RDG and Central Area Urban Design Guide in the operative District Plan already encompass aspects of internal amenity within residential developments. These aspects contribute to establishing spaces that are not only healthy, comfortable and functional but also aesthetically appealing for future occupants. This alignment with the objectives of the National Policy Statement on Urban Design 2020 (NPS-UD), particularly its emphasis on ensuring "well-functioning urban environments," underscores the importance of providing internal amenity. Furthermore, the matter of internal amenity constitutes a critical element in realizing the transformative potential of cities towards high-density and sustainable urban environment.

35 Addressing recommended guidelines 46 and 47, I firmly advocate for their retention. These issues have been subject to extensive deliberation during the resource consent application process. While many reputable developers conscientiously cater to the fundamental requisites of high-density living, such as storage and open-air drying spaces, it is regrettably true that these essential features often become compromised in pursuit of greater development profitability. Also, it is important to note that these matters are to be considered and they are not mandatory requirements to be complied with.

#### **G4 – RETENTION OF EXISTING TREES**

36 Recommended guideline 4 of the revised Design Guides states that *“when planning for planting as part of new development....- Integrate*



*existing established trees into the planning for planting, where they will contribute to achieving the matters set out above”.*

37 The experts had disagreements about whether existing established trees should be considered as an urban design matter.

38 I believe it is critical to acknowledge the significance of existing trees when preparing planting plans. Incorporating these trees into the design of new developments, where possible, especially when they hold environmental value, can offer immediate advantages concerning landscape amenity due to their existing growth and scale. This approach doesn't hinder developers from exercising the option to remove existing trees, which remains a permissible activity when developers deem it necessary.

#### **APPLICABILITY OF THE DESIGN GUIDES TO RETIREMENT VILLAGES**

39 One of the matters discussed during the conferencing was the application of the Design Guides to retirement villages. Considering the evidence presented by retirement villages, I maintain my position that retirement villages should not be exempt from the recommended RDG or CMUDG for the reasons at paragraphs 39 to 41 below.

40 To begin, it is important to highlight that a significant portion of retirement villages indeed take the form of subdivided medium to high-density living developments. These developments offer the added benefit of supplementary amenities tailored to the aging population, fostering communal activities overseen by commercial management entities, like bodies corporate overseeing other multi-unit developments. Despite this commercial arrangement, the fundamental character of these developments residential . However, a paramount concern of mine centres on the enduring nature of this commercial arrangement. Although relatively uncommon, the prospect exists for a retirement village to transition from managed status to a conventional residential area, with individual dwellings sold as unit titles. This underscores the necessity of adopting a long-term perspective that considers the need for these developments to adhere to minimum

design standards and ensure a high-quality urban environment, in accordance with the guidelines outlined in the Design Guides.

41 My second area of concern revolves around the potential ramifications of exempting retirement villages on the basis of their operational requirements. Such an exemption precedent could conceivably lead other residential projects with diverse commercial agreements or management structures—such as Built to Rent developments—to seek exemption from the Design Guides. This could result in a two-tier system where substantial residential projects under commercial management are subject to lower standards compared to non-managed residential developments. Considering that the lifespan of these buildings and developments often spans decades, regardless of management changes, transformations, or cessation, it remains imperative that all developments meet the design guidelines stipulated.

42 Lastly, I acknowledge that certain aspects of the Design Guides might not be directly applicable to retirement villages, student accommodations, or temporary accommodation developments. Nevertheless, I strongly believe that these specific aspects should be thoroughly evaluated within the context of the resource consent process, employing a discerning, case-by-case approach.

#### **SUMMARY / CONCLUSIONS**

43 I have prepared this report in support of the Design Guide Review changes and decisions made after receiving and reviewing the submissions and further submissions on the PDP and participating in the expert witness conferencing.

44 Given the substantial improvements made to the Design Guides, I emphasize the necessity of retaining them as statutory documents within the District Plan. This is crucial for the achieving quality urban outcomes and the establishment of a well-functioning urban environment, facilitating increased housing and urban development to accommodate projected growth. Furthermore, retaining these guides ensures a uniform approach and a predictable framework during the evaluation of resource consent applications.

45 Lastly, I have provided evidence on the matters where experts held differing viewpoints during the conferencing. I firmly believe that the objectives and design guidelines subject to such disagreements should remain. This stance is founded on their critical role in attaining positive outcomes, or in some cases, their role as supplementary considerations that foster enhanced results without unduly restricting the developmental aspects, including their feasibility and viability.

**Date:** 22 August 2023

Dr. Farzad Zamani

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