

**BEFORE INDEPENDENT HEARING COMMISSIONERS
AT UPPER HUTT**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHAKE
TE AWA KAIRANGI KI UTA**

IN THE MATTER of the Resource Management Act 1991
AND
IN THE MATTER of the hearing of submissions on the Upper Hutt City
Council Proposed Intensification Planning Instrument

HEARING TOPIC: Upper Hutt City Council's Proposed Intensification Planning
Instrument

**STATEMENT OF PRIMARY EVIDENCE OF NICHOLAS JAMES RAE
ON BEHALF OF KĀINGA ORA – HOMES AND COMMUNITIES**

(URBAN DESIGN)

APRIL 19, 2023

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1. EXECUTIVE SUMMARY

- 1.1 My name is Nicholas Rae. I am an Urban Designer and Landscape Architect. I am the Director of Transurban Limited, consultants on urban development.
- 1.2 My evidence addresses the application of provisions to enable the required intensification in Upper Hutt as proposed in the Intensification Planning Instrument Plan Change (IPI) in support of the submissions made by Kāinga Ora – Homes and Communities (**Kāinga Ora**).
- 1.3 Having undertaken my analysis, I provide the following summary of my recommendations:
 - (a) I consider the recommended changes by Ms Blackwell to the objectives and policies will better define the planned built form, and will better enable the assessment of proposals against the policy framework;
 - (b) I support providing a separate chapter for the High Density Residential Zone (**HRZ**) to provide clarity and ease of use, but also as the HRZ is planned as a different outcome to the Medium Density Residential Zone (**MRZ**);
 - (c) The Council has applied the high density residential zone to appropriate walkable catchments generally and applies this also to wider areas where there are good opportunities. This supports the NPS-UD which it seeks to enable density in at least a walkable catchment;
 - (d) I support the expansion of the City Centre Zone (**CCZ**) as illustrated on Map 6 **Attachment C**, and this includes the change of zone from Mixed Use Zone (**MUZ**) to CCZ on the eastern and western edges as CCZ better provides for high quality development in key locations where people connect from the residential areas through to the centre. The application of the CCZ to the southern half of the St Joseph's school site on Pine Avenue is not so much about providing opportunity on the school site, rather ensuring the surrounding

CCZ abutting the school site are not unduly restricted with a lower density zone HIRB controls applying;

- (e) I support the expansion of the Silverstream Centre, Wallaceville Centre, and a very minor expansion at Trentham Centre (Ararino Street);
- (f) I support the MUZ change to the business park area at Wallaceville, as it better provides for the intended activities;
- (g) I am unconvinced that HRZ is the most suitable zone to apply to the land north of the MUZ to Fergusson Drive between Nicolaus Street and Refreshment Place, and this could be subject to further analysis particularly connecting the employment opportunities to Fergusson Drive as a node in a large residential catchment.
- (h) I consider the General Industrial Zone south of the CCZ could be reviewed to confirm a longer term role and also building height close to the centre and station.
- (i) I recommend the expansion of the HRZ at the following locations, noting this is relatively minor compared with the Kāinga Ora submission following further analysis:
 - (i) areas north of the city centre to connect with the open space near State Highway 2 and the River;
 - (ii) areas east of the city centre in response to the CCZ proposal to expand and corresponding walkable catchment from the edge of the proposed CCZ;
 - (iii) Some minor areas west of the City Centre acknowledging one area covers Maidstone Intermediate School and blocks fronting this could be more intensively developed;
 - (iv) North west of Fergusson Drive for approximately one site depth enabling the same built form on both sides of this important corridor through the Hutt Valley;

- (v) A larger expansion at Brentwood Street adjacent to the large reserve within the catchment of Trentham Station;
- (vi) Additional sites to the south east of Silverstream using roads and reserves as boundaries and providing the same opportunity on both sides of streets.
- (j) I support the application of a height variation control of 36m within approximately 400m of the CCZ to enable 10 storey buildings supporting and directing where additional height is appropriate.
- (k) I consider the 19m+60° HIRB standard is more suitable in the HRZ compared with the reporting planners' recommendation of 5m+60° as it better enables 6 storey buildings at the front of sites on a higher number of sites. This supports a high density outcome in accordance with the NPS-UD.
- (l) I recommend that this HIRB is used in combination with a reduced building coverage standard of 50% in the HRZ;
- (m) I consider consent should be required when using the HIRB as above and the trigger should be four or more, not 6 as proposed by the reporting planner. Consent should focus on the design quality of the proposal and how it achieves the policies, particularly around the interface with the public realm, and neighbours.
- (n) I support a 22m height standard in the HRZ as this provides for flexibility in building design, elevated ground floors and roof design within the building envelope, it is also consistent with Hutt City recommendations;
- (o) Commercial activities should be enabled in the HRZ on the ground floor of apartment buildings;
- (p) The existing Design Guides are not suitable to assist with the guidance for the HRZ and potentially also not suitable for the

MRZ, and support these not being included in the Plan or revised to address issues.

2. INTRODUCTION

- 2.1 My full name is Nicholas James Rae. I am an Urban Designer and Landscape Architect. I am the Director of Transurban Limited, consultants on urban development. I hold a Master of Urban Design from the University of Sydney and a Bachelor of Landscape Architecture (Honours) degree from Lincoln University. I have approximately 23 years of experience in this field in New Zealand, the United Kingdom, France, Portugal, Saudi Arabia, and Australia.
- 2.2 I regularly provide advice on urban design and landscape matters, followed by urban design and visual assessments for development proposals including a range of residential, and retirement villages, subdivisions for large greenfield sites, commercial office and retail spaces, and industrial developments. I have also provided advice on several plan changes relating to urban development. I have experience with the detailed design, consenting and implementation of development projects.
- 2.3 I have been involved in several plan review and plan change processes including assisting with drafting Plan Changes and assessing the merits of such. I provide a list of examples in **Attachment A**. I have experience with other similar processes in the Wellington region addressing intensification.
- 2.4 I am also involved with providing advice and design direction for three recent retirement villages, apartment building proposals, terrace housing proposals, affordable housing solutions, and significant landscape solutions including significant lengths of coastal, wetland and stream rehabilitation as part of urban development integrating access and providing high amenity open space.
- 2.5 I am a member of the Urban Design Forum, Resource Management Law Association and the New Zealand Institute of Landscape Architects.

Involvement with Kāinga Ora Submission

- 2.6 I have been retained by Kāinga Ora – Homes and Communities (**Kāinga Ora**) to provide urban design advice and supporting evidence relating to the plan changes notified by the five district Councils in Wellington dealing with the application of the Medium Density Residential Standards (**MDRS**) and the National Policy Statement on Urban Development (**NPS-UD**). This is to ensure a consistent approach is applied where possible to the Wellington Region, understanding the relationships between the different districts.
- 2.7 I was instructed in July 2022 and undertook site investigations in August to assist with the preparation of the submissions, particularly on the matters of walkable catchments, the role and scale of centres, and zone opportunities provision testing. I was assisted by Fabio Namiki (registered architect) of my office in our work. I had no involvement with the preparation of further submissions.
- 2.8 I visited the Wellington region over a two day period on 11 and 12 August 2022 where I visited locations on the public road network and reserves.
- 2.9 I also undertook a site visit on 16 January 2023 where we focused on the centres in the Wellington region to assist with the consideration of the role and form of these.

Evidence from other experts

- 2.10 I note the evidence of Mr Singh, who sets out why Kāinga Ora is involved in this plan review process. Importantly for the purpose of my evidence, the Kāinga Ora focus is not on individual land holdings owned by Kāinga Ora, but rather on urban development outcomes more generally across the Hutt Valley, as well as providing for a consistent planning policy across the Wellington Region and Aotearoa that enables well-functioning urban environments and the opportunity for growth and intensification of our cities with ease and confidence.
- 2.11 Where appropriate and relevant, my evidence will reference the evidence of Ms Alice Blackwell and Mr Michael Cullen which I have reviewed.

2.12 I understand Ms Blackwell has proposed that the General Residential Zone (GRZ), as proposed in the IPI, be renamed as the Medium Density Residential Zone (MRZ). For the avoidance of doubt, my evidence refers to the GRZ as the MRZ.

2.13 I have reviewed and reference relevant parts of the Section 42A Report for Upper Hutt and the Upper Hutt Intensification Planning Instrument (**IPI**). I have also reviewed the Boffa Miskell Upper Hutt Intensification Evaluation report (Appendix E to the S32 Report).

Code of Conduct

2.14 Although this is a Council hearing, I have read the Environment Court's Code of Conduct for Expert Witnesses within Practice Note 2023, and I agree to comply with it. My qualifications as an expert are set out above. 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 expressed.

Scope of Evidence

2.15 My evidence will address and is organised by the following matters:

- (a) Statutory context;
- (b) Walkable Catchment methodology;
- (c) Application of zones in Upper Hutt;
- (d) Planned Urban Built Form;
- (e) Design Standards;
- (f) Commercial at Ground Floor in HRZ;
- (g) Design Guidelines.
- (h) Conclusion

3. STATUTORY CONTEXT

- 3.1 I have reviewed and rely on the statutory context set out in Ms Blackwell's evidence.
- 3.2 I note that the scope of the IPI takes a narrower approach than other councils and includes only consequential changes to the General Industrial Zone chapter of the Operative District Plan. I recommend that further consideration of the role, location and provisions for the General Industrial Zone be undertaken given its proximity and relationship to the City Centre Zone, as currently proposed.
- 3.3 Kāinga Ora has considered the centres in the Wellington Region and seeks to apply a consistent hierarchy for centre zones. For the purpose of applying walkable catchments and zone considerations, I have assumed the Upper Hutt City Centre Zone is a Metropolitan Centre, being more consistent with the National Planning Standard description of being a focal point for sub-regional urban catchments, with Wellington City Centre being the regional City Centre.¹
- 3.4 My focus has been on zone applications in response to the NPS-UD requirements, and the provisions to enable 6 storey buildings within the High Density Residential zone (**HRZ**).

4. WALKABLE CATCHMENT METHODOLOGY

- 4.1 I agree with Ms Blackwell's concern regarding what methodology the Council has used to identify walkable catchments², however, it would appear that a 10 minute walking catchment has been used from the CCZ and RTS.
- 4.2 The Council's methodology, assuming it is just based on a 10 minute walk, is different to that used in Porirua, for example, where the catchment must also include a school, local park, and supermarket. In Wellington, the Council has also considered the existing community/commercial services in support of a walkable catchment, but not as specific as in Porirua.

¹ This classification is based on the advice from Mr Cullen and Ms Blackwell.

² Statement of evidence – Ms Blackwell, Para 4.10

4.3 The following key principles influence my position on walkable catchments in relation to the NPS-UD which I have developed through my review of other proposed IPi in the Wellington Region, particularly in Porirua and Wellington in order to achieve a consistent approach:

- (a) Enable the maximum residential opportunity in addition to commercial and community facilities within centres which are generally on flatter land;
- (b) Enable high density residential around the centres focusing on the flatter land opportunities generally responsive to applying a walkable catchment starting principle of:
 - (i) 15 minutes (1,200m) from the edge of the City Centre zone and apply the High Density Residential zone within (not applicable in Upper Hutt City);
 - (ii) 10 minutes (800m) from the edge of the Metropolitan Centres and Town Centres, and from Rapid Transit Services (**RTS**) and apply the HRZ within;
- (c) Within the HRZ determined above, enable greater residential density with provisions to achieve a planned urban built form transitioning through heights of 8, 10 and 12 storeys applied as appropriate in response to the different (higher) planned heights of centres, generally within 400m of Town Centres and 400-800m of Metropolitan Centres, and the City Centre (not all apply in Upper Hutt City);
- (d) Enable greater residential density with provisions for 5 storeys within a 5 minute (400m) catchment from the edge of some Local Centres and apply the Medium Density Residential Zone within (this is not considered necessary in Upper Hutt due to the overlap of HRZ applying around Local Centres);
- (e) Opportunities for increased residential density should favour centres over RTS stations. However, where both exist, the RTS stations provide access to other centres which supports greater intensification;

- (f) Refinement of walkable catchments, or the application of the HRZ to larger areas, should respond to the existing and potential future attributes of the location, but with a preference for an enlarged area at good locations in response to providing more opportunity than the minimum expectations set out in the NPS-UD.

Expansion or retraction

4.4 The attributes that support the expansion of the HRZ that I consider to be important (and are consistent with the MfE guidance³) are listed below. However, I consider not all of these attributes must be present currently to justify the expansion of the HRZ as this is a plan for future growth:

- (a) Well-connected high permeability areas including connections with pedestrian stairs;
- (b) Streets with good infrastructure (footpaths, cycle lanes);
- (c) Flat or low gradient areas;
- (d) Consistent built-form response to landform, or connections between elements;
- (e) Access to recreation or sports reserves;
- (f) Proximity to community and education facilities;
- (g) Proximity to commercial activities;
- (h) High amenity values (views, natural environment);
- (i) High (re)development opportunities (low value housing stock);
- (j) Continuation of the urban fabric; and
- (k) Range of transport modes.

4.5 Likewise, a reduction in a catchment size (and therefore the application of the HRZ) may be appropriate where the ability to

³ Ministry for the Environment, Understanding and implementing intensification provisions for the National Policy Statement on Urban Development, 2020.

achieve a walkable environment is very constrained with safety issues and urban fabric discontinuity. These elements include:

- (a) Poorly connected areas separated by open spaces or natural features such as cliffs and rivers, or infrastructure such as motorways and railways;
- (b) Consistent built form response to landform;
- (c) Narrow streets (<12m), or where pedestrian connectivity is poor and hard to achieve in the future;
- (d) Streets steeper than 11° (1:5) 20%; and with consideration of street gradients above 12.5%⁴ except where stairs are provided;
- (e) Low (re)development opportunities (high value housing stock);
- (f) High coastal hazards such as inundation and tsunami risk (avoid high risk areas; manage in medium risk areas);

4.6 Some of the challenges when undertaking this analysis include consideration of risks and how they might have been defined. I have not considered natural hazard risks and how these relate to the application of the HRZ.

4.7 In the Wellington region, the walkable catchments tend to favour one side of a centre or RTS due to the barrier effect of railways and motorways where there are limited connections. The expansion and reduction of the catchments have considered these elements which might support a larger area to one side, even if further than the catchment principle, where good opportunities are provided and assist in enabling an overall residential population at those locations considering the lost opportunities due to the barrier. This applies to the Hutt Valley where the Hutt River and the motorway generally provide barriers along the western side. However, the Hutt River is a natural asset with good recreational opportunities, and while it is relatively

⁴ 12.5% gradient is the steepest anticipated for a new road provided for in Section 329(1) Local Government Act 1974, unless fixed by any operative district scheme or bylaw or resolution of the Council. There are existing streets steeper than this.

poorly connected to the urban connections at present, this could and should change in the future.

- 4.8 The consideration of street gradients for determining catchment expansion or retraction is difficult in Wellington due to the gradients of existing streets in very close proximity to the City Centre where high density opportunities are considered appropriate for other beneficial reasons. This is not an issue in the Hutt Valley, except on the outer extremes where steeper topography exists. Streets with gradients of more than 12.5% (1m in 8m) need careful consideration as this is considered steep from a walking perspective. Ideally, gradients are less than 5% (1:20) as it is considered to be relatively flat and provides for universal access, not just walking.
- 4.9 The general theory of walkability, discussed in "*Walkable City*" by Jeff Speck, "*explains how to be favored, a walk has to satisfy four main conditions: it must be useful, safe, comfortable, and interesting*"⁵. It is not just about time or distance.
- 4.10 When considering a walkable catchment in the New Zealand context, there are places that display these four key attributes, but many that do not.
- 4.11 The potential opportunity for better urban environments to emerge over time can address these issues, and I consider that planning to achieve a walkable city should take priority over whether zoning should respond only to areas that are currently walkable. The District Plan is forward planning and should respond to the NPS-UD to provide for the future outcome.
- 4.12 Given the opportunity for significant change in the urban fabric of our cities as provided for by the NPS-UD, I consider there will be opportunities for public infrastructure enhancements along with the right building response to the street through private investment to support walkability. Improvements of these elements are likely to be needed to support the potential growth within both the HRZ and MRZ.

⁵ J.Speck, *Walkable City*, New York, North Point Press, 2012, page 11.

4.13 Growth of a residential population may also trigger the development of further commercial and community services.

4.14 I acknowledge that there are many variables and defining walkable catchments for zoning is not an exact science.

5. APPLICATION OF ZONES IN UPPER HUTT

5.1 Generally, the application of the HRZ as per the Section 42A recommendation (which as I understand the report, is the same or very similar to the notified IPI application of zones) favours a wider area than the walkable catchment⁶ in some locations, and I support this as it is consistent with the Policy 3 direction, and it is enabled on flat land with good connections and a range of amenities with access to services and employment opportunities and transportation. Generally, the additional areas are between catchments defined from train stations and provide consistency through a general strategy of high density along the rail corridor to Fergusson Drive.

5.2 I have, together with colleagues from my office, considered the application of the HRZ in the Kāinga Ora submission maps using the methodology I have set out above. This included a critical review of the areas together to ensure a robust outcome. This work, together with wider discussions and considerations I have undertaken for the Wellington, Porirua and the Kāpiti Coast IPI processes has further solidified my thinking that we should be maximising the residential development potential on flat land as a priority **in and around centres and rapid transit stations** as I consider these are the best and most likely locations for development at greater densities.

5.3 This process has generally resulted in my support for a reduced application of the HRZ compared to the Kāinga Ora primary submission on the notified IPI resulting in a very similar application as recommended by the Section 42A. My recommended application of the HRZ is set out on the maps included in **Attachment C**, with comments supporting the maps included in the table in **Attachment B**. These maps are provided as a recommendation from an urban design perspective in response to the NPS-UD requirements and

⁶ As I have defined as I am not sure the extent of the catchment defined by Council.

consideration of submissions by Kāinga Ora and advice from Mr Cullen on the role and function of the centres. There may be other factors that might result in further adjustments. Due to the scale of this task, I consider further refinements may be necessary to reach a final mapping position.

- 5.4 My consideration of the centres and expansion opportunities has been driven by whether additional employment, commercial or community activities would be required to support the increase in residential intensification generally. Mr Cullen has provided advice on these aspects resulting in areas of expansion as appropriate and discussion on each is included in **Attachment B**. I note that a more detailed analysis of the community facilities is likely to be required over time.
- 5.5 With regard to the MUZ at Trentham North (Nicolaus Street), I have recommended the land north of the MUZ to Fergusson Drive is zoned HRZ at this point, however further consideration and analysis of this area could be worthwhile as the MUZ provides employment opportunities within a relatively large residential catchment. The island of MUZ internal to the wider block is what concerns me and whether other mixed use type opportunities and better connections to Fergusson Drive would be more appropriate rather than HRZ. Mr Cullen does not support expanding the LCZ in this area, however, I am not convinced that HRZ is the most suitable land use north of the MUZ to Fergusson Drive between the LCZ and Refreshment Place.
- 5.6 Kainga Ora's submission to expand the Silverstream centre is supported from an urban design perspective as it would enable a greater commercial / community opportunity along the railway which could provide a more direct relationship from the station, however also addresses the main street access into Silverstream from the west along Field Street and taller buildings at this location would assist with legibility of the centre. Any redevelopment along the eastern side of Field Street could enhance the relatively poor quality existing public space experience which is a key connection from the railway station and beyond to the residential development opportunity on the St Patricks site. This could assist with a more cohesive urban fabric which better links the northern side of the railway to the south. Kiln Street could be enhanced through redevelopment along it as the main

street of Silverstream. It is acknowledged that the improvements on these sites may mean that change resulting from a zone change could take a long time.

- 5.7 At Wallaceville, the disconnected existing commercial offerings are of poor quality and there is good opportunity at this node for significant redevelopment in very close proximity to the station and employment opportunities. The expansion of the Local Centre zone is to encourage a greater commercial response, but also support an increased residential opportunity at 7 storeys. This is also supported by the centrally located open space park and the college nearby. The location of this Local centre zone is better than at the business park site as it is closer to an enroute for a larger residential population from the train station.

6. PLANNED URBAN BUILT FORM

- 6.1 Having determined the walkable catchments where 6 storey development is required to be enabled (NPS-UD), the planning framework and design standards for the HRZ should clearly articulate the planned urban built form and determine how enabling the zone should be to achieve a high density outcome. I make this point as the opportunities for achieving 6 storey buildings and a resulting planned urban built form will depend on how the planning provisions are drafted. If the provisions provide opportunities for 6 storey buildings on only some sites which are large, the planned built form could be quite different to opportunities for 6 storey buildings being more easily enabled on many more sites. Regardless of the opportunities for 6 storey buildings, the built form is likely to consist of a wide variety of dwelling typologies as this is providing opportunities in brownfield areas where only some will be taken up.
- 6.2 I consider that the objectives and policies as recommended in the Section 42A for the HRZ are not entirely appropriate such as HRZ-O2 which refers to a neighbourhood's planned urban built character, "*including 3-storey buildings*". This does not meet the expectations of the NPS-UD Policy 3 requiring a Plan enablement of at least 6 storeys. HRZ-O4 then provides for "*heights and densities of urban form greater*

than that provided for in the General Residential zone", and HRZ-P7 then provides expectations on heights for residential buildings of 20m.

- 6.3 Objective HRZ-O1 requires a well-functioning urban environment addressing social, economic, and cultural well-being, and for their health and safety, now and in the future. The policies then do not address impacts to existing neighbours and the extent to which change is acceptable or not for example.
- 6.4 I find the policy framework confusing and does not provide clear guidance on the planned urban built form.
- 6.5 The alternative proposed by Ms Blackwell in Appendix C of her evidence proposes a clear planned urban form for high density residential activities in developments of at least 6 storeys with a variety of housing typologies. It acknowledges that development will occur at a greater intensity than the MRZ in a compact urban settlement pattern, while recognising that the neighbourhoods will change over time. Non-residential activities are anticipated in the HRZ at a scale that contributes to the amenity of the neighbourhood. Buildings are expected to continue to provide reasonable daylight access, privacy and minimise visual dominance effects within a site and on adjoining sites but in consideration of the expected change and different resulting amenity values than existing residents may have been used to.
- 6.6 Further clarity could be added that an abrupt change from an existing single level dwelling to a 6 storey building on a neighbouring site is an anticipated outcome. This level of impact is expected as the existing low density activity is not the planned outcome.
- 6.7 This type of change is occurring in Auckland within the Terrace House and Apartment Building zone, which is similar to the HRZ. Figures 1 & 2 below illustrate examples. This is traditionally not a positive urban design relationship as the scale of the old to new typically would transition less abruptly.



Figure 1 – example of a 5 level apartment development at 98 Point Chevalier Road, Auckland, adjacent to a low density older single dwelling.



Figure 2 – example of a 4 level apartment development at 11 Walmer Road, Point Chevalier Road, Auckland, adjacent to a low density older single dwelling.

6.8 The Height in Relation to Boundary (**HIRB**) standards play a big role in the built form opportunities, and in achieving height and bulk on sites. The more restrictive the HIRB standards are, the larger (typically

wider) the site needs to be in order to achieve taller buildings. The application of more restrictive HIRB standards is likely to require the amalgamation of additional sites in order to achieve the maximum building height standard. Relying on site amalgamation is problematic as this requires alignment of property acquisition at the right times which is not always possible/feasible. In my opinion, the lower the number of sites that need to be amalgamated lowers the risk of not achieving redevelopment outcomes as sought, and opens the market to a greater number of developers through lower up front costs.

6.9 The planned built form character as proposed in the IPI is not very different between the MRZ and HRZ zones, particularly as the MRZ provisions enable additional height (than the standard) as a Restricted Discretionary (**RD**) Activity which is effectively the same as in the HRZ for buildings with more than three residential units. The difference being that the standards suggest additional height is appropriate in the HRZ supported by the HRZ background and HRZ-O4. The additional height could be located slightly closer to the boundary in the HRZ compared with the MRZ as the HRZ includes a 1m increase to the point at which the 60° recession plane applies at the boundary. Using the Section 42A HIRB recommendations, the relationship of built form to a neighbouring boundary would be very similar between the two zones except for overall height, whereas the policy framework⁷ provides for buildings with heights and densities of urban form greater than provided for in the MRZ. I question whether a small increase to the HIRB standard in the HRZ and the proposed 20m height standard is enough to give effect to this policy framework. This consideration is also with regard to the potential for additional height in the MRZ through an RD consent process.

6.10 The IPI HRZ is illustrated in **Attachment D** SK06.

6.11 The main difference of opinion between the reporting officer and Ms Blackwell lies with the provisions in the HRZ, where there are effectively two different planned outcomes proposed, supported by different bulk and location standards. I will refer to the two options as

⁷ Either S 42A or Ms Blackwell's version

the 'Section 42A version' and an alternative based on Kāinga Ora's submission that I recommend the 'KO version'.

6.12 There are three main differences between these two versions, as listed below:

| Standard | S42A version | KO version |
|-------------------|--------------|---|
| Height | 20m | 22m |
| HIRB | 5m+60° | 19m + 60° HIRB* for the first 21.5m of a site, then 8m+60° for the remaining boundaries |
| Building Coverage | 70% | 50%** |

* For four or more units

**I note that the 50% building coverage was not included in Kāinga Ora's submission, however, this has been identified through subsequent analysis.

6.13 Examples of the two versions are illustrated in a basic 3D model in **Attachment E**, SK02 in plan and SK03 in perspective. These models illustrate a possible building bulk using the listed assumptions on SK03, rather than illustrating the envelope created by the bulk and location standards. This illustrates the potential for a greater number of 6 storey buildings on the existing sites in Figure 2 (KO version), rather than the more varied and limited outcomes on smaller sites illustrated in Figure 1 (S42A version). Some of the potential building shapes in Figure 1 are rather strange due to the impact of the HIRB (5m+60°).

6.14 Both versions have merit from an urban design perspective. However, the approach as set out in Ms Blackwell's statement would enable at least 6 storey buildings to be built along the street with the potential for a consistency of height and façade to the street, such as illustrated in **Attachment D**, SK05. This is a more 'urban' outcome not dissimilar to the form of taller buildings along high density outcome of Oriental Parade where buildings are close together and face the street with limited to no side interactions. The following examples in Sydney also

demonstrate where high density urban streetscapes have been developed.



Figure 3 – Bowden Street, Sydney (Google Streetview image)



Figure 4 – Bowden Street, Sydney (Google Streetview image)



Figure 5 – Timbrol Avenue, Sydney (Google Streetview image)

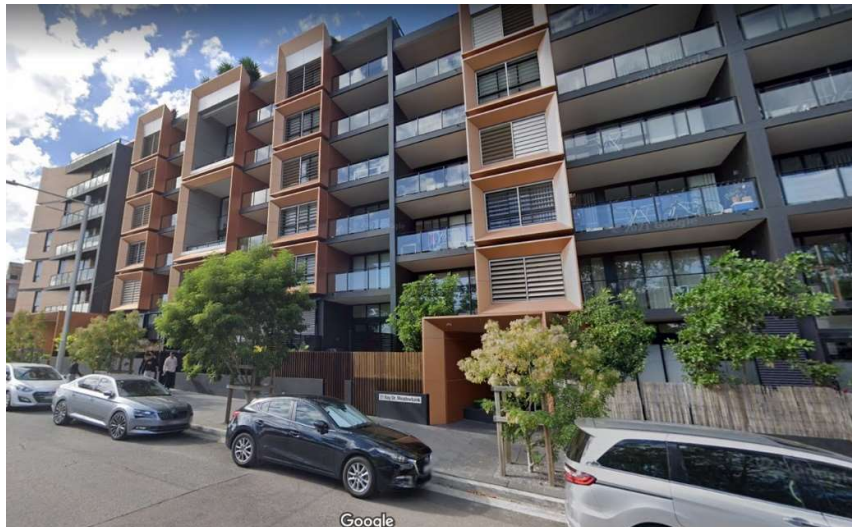


Figure 6 – Bay Drive, Sydney (Google Streetview image)

- 6.15 Is this a desirable outcome in the HRZ? In my opinion, it is, and it is also a good way to achieve taller buildings in the best locations where density can be encouraged while retaining some of the important aspects such as good outlook (not just the minimum), good sun access, and open space opportunities where trees and vegetation on a site can assist with amenity values, shade and stormwater management. It provides for a distinctly different outcome to the MRZ, which I consider is important to better support the objectives and policies and better achieve the NPS-UD direction.
- 6.16 A similar outcome is also enabled by the Section 42A version, where say the three sites on one side of the street in **Attachment D** SK04 are amalgamated and the internal HIRB would not apply, resulting in a

potential bulk in relation to the street as illustrated by the red line in Figure 7 below. The difference then is whether the stepped interface outcome is required at the boundary of such a development to a neighbouring property. I consider this unnecessary in the HRZ. The experience from a neighbouring site could still include that of a relatively tall building complying with the 5m+60° HIRB standard, just further from the common boundary, and may result in some additional sun access to the neighbouring site as illustrated by comparing the examples in **Attachment E**. The HRZ should provide an expectation that taller buildings will exist on adjacent sites and the interface should be in response to the higher density objective for the HRZ.



Figure 7 - An example of the bulk envelope (red line) of a site that is the result of amalgamating three sites, based on Attachment D, SK04 where the maximum height is not controlled by the HIRB (20m) and no internal HIRB control is applied.

- 6.17 I consider that the HRZ should be different to the outcome in centres where even more 'built' urban form should exist with vegetation provided in streets and open spaces. In centres, the provision of onsite landscape and open space is not expected.

- 6.18 The reporting officer's recommendation provides for an outcome that encourages more space or gaps in the built form at higher levels along streets where multiple developments occur. Applying this approach would result in an overall built form that encloses the street to a lesser degree – an outcome I consider to be less than ideal for a high density environment.
- 6.19 I consider the reporting officer's recommended approach could result in the same outcome as Ms Blackwell's approach (and my preferred approach) if that same street was developed by one party as one big development where the HIRB standards would not apply to the internal boundaries albeit 2m lower in overall height if compliant with the height standard. However, the likelihood of this being achieved is relatively slim due to the need to amalgamate sites.
- 6.20 I discuss the site coverage issue below as it has less impact on the streetscape outcomes.
- 6.21 Many other different forms are also enabled by either option, including single storey detached houses in the HRZ, which arguably do not achieve the objective of 6 storeys for the HRZ.
- 6.22 I consider the standards need to be selected based on providing the most appropriate methodology to manage or achieve the outcome, rather than defining the outcome.

7. DESIGN STANDARDS

- 7.1 If it is considered that the planned urban built character of the HRZ is a high density zone, with a high bulk and scale of buildings as proposed by Kāinga Ora more akin to the Sydney examples above, the development standards need to be designed to achieve this outcome.
- 7.2 I refer to Appendix 2 to the Section 42A report that incorporates the amendments from the reporting planner in red. I understand this Appendix 2 includes all provisions.
- 7.3 I consider the development standards as recommended by the reporting officer would achieve a lower density / lower bulk outcome and do not support the planned built outcome.

- 7.4 It is somewhat difficult to develop standards without confirmation of the outcome sought. However, I discuss below each of the standards that Kāinga Ora has sought to change, assuming the higher bulk option is favourable.
- 7.5 I support Ms Blackwell's recommendation to provide a separate, stand-alone District Plan chapter for the HRZ, as I found trying to work through the GRZ and HRZ chapters as proposed by the IPI very confusing as to what is relevant.

General Height Standard in HRZ

- 7.6 The Section 42A report recommends a permitted height standard of 20m (HRZ-S2) and does not enable any specific height control overlay to apply. I agree that 20m would enable a 6 storey building with an average floor to floor height of 3.33m. 20m does not support flexibility for elevated ground floor levels and roof forms without compromising internal ceiling height.
- 7.7 I have been using a 3.6m floor to floor height as an average measure that enables greater flexibility which for 6 storeys is 21.6m and rounded up to 22m. It could also be rounded down to 21m and provide a slightly greater height than the reporting officer is recommending. Greater flexibility is more important on steeper sites and the areas in Upper Hutt are very flat. However, additional flexibility provides an envelope within which to design a building without non-compliance for height. Many sites will unlikely be able to propose a building to this height without breaching the HIRB as recommended by the reporting officer, however where they can, the opportunity should not be unduly constrained to enable density and design quality outcomes.
- 7.8 The impact on sun access of the additional 2m sought by Kāinga Ora together with the other standards can be compared by referring to

Attachment E, where an example block has been modelled using the envelopes created by the standards of the two versions.

- 7.9 The standards need to be considered as a package, and the analysis of these suggests the KO version results in a greater area of a site receiving sun throughout the day.
- 7.10 It must be noted that this is only one of many outcomes as the built form could be located at various parts of the site.
- 7.11 I support 22m, and this is recommended for the equivalent high density residential zone by the Hutt City reporting planner. I consider there is no reason why a different height standard should apply across the Hutt Valley.

Additional Height in HRZ

- 7.12 I support the application of additional height in the HRZ relative to centres as sought by Kāinga Ora, and in this case by applying additional height around the Upper Hutt City Centre based on the principled approach of 10 Storeys (36m) within a 400m walkable catchment. This will provide for a transition from the unlimited height of the City Centre Zone to the HRZ height of 22m as sought by Kāinga Ora. I support a reduction of the height and extent of the HRZ compared to the Kāinga Ora primary submissions to 36m within 400m of the CCZ. This is shown as a red hatch on maps 5 and 6 of **Attachment C**.

- 7.13 The alternative HIRB would restrict taller buildings using the 36m height overlay as illustrated in **Attachment D**, SK08, however, it enables some additional height which may be more suitable to larger sites where the HIRB restriction has less impact.
- 7.14 The application of the HIRB standard in conjunction with the height standards are required to be considered together as the outcomes sought by additional height, are unlikely to be realised with a restrictive HIRB standard such as recommended by the reporting planner.
- 7.15 Kāinga Ora now considers Silverstream and Trentham have a role and function akin to Local Centres. I support this position and this is reflected in the extent of the HRZ sought in the maps in **Attachment**

C. I discuss the expansion of the centre zoning at Silverstream in Attachment B.

- 7.16 I note that the IPI UFD-P2 and HRZ-P7 sought to provide / enable building heights up to 26m in the HRZ, however, the Section 42A recommends adjusting this to 20m, and relies on the matters listed in HRZ-S2 for assessing buildings over 20m.
- 7.17 I understand that Council's intention is to enable additional height in the HRZ and this should be controlled via a consent process which I agree with, however, the policy direction does not provide guidance on where this should be located.
- 7.18 The concept of using a height variation control around the city centre is a different method which directs where additional height is appropriate and to encourage greater density at these locations. This provides a clear envelope for which a development can be designed, and does not assume it is a permitted activity for a building of this height. I note that I do not support a permitted activity status for buildings in the HRZ for more than three units per site (as recommended in S42A - HRZ-S5 for up to 6 units), and RD activity status should apply for four or more units per site with matters focused on building and landscape design.

HIRB Alternative in HRZ and Building Coverage

- 7.19 The reporting officer has recommended a HIRB standard of 5m+60° applies to any building on a site, except at the road frontage, internal boundaries, or where a common wall exists or is proposed. This is too restrictive in my opinion as discussed above.
- 7.20 The reporting officer concludes that the Kāinga Ora requested amendments "*to HRZ-S3 would significantly increase the level of permitted development in proximity to other existing residential buildings*" and considers "*this approach overlooks the potential effects on existing residents within the HRZ*"⁸.
- 7.21 I agree that buildings of this scale should not be permitted activities and Appendix C to Ms Blackwell's statement provides for such activities with a RD status (HRZ:R1 2). The alternative HIRB standard

⁸ S42A report para 465

applies to more than three units as listed in (HRZ:S2 2) (noting an error in the standard).

- 7.22 This is to enable assessment of the design of the proposed building, which could be declined even if it complies with the standards. It does not prevent taller buildings from being located alongside other existing dwellings but provides clear direction that with a well designed building, this scale and form could result.
- 7.23 The adjustments proposed to HRZ-P7 in Ms Blackwell's Appendix C, are important to provide clear direction on the issues when assessing such a proposal. These include the consideration of context, which I expect would require consideration of the existing neighbours and the impact a development may have on any future development of a neighbouring site to the extent possible. I would expect an assessment to include justification for the proposed building location on the site and why it is designed the way it is in response to the context.
- 7.24 I agree that the alternative HIRB provision will enable bigger buildings adjacent to existing dwellings, and this is a step change in the planning for the urban fabric.
- 7.25 NPS-UD Policy 6 requires decision makers to have particular regard to the planned urban built form, within the IPI in this case, and that this could include significant changes to an area which may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities and future generations.
- 7.26 The urban form and density opportunity required by the NPS-UD should be prioritised recognising that amenity values of existing residents in the HRZ will change, and in this case, it requires *at least* 6 storey buildings in *at least* the identified walkable catchments.
- 7.27 The framework proposed by Ms Blackwell enables consideration of existing context and design in response. My recommendation of reducing the building coverage from 70% to 50% is in response to considering the impact of greater building bulk on neighbours. Boffa Miskell undertook an analysis of various options of HIRB and site

coverage included in Appendix E to the S32 report, however, this did not assess the Kāinga Ora alternative proposed and no further advice is provided by Boffa Miskell on this. The reporting planner does not articulate what he considers is “*such a high level of potential adverse effect on neighbouring residential sites*”, or why this would be contrary to the HRZ objectives.⁹

- 7.28 Modelling undertaken by my team demonstrates that the HIRB standard is the main height controlling provision in achieving taller buildings on existing narrow sites, rather than the height standard.
- 7.29 The modelling shows that to achieve 6 storeys applying a HIRB of 5m+60°, a site width of 18.51 (minimum) is required. However, this assumes only a 3.5m minimum wide top (6th) floor, or the width of one bedroom, 3.0m floor to floor heights, and where eaves and gutters can be included within the HIRB. This is illustrated in **Attachment D**, SK06, Example 4.
- 7.30 Other Councils in the region have proposed to increase the HIRB standard for more than three units in the HRZ (equivalent) to 8m+60° in some cases, in order to enable a greater building bulk for a higher density outcome. Auckland Council has proposed a 19m+60° HIRB in the Terrace House and Apartment Zone, being the equivalent to the HRZ, while Christchurch City has proposed 14m + 60°.
- 7.31 Considering the building forms three-dimensionally, the 5m+60° or 8m+60° HIRB options promote a building form that exists down the length of the site, potentially with balconies to the sides where they could fit in the steps of the vertical walls and the HIRB envelope, or to the rear of the site.¹⁰ This is not a great outcome particularly as it limits the extent to which passive surveillance opportunities over the street are enabled and encourages overlooking to neighbours along side boundaries.
- 7.32 Whilst these examples provide for 6 storey buildings on a site, it is anticipated that a number of sites would be amalgamated to enable a reasonably sized apartment building where the HIRB standards would

⁹ S42A Para 465.

¹⁰ Refer Attachment D, SK06.

not be so restricting. However, this will depend on individual developers' ability to acquire sites and aspirations. Alternatively, smaller developments might result on individual sites where the ability to achieve 6 storeys is more limited.

- 7.33 The Kāinga Ora 19m+60° along all boundaries within 21.5m from the frontage and 8m+60° along all other boundaries easily enables 6 storeys on the same width site as the example set out above but fronting the street.¹¹
- 7.34 In my opinion, this is a good form for 6 storey buildings as it allows the building to orientate to the street at all levels, resulting in a well-defined street edge which would assist with streetscape enclosure and create an urban streetscape. These provisions would also enable good three level buildings and assist in achieving higher density on smaller sites, which could be achieved by a larger range of people.
- 7.35 The building can also orientate to the rear yard where good outlook over its own site is enabled with no need for side windows or side outlook orientation minimising potential privacy issues, and could easily enable frosted windows and detailing of the side façade which should be considered as part of the overall design. The outlook to the rear boundary in this example would be 13.5m, and if this form and site were repeated as a flip to the rear, a generous 27m separation between buildings would be achieved. This would provide excellent privacy separation, daylight and sunlight.
- 7.36 I note that the length of 21.5m along side boundaries where the 19m+60° applies is slightly different to Kāinga Ora 's submission for similar standards in other Councils, such as 20m in Porirua, and 22m in Lower Hutt. I am not aware of the reason behind the difference, other than due to variations in where front yard set backs were proposed. I consider that a consistent standard should be used and I recommend 21.5m as this would enable a 20m building depth with a 1.5m front yard setback. The diagrams in **Attachment D** use 21.5m.
- 7.37 I recommend that the alternative HIRB needs to work with a reduced building coverage standard of 50% to manage total building bulk

¹¹ Refer Attachment D, SK07, Figure 6.

relative to neighbours and to encourage development to the front site where greater bulk can be achieved. The total building envelope would be more enabling, however, the design process would need to determine the best location for bulk and design of the resulting building where only part of the envelope could contain built form complying with 50% building coverage.

- 7.38 This recommendation has derived from my initial analysis of the 19m+60° HIRB proposed in Porirua. That analysis found that with an effective 80% building coverage, most of the site could be covered with buildings except for the yards, and on small sites (circa 500m²) the yards provided enough open space to enable compliance. The yards do not provide quality open space that assists with providing amenity for the development.
- 7.39 The Kāinga Ora HIRB submission of additional bulk to the front of the sites which together with the 80% building coverage and bulk proposed under the notified plan added to the impacts on neighbouring properties, particularly sun access and overall appreciation of building mass which was considered unreasonable.
- 7.40 By considering a reduced building coverage together with the Kāinga Ora HIRB the benefits of enabling greater bulk to the street boundary from an urban form perspective, also provided good sun light access to the site and neighbouring sites while ensuring good open space provision was enabled along with providing outlook over the same site, rather than over neighbouring sites. The modelling we undertook of the 70% building coverage recommended by the reporting planner for Upper Hutt as illustrated in **Attachment E** SK02 Figure 1, confirms my earlier findings.
- 7.41 I consider that the 19m+60° HIRB used together with a 50% building coverage standard is a useful mechanism in achieving a good quality urban form (not suburban) which encourages buildings to the street frontage and better enables 6 storeys on a greater number of sites to achieve Objective HRZ-O2 (as proposed by Ms Blackwell) specifically.
- 7.42 Buildings along the full length of the side boundary could still result, similar to the Council's option, and with more height opportunity generally and at the front of the site. The alternative option could result

in a greater impact on a neighbouring site than the reporting officer's recommendation if a development were to locate a building along the entire length of one side boundary, excluding the yards, due to the increase from 5m+60°, to 8m+60°, in addition to the 19m+60° at the frontage. Assessment criteria could include how the design responds to neighbouring outdoor space and encouraging building to the front and minimising overlooking to neighbouring properties.

- 7.43 **Attachment E** includes an example of possible outcomes using both options where the impact on sun access can be compared. As one would expect, the Kāinga Ora version restricts sun access to a greater extent than the reporting officer's recommended planning framework.
- 7.44 The Kāinga Ora version provides good sunlight access to both the front of these sites and the rear yards, but at different times of the day, particularly with a limitation on building coverage. I do not consider the restricted sun access resulting from the Kāinga Ora version to be inappropriate. However, this should be a matter for consideration through the consent process where the location of the building elements and design of the building can best achieve these outcomes.
- 7.45 This alternative HIRB standard and the 50% building coverage will not prevent buildings occurring towards the rear of the site, the same as the Council's option. However, this could result in lower building height to the rear and less bulk at the front due to a reduced footprint, unless it is a perimeter type building with open space in the centre of the site.
- 7.46 I note that additional building coverage could also be achieved through a consent process where the impact of additional bulk can be assessed as provided for in HRZ-S4.
- 7.47 When the different HIRB options are considered in a street, the images in **Attachment D**, SK03 to SK05 illustrate the different outcomes between the Council's MRZ (11m and 4m+60° HIRB), the Council's option HRZ (20m and 5m+60° HIRB), then the Kāinga Ora version (HRZ - 22m, 19m+60°HIRB) respectively for development on each site individually.

- 7.48 The main difference between the HRZ examples, is that less built form would be expected next to a neighbour with the lower 5m+60° option and would restrict the potential scale of buildings on any site compared to the 19m+60° option. Greater bulk experienced by a neighbour is not necessarily an adverse effect, rather a different impact.
- 7.49 While I acknowledge that the images in **Attachment D** are of a building envelope created by the standards and do not include architectural design responses or balconies or open space or outlook considerations, I consider they appropriately illustrate the contribution to the streetscape that these different forms provide. SK05 illustrates an urban streetscape with a well defined and enclosed street. While SK04 appears to be more interesting through varied roof forms. The Kāinga Ora version will likely result in varied roof forms and façade design and appear less of a consistent block.
- 7.50 The 3D views of the models (figure 2) in **Attachment D** SK04 and SK05 illustrate an interesting difference in built form enabled by the two versions, where SK05 provides for a more perimeter block outcome with open space to the centre, as opposed to SK04 where there is no real appreciation of open space.
- 7.51 To summarise, in my opinion, using the 19m+60° HIRB with a 50% building coverage results in a superior built form outcome as it would:
- (a) Ensure 3 to 6 storey developments can occur to a greater extent than the reporting officer's recommendation (i.e. a greater number of, and on smaller width sites);
 - (b) Encourage a built form to orientate to the street which is a desirable outcome in the HRZ;
 - (c) Assist in providing the opportunity for apartments to be designed so they can overlook the street or rear yard (rather than to side boundaries);
 - (d) Provide for inactive side relationships between buildings without the requirement to step down to an existing lower dwelling;
 - (e) Provide good sun access;

- (f) Provide a balance of open space which can add to the amenity of the development including good outlook and privacy where trees could thrive;
- (g) Enable buildings taller than 6 storeys to establish on narrower sites than using a 5m+60° HIRB.

7.52 The main difference between the reporting officer's recommendation and the Kāinga Ora alternative as experienced from a neighbouring property, is that the Kāinga Ora alternative will enable a greater built form closer to their common boundary, particularly at the front part of the site. However, the NPS-UD expects that the existing amenity values will change,¹² and I consider that experiencing a larger building adjacent to an existing dwelling in the HRZ is consistent with the high density planned outcome.

7.53 The standards are important methods for achieving the objectives and policies and provide expectations that spatially define the planned urban built character. I do not consider it appropriate to rely on a resource consent process to achieve bulkier buildings on a site using the reporting officers recommended 5m+60° HIRB as a starting point.

7.54 As an alternative, it could also be beneficial to apply the 4m+60° HIRB to development in the HRZ along boundaries with the MRZ to assist in managing those interfaces and reducing the impact on sites where more limited opportunity exists.

8. COMMERCIAL AT GROUND FLOOR

8.1 Kāinga Ora sought to introduce a new rule at HRZ:R5 as proposed by Ms Blackwell to enable ground floor commercial activities at the base of apartment buildings, limited to not more than 200m² GFA with operational time restrictions.

8.2 I support this change as:

- (a) The design and use of the ground floor of apartment buildings is the most important aspect of such a development where they interact with the street or open space;

¹² Policy 6 of the NPS-UD.

- (b) Commercial activity at the ground floor is a good way to avoid potential privacy and amenity issues associated with residential at ground floor;
- (c) These activities can provide meeting locations for residents and others in the neighbourhood, and can assist with live-work opportunities and the supply of daily needs;
- (d) The commercial activity can add to the activity at the street level, provide interest along the street which supports walkability.

8.3 Commercial activity should be enabled and encouraged, and the proposed changes specifically provide for this at ground level of an apartment building with a maximum permitted gross floor area. The proposed wording acknowledges that any commercial activity will be ancillary to residential activity and at a location where it is best suited to avoid effects on the residential environment. It has the potential to provide positive effects on the street amenity and for residential users of the site.

9. DESIGN GUIDELINES

9.1 I understand that the Section 42A report supports the design guides as notified.

9.2 Upon reviewing the Medium and High Density Design Guide, I found that they are not fit for purpose for guiding development in the HRZ, and I would say they need to be updated for the MRZ also.

9.3 I do not plan to list all issues or try to recommend specific changes, rather I provide the following comments to identify the types of issues identified:

- (a) I am concerned with the S42A HRZ-P6 "*Provide for and encourage medium and high density residential development that is consistent with the Council's Medium and High Density Design Guide in Appendix 1*". What does it mean by consistent? The issues or design objectives / outcomes

should be in the policy framework, enabling assessment assisted by the guidelines to be undertaken.

- (b) The matters for assessment for non-compliance with a standard include reference to the matters in the design guide, however these matters are not specially listed. For example, non-compliance with height standard or HIRB standard – does this only require assessment against 6.2 built form and design “building mass and height” 32 to 37?
- (c) The typologies listed are not consistently used throughout the guide and there appears to be little relevance of listing these as some sort of definition. The multi dwelling housing / town houses, and multi unit dwelling, and high density / apartments are confusing, particularly as a multi unit dwelling could also be a high density / apartment.
- (d) The guide includes a heading “*Mixed Use*”, but that is not part of the typologies.
- (e) The details included in the high density explanation in red at the bottom of page 3 of the Design Guide are not consistent with the provisions of the IPI as they include permitted up to 24.5m height (standard is 20m see Section 42a version) and for more than four units, where it should be four or more.
- (f) It is unclear how the design principles matrix on page 5 of the Design Guide is intended to work. I would expect that access and car parking is critical to the future context of the streetscape, yet it has no mark to suggest it is required for consideration.
- (g) The text should be carefully reviewed to ensure simple, clear guidance. As examples, the text in the blue box headed “Setback and Frontage” on page 6 of the Design Guide mixes the relationship with adjoining public space with effects on adjoining sites (assuming a private neighbouring site). The two issues are separate and should have separate guidance.

- (h) In guide 3, front yards should be kept to a minimum, but then goes on to talk about the different functions. It does not guide how to address the front boundary, or provide privacy for units that might only front the street for example.
- (i) In guide 4, the suggestion to set back the upper storeys of a building of three or more storeys to maintain a human scale at ground level and increase privacy for upper storey units is concerning. It is generally accepted that streets with 6 storey buildings without setbacks can have an appropriate human scale (think Paris which is a 6 storey city). It makes little sense that privacy for the upper units would benefit from such setback. If such an outcome is desirable or required for a particular reason, it should be articulated as part of the planned built form and managed by a standard. Many of the section illustrations included in the design guide have these suggested upper level setbacks. This would push building form further back in the site and create building complexities around water tightness which adds cost and while is an option it is not necessary. A repetitive building floor plate is desirable from a cost and construction simplicity perspective.
- (j) The frontage section does not require consideration of the streetscape context, for example providing no mention of building grain in response to existing patterns in the street. When is it appropriate to set a building back, or should it align with other elements neighbouring it? The front yard should also ideally be a meeting place.
- (k) Guide 7 is clear and a proposal with parking in the front of a building would not be supported. Guide 11 then suggests landscaping is used to prevent car parking dominating views from the street. A highly vegetated or fenced edge to the street (noting fencing is landscaping) is not desirable either, but given parking in the front of buildings is not acceptable, does this guide relate to parking to the side of a building that might be visible from the street?

- (l) While the blue box talks about the impact of vehicle access on façade design, there is no guidance on this issue.
- (m) Diagram 4 on page 8 illustrates a driveway material crossing the public footpath along the street. This is an unacceptable outcome to be recommending in a guide. The pedestrians have priority, and the footpath surface should be continuous over which a car crosses over.
- (n) Guide 32 refers to physical dominance, however this is typically referred to as visual dominance. It is unclear when a building might cause shading or privacy effects and do they differ between the zones? Do these aspects need to be minimised if complying with height and HIRB? It could be more beneficial to discuss what might influence the location of building mass on a site, and how this may respond to key spaces on a neighbouring property that are more important for addressing privacy and sun access.
- (o) Guide 33 and 34 repeats the guide to set back buildings from the street which is unnecessary in the HRZ. What is the issue with building bulk in the HRZ? Why should it be minimised? What should the mass respond to?
- (p) The themes identified could be applied through the rest of the guide and apply to the guide for commercial zones.

10. CONCLUSIONS

- 10.1 In conclusion, the IPI proposes a good response to the NPS-UD in terms of enabling intensification with a suitable relationship to centres and RTS stations, and I recommend some additions / changes to zoning in key locations particularly linking the open spaces along the Hutt River and along the key arterial of Fergusson Drive. I therefore partially support the Kāinga Ora submission which included significantly more area zoned HRZ. The classification and performance of the centres is a key driver for enabling intensification around them, and these have been considered in a regional context.

- 10.2 The proposed planning provisions for the HRZ should be in a separate chapter and I prefer that proposed by Ms Blackwell.
- 10.3 The planned urban form of the HRZ needs to be clearly articulated in the objectives and policies, and design guides can then assist assessment of proposals as to whether they achieve the policy direction.
- 10.4 The design guides as drafted are not fit for purpose and I recommend revision if they are to be used.
- 10.5 Please refer to the executive summary where I have summarised my key findings and recommendations.

Nicholas J Rae

19 April 2023

ATTACHMENT A – LIST OF RELEVANT EXPERIENCE NJ RAE

- (a) Assisted Kāinga Ora with urban design advice and evidence to hearings panels on the intensification plan changes for Wellington, Porirua, Hutt and Kapiti Coast Councils.
- (b) Proposed New Plymouth District Plan – Assisted Kāinga Ora following submissions with analysis, and advice and provided evidence to the hearings panels on the topics of viewshafts, residential, commercial and mixed use zones and zone application.
- (c) Plan Changes 51 and 61 to the Auckland Unitary Plan (“AUP”) – reviewed the proposed private plan changes for Drury West and provided evidence to support submissions with regard to consideration of Town Centre, Local Centre, Terrace House and Apartment, and Mixed Housing Urban zones near a proposed new rail station in the Drury growth area.
- (d) Central Hawke’s Bay District Plan - I have provided evidence to the Proposed District Plan relating to intensification provisions.
- (e) Plan Change 26 in Tauranga City –assessment of the proposed intensification in the Te Papa peninsula in Tauranga city in regard to the existing viewshafts that seek to retain views to the Mauao (Mt Manganui).
- (f) Plan Change 67 to the AUP – assisted with drafting changes to an existing precinct applying to approximately 200ha of land in Hingaia Auckland, and providing evidence to an independent hearing.
- (g) My team and I currently provide a design review role for residential proposals in a new subdivision in Hingaia, Auckland against developer led design guidelines.
- (h) Proposed Queenstown Lakes District Plan Appeal for Jack’s Point, providing advice and draft evidence to the Jack’s Point Residents and Owners Association regarding landuse classification (effectively a precinct) in the Village which included reviewing the Comprehensive development plan and design guidelines. Resolved prior to hearing.
- (i) Proposed Auckland Unitary Plan - I provided evidence to the Independent Hearings Panel hearings on the proposed AUP for private land holders.

- (j) America's Cup Resource consent – I provided advice and evidence on behalf of resident groups in the Viaduct Harbour in relation to the visual effects of the proposed America's Cup development proposed. This included consideration of the effect on lower order views along streets and within the Viaduct harbour.
- (k) Plan Change to rezone the western side of the airport at Frankton (Queenstown) – This involved providing advice and evidence on behalf of a submitter on the importance and management of views to the Remarkables mountain range.
- (l) Kingseat – Proposed concept plan to support submissions on the then Franklin District Plan Rural Plan Changes, which was followed closely being involved in the AUP processes. This considered a wider area of land than originally proposed at a scale that would better provide for and support the local community with retail and school provisions. It suggested different commercial centre locations and roading networks along with some light industrial and residential zones. The concept was not taken up at that time.
- (m) Clarks Beach – Proposed masterplan, Precinct plan and zone provisions and evidence to support a Special Housing area proposed for 50ha of land in the then Future Urban Zone to the eastern end of the existing development at Clarks Beach. This included proposed new road alignments, comprehensive open space networks also providing for a new 'stream' and coastal outfall and coastal rehabilitation, a neighbourhood centre and a mix of residential opportunities. Approximately half of this is consented and of that 4/5ths of the subdivision has been constructed.
- (n) Silverdale South – Proposed an alternative development pattern and land use (a mixed use and residential outcome proposed) for the area known as PC123 to the Rodney District Plan which was approved, and then included into the AUP as a General Business zone and Mixed Housing Urban zone. This is land to the south and east of the Silverdale Busway station and park n ride facility. Significant development work is underway with many houses built along with commercial development constructed and consented. The Botanic Retirement village is now part of this

development, providing for around 500 units south of the park n ride. I assisted with the design and consenting of that development.

- (o) Kumeu Town Centre – Masterplan, Precinct plan and provisions to support an application for a private plan change in Kumeu. This has resulted in a Town Centre zone and Mixed Housing Urban zone to the north east of the State Highway 16 and railway. Much of this is under construction, including buildings I have been involved with from a design perspective.
- (p) Takanini Town Centre (east) – Masterplan, Precinct provisions and evidence to support opposition to a Council Plan Change proposing the land at 30 Walters Road to be residential. This has resulted in a Town Centre zoning through both the original plan change and the AUP process consistent with the structure plan. The structure plan included a train station (new Takanini station) abutting the land, however no station has resulted even following the developer offering to build the platforms. The land has been developed and is largely retail with some medical, offices and real estate agents. The development won a Property Council award in 2015.
- (q) Rototuna North Centre – I was involved with the design of this centre for the landowner along with the provision for residential and interfaces with the proposed Waikato expressway. I have not been involved with the more recent zoning and consenting and implementation of the centre.
- (r) Whilst not involved from a plan change perspective, I have assisted with the development of retail at Te Atatu Town Centre.
- (s) Rotorua Central – I provided advice to the master planning work for the redevelopment of Rotorua Central which is a large block of land to the south of the Rotorua town centre.