BEFORE THE DUNEDIN CITY COUNCIL

IN THE MATTER OF	Land Use Consent Application to construct and operate a commercial residential development by NZ Horizons Hospitality Group Limited.

STATEMENT OF EVIDENCE OF GRAEME ROBERT McINDOE
Urban Design
24 July 2017

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INTRODUCTION

1 My name is Graeme Robert McIndoe. I am a registered architect and qualified urban designer with 34 years professional experience. I am a director of specialist urban design consultancy McIndoe Urban Ltd.

2 I am a fellow of the New Zealand Institute of Architects. My urban design qualifications are a Master of Arts, and a Diploma with distinction, both obtained in 1985/86 while a Commonwealth Scholar at the Joint Centre for Urban Design, Oxford Polytechnic; a BArch with first class honours; and a BBSc (Bachelor of Building Science). I taught urban design history, theory and methods, and urban and architectural design studio during my 17 years from 1992 in a part-time position at Victoria University of Wellington's School of Architecture.

3 My relevant experience includes various urban design advisory appointments across New Zealand; extensive experience in relevant project types; consultancy to the Ministry for the Environment on national level projects; and decades of experience in design review and providing expert evidence. This is covered in more detail in Appendix 1.

4 I have read and am familiar with the Code of Conduct for Expert Witnesses in the current (2014) Environment Court Practice Note. I agree to comply with this Code of Conduct in giving evidence to this hearing and have done so in preparing this written brief. The evidence I am giving is within my area of expertise, except where I state I am relying on the opinion or evidence of other witnesses. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed. I understand it is my duty to assist the hearing committee impartially on relevant matters within my area of expertise, and that I am not an advocate for the party which has engaged me.

5 In preparing this evidence I have reviewed the following documents:

(a) Resource consent application and relevant appendices;

(b) The Council's section 42A report:

(i) Appendix 3: Submissions received and associated summary table;

(ii) Appendix 4: Summary of matters raised by submitters – LUC-2017-48 & SUB-2017-26;

(iii) Appendix 5: Internal Staff Reports;

(iv) Appendix 6: Consultant Urban Designer's Report; and

(v) Appendix 7: Draft Conditions of Consent.

(c) The briefs of evidence for the Applicant, from:

(i) Mr Compton-Moen: Urban design, Visual Amenity;

(ii) Mr Wilkinson: Retail.

(d) The briefs of evidence from Graham Taylor and Andrew Carr on behalf of Millennium and Copthorne Hotels Limited (MCHL); and

(e) The relevant planning documents.

6 I have visited the site and undertaken a field study of Dunedin's city centre and areas around, and have visited all but one of the station points in the Paterson Pitts photomontages.

7 My evidence is presented on behalf of Millennium and Copthorne Hotels Limited (MCHL), a submitter in these proceedings.

SCOPE OF EVIDENCE

8 My evidence addresses the following effects primarily arising from the height, form, and design and appearance of the proposal:

(a) Townscape;

(b) Visual effects;

(c) Shading;

(d) Podium and street edge design and activation;

(e) Architectural approach and quality;

(f) Necessity for the proposed building height; and

(g) Appropriateness of proposed conditions.

9 I cover the description of the proposal and relevant project and context description, and where relevant comment on the evidence of others, in the discussion of each effect.

EXECUTIVE SUMMARY

Summary

10 There are multiple adverse urban design effects of the Proposal which I categorise as severe. The outcomes of authorising the Proposal are not consistent with an acceptable urban design outcome, nor with District Plan urban design expectations. Specifically:

(a) The Proposal is over-scaled, leads to major adverse visual and shading effects, and does not fit within its townscape context.

(b) I consider some individual effects to be 'significant', many to be 'unacceptable', and therefore cumulatively, the effects overall to be unacceptable.

(c) The mitigation methods proposed by Mr Compton Moen will not mitigate the visual domination effects of the proposal.

(d) Detailed conclusions on these matters are listed in the executive summary which follows.

Townscape

11 The Proposal is differentiated from its context in three major ways being contrasting height, façade type, and plan alignment. Conspicuously greater height is the primary matter of concern, with the degree of contrast with context exacerbated by façade type and alignments.

12 My analysis confirms that while the immediate context for this Proposal is characterised by diversity, the tower podium hotel proposal is well outside the boundaries of that diversity, an outlier in terms of height, façade type, and wall alignment. Each one of which is significant, but all three of which mean that this Proposal has a notable singularity, contrast with, and lack of positive relationship to its context.

13 The Proposal is not consistent with the values and objectives identified in the Townscape section of the District Plan for the precinct in which it is located.

Visual Effects

14 The visual effects of the Proposal are severe and 'unacceptable' as the tower:

(a) Fills a relatively high proportion of the visual field in medium and short range views;

(b) Visually dominates its setting and is dominant in views along the street;

(c) Breaks the skyline to an unusual degree and notably contrasts with the height of its neighbours due to that;

(d) Dominates to the point of visually marginalising St Pauls Anglican Cathedral and the Town Hall; and

(e) These adverse visual effects cannot be remedied or mitigated.

Shading

15 The cumulative effects of shade cast by the Proposal are severe, being an accumulation of adverse effects on public and community facilities such as the Octagon, St Paul's Cathedral and the grounds of Otago Girls High School, and on private facilities such as the Kingsgate Hotel and some residential properties to the west. Specifically:

(a) The effect of shading on the Octagon will be in and around mid-winter, and will be significant considering its status as the primary and defining urban public space in the city. A high proportion of the remaining sunny space within the Octagon that will be shaded during the mid-afternoon.

(b) Shading of some residential properties to the west is fleeting, and limited to the mid-summer, so in general terms is minor. Shading effects on some individual dwellings might be more than minor.

(c) The Proposals shading impact on the Kingsgate Hotel is severe. This is because it casts a significant area of shade for the major

portion of the year variously over all or a significant portion of the main façade, and it impacts at that time of day when the rooms are likely to be occupied.

(d) At mid-winter, the Proposal shades the north-east facing side of the Cathedral for a significant proportion of the afternoon and will compromise the amenity of the interior and the Memorial Garden. Balancing the relatively short duration of these effects with the significance of the Cathedral to the city and the community, this adverse effect is 'more than minor'.

Podium, street edge design and activation

16 The combination of the absence of a hotel front entrance directly to the street (and convolution of entry for pedestrians accessing it); the likely challenges of establishing viable tenancies; the presence of two floors of carparking above the street edge; and the lack of design description and resolution, leads me to conclude that this Proposal delivers an unacceptably poor edge to the street.

17 The mitigation measures suggested by Mr Compton Moen in this regard will not be effective in resolving these issues.

Architectural approach and quality

18 Architectural merit demands both elegant form-making and appropriate relationship to setting in every way. A critical challenge is whether this building is suitable in this setting. For reasons relating to height, plan alignment of the tower, and materiality I consider it is not.

Necessity for the proposed building height

19 There are alternative configurations and forms for a hotel of around the size proposed on this site, which do not compromise the city in the way that this Proposal does. Initial calculations show that alternatives for a hotel (excluding apartments) might, depending on brief and design, be from 6 to 8 storeys high, rather than 16 storeys as proposed.

Appropriateness of proposed conditions

20 Following on from my concerns on the effects of building height including shading, and form and design in relation to context, I consider the proposed Council conditions are insufficient and unsupportable in that they do not address the fundamental issues arising from the Proposal.

THE PROPOSAL

21 The Proposal is for a 16 storey hotel and apartment building with seven floors of 30 hotel bedrooms (for a planned total of 210 rooms), plus five levels below that including two levels of parking/ staff area, and the lowest level being back of house. There are four levels of apartments at the top of the building. The building is proposed to rise up to 5.8 times the operative permitted height, and has a lightly tinted green glass curtain wall.

SITE AND SURROUNDING ENVIRONMENT

22 The site is close to but above and to the north of the Octagon, at the edge of the inner city interface with residential. Building heights, types, forms and styles are varied, although the broader area has a recognised distinctive character based on the predominance of buildings of a certain age, materiality, and style.

23 St Paul's Anglican Cathedral, the Dunedin Town Hall, and the Dunedin City Library are located across Moray Place and to the south and south-east of the site. St Pauls Cathedral presents its chancel to Moray Place and its front entrance is to the Octagon. The main entrance to the Town Hall is from Moray Place and a related north-facing entrance plaza, and there is also an entrance to the cinema here. The library is set back from the street edge, also behind a paved and planted area and its front entrance is off Moray Place further to the east.

24 A small two storey brick house is located at the corner of Moray Place and Harrop Street. The Kingsgate Hotel is located above and to the west of the site. The area to the north-west is zoned residential, but with a mix of activity and building types, although buildings within this are generally of a domestic scale.

EXTENT OF INFORMATION SUPPLIED

25 The analysis of height related effects provided by the Applicant is much less than in my experience is usual for description of a project of this type, and certainly one with the height related effects of this Proposal. It is standard practice to provide information that fully describes matters relevant to the effects generated by a proposal and in this case that should include:

(a) Multiple images from a three-dimensional model that can provide views of the building in its context, and show it relative to the scale and form of other buildings in the city centre. Such images would supplement the photomontages supplied.

(b) Graphic analysis of context covering townscape and urban form related matters relevant to the application. To inform my assessment I have produced such a plan analysis in my Appendix 2.

(c) For every photomontage viewpoint, an image of the existing view (with the permitted height indicated) to allow comparison with the photomontage of the proposal and to demonstrate the extent of change.

(d) Precise correlation between the Applicant's photomontages and the urban analysis of view effects, without which the Applicant's urban design analysis cannot be independently assessed or verified.

(e) Given the significant effects of shading on residential properties to the west and the Kingsgate Hotel, comprehensive shading diagrams that show the full extent and duration of shading to the affected properties, including identifying precisely the dates when shade effects occur.

(f) A comprehensive design description of the base of the building and how it relates to the street, including cross sections and drawings of the detail of the lowest five floors of the building. The description provided is in my opinion incomplete, and for example does not describe the nature of the 'Boundary Structure', or the configuration of the Level 1 retail edge, noted

as pharmacy, magazine, coffee tenancies on the Moray Place elevation.

26 In addition, assessment of the effects of the over-height buildings should be informed by the relationship to the permitted height, and it is noted that is not defined in most of the material provided.

27 This notwithstanding, while the effects are not comprehensively described so that all implications are readily apparent, I consider there is enough information to demonstrate the magnitude of major effects and to allow firm conclusions to be drawn on the Proposal.

28 Following from the above, I do not consider the photomontages marked up by Mr Falconer to show different height thresholds provide sufficient information to allow the effects of different heights to be appropriately determined. This is because:

(a) These view simulations, like the photomontages they are based on, do not show the permitted/controlled height nor the view that is obscured by any variant of the Proposal.

(b) These are annotated images <u>of the Proposal</u>, and because of that will naturally bias the observer by indicating the positive effect of height reduced from that of the original Proposal. However, the Proposal is a false datum and the relevant visual reference should be the permitted height. Any alternative heights should be modelled and presented in relation to that base, without the Proposal in view behind.

(c) Any design must be assessed holistically, with reference to a full description of its aesthetics, form and scale, and actual visual effects. Not an estimate of that. It is not, in my opinion, tenable to confirm that the Proposal would be acceptable if it were to lose say 4 or 7 storeys without further analysis. While a change in effects can obviously be surmised, change of such a scale requires assessment of a different design and a different proposal. Even if the proposal were to lose 7 storeys, it would remain, at 9 storeys high, around three times the permitted height, and that should necessitate a full design description and assessment of whatever that new proposal would be.

EFFECTS OF THE PROPOSAL

Townscape

Urban design analysis

29 The information supplied does not fully describe the townscape effects of the proposal, and includes no wider context analysis or drawings. Nevertheless, supported by my own site investigations and graphic analysis, I have amassed sufficient information to allow an assessment of the proposal relative to the primary effects of building height. To inform that analysis I have prepared a figure ground plan of the city as a base for describing relevant townscape characteristics of the city centre. This is developed from the LINZ aerial photograph for Dunedin and drawn using Adobe Illustrator. Three drawings have been developed which are identified and interpreted below (Appendix 2).

Building height contours (Drawing A2.1)

30 Drawing A2.1 shows the height of buildings within the central city, identifying height thresholds of buildings of 1-3 storeys (in grey), 4-6 storeys (in yellow), 7-9 storeys (in orange), and 10 and above (in red). Estimated building storey height is recorded for each building higher than 3 storeys.

31 Height estimates are based on counting the number of storeys on Google Streetview, accessed in July 2017. Roof top plant was not included but partial floors where these could be observed were recorded as one storey. Adjustment has been made for very high floor to floor height (for example some single storey industrial type buildings are the scale of their 2 storey neighbours so were recorded as being of a 2 storey scale). This assessment is not survey-precise, however I am confident that it gives a comprehensive and accurate description of general patterns of building height in the city centre.

32 This demonstrates that:

(a) There is a concentration of taller buildings close to the north side of the Octagon and extending south along Princes Street.

(b) The Proposal is at the northern margin of where most taller buildings occur, with there being relatively few taller buildings north of Moray Place.

(c) The Proposal is three storeys higher than the next highest building, being Otago House. That the 13 storey Otago House is located on Princes Street is not justification that an even taller building is acceptable in another location. Otago House is within an area where Section 13 of the District Plan anticipates buildings may rise from 12m- 32m. That is, increased height is anticipated where that building is located, and not on the site of the Proposal.

33 Reference to the photomontages also informs an understanding of relative height. My full analysis is in the visual effects section below. However my observation is that while the building is generally subsumed into the townscape in distant views, it is prominent and conspicuous in mid-range and local views. It contrasts by being much taller than the buildings that it is seen with, an example being in Figure 1 below.

Figure 1: *Anticipated view from Filleul Street (Applicant's simulation No.3)*

This typical public view shows a context of low rise buildings. As well as illustrating the relative height of the proposal, this shows an absence of curtain walling or fully glazed buildings.

Building Façade Type (Drawing A2.2)

34 Drawing A2.2 categorises the types of façade for those buildings that are 4 or more storeys high[1]. The categorisation relates to façade type not style. For example the perforated wall 'type' includes both a modern building and the Victorian and Edwardian buildings that are common in Dunedin. The Proposal is for a "lightly tinted green glass curtain wall".

35 Considering the 55 buildings identified as being of four or more storeys, this demonstrates that the majority of these buildings are of a 'perforated wall' or 'expressed spandrel' type.

36 Curtain wall cladding is rare on tall buildings in Dunedin, comprising only three of 55 examples. There are two existing curtain wall buildings, being a four storey building at the corner of Stuart and Smith Street, and the 13 Storey Otago House at the corner of Moray Place and Princes Street. A third partial curtain wall building of 5 storeys is located on the corner of Moray Place and lower Stuart Street. The proposed façade type will therefore contrast conspicuously with the character of established development in Dunedin.

Building Façade Alignment (Drawing A2.3)

37 Drawing A2.3 identifies the common alignments of building façades. This demonstrates:

(a) The city centre shows a remarkable degree of consistency in alignments being based on the north-south/east-west grid defined by George/Princes Street and Stuart Street (diagrammed in yellow), and the diagonal grid seen with High Street and around the Octagon (diagrammed in red).

(b) Only one existing building departs from alignment with these two grids. This is St Paul's Anglican Cathedral which is identified in red. The Proposal's tower, also identified in red, would be the second departure.

38 The proposed podium relates to the Moray Street edge. However, the tower, being the largest, tallest and most visually significant part of

[1] The rationale for excluding buildings of three storeys or less is that they relate to or are within the height limit, and they will not be prominent on the skyline.

the proposed building is notable for its deviation from the overwhelmingly predominant pattern of alignment.

39 The proposal has a singular plan form and alignment, and the only other building within this area that takes a similar approach is St Paul's Cathedral. That building has an important religious and cultural function, and singularity of form and design within any centre has historically been a desirable characteristic of such buildings.

40 The alignment of the tower has two effects being that it:

(a) Is inconsistent with the established and overwhelmingly consistent patterns of building alignment in the city centre; and

(b) Detracts from the status of the Cathedral as a singular building with a unique plan alignment.

Conclusion

41 The Proposal is differentiated from its context in three major ways being contrasting height, façade type, and plan alignment. Conspicuously greater height is the primary matter, with the degree of contrast with context exacerbated by façade type and alignments.

Relation to District Plan Section 13 Townscape

42 The assessment below of the effects of the building on the character of the surrounding streetscape and general environs is in relation to District Plan Section 13 Townscape.

43 The site is located in the North Princes Street/Moray Place/Exchange Townscape Precinct (described in section 13 of the District Plan). I consider that the 'Precinct Description' and 'Precinct Values' guidelines for this are relevant.

(a) The precinct description describes sub-areas within the precinct and identifies the northern end of Princes Street as the location of many of Dunedin's "*largest and most noteworthy commercial buildings*". It continues in stating that "*the concentration of many of Dunedin's tallest buildings here establishes an urban quality unique in the City*."

(b) Significantly in relation to this proposal for a tall building, the 'Precinct Values' identify that "*Buildings from the Octagon to Manse Street are between 12 m and 32 m in height*." The Proposal is outside that identified sub-area.

44 In relation to Moray Place, the Precinct Description notes:

> *"Within Moray Place large landscaped areas become dominant. The building styles are more modern, with the exception of the Town Hall, but in general they do not detract from the quality of the area, being constructed in brick and/or sympathetic to the more historic buildings."*

45 21 "Precinct Values" are identified for this precinct. Considering particularly scale, materiality and façade composition, 19 apply. The values identified for the Exchange, and that relating to height from the Octagon to Manse Street do not apply.

46 The following 10 of 19 remaining values are in my opinion satisfactorily addressed by the proposal (with my additional comments noted underneath):

(a) *Buildings incorporate design elements and skyline features such as a cornice, parapet, pediments, finials or equivalent features which provide visual interest at the top of the buildings.*

> The building takes a contemporary architectural approach of 'equivalent features'.

(b) *Long façades are broken into vertical bays with windows arranged in groups.*

(c) *Façades are visually subdivided into a ground floor, fenestrated first floor and a capping element.*

> The building is not of a type that allows this value to be achieved perhaps as anticipated, however the design responds in a related way with expression of base (podium), middle and top.

(d) *Façade composition emphasises a vertical dimension.*

(e) *Windows are unpainted.*

(f) *Colour schemes are consistent with the buildings' architectural detail and colours are subdued.*

(g) *Signs are designed to integrate with the architecture of the building and the precinct, and are placed so as not to obscure architectural detailing.*

(h) *Signs at first floor level of façades are suspended perpendicular to them, so as to better address persons travelling down the street*.

(i) *The sides of buildings visible from the street have not been used as billboards and discreet signage has been applied where necessary.*

It is assumed that the signage related values can be readily responded to at any future stage of design.

(j) *Shop front glazing is not less than 30% of frontage at street level.*

47 The following 5 of 19 values are partially addressed:

(a) *Buildings are not set back from the street frontage, are substantial and monumental.*

The podium defines the street edge, although the bulk of the building, being the tower is set back. Nevertheless, a tower podium form could be an appropriate typology.

(b) *Buildings on corners define the corner and face the intersection.*

The podium partly defines the corner, and while podium ground floor retail addresses the street, the entrance to the hotel/apartment building here is a service vehicle entrance.

(c) *Buildings occupy the full width of their site at the street frontage.*

There are setbacks at both sides for vehicle movement – being the hotel entrance at the north-west, and servicing at the south-east.

(d) *Ornaments are included as an integral part of the buildings' design.*

'Ornament' in the form of features that add visual interest is included in the design. This is not however ornament that can be clearly identified as discrete applied elements.

(e) *Verandahs are near continuous.*

I do not consider that in this location the lack of a verandah will cause significant adverse effects. However, some shelter over shopfront entrances is desirable.

48 The following 4 of 19 values are not addressed:

(a) *Buildings are clad with plaster, red brick, stone, concrete or materials giving similar visual effect. Brick and stone cladding is generally unpainted.*

The tower is fully glazed, and none of the identified materials are evident except, depending on design resolution, possibly on parts of the podium.

(b) *Above-verandah façades have a solid appearance.*

There are no verandahs, although this value would be applied to all upper levels and particularly the podium façades. These have a distinctly open appearance, with a matrix of structure, and planting, contrary to this value.

(c) *Window layouts are symmetrical or rhythmical and are generally consistent with the proportioning of windows of heritage buildings of the precinct*.

The proposed façade type completely contrasts with heritage buildings in the precinct. While subdivision of the curtain wall does result in a vertical window proportion, the windows of heritage buildings are vertically proportioned perforations in a solid wall, not part of a curtain wall.

(d) *A special feature has been made of entrance ways.*

With the port cochere being set off to the side and well within the site, there is no direct and obvious hotel or

apartment entrance connection to the street. A broad flight of stairs is provided, however these do not connect in a strong and direct way to the lobby around a level and a half above.

49 Analysis with reference to the townscape values identified by the District Plan for the site demonstrates that the Proposal does not address fundamental values relating to building height[2], façade composition, and material. Height, composition and materials are fundamental, highly visible aspects of the proposal, seen from all viewpoints, and this leads to a contrast and significant impact on the buildings appearance in its setting, that is, townscape. This demonstrates contrast rather than the complementarity intended by the Plan.

Relation to the objectives of Townscape Section 13

50 The introduction to this section[3] notes that the appearance of Dunedin "*is still strongly that of a Victorian/Edwardian City*" and the development "*that has since taken place has generally retained and enhanced the values of the Victorian/Edwardian period, cumulatively giving Dunedin a unique and coherent townscape character.*" In my opinion this proposal, for reasons identified, contrasts so much in its appearance and plan form, and is of such a height and scale that its visual impacts will be significant. It will undermine the townscape character that is identified as valued in the District Plan.

51 Issue 13.1.4 identifies that "*the loss of the coherent character within any of these precincts will adversely affect the townscape character of the City as a whole*", and identifies Objectives 13.2.5 and 13.2.6 as being relevant. In relation to each of these:

52 Objective 13.2.5 is: "*Ensure that the character of significant townscape and heritage precincts is maintained or enhanced.*" The explanation to this notes that: "*Any redevelopment or changes to buildings within these precincts will need to be compatible with the particular values of the precinct. If not, precinct values will be lost*."

[2] The proposal is not within that part of the precinct where buildings to between 12m and 32m are anticipated in the District Plan's Section 13 Townscape, so it can be assumed that the permitted height limit is considered appropriate in relation to townscape.
[3] Page 13:2.

(a) My analysis of relation to the values identified for the inner city precinct in which the proposal sits is that the development is not consistent with the particular values of the precinct in fundamental ways. It's dominant and contrasting form and appearance, means that it will compromise the townscape character of the inner city.

53 Objective 13.2.6 is: "*Ensure that development (including alterations and additions to buildings) does not adversely affect the character and amenity of the central City precincts.*" The explanation to the objective is: "*Development must be compatible with the existing townscape character in order that the visual integrity of the central City precincts is retained. Amenity values and character should also be maintained and enhanced.*"

54 Considering visual integrity, character, and amenity I note that:

(a) The design approach is contrast rather than compatibility. Being much higher than even the tallest buildings around, and contrasting in façade alignments, materiality, and appearance, this does not maintain the character of the precinct. This, in combination with visual dominance, means that it detracts from rather than enhances its setting.

(b) The Applicant's shading analysis reveals that the building compromises the amenity (in terms of pleasantness and recreational potential) of the Octagon with additional mid-afternoon shading that removes the small amount of sun that is currently received and that is valuable at that time.

Contrast or complementarity

55 Mr Craig identifies a "*'singularity' of conceptual intent of the overall building form* [that] *delivers an iconic build*". By definition that is an intention to contrast with rather than complement the setting. Mr Craig continues from that, contending that this provides a "*three dimensional spatial response that will resonate with the historic and existing built fabric and streetscape patterns of the City.*" I disagree, as for reasons identified, rather than resonating, which implies echoing or reinforcing, the Proposal contrasts in three fundamental ways, and the degree of contrast is significant.

56 The effect of visual contrast is identified by Mr Falconer where he describes the Proposal as "*a distinctive design based on a pinwheel layout…largely sheaved in glass*"[4]. Mr Craig further identifies that the building is to deliver "*an iconic botanic image*"[5]. While I support Mr Craig's aspiration to create an iconic building, in my opinion:

(a) A building can be iconic for its sophisticated form and appropriateness of scale in combination with the quality and attractiveness of the facilities it offers, the events and activities that might occur within, and the high public and professional regard in which its design is held. It need not be iconic just as a function of radical contrast, and dominant visual presence.

(b) Considering urban design, an iconic building should be distinctive and memorable, but also respond to its context in a considered and sophisticated way.

57 Furthermore, the city already has two iconic buildings immediately across Moray Place, being the Cathedral and the Town Hall. The attempt to place a third here, being a hotel tower and apartments, visually overwhelms these and undermines their status as landmarks.

58 A further observation is that this curtain wall tower, albeit with architecturally accomplished modelling and a certain elegance, has the aesthetic qualities of a commercial office building, not a cultural beacon.

Comment on Mr Compton-Moen's evidence in relation to urban character and built form

59 At paragraph 5.1 of his evidence Mr Compton-Moen lists the five features defined by the District Plan as defining the distinctive character of the City's central area.

60 Mr Compton-Moen[6] then comments on one of these features, being continuous frontage/street edge definition, and notes that the proposal will have a minor (positive) effect on the built form of the receiving environment by providing a well-defined edge to the street. That may arguably be correct, however a three storey high development could achieve that same effect. Further, as my

[4] Statement of Evidence page UD5.
[5] Statement of Evidence page 1.
[6] Statement of Evidence paragraph 11.

measurement later in this evidence demonstrates, the extent of edge activation is in fact restricted.

61 Mr Compton-Moen does not demonstrate how the other four features are responded to. Heritage buildings and dominance of Victorian or Edwardian design are scarcely mentioned and although Mr Compton-Moen notes views of skylines and rural areas, the effects of the Proposal on blocking these are not identified in his assessment. In addition, the effects on the Octagon are given little interrogation.

62 Furthermore, while making multiple references to the active edge, Mr Compton-Moen provides little analysis and evidence on the character and built form effects of the 13 storey tower that extends above the podium, other than commenting on the built form effects of the tower only in the broadest of terms at his paragraph 10. He notes building precedents, and states without further explanation that the proposed height is not out of context. I disagree with this conclusion and the similar statement in table 2, page 14 of his Urban Design and Visual Impact Assessment Report where he comments that the Proposal "*it is not totally out of context with the receiving urban environment*."

Conclusions

63 This analysis confirms that while the context is characterised by diversity, the tower podium hotel proposal is well outside the boundaries of that diversity, an outlier in terms of height, façade type, and wall alignment. Each one of which is significant, but all three of which mean that this Proposal has a too notable singularity, contrast with and lack of positive relationship to, its context.

64 The Proposal is not consistent with the values and objectives identified in the Townscape section of the District Plan for the precinct in which it is located.

VISUAL EFFECTS

My assessment methodology

65 My assessment of visual effects is with reference to Paterson Pitts photo-montages[7]. None of these show the existing view which would demonstrate what is lost, or the outline of a permitted height

[7] Applications document section 13b.

envelope. Comparison of permitted to proposed would allow elements that are obscured by the Proposal to be seen, and the level of significance of that to be assessed. In the absence of that analysis from the Applicant, I have assessed the effect (wherever possible) by locating the same viewpoint on Google Streetview and visiting all but one of the vantage points as part of my field work.

66 My assessment is therefore also with reference to a permitted height structure on the site – that is a 3-4 storey high structure. In addition, I base my assessment on the opinion that all other things being equal, a building that is visible does not necessarily constitute an adverse effect in itself.

67 Impacts on the view, and sensitivity of the view, and the viewer type (public viewpoints being more significant than private) are taken into account. I have assessed effects which are recorded in the table below using the following rating scale. This is correlated with the rating scale of effects used by Mr Compton-Moen,[8] and contains additional explanation applicable to this specific assessment.

Less than minor

Too small to adversely affect other persons.

For example:

- distant, barely perceptible
- fully subsumed into its setting

Minor

Adverse effects that are noticeable, but will not cause any significant adverse impacts.

For example:

- lesser or comparatively small in size or importance
- distant but clearly visible
- fills a minor proportion of the visual field

[8] Statement of Evidence page 10.

- prominent in a distant view
- partly subsumed into its setting

More than minor

Adverse effects that are noticeable, that may cause an adverse impact but could be potentially mitigated or remedied.

For example:

- prominent in view
- fills a moderate proportion of the visual field
- impinges to a degree on a recognised valued view such as harbour, town belt
- compromises views of a heritage building

Significant

Noticeable, and will have a serious adverse impact but could be potentially remedied or mitigated.

For example:

- prominent in view
- fills a major proportion of the visual field
- considerably higher and notably contrasts with its neighbours
- impinges on a recognised valued view such as harbour, town belt to the extent of obscuring a high proportion
- changes the context of or visually marginalises a heritage building

Unacceptable

- Extensive adverse effects that cannot be avoided remedied or mitigated.

For example:

- (as for 'Significant')

TABLE 1: VISUAL EFFECT ASSESSMENT

View no. and station point	Description and assessment of significance of effects (using the above rating scale)
No. 1 from Andersons Bay Sea Scouts	Distant view, but the building remains clearly visible, although subsumed into the built fabric of the city. Effect: **Less than minor**
No. 2 from 38 Cargill Street	Short-range view from the north-west. Dominant presence in the view, and blocks view of rear of St Pauls Cathedral. Significant effects, unable to be avoided remedied or mitigated. Effect: **Unacceptable**
No. 3 from Filleul Street	Mid-range view Proposal dominates the skyline and views along Filleul Street of the Town Hall and St Pauls Cathedral. The contrast of façade materials is particularly dominant in this view. As a prime public view this is important. Significant effects, unable to be avoided remedied or mitigated. Effect: **Unacceptable**
No. 4 from 96 Cargill Street	Short-mid range view. Just under half of the building is above the line of the roofs of other buildings in this view. It is visually dominant. Significant effects, unable to be avoided

View no. and station point	Description and assessment of significance of effects (using the above rating scale)
	remedied or mitigated. Effect: **Unacceptable**
No. 5 from Harrop Street	View along Harrop Street from the Octagon with the Proposal framed by St Paul's on the left, and the Town Hall on the right. Dominates the backdrop of these heritage buildings, and screens the existing view of the town belt. Significant effects, unable to be avoided remedied or mitigated. Effect: **Unacceptable**
No. 6 From Moana Pool	The top two floors of the building appear in this view. It is a small portion of the visual field which would be of little significance except for two factors: • Moana Pool is a public facility, so this is a public view. • The proposal obscures the left-hand part of an expansive view of the harbour. Effect: **Minor**
No. 7 from Moray Place	The lowest 11 storeys of the building are prominent in this view, and considerably higher than the buildings on both sides. The building extends further skyward. Significant effects, unable to be avoided, remedied or mitigated. Effect: **Unacceptable**
No. 8	Highly visible presence in the view over the park here, in part due to effect of curtain

View no. and station point	Description and assessment of significance of effects (using the above rating scale)
from Rattray Street	walling. None of this would be visible with an 11 or 16m high building. Nevertheless the building is subsumed into the background of other parts of the central city. Effect: **Minor**
No. 9 from Stuart Street (high level approach to the city)	The building would not be visible at all if built to the height limit. Nevertheless, only its top is visible and that is largely screened by vegetation or subsumed into the background of other parts of the central city. Effect: **Less than minor**
No. 10 from Stuart Street (just above York Place intersection)	The top of the building (topmost 5 storeys plus roof plant) are a dominant presence, breaking a long range view over the city and views of the landscape that frames the northern edge of the city. This effect of view blockage is significant, and cannot be avoided, remedied or mitigated. Effect: **Unacceptable**
No. 11 from Moray/Filleul Intersection	The frame of vision is filled in this close-range view across the intersection. This provides a true sense of the view towards the building at ground level, with the first seven and a half floors in view. That is not dominant, however the viewer's eye will also be caught by the rest of the building, that is the nearly 10 levels above this. Significant effects, unable to be avoided, remedied or mitigated. Effect: **Unacceptable**

View no. and station point	Description and assessment of significance of effects (using the above rating scale)
No. 12 from Lower Stuart Street	The top of the building appears on the skyline, but is both subsumed into the buildings around and does not obscure the spire of St Pauls or the tower of the Town Hall. Effect: **Less than minor**
No. 13 from intersection of Moray Place and George Street	Building of 5 storeys or more is likely to break the line of the ridgeline behind, and the building is both visually dominant and of clearly contrasting scale in this view. Significant effects, unable to be avoided, remedied or mitigated. Effect: **Unacceptable**
No. 14 from intersection of York Place and Filleul Street	Radical visual contrast with a setting of low rise buildings. A dominating presence in the view and on the skyline, visually overshadowing St Pauls and the Town Hall. Formal modelling helps to deal with the mass of the façade, but does not address height. Significant effects, unable to be avoided, remedied or mitigated. Effect: **Unacceptable**
No. 15 from York Place	Close range view from the north-west. The lower three levels are below ground in this view which shows the lowest 7 floors, of the tower. This view is correct, but only a part of the view that is experienced here, with the full 13 upper storeys looming over the viewer. Significant effects, unable to be avoided remedied or mitigated. Effect: **Unacceptable**

View no. and station point	Description and assessment of significance of effects (using the above rating scale)
No. 16 from Smith Street	Close range view from the north-west. Effect as for view No. 15 except that the building also part obscures views of the hills to the north behind Forsyth Barr Stadium. Significant effects, unable to be avoided remedied or mitigated. Effect: **Unacceptable**
No. 17 from Harbour Mouth	Distant view, and only partly visible, being partially screened by a tall building in the foreground. Almost breaks the view of the ridgeline behind. Effect: **Minor**
No. 18 from Vauxhall Yacht Club	Distant view, but the building remains clearly visible, although subsumed into the built fabric of the city. Effect: **Less than minor**
No. 19 from Larnach/Scobie Intersection.	Distant view, but the building remains clearly visible, although subsumed into the built fabric of the city. Effect: **Less than minor**
No. 20 from Highgate Bridge	Distant view, but building is prominent as a relatively large structure on the axis of view. Nevertheless, subsumed into the city behind. Effect: **Minor**
No. 21 from Tolcarne Avenue	Distant view, but building is reasonably prominent due to its size and contrasting materiality in the view. Nevertheless, subsumed into the city behind.

View no. and station point	Description and assessment of significance of effects (using the above rating scale)
	Effect: **Minor**
No. 22 From Octagon, South side (Attachment D, P105)	Demonstrates the trees in the Octagon partially screen the Proposal in winter, but the building can be seen above and behind the Town Hall. Trees can be expected to fully screen views of the proposal when in leaf. Effect: **Minor**
No. 23 From Octagon/Lower Stuart (Attachment D, P106)	Demonstrates the trees in the Octagon partially screen the Proposal in winter, but the building can be seen above and behind the Town Hall. Trees can be expected to almost fully screen the proposal when in leaf. Considering the situation year round, this to a minor degree compromises the view of the Town Hall, including the prominence of the clock tower. Effect: **Minor**

68 From the photomontages and above analysis:

(a) While visible in the selected long distance views, the Proposal is generally subsumed into views of the city behind and the effects of the Proposal in long-range views are either less than minor or minor, and are acceptable in my opinion.

(b) The situation changes with mid-range and short-range views. The Proposal is subsumed into its setting in the view from Lower Stuart Street (No.12) but in the other 11 instances the visual effects of the proposal are significant and of a scale and magnitude that in my opinion cannot be avoided, remedied or mitigated[9]. Effects are views obscured, visual dominance including of important heritage buildings. In addition, contrast of

[9] Other than by not proceeding with the Proposal.

façade type and material, emphasises the aesthetic difference and effect of 'otherness' of the Proposal.

(c) The visual effects of the Proposal are therefore in my opinion unacceptable, with the Proposal leading to visual domination and significant visual effects that cannot be mitigated in many instances.

Consideration of permitted baseline and views obstructed

69 My conclusions are informed by reference to the difference in effects between the Proposal and a building consistent with the permitted height. I have produced a graphic analysis based on one of the Paterson Pitts view simulations as an example to demonstrate the typical relative magnitude of effects – refer Figure 2. Attachment 3 provides a larger and higher resolution image of Figure 2.

Figure 2: View up Harrop Street

70 Figure 2 is derived from the Paterson Pitts view No 5 along Harrop Street. It refers to the known and proposed levels, and is produced using Photoshop:

(a) This shows volumes at 11m and 16m above the RL of Level 1 of the Proposal. RL 29 also corresponds with a building 11.5m high at the edge of Moray Place at a point in line with the western edge of Harrop Street.

(b) The levels on this are from contour information accessed through the Dunedin City Council second generation District Plan maps (2GP) website[10].

(c) From this contour plan, the level of Moray Place directly in line with the western kerb of Harrop Street is RL 17.5. RL 13m is the level of the footpath at the lowest part of the proposal on Moray Place, and that is equivalent to Level 1. The floor to floor levels of the Proposal in this view have then provided a known 3.6m dimension which has enabled the other RLs to be estimated.

(d) The illustration of that part of the lower floors of the Proposal below RL29 is retained in view, and the black dashed line is the skyline profile of the Proposal.

71 Figure 2 demonstrates:

(a) the less than minor effects of a podium that is around 11.5m high directly across Moray Place;

(b) the absence of visual impact on the Town Hall, Cathedral and views from the Octagon with a building of this height;

(c) a building to the permitted height allows a view of the ridge and hills in the background[11]; and

(d) the view of the existing skyline is lost if a building rises to and above an estimated 5 storeys along the Moray Place frontage.

72 This also demonstrates the significant and severe visual effects of the Proposal relative to a structure at the permitted height. In this regard, one factor is the relationship is to the Cathedral and Town Hall. A second is the impact on the visual field of the Proposal in this view being sixteen times the measured area of what can be seen looking along Harrop Street at a permitted height building on Moray Place. That is a building rising to 11m high at the edge of Moray Place.

73 The presence of the building within the public view up Harrop Street is a direct transfer of amenity (being views of the skyline and rural areas) from the general public in the Octagon, and existing residents

[10] http://apps.dunedin.govt.nz/webmaps/secondgenerationdistrictplan/.
[11] The District Plan identifies "views of skyline and rural areas" as one of five factors contributing to the character and amenity of the Inner City Area, refer Section 9, Activity Zones, Page 9:2.

in the houses behind, to the hotel guests and private apartment residents.

Mr Compton-Moen's assessment

74 I have reviewed Mr Compton-Moen's view assessment[12]and note that he identifies visually sensitive receptors and assesses effects of the Proposal. In my opinion it is necessary to view simulations or photomontages in order to properly assess the visual effects of a building in its context and to allow reproducibility of the assessment. Because he has not provided the views as part of his report I am unable to comment on the specifics of his assessment.

75 However I can comment on one assessment and that is where Mr Compton-Moen's view from the Octagon (VSR13) correlates with Paterson Pitts' view No. 5. Mr Compton Moen identifies correctly that views of the town belt will be blocked by the proposed building, but also considers it "*likely these would have been blocked by an 11m high building in any case*"[13]. That is incorrect as can be seen in Figure 2.

76 Mr Compton-Moen's evidence confirms his opinion that the impact on views from the Octagon is 'less than minor'. That is also in my opinion incorrect as demonstrated by Figure 2, and with reference to the criteria Mr Compton-Moen has suggested and that I have also used. As the impact is significant, and it can't be mitigated, it is correctly categorised as 'unacceptable'.

77 From my analysis, I agree with Mr Falconer that Mr Compton-Moen "*underestimates the visual effects and overestimates the effect of the proposed mitigation measures*".[14]

Adequacy of view assessment from the Octagon

78 View No 5 is helpfully instructive and representative of the view from the north of the Octagon, including from by the Robert Burns statue. Views 22 and 23 are also instructive, but it is to be expected that view impacts will be reduced when looking through trees. In order to fully and properly understand the view impacts on the Octagon, further

[12] Statement of Evidence sections 3.3 and 3.4.
[13] Statement of Evidence at page 22.
[14] Mr Falconer, para 8.11, page UD15.

views are required, from points where people arrive at the Octagon and get their bearings or move through.

79 Two such points are identified in identified in Figure 3 below, being on the footpath at the north-western corner of the Octagon and Princes Street, and from the centre of the Octagon, in any location between the two pedestrian canopies there.

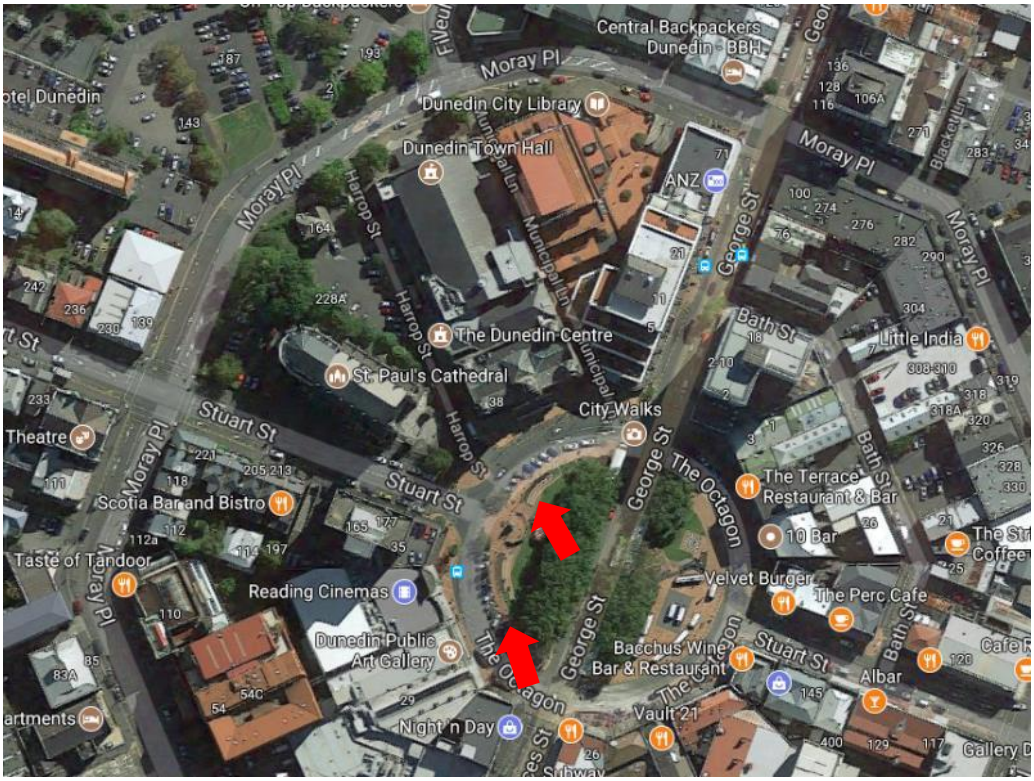

Figure 3: Arrows identifying where additional view simulations are required to describe effects of the Proposal on views of the Cathedral and Town Hall, and from the Octagon.

80 Positioned behind St Pauls Cathedral and the Town Hall, the anticipated effect of the Proposal on views from the identified points of entry to and at the centre of the Octagon but on the Town Hall side of the trees is likely to be significant, and unable to be mitigated – that is, unacceptable.[15]

81 The Proposal will appear behind and above these heritage buildings and can be expected to dominate views of them. The landmark Town Hall clock tower and Cathedral (spires) are prominent on the skyline, and these are likely to be subsumed into the Proposal, compromising their visual singularity and prominence.

[15] While this effect cannot be determined precisely without view simulation (which has not been provided), it is informed by reference to Patterson Pitts view No. 22, and adjusting for closer proximity and absence of trees in the foreground.

Glazing type as suggested means of mitigation

82 Mr Compton Moen[16] suggests transparency of window glazing on the tower will avoid the building appearing as a single heavy mass with no detailing. That is correct in principle. However, in his evidence Mr Compton-Moen[17] states this will mean "*the perceived mass of the building will be less…*". I do not consider that the perceived mass "will be less". It will be what it is, as it is described in the Paterson Pitts photomontages. The visual weight of the light green tinted façade treatment may or may not be similar to the example in Figure 4 below.

Figure 4: Example of the effect of visual weight of light green tinted vision glazing on a 6 storey building.

83 I agree that the heavily tinted glass of Otago House emphasises its visual weight. However it is not in my opinion mitigation to compare a proposal with an existing building which is notably visually heavy and consider the proposal is acceptable or the effect mitigated because the Proposal is different and somehow better in this regard.

84 Lightly tinted vision glass may offer visual interest to the façade, and the visual weight of a lighter façade will be less than that of a darker façade. Nevertheless I do not consider that façade colour or glazing

[16] Statement of Evidence Section 4, point 3, page 23.
[17] Statement of Evidence paragraph 20.

colour can or will mitigate the visual effects of being 13 storeys over the permitted height. This view is informed by the photomontages, by my involvement as an architect in specifying and as an urban designer in reviewing high rise building façades, together with observations of façades such as the Microsoft building at Viaduct Harbour in Auckland (refer figure 4). As can be seen this building has light green tinted vision glass, a type of glass intended for the Proposal. This comparative example illustrates that:

(a) Even when the lights are on during the day, clear or almost clear vision glazing on upper floors usually appears dark;

(b) The façade appears lighter where the light coloured backs of blinds or curtains are seen in close proximity to the glass; and

(c) Even with clear or lightly tinted glazing, depending on light conditions and the angle of the façade to the viewer, it may appear reflective.

85 Notably, this and every other similar example I viewed in Dunedin and Auckland showed that while heavy dark tinted façades have the greatest visual weight, typically lack detail and are monotonous, even with clear or lightly tinted glass type, such buildings have considerable visual weight. Use of a clear or lightly tinted glass does not mean that the building will have no visual impact, or that the visual impact of a building that rises conspicuously above others around would be minor.

Visual privacy

86 There is a further challenge with ensuring views into the building, as this is for residential use, where many people and at many times would require privacy. So it cannot be assumed that the façade will remain open for views into the hotel rooms, and neither is that for obvious reasons necessarily desirable.

87 Considering privacy of hotel rooms, specifically the Kingsgate in relation to the Proposal, I consider that there will be no privacy conflicts as the distance between the façades is a minimum of 50 metres, well in excess of the separation distance of 12 – 20 m generally considered necessary to readily provide privacy. In addition

internal window treatments with combinations of blinds; and/or curtains will allow for privacy within these hotels.

Extent of visual dominance

88 Considering what 'visual dominance' is defined as, a building or structure can be considered to 'dominate' when it predominates, prevails, has a commanding influence over, or is the most conspicuous thing present. The term dominate can also be used to describe "*something high or tall: occupying a commanding position (over)"*[18].

89 'Visual dominance' is a well-known and understood effect, and this term is used by the Auckland Council to explain the purpose of height in relation to boundary controls in the Auckland Unitary Plan. For example in rule H6.6.6 for the THAB Zone:

> *Purpose: to minimise the adverse effects of building height on neighbours (i.e. dominance and shading) and reduce the overall visual dominance of buildings at upper levels.*

90 H6.6.8 in relation to boundary adjoining lower intensity zones is as below:

> *To manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise visual dominance effects to immediate neighbours within lower intensity zones and small public open spaces.*[19]

91 These explanations although from the Auckland Unitary Plan, are useful to better understand the effects they describe, considering building height in relation to neighbours, and sunlight access as well as visual dominance, all of which are significant issues when considering the Proposal.

92 As with any effect, visual dominance might range from less than minor through to significant, and 'overwhelming and severe' which would be unacceptable. I consider that in relation to the identified activities, buildings, streets and spaces in the immediate vicinity, the

[18] New Shorter Oxford Dictionary.
[19] Auckland Unitary Plan Operative in part, Terrace Housing and Apartment Buildings Zone (THAB), pages 9 and 14.

visual dominance of the Proposal is in the latter category, that is to say unacceptable.

Conclusion

93 The visual effects of the Proposal are severe and 'unacceptable' as the tower:

(a) Fills a relatively high proportion of the visual field in medium and short range views;

(b) Visually dominates its setting and is dominant in views along the street;

(c) Breaks the skyline to an unusual degree and notably contrasts with the height of its neighbours due to that;

(d) Dominates to the point of visually marginalising St Pauls Anglican Cathedral and the Town Hall; and

(e) These adverse visual effects cannot be remedied or mitigated.

Shading

94 This analysis is with reference to the shading diagrams with the application, and those subsequently supplied in response to Council request.[20] This is particularly relevant given Objective 9.2.1 which is: *Provide for business, recreational, social, cultural, religious and commercial activities in the Central Activity Zone and Local Activity Zones and enhance the amenity there to make them pleasant for people*.

Shading of the Octagon

95 Shading diagrams demonstrate that:

(a) Neither an 11m nor a 16m "permitted" volume casts shade on the Octagon at any time of year[21].

(b) The Proposal casts additional shade over parts of the Octagon in mid-winter. Measuring the diagrams supplied[22]:

[20] The azimuth of the sun varies to an appreciable extent between the spring and autumn equinoxes. The shading diagrams do not indicate which equinox has been modelled.
[21] By this I am referring to what Mr Bryce refers to as a 'controlled activity building outline.
[22] Paterson Pitts Attachment H.

(i) At 2.00pm 55.2% of the Octagon currently receives sun. Extra shade from the Proposal eliminates 29% of that sun on the ground plane of the Octagon at that time.

(ii) At 2.25pm 41% of the Octagon currently receives sun. Extra shade from the Proposal eliminates 46% of that sun on the ground plane of the Octagon at that time.

(iii) At 3.00pm 26.2% of the Octagon currently receives sun. Extra shade eliminates 76% of that sun on the ground plane of the Octagon at that time.

At this time the extra shade is cast across the centre of the Octagon, but impacts mainly on its south-eastern side, being the footpath and building frontages around.

- The additional shade is to the street edge of the Octagon that would otherwise be able to be comfortably occupied at many times in mid-winter.

- Sunlight on the façades of buildings is a valuable contributor to a sense of the space being sunny and light, and conversely, as occurs here, full shade to most of the façades that would otherwise remain in sun visually darkens the space.

(c) The additional shade covers the Robert Burns statue at 2.00pm and 2.25pm, and a sliver of sunlight will briefly illuminate it again at 3.00pm. From 2.25 pm the Proposal begins to shade the paved area within the south-east central area of the Octagon and by 3.00pm has shaded the half of that space which would otherwise be in sun.

96 In considering the significance of this extra shading, I note that the shading is only in winter, is fleeting and occurs in mid-afternoon rather than during the lunch hour. However the Octagon is the signature urban open space in Dunedin and because of that the space should not be excessively shaded; sun is already restricted in mid-winter and the Proposal removes a significant portion of that (from one third to three quarters over the time period analysed); and sun is removed from the paved central space and the occupied south edge. Balancing all of the above, the adverse shading effect will in my

opinion be significant, even though it occurs only on and around mid-winter.[23]

97 It is correct that the sun to the south-east portions of the Octagon in mid-winter will be through the existing deciduous trees. Patterson Pitts photomontages No.22 and No.23 indicate the extent of openness of the trees in mid-winter, and clearly sun will penetrate through these. Dappled shade is acceptable, dappled sunlight can be attractive (including views of sun over a deciduous tree in winter), and this does not compromise amenity in the way that solid shade would.

Impact of shading on the occupation of public space

98 Mr Wilkinson contends that late afternoon mid-winter shading on the Octagon will not "*unduly affect public use of the area which is little used during late winter afternoons*". [24] While noting that shading would have little or no effect on use of the footpath for movement, I disagree with his view that public occupation will not be unduly affected.

99 In my own observation at around 11am on Monday 17 July (mid-winter, temperature around 9° with overcast sky and occasional drizzle). I observed a bar owner placing tables outside, and two people sitting outside under the verandah (refer to figure 5). In addition all of the bars and cafes along the south and south east side of the Octagon had chairs and tables out inviting outdoor dining, a likely indicator that use is expected. It is established in environmental design literature (for example, John Ziesel, '*Inquiry by Design: Tools for Environment Behaviour Research*'), that physical traces/indicators of occupation or use can be interpreted as demonstrating that use does occur.

100 What is clear from observations on the use of public space in other places is if outdoor dining areas and space that might otherwise be occupied for extended periods of time are permanently shaded at those times when they would receive sun and sun is desirable, their amenity will be compromised and their potential usage reduced.

[23] I have not considered shading of streets as shade is generally to be expected and the use of streets does not necessitate extensive sun, although all streets benefit from sun exposure. The shading diagrams nevertheless show that in mid-winter the Proposal will shade parts of the southern side of Lower Stuart Street from 3pm to after 4pm.
[24] Statement of evidence, page 12.

Figure 5: View of the array of tables and chairs placed for outdoor dining along the south-east side of the Octagon (17 July 2017)

Conclusion

101 The effect of shading on the Octagon will be in and around mid-winter, and will be significant considering its status as the primary and defining urban public space in the city, and the high proportion of the remaining sunny space within the Octagon that will be shaded during the mid-afternoon.

Shading to the Town Hall main entry and related plaza

102 The main entry to the Town Hall is to Moray Place off a north-facing entrance plaza, and because of that in my opinion any shading effects here should be examined. Mr Falconer notes that the form and relationship of the Town Hall to Moray Place contributes to a back of house feel, and is generally lacking in activity[25]. A certain blankness of façade does occur in parts above that as the auditorium and related facilities are located here. However, the plans for the building describe this as the foyer/main entrance, and its status is reinforced by the image of the town hall including part of the Moray Street façade that is on the home page of the Dunedin City Council website.

[25] Mr Falconer, UD10

103 I have referenced the Applicant's shading diagrams, including those for an 11m high envelope[26], and identified comparative shading effects at various times of the year.

104 At mid-summer the Proposal causes shading from mid to late afternoon, which would not otherwise occur.

(a) An 11m envelope does not cast shade over either the entrance plaza or the Town Hall entrance.

(b) The Proposal starts casting shade from around 2.30pm, most of the plaza is in shade at 3.00pm, and at 5.00pm that part of the plaza in front of the entrance and extending eastward along Moray Place in front of the Library is in shade at 5.00pm. Shade will have moved past these spaces from 7.00pm.

105 At the equinoxes the shading effects from the Proposal are greater than from an 11m envelope:

(a) An 11m envelope begins to cast shade over the plaza from around 2.30pm, around half of the plaza remains in sun at 4.00pm, but at 6pm all of the plaza except for the area at the Harrop Street entrance is in shade.

(b) The Proposal begins to cast shade over the western end of the plaza before 12.00noon. By 2pm the shadow is cast over the western half of the Town Hall Plaza and nearly halfway down Harrop Street. The shadow moves westward to cover virtually all of the plaza at 4.00pm, all but the western corner by Harrop Street at 5.00pm with a larger part of that corner in sun at 6.00pm, although the area in front of the entrance and further east remains in shade.

106 At mid-winter, the shading effects from the proposal are less than from an 11m envelope.

(a) An 11m envelope begins to shade the western corner of the plaza just before 11.00am, and the majority of the plaza is in shade by 12.00noon, and will remain in shade for the rest of the day.

[26] Shade Diagrams for the proposal (3 sheets, dated 31/01/2017), and for an 11m envelope, Attachment H, P127-P129.

(b) The Proposal begins to shade the western corner of the plaza at 12.00noon, around half of the plaza is in shade at 2.00pm, around three quarters at 3.00pm, and all of the plaza is in shade by 4.00pm.

Conclusion

107 Shading from the Proposal is greater than that from an 11m volume for the summer and through both equinoxes (approximately three-quarters of the year). The Proposal casts less shade over this plaza and entrance area during the winter (approximately one quarter of the year). Given the status of this space as the main entrance to the Town Hall, but that it is otherwise not a prime destination space, the additional shading effect is in my opinion minor.

Shading of neighbouring residential to the north-west

108 Direct sun to residential properties is important for amenity, recognised by the District Plan, and is demonstrated to have an effect on house sale prices.

(a) Residential amenity values for development within a residential zone include "(d) The penetration of sunlight to a site and building." (Policy 8.3.1, explanation Page 8:8). The plan identifies for the Residential 4 zone which abuts this site: "Sunlight penetration is a problem due to the steep slope." (page 8:20).

(b) The value of sunlight for householders and purchasers has been recently empirically analysed in a study of 5,000 house sales that found:

After controlling for locational sorting and other considerations in an hedonic regression, we find that each extra daily hour of sunlight exposure is associated with a 2.4% increase in house sale price.[27]

109 The shading diagrams demonstrate:

(a) In mid-summer the Proposal casts shade over residentially zoned properties across York Place at 7.00am. The shade

[27] Fleming, D. et al. *Valuing Sunshine* Motu Working Paper 17-13, Motu Economic and Public Policy Research, June 2017.

recedes to be only over the carparking at the backs of properties south of York Place and Smith Street by 9.00am.[28] Given this shading is fleeting and at a time of year when days are long, the effect of this shading is likely to be minor.

(b) At the equinox the Proposal casts shade over the western side of Smith Street and on the front of the dwelling at No. 5 Smith Street at 8.00am. This additional shade will be fleeting with negligible amenity effect.

(c) At mid-winter, shade is cast at 9.00am over land which is residentially zoned, and a vacant lot plus two houses, at 28 and 30 Smith Street, are shaded for around an hour. They are fully shaded at 9.00am but shade has moved off these houses by 10.00am. However, this compromises amenity and the effect for the occupants of loss of morning mid-winter sun may be more than minor.

Conclusion

110 Shading of some residential properties to the west is fleeting, and limited to the mid-summer, so in general terms is minor. Shading effects on some individual dwellings might be more than minor.

Kingsgate Hotel

111 The Kingsgate is immediately to the west of the proposal, and is configured with rooms oriented to the north east, and therefore in the general direction of the Proposal.

(a) At the summer solstice, there will be no shading effects on the Kingsgate Hotel.

(b) At the equinoxes, the entire hotel except for its narrow eastern façade is fully shaded at 8.00am. It is likely to remain almost fully shaded at 9.00am. By 10.00am, shade is cast on the easternmost quarter of the building, with that expected to have gone by around 11.00am. The extent, duration and significance

[28] It is possible that with sunrise at 5.43am on 22 December, notwithstanding Mr Bowen's calculation that 7am is the earliest time when the area would receive sun, these residential properties would without the Proposal in place also receive some sun before 7.00pm. If that is the case the shading effects here would be extended. The time of the earliest shading on these properties to the west should be identified.

of shade from the Proposal is at this time greater than at mid-winter.

(c) In mid-winter, the eastern third of the hotel is shaded at 9.00am, around a sixth at 10.00am, and shade has passed the building at just before 11am.

112 The shading diagrams demonstrate that there are significant shading effects on the Kingsgate that extend from before the autumn equinox, right through winter and beyond the spring equinox. That is for well more than half of the year, and possibly up to eight months. It is not possible to be precise about the full extent of these effects as the Applicant's shading diagrams do not provide that information.

113 The sensitivity of the Kingsgate Hotel to this shading will be high for two reasons:

(a) It is the main façade (including main windows and balconies) of the Kingsgate hotel rooms that would be shaded.

(b) The shading occurs during the morning when overnight visitors might generally be in residence, prior to the 10am check-out time.

114 Mr Compton-Moen[29] does not describe the shading effects on the Kingsgate Hotel other than to note that at the winter solstice shading crosses its eastern end. He does not discuss the more significant shading (in terms of extent of shade and number of days shaded) at the equinoxes, but concludes that the shading effects on the Kingsgate Hotel rooms are less than minor. I disagree for reasons identified above.

Additional shading diagrams

115 The Applicant has produced additional shading diagrams for the winter solstice (Attachment H, dated 30/06/2017, sheets 12 and 13 of 13). These overlay the shading effects on the Kingsgate Hotel of the permitted height envelope on the immediately neighbouring sites together with the shade from the Proposal at this time. These demonstrate that the Proposal shades a considerable portion of the Kingsgate Hotel at the winter solstice, over and above the shade

[29] David Compton-Moen, evidence paragraphs 22.3 and 24.

indicated to be created by building volumes to both 11m and 16m on the adjoining site.

116 The precise number of days through the year that shading occurs, and the magnitude of that shading at other times has not been modelled or demonstrated. Given the greater extent of equinoxial shading, and that this shading represents a 'mid-point' of significant shading that would occur both sides of both equinoxes, in my opinion, other shading diagrams should also have been modelled to demonstrate shading effects then, and also right through the year. These should specifically focus on the Kingsgate Hotel which would experience the greatest shading effects of any building around.

Conclusion

117 The Proposal's shading impact on the Kingsgate Hotel is severe. This is because it casts a significant area of shade for the major portion of the year variously over all or a significant portion of the main façade, and it impacts at that time of day when the rooms are likely to be occupied.

Otago Girls High School

118 The shading diagrams show that at mid-winter the Proposal will shade part of the outdoor space of Otago Girls High at 9.00am being tennis courts and a part of the netball courts with shade on car parking there having no amenity effect.[30] That shade is shown to have departed by around 9.30am. This shade is fleeting but in my opinion compromises, albeit to a less than minor degree, the recreational potential and hence the amenity of the school grounds.

[30] Paterson Pitts Sheet 3 of 3, 31/1/2017.

St Paul's Anglican Cathedral

Figure 6: Interior of St Paul's Cathedral

119 Shading diagrams show that in mid-winter neither an 11m nor a 16m volume on the site will cast shade over the Cathedral[31].

120 Conversely, the Proposal will begin to cast shade over the chancel from around 11.45am, and that shadow will move along the eastern side of the nave until it passes completely off the building at just after 3pm. [32]

121 Figure 6 above is the interior of the Cathedral, and shows the various windows including stained glass. Shade cast by the Proposal will reduce the level of ambient daylighting although that effect can be mitigated by internal lighting. The Proposal will also eliminate bright backlighting from the stained glass windows (at the chancel, along the clerestory, and along the aisle) at times when they would otherwise be illuminated by the sun. This will mean these windows lose some of their prominence in mid-winter, and the ambience and amenity of the Cathedral will be compromised.

122 Shading diagrams also demonstrate that an 11m envelope does not cast shade on the 'Memorial Garden' which is along the north-eastern side of the Cathedral at any time of year. The Proposal however at mid-winter casts shade on this area from around 12.00noon to just after 3.00pm. This is a further appreciable but minor adverse effect.

[31] Paterson Pitts., Attachment H, Sheets 10 of 13, and 11 of 13, 30/06/2017.
[32] Paterson Pitts, Sheet 3 of 3 dated 31/1/2017.

Conclusions

123 At mid-winter, the Proposal shades the north-east facing side of the Cathedral for a significant proportion of the afternoon and will compromise the amenity of the interior and the Memorial Garden. Balancing the relatively short duration of these effects with the significance of the Cathedral to the city and the community, this adverse effect is 'more than minor'.

124 The cumulative effects of shade cast by the Proposal are severe, being an accumulation of adverse effects on public and community facilities such as the Octagon, St Paul's Cathedral and the grounds of Otago Girls High, and on private facilities such as the Kingsgate Hotel and some residential properties to the west.

PODIUM AND STREET EDGE DESIGN AND ACTIVATION

125 The current situation is an at-grade carpark set back behind edge planting. In principle, a well-designed building with appropriate connections and activation, would be an improvement on this.

126 The Proposal has a three storey podium, the lower part of which is intended to house a veneer of retail type activity, with two floors of carpark above. A 'boundary structure' is indicated as an exoskeleton like structure including some green elements, but the detail of this is not shown.

127 While the Proposal is a minor improvement on the existing, I consider that its relationship to the street remains sub-optimal. In particular I do not agree with Mr Compton-Moen's assessment[33] that this "*provides a high level of activation*". Considering the length of the street boundary from the south-west along Moray Place to the northern edge of the vehicle exit on Filleul Street, the active retail edge comprises 43% of that boundary length, the blank walled 'boundary structure' comprises 37% and the two vehicle access/egress points the remaining 20%.

128 The Proposal is sub-optimal in several ways:

(a) The active retail edge is less than half of the total frontage width.

[33] Statement of Evidence Table 2, page 15.

(b) The hotel and apartment entrance and port cochere is set back from the street and partly behind the building where it is both distant and obscured from the street. Building entrances are a fundamental component of street edge activation, and in the case of a hotel and apartment building, failure to provide a lobby and main entrance at, as well as directly accessed from, the street is a lost opportunity.

(c) It is also unclear how pedestrians would access the street from the lobby with no pedestrian facility other than via the proposed stairs and a narrow and convoluted route into the central circulation area.

(d) The proposed thin retail frontage will be challenging to plan and occupy because the edge of Moray Place rises considerably along the frontage, and the space is shallow, being around 2.2 metres deep at section X-X.[34] That it is not clear that such spaces could be either practicable or viable is problematic, as should these spaces be of a size and shape that fails to attract and sustain suitable activity, the edge to Moray Place would be extremely poor.

(e) A number of other potential retail spaces have been located at Level 4. These will not contribute effectively to street edge activation due to being well back from and two and a half storeys above the street edge.

(f) Two floors of carparking are located at the street edge but at upper levels, albeit behind a frame and planting of some sort. Such a location for carparking is typically to be discouraged, as not being compatible with a quality street edge. The proposed exoskeleton might be able to mitigate the effect, but that is not as desirable as occupied floors at the street edge.

129 Furthermore, the architectural drawings are not sufficiently detailed to describe resolution of the complexities here, and I consider the planning of the podium in relation to the street edge to be unresolved. For example:

[34] Found in Applicant's Response to Further Information Request Attachment F, page 111.

(a) The nature and configuration of the exoskeleton (noted on the Level 4 plan as 'boundary structure') is unclear, and this is not shown on the Level 2 and level 3 plans (if in fact it exists there).

(b) The spaces noted at Level 1 as 'retail and coffee' don't appear on the level 2 plan. However to allow for these here, they must extend well into the Level 2 space.

(c) The Level 1 plan shows a truck dock/loading area close to the Moray/Filleul Street corner. It is unclear how that could function as a truck dock, with a 3.600m floor to floor height there over at least part of the area in which tandem axle trucks are shown turning. I understand this matter is dealt with further by Mr Carr.

Quality of active edge

130 Mr Compton-Moen considers that "*the proposal will have a significant positive effect by providing an active edge along this portion of Moray Place*."[35] While the building is built to the boundary, the quality of the edge is questionable.

131 The combination of absence of front door to the street, limited extent of activation and blank walls at the street edge, presence of carparking floors at the podium edge (mitigated in part by proposed architectural treatment) is not an acceptable street edge. These matters need to be further resolved for acceptability. If acceptability were to be achieved, that is a basic requirement, not a positive effect as proposed by Mr Compton Moen.

Terrace balconies

132 Mr Compton Moen identifies the terrace balconies over Moray Place as mitigation. These may contribute in a small way to visual interest above the street edge but not to mitigation of building bulk. Furthermore the environment here is unlikely to be conducive to occupation during most times of the day due to solid shade most of the day and right through mid-winter for the south-east facing 'double height garden/arbour', and depending on wind speed and direction, down-wash from the tower on the podium courtyard that faces east over the Filleul Street intersection.

[35] Mr Compton-Moen's Urban Design and Visual Impact Assessment, page 13, paragraph 3.1.3.

(a) In regard to downwash from the tower, the architectural perspective drawing Page 3, appears to indicate some form of glazed roof over this area at around level 6. However, in a more detailed rendition at Page 4, no cover is shown.

(b) Shading diagrams demonstrate that the southeast-facing 'garden-arbour' above Moray Place will receive little sun:

(i) In mid-summer this will receive morning sun until around 11.00am, and be in shade thereafter;

(ii) At the equinox, it will receive sun from 8am until 10.am, and will be in full shade thereafter; and

(iii) In mid-winter it will receive no sun.

Glazed balustrade edge

133 Mr Compton-Moen suggests that the glazed balustrade edge to the terraces here is mitigation, and in comparison to a solid balustrade "would lighten the perceived mass of the building". In response to this:

(a) A valid comparison should be with no balustrade. That is, the balcony edge is over the height limit, so one means of reducing the perceived mass of the podium would be to eliminate this feature.

(b) A glazed balustrade at podium level will have no effect on lightening the perceived mass of the over-height part of the building, and cannot be considered as mitigation in this regard.

134 However I agree with Mr Compton-Moen that visible presence of people on the podium would be beneficial, but only in activating the street edge and only if occupation were to occur.

Roundabout as mitigation

135 Mr Compton-Moen also contends that the proposed roundabout at the intersection of Moray Place will assist pedestrian connectivity. This matter will be commented on by Mr Carr, however I will give an urban design perspective. In principle, roundabouts are designed to allow continuous vehicle flows and that therefore compromises crossing for

pedestrians. Mr Compton-Moen considers the roundabout to be a mitigation measure. I disagree, first because it does not necessarily enhance pedestrian access[36], and secondly, even if that were to be the case, that would have no bearing on mitigating the consequences of the visual bulk and height of the Proposal.

Conclusions

136 The combination of absence of hotel front entrance directly to the street (and convolution of entry for pedestrians accessing it), the likely challenges of establishing viable tenancies, the presence of two floors of carparking at the street edge, and a lack of design description and resolution here leads me to conclude that this Proposal delivers an unacceptably poor edge to the street.

137 The mitigation measures suggested by Mr Compton Moen will not be effective in resolving these issues.

ARCHITECTURAL APPROACH AND QUALITY

138 My observation is that, putting aside the context in which this building is proposed to be located, and concerns I have with the podium and its address to the street, the building, as a stand-alone object has architectural merit. I agree with Mr Craig[37] to an extent in that the form delivers "*a highly modulated and elegant architectural outcome*" but disagree that this particular example is to the benefit of the city.

139 High architectural quality should be a given in any building of significance in a city centre, and is not in itself mitigation for an over-scaled, or over-height building. Architectural merit demands both elegant form-making and appropriate relationship to setting in every way. A critical challenge is whether this building is suitable in this setting, and for reasons relating to height, plan alignment of the tower and materiality, I consider it is not.

Relevance of metaphorical references

140 Mr Craig identifies metaphorical references being the tartan grid, and 'electric thistle'. These metaphors may have some local relevance, but are abstract and internalised, being the labelling of the designer

[36] Mr Compton-Moen appears to acknowledge this by suggesting median refuges would be required.
[37] Mr Craig's design statement, page 1.

rather than the likely perception of the viewer. They will not have a material effect in integrating building into its setting. In particular, I do not consider that the 'electric thistle' description has any relevance to the integration of this building into context. While this descriptor might, be seen as referring to Scottish heritage of Dunedin, the thistle reference is abstract, obscure, and unlikely to be perceived by the general viewer. If this descriptor is known, it might result in a range of connotations including those that might be pejorative, for example, 'shock' and 'prickle', neither of which assists with respectful visual integration.

Conclusion

141 Architectural merit demands both elegant form-making and appropriate relationship to setting in every way. A critical challenge is whether this building is suitable in this setting, and for reasons relating to height, plan alignment of the tower and materiality, I consider it is not.

NECESSITY FOR THE PROPOSED BUILDING HEIGHT

142 Various submissions have been made in support of this proposal, specifically a large central city hotel. I consider there are urban design benefits of a new hotel in this general location, with this being principally contribution to the activation and vitality of the city centre. Given this, consideration might be given to alternatives which may achieve a 210 bed hotel, and which do not require a tall building as proposed.

143 A hotel of the same size as proposed (210 bedrooms) but considerably lower might be possible if the apartments were to be removed, and if a different configuration were to be explored.

144 The addition of four floors of apartments above the hotel and parking for them exacerbates adverse height related effects. Apartments create a demand for carparking at lower level which impacts on the height of the building. The apartment floor plans describe three floors of 18 apartments and one of 14, that is a total of 68 apartments. The GFA calculations identify 64 apartments. Parking Levels 2 and 3 each provide for 40 carparks, and it might be assumed that if the apartments were to be removed, then at least 40 car parks could also be removed.

145 Considering the hotel components of the project identified in the architect's GFA calculations, and excluding all 64-68 apartments and one floor of 40 carparks that might reasonably be expected to be required for those apartments, then the GFA would be 13,874 m². That would comprise:

(a) 4,942 m² being all of the lobby, service, and back of house facilities identified by the Proposal, and 40 of 80 carparks.

(b) 8,932m² of bedroom floor GFA, being 210 bedrooms.

146 The proposed building and site area is 3,668m², and the tower at 1276m² therefore occupies 34.79% of the site.

Alternative 1

147 An alternative hypothetical configuration based on the areas and facilities identified for the Proposal might be as follows:

148 The lowest three floors provide all of the common/service back of house and parking (say 997m² at level 1 and 1972.5m² at both levels 2 and 3.) This is a GFA of 4,492m² and provides for all that is on levels 1, 2, 4 and 5 of the Proposal.

149 Assuming that at Level 4 and above 50% of the site is occupied then 4.8 levels of hotel bedrooms would be required. That is a GFA of 1,834m² per level to allow for setback boundaries and space and openness between bedroom related components. In addition to the identified 3 lowest storeys, that would result in a total height of 8 storeys or 30.8m at the Moray Place edge, and around 5 storeys at the more elevated back of the site.

Alternative 2

150 A second, and less conservative alternative would be to assume some bedrooms (equivalent to say 1/3 of a floor) might be placed along the Level 2 Moray Street frontage, and the bedroom floors at levels 4 and above might occupy 60% of the site. That means:

(a) 8,506m² of bedrooms at levels 4 and above, which at 60% site coverage translates to 2,200m² per floor; and

(b) 3.86, or 4 floors of bedrooms, which translates to a 7 storey, 27.2 metre high building at Moray Place edge, and around 4 storeys at the rear of the site.

151 That is, changing the building type could provide for a hotel of the same size but considerably lower than the Proposal. Such a low-medium rise configuration is not fanciful. This would be subject to site planning studies, nevertheless I am confident this analysis is realistic because:

(a) My analysis does not assume high site coverage; and

(b) the form and configuration is in some ways comparable with the 6 storeys (plus service) of the Park Hyatt under construction in Auckland, and the Sofitel in Queenstown which is a relatively low elongated form built up a sloping site and varying between 3 and 5 storeys high.

Alternative 3

152 A third approach tests a GFA reduced to 12,000m², and follows the precedent of alternative 2 in occupying 60% of the site above the podium level[38]. This would necessitate 6,632m² at level 4 and above. At 2,200m² per floor, a further 3 storeys would be required. In this case the building would be 6 storeys high on Moray Place.

153 This demonstrates it is not necessary to build to 16 storeys for a 210 bed hotel on this site. Indicative analysis shows that a 210 room hotel might be achieved on this site with an alternative building form that might be 7 or 8 storeys high at the edge of Moray Place, and 4 or 5 storeys high at the rear. It might be 6 storeys at Moray Place if the size of the hotel were to be slightly reduced. This is indicative but non-fanciful, and considerably lower than the 16 storey high Proposal.

Conclusion

154 There will be alternative configurations and forms for a hotel of around the size proposed on this site, which do not compromise the city in the way that this Proposal does. Calculations show that

[38] In my experience hotel operators desire a certain minimum size of facility for operational efficiency. Depending on the operator and type of hotel (excluding boutique hotels which are much smaller, and probably also depending on location, I have heard this expressed on one hand as something not less than 140 -150 rooms, and in another case, a minimum GFA of 12,000m².

alternatives for a hotel (excluding apartments) might, depending on brief and design, be from 6 to 8 storeys high, rather than 16 storeys as proposed.

APPROPRIATENESS OF PROPOSED CONDITIONS

155 Following from my concerns on the effects of building height including shading, and form and design in relation to context, I consider the proposed Council conditions are insufficient and unsupportable in that they do not address the fundamental issues arising from the Proposal.

SUMMARY AND CONCLUSION

Summary

156 The multiple adverse effects of the Proposal are severe and are not consistent with an acceptable urban design outcome, nor with District Plan urban design expectations.

157 The Proposal is over-scaled, leads to major adverse visual and shading effects, and does not fit within its townscape context

158 I consider some individual effects to be 'significant', many to be 'unacceptable', and therefore cumulatively, the effects overall to be unacceptable.

159 The mitigation methods proposed by Mr Compton Moen will not mitigate the visual domination effects of the proposal.

Graeme Robert McIndoe

24 July 2017

Appendix 1 to the evidence of Graeme Robert McIndoe

RELEVANT PROFESSIONAL EXPERIENCE

Appointments:

1. Chairman of Wellington City Councils' Waterfront Technical Advisory Group. [TAG] (Member since 2000, chair since 2005 and ongoing);
2. Chairman of the Nelson City/Tasman District Council Urban Design Panel. (2010-ongoing);
3. Chairman of the CERA appointed TAG for the Canterbury Earthquake Memorial project (2014);
4. Chairman of the Christchurch City Council's Heritage Advisory Team for the reconstruction of the Christchurch Town Hall (2012-14);
5. Founding member of Panuku Development Auckland's TAG (2007-ongoing);
6. Member of the Auckland Council's Urban Design Panel (2012 -ongoing);
7. Member of Queenstown Town Centre Advisory Group (2017)
8. Member of the Steering Group for Auckland Council's 'Auckland Design Manual' and responsible for both reviewing and providing content for residential sections of that. (2012-13);
9. Member of the TAG (Urban) for stage 2 RMA reform, advising the Minister for the Environment. (2010);
10. Design assessor for the NZ Government/ARC/Auckland City Council competition for Queens Wharf (2010); and
11. Member of Leaders Group for the Ministry of Justice's Taskforce for Community Violence Prevention. (2005-06).

Experience relevant to this project includes:

12. Hotel development including significant involvement with the design and consenting of Park Hyatt Hotel currently under construction on Auckland's Wynyard Quarter, and the Hilton Hotel proposed for the Wellington waterfront. I am currently working on a further major hotel project in Auckland.
13. Apartment development including two current apartment developments of 300+ units in Auckland, and (in a design review and in most cases formal consent reporting capacity) all of the apartment development currently

planned and under construction on the Wynyard Quarter in Auckland, and all that has been constructed on Wellington's waterfront.

14. Author of Wellington City Council's Central area urban design guide
15. Experience in character assessment including writing the character section of Wellington's residential design guide, and assessments of all of Wellington's inner city residential areas.
16. Intensive design review and advisory involvement in the National Convention Centre project (Auckland), Wellington's proposed Convention Centre and Film Museum, and Wellington's Civic Square/Town Hall and Music Hub projects.

Ministry for the Environment national level projects

17. Principal co-author, urban design content options for a New Zealand national planning template (2016);
18. Principal co-author, The Value of Urban Design: the economic, environmental and social benefits of urban design (2005);
19. Principal co-author, the Urban Design Toolkit (2005);
20. Author, MFE discussion document for a scoping study for a National Policy Statement on Urban Design (2011); and
21. Author, Shaping the Future: A National Policy for the Urban Environment. (2002)

Recent Expert evidence

22. East-West Link BOI, Auckland, for Auckland Council and Panuku Development Auckland (2017 - ongoing);
23. Three Kings Plan Change Auckland, for the Minister for the Environment (2016);
24. Commercial Bay and QE Square development, Auckland, (for Precinct Properties, 2016);
25. Park Hyatt waterfront hotel development (for Panuku Development Auckland); and
26. Unitary Plan, Residential Section, (for Auckland Council, 2015,16).

Appendix 2


NORTH
Approximate building height
(# of Storeys)
1 - 3 Storeys
4 - 6 Storeys
7 - 9 Storeys
10+ Storeys
A2.1
Building Height Contours
0
50
100
200m
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Typical examples of building facade type

Expressed spandrel

Partial curtain wall

Full glazed curtain wall

Perforated wall

Parking garage

A2.2
Building Facade Type

0 50 100 200m

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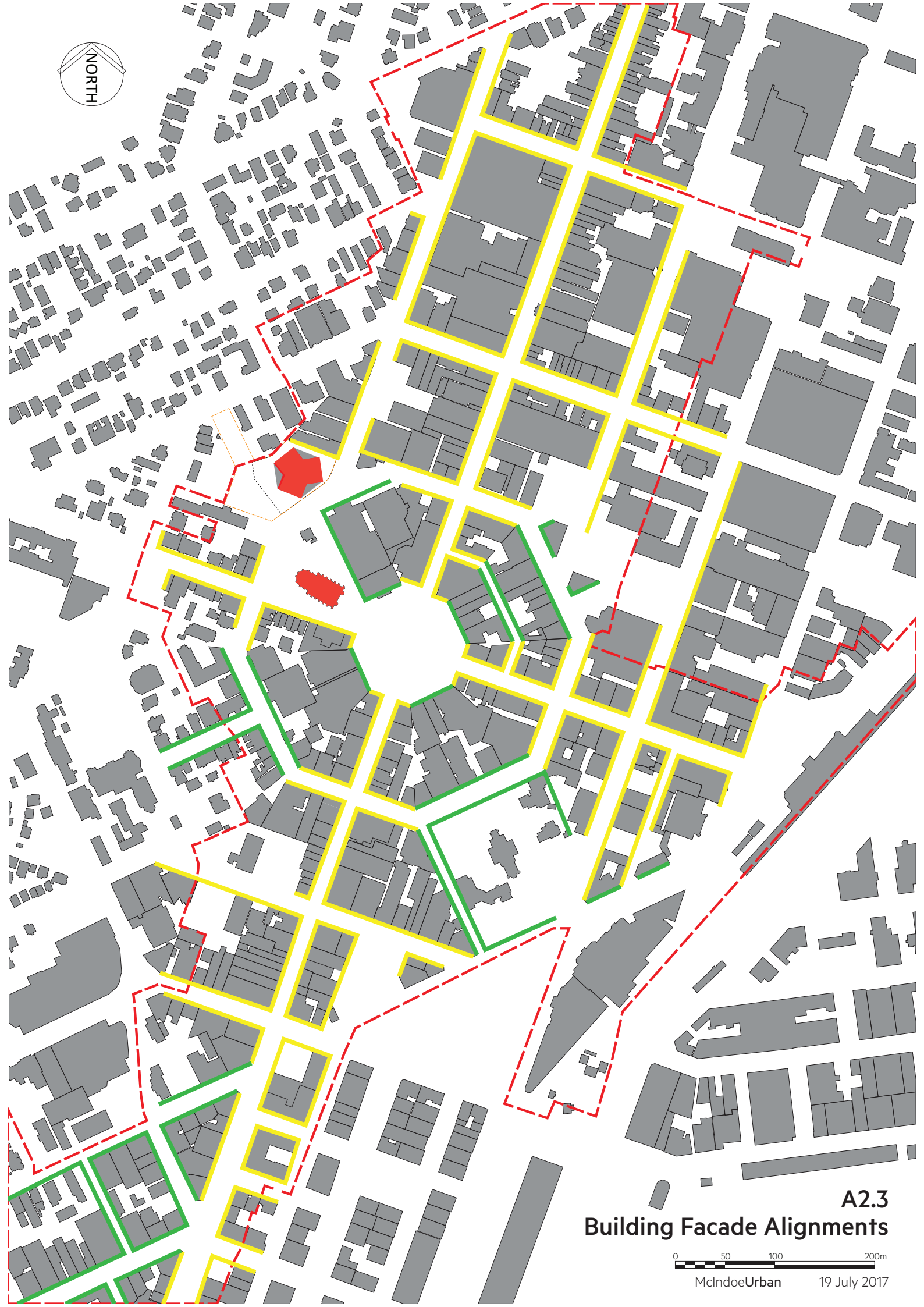

A2.3
Building Facade Alignments

0 50 100 200m

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Appendix 3 to the evidence of Graeme Robert McIndoe

FIGURE 2 View up Harrop Street