

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of an application for resource consent to construct and operate a mixed commercial, hotel and residential development at 143-193 Moray Place, Dunedin

**STATEMENT OF EVIDENCE OF REBECCA SKIDMORE ON BEHALF OF
MISBEARY HOLDINGS LTD.**

URBAN DESIGN AND VISUAL EFFECTS

1. INTRODUCTION

- 1.1 My name is Rebecca Skidmore. I am a Director of RA Skidmore Urban Design Limited, a position I have held for approximately 14 years. I hold a Bachelor of Science from the University of Canterbury, a Bachelor of Landscape Architecture (Hons) from Lincoln University, and a Master of Built Environment (Urban Design) from Queensland University of Technology in Brisbane.
- 1.2 I have 22 years' experience in practice in both local government and in the private sector. In these positions I have assisted with the preparation of district plans and I have reviewed a wide range of resource consent applications throughout New Zealand. These assessments relate to a range of rural, residential and commercial proposals. Many proposals I have assessed relate to the introduction of structures in sensitive and highly valued environments.
- 1.3 In my current role I regularly assist local authorities with policy and district plan development in relation to growth management, urban design, landscape, and amenity matters. I also have considerable experience in carrying out character assessments. I have been involved in a number of heritage and character assessments for commercial areas in various parts of the country.

- 1.4 I have been involved in a number of tourism focusses projects, including providing advice and giving evidence for the establishment of a 6-star hotel in the Wynyard Quarter, central Auckland. The hotel is currently under construction.
- 1.5 I am an Independent Hearings Commissioner. I also regularly provide expert evidence in the Environment Court and I have appeared as the Court's witness in the past.

Code of conduct

- 1.6 While this is not an Environment Court hearing, I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2014. I have complied with the Code of Conduct in preparing this evidence and I agree to comply with it while giving oral evidence before the Hearing Commissioners. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

2. SCOPE OF EVIDENCE

- 2.1 I have been requested by Misbeary Holdings Ltd. to review the resource consent application by NZ Horizons Hospitality Group Ltd. to establish a mixed hotel and apartment complex at 143 – 193 Moray Place, Dunedin and provided evidence in relation to urban design and visual effects considerations. I have been asked specifically not to focus on the effects on nearby properties owned by Misbeary Holdings but to assess the effects of the proposal on the wider Dunedin environment. In carrying out the review I have read the following documents:

- the application AEE (updated 04/04/17) and accompanying architectural statement and plans, urban design and visual impact assessment (the **UDVIA**) (dated 31/03/17);
- additional information provided in response to the Council's Section 92 request for further information, including amendments and additional information for the architectural package, a shading assessment, an updated package of photomontages, a memo confirming proposed glazing treatment;

- the Council's Section 42a report including the urban design evidence by Garth Falconer contained in Appendix 6 of the report.; and
- the pre-circulated evidence of Thom Craig and David Compton-Moen on behalf of the Applicant.

2.2 I visited the subject site (the **Site**) and surrounding environs on 17 July.

2.3 In the following evidence I will:

- Provide some comment about the adequacy of information provided to understand the potential urban character, amenity and visual effects associated with the proposal;
- Based on the information available, provide my opinion in relation to urban character, amenity and visual effects arising from the proposal;
- Provide some comment regarding the proposal in the context of the District Plan policy framework;
- Provide my conclusions.

3. ADEQUACY OF INFORMATION

3.1 If constructed, the proposal will be the largest building in central Dunedin. For a project of this significance and prominence I consider the detail provided with the application and the level of analysis to be extremely light in relation to urban design and visual effects considerations.

3.2 The architectural statement accompanying the set of architectural plans is very brief (a single page) and does not clearly explain the rationale for the design response for the Site and how this relates to its surrounding context. In particular, the rationale for the podium/tower typology comprising three connected wings, the height and bulk of the building and the articulation and material palette is not clearly explained. The evidence of Thom Craig notes:

The pinwheel tower form is the result of a process that optimises the required mass of the building to deliver the best hotel experience, and offers the most elegant and evocative architectural form.

There is no detail provided about why the scale and form proposed is considered to be appropriate in relation to the established character of the surrounding context and development control framework set out in the DP and 2GP.

- 3.3 The 'Context' Plan' included in the architectural package shows a very limited area of the surrounding context. It contains no annotated analysis of the relationship of the site development to features in the surrounding area and functions more as a site location plan. The package of architectural plans includes only two cross sections and no elevations. There is only a single cross section provided extending outside the Site to demonstrate the scale of development proposed in relation to the surrounding context. Very little detail of the proposed palette of external materials is provided. There is no detail provided about how the elevated external planting depicted in the renders will be achieved.
- 3.4 Following the close of submissions and in response to the Council's request for further information, a number of amendments and additional architectural plans were provided including an updated Level 4 plan, new cross section XX and perspective showing a verandah canopy (Appendix 2F of Section 42A report), Cross Section AA (Appendix 2I of Section 42A report) and a new Level 1 plan showing an enlarged retail space (Appendix 2J of Section 42A report).
- 3.5 While the additional and updated information is helpful, it is still unclear how the Level 1 spaces will function and interface with the adjacent street. There is no detail provided about any proposed public realm improvements and how these will integrate with the adjacent street environment or contribute positively to the wider urban environment.
- 3.6 The only additional plan that has been provided in the applicant's pre-circulated evidence is a diagram showing possible streetscape improvements adjacent to the Site attached to Mr Compton-Moen's evidence. He notes in his evidence that "the design of Moray Place is a project in its own right and would need input from a number of different parties and specialists, and funding from outside this project.¹ I consider it is appropriate to consider and determine such streetscape improvements as part of the project.

¹ Para 32, evidence of David Compton-Moen, 31/07/2017

- 3.7 While the Council's urban design review noted a number of inadequacies in the information provided, I note that no additional plans or design detail have been provided in the evidence in relation to the proposed site development.

4. **POTENTIAL EFFECTS – CHARACTER, AMENITY AND VISUAL EFFECTS**

- 4.1 The establishment of a 5-star hotel within the core of central Dunedin will be of benefit to the function of Dunedin as a tourist destination. It will also contribute to the vitality of the city centre. In this respect, the Site is well located to accommodate such a use.
- 4.2 However, the shape and topography of the Site presents challenges to its development. In my opinion, the proposal represents a poor response to the characteristics of the Site and its surrounding context. The podium/tower typology is at odds with the established pattern of development in the city centre, which is typified by a strong pattern of perimeter block development, with buildings rising to their full height and forming a strong edge to the street.
- 4.3 As is quite evident in the visual simulations of the proposal, the scale of the proposed building contrasts dramatically with buildings in both the immediate and wider context. The proposal exceeds the permitted height standard in both the operative district Plan (the **DP**) and the proposed 2nd Generation Plan (the **2GP**) by a considerable scale.
- 4.4 But it is not appropriate to consider the height aspect of the proposal in isolation. The visual, character and amenity effects arising from the building result from the way a range of design aspects come together. These include the building typology (podium and linked towers), footprint and building mass, form, height, articulation and material palette. The urban design analysis of the proposal included in the AEE and by the Council's urban design reviewer focuses primarily on the height of the building (considerably exceeding the permitted standard in both the DP and the 2GP).

- 4.5 While I agree with the Council's reviewer that the height proposed is of concern, in my opinion the adverse visual effects arising from the additional height is exacerbated by the building mass, its design and the external cladding and articulation proposed. The building has a large footprint, and while the 'pinwheel' arrangement of the tower creates three vertical elements, their uniform treatment results in the appearance of a singular visual mass when viewed from surrounding areas. The resulting form dominates the more finely grained and articulated urban landscape when viewed from both local viewpoints and more distant locations such as the other side of the Harbour. The visual simulations clearly demonstrate how the various building elements will be viewed collectively to create a very large mass that is completely at odds with the established character of the city centre.
- 4.6 The UD VIA notes that there is a precedent for taller buildings within the commercial centre, citing a number of buildings². However, the comparison is of little assistance as these buildings are very different in overall mass (e.g. the First Church spire) and form. I also note that the buildings identified are considerably lower than the proposed building (between 32 and 35m compared with 60.33m plus 4.5m high lift well projection proposed).
- 4.7 Dunedin has a distinctive central commercial area. As noted in the introduction to the Townscape chapter of the District Plan, it has retained many townscape qualities that are a result of the activities of early settlers; more so than any other city in New Zealand. The built heritage retains strong links to the Victorian and Edwardian period. As described in the introduction, the design and appearance of buildings of that era collectively give Dunedin an appearance of grandeur and permanence. The central city area has a distinctive and cohesive character that is valued by residents and visitors.
- 4.8 The Council's urban design review is generally supportive of the contemporary design response (while not supporting the overall scale of the building and aspects of the detailed design). While I agree that contemporary design responses can successfully integrate with more traditional cityscapes, in this instance I consider the proposal conflicts with and will adversely affect the character of the surrounding context. This is

² Section 3.1.2, p 12 Urban Design and Visual Impact Assessment, David Compton-Moen, 31/03/17

in part due to the overwhelming scale of the building in combination with the dominance of glazing which provides little contextual reference to the solidity of surrounding buildings.

- 4.9 The dominant building fabric of central Dunedin comprises solid forms punctuated with defined areas of glazing. I do not understand how the building form and use of curtain glazing 'engages with its immediate/local surroundings and built historical styles/context at various scales' as described in the Architectural Statement. I also do not agree with Mr Craig's opinion in his evidence that the three dimensional spatial response of the proposed building "will resonate with the historic and existing built fabric and streetscape patterns of the City".³ In my opinion, the scale, form and appearance of the proposal will dominate and be at odds with the established urban environment.
- 4.10 In my opinion, the white finish of the lattice structures around the lower levels of the building, in combination with the curtain wall glazing is incompatible with the generally solid and darker palette of the surrounding built environment. I do not agree that the "tartan tectonic detailing" and the lightly tinted green glass curtain wall will "engage with its immediate/local surroundings and built historical styles/context at various scales" as described in Mr Craig's evidence⁴. In my opinion, the architectural references to tartan and an 'electric thistle' would not be readily perceived by the general public, and has no foundation in the built fabric of the City.
- 4.11 The Council's Section 42a report addresses the issue of glare arising from the curtain wall glazing proposed. In additional information provided, the applicant's planner notes that "the glass treatment of the building is proposed to have the lightest tint of green, while still maintaining its transparency, thus providing partial views into the building"⁵. In my opinion, glare arising from the glazing will be greater than the solid stone and brick wall finishes that predominate in central Dunedin. The reflectivity of the surfaces will exacerbate the prominence of the building in its context when viewed from surrounding areas both near and far. Given the residential nature of the building use above Level 5, views into hotel rooms and apartments will diminish the uniform/sculptural appearance of the building form. Providing privacy for residents and guests will require curtaining

³ Para. 14, evidence of Thom Craig, 17/07/17

⁴ Para. 10, evidence of Thom Craig, 17/07/17

⁵ Memo from Nigel Bryce, Anderson & Co., 26/04/17

which will result in variations in the façade appearance. Together with variations in lighting within units at night, this may result in visual clutter and a lack of coherence that is not portrayed in the visual simulations provided with the application.

- 4.12 The 3D images and visual simulations depict planting cascading down the façade in areas of the buildings. There is no detail provided about how this will be achieved and maintained. I have reservations regarding how successful such planting would be in the Dunedin climate.

- 4.13 Having uses that generate activity and front directly onto adjacent streets and other public spaces is generally promoted within town and city centres to create vitality and contribute to the amenity of the public realm. The UD VIA report and the evidence by David Compton-Moen⁶ notes that the section of Moray Place around the Site is weak in terms of creating an 'active edge' and notes that the proposal will result in a positive effect by creating a strong built edge and activation of Moray Place. I note that the amended Level 1 plan in the architectural package (dated 27/06/17) shows an area of retail/coffee/ bicycles sleeving the plant and loading area within the building. It is unclear from the information provided how this area will be arranged to accommodate and service these activities and how they will interface with the street. There is no detail give of the façade treatment of this frontage or how the sloping Moray Street level will be handled.

- 4.14 The main amenity areas including water features, garden areas and children's' play area are located on the podium at Level 4. Being considerably above street level at the corner of Moray Place and Filleul Street, these areas will contribute little to the amenity of the adjacent street.

- 4.15 In his evidence, setting out his urban design review of the project for the Council, Garth Falconer concludes that the proposal offers a "bold contemporary design and high quality built form".⁷ However, he concludes that the height of the proposed building will result in adverse visual dominance and shading effects. He concludes that the removal of the upper 4 floors of the building will be adequate to avoid unacceptable adverse effects provided a number of matters are suitably addressed at the detailed design phase.

⁶ Paragraphs 13-16, evidence of David Compton-Moen, 31/07/2017

⁷ Para. 13.1, evidence of Garth Falconer, 6/07/17

- 4.16 I do not agree. In my opinion, the reason why the proposal is inappropriate in this location is more fundamental. As I have set out above, while I consider the considerable building height above buildings in the surrounding context and above the permitted standard in both the DP and 2GP to be inappropriate, the visual dominance and adverse effects on the character and amenity of the central city area results from a combination of the building typology, the horizontal mass and vertical scale, the form and articulation of the building and the palette of external materials proposed. Also, I consider that inadequate information has been provided to demonstrate how the proposal will create a positive interface with the immediately adjacent public realm.
- 4.17 In my opinion, the design approach for this location in central Dunedin is fundamentally flawed. In his evidence, Mr Craig does not support the removal of 4 floors as it would change the proportion of the building.⁸ I agree that creating an appropriate design response is not as simple as removing floors. I agree that simply removing the upper 4 floors would change the proportion of the building. In my opinion, the proposal already has a very bulky visual mass resulting from the configuration of the three arms of the pin-wheel, combined with the vertical scale. Simply removing the upper floors would further emphasise the horizontal proportion of the building. In my opinion, the design approach for the site development is fundamentally flawed and requires a re-consideration rather than amendments to the current proposal.

5. DISTRICT PLAN POLICY FRAMEWORK

- 5.1 Having a maximum finished height of 60.334m above existing ground level the proposal considerably exceeds the 11m permitted height standard for the zone. It also does not meet the requirement to build to front and side yards. When considering the effects of a building on the the character and amenity of the surrounding environment, it is appropriate to holistically consider the various design aspects that come together to create the overall proposal. For example, in this instance the building typology, the overall building mass comprising both the horizontal and vertical extent and configuration of elements, the form, articulation and material palette holistically contribute to the way the building will be perceived. The objectives and policies of the DP provide the policy framework for

⁸ Para. 18, evidence of Thom Craig, 17/07/17

considering the proposal which falls outside the parameters set out by the rules.

- 5.2 The Octagon is the civic heart of Dunedin. The built character values of the Octagon and surrounding area are recognised in the DP by the identification of the Octagon Townscape Precinct, identification of heritage facades and heritage structures. The Site falls within the Octagon Townscape Precinct and forms a backdrop to the identified heritage structures of the Municipal Chambers, Dunedin Town Hall and St Pauls Cathedral. As set out above, in my opinion, the scale, form and articulation of the proposal is completely at odds with the established character of the precinct. It forms part of the setting of identified heritage structures. Its scale will completely overwhelm and dominate the Town Hall, Municipal Chambers and St Pauls Cathedral. This is clearly demonstrated in Viewpoint 5 of the visual simulation package. As set out above, the proposal will introduce a large and prominent building that is completely at odds with the established character of the precinct. In these respects, I consider the proposal to be contrary to key objectives that seeks to ensure that the character of significant townscape and heritage precincts is maintained or enhanced (Obj. 13.2.5) and that development does not adversely affect the character and amenity of the central City precincts (Obj. 13.2.6).
- 5.3 The 2GP does not carry through the Townscape Precinct method. However the Site is adjacent to the identified Heritage Precinct around the Octagon, which continues to identify the Dunedin Town Hall, Municipal Chambers and St Pauls Cathedral as protected heritage items. The policy framework of the 2GP provides little direction in relation to urban design considerations within the Central Business District (CBD) zone. Objective 18.2.3 seeks to ensure land use and development maintains or enhances the amenity of the streetscape, including the visual and environmental amenity for pedestrians along identified street frontages. This is supported by more detailed guidance in Policy 18.2.3.1 which seeks to ensure, amongst other things, that building height reflects the general heights of the block. As set out above, there is not adequate information provided to determine how the activities proposed at street level will interface with and contribute to the amenity of the immediately adjacent street environment. For those using the wider street environment, I consider that the overall scale of the building (resulting from height and bulk) together with the form

and architectural detailing will not maintain the amenity of the streetscape. In this respect, the proposed building height is completely at odds with other buildings in the block and in the wider area.

6. CONCLUSION

- 6.1 The proposal is located in a strategic location in central Dunedin. If constructed, the proposal will be the largest building in central Dunedin. For a project of this significance and prominence I consider the detail provided with the application and the level of analysis in relation to urban design and visual effects considerations to be extremely light.
- 6.2 While I agree with the Council's reviewer that the additional height proposed is of concern, I do not consider this aspect of the proposal can be considered in isolation. In my opinion, the overall design of the building should be considered holistically as a number of aspects come together to determine the way the building will be perceived and sit within its context. In my opinion, the adverse visual effects arising from the additional height are exacerbated by the building mass, its design and the external cladding and articulation proposed. The building has a large footprint and while the 'pinwheel' arrangement of the tower creates three vertical elements, their uniform treatment results in a singular visual mass when viewed from surrounding areas. The resulting form dominates the more finely grained and articulated urbanscape when viewed from both local viewpoints and more distant locations such as the other side of the Harbour. The visual simulations clearly demonstrate how the various building elements will be viewed collectively to create a very large mass that is completely at odds with the established character of the city centre.
- 6.3 In my opinion, the design and form of the building, in combination with its large scale, is incompatible with the established character of the Octagon Townscape Precinct. I consider the material palette, primarily comprising curtain glazed walls, with a white metal lattice structure at the lower levels and cascading elevated planting, to be incompatible with the pattern of development in the surrounding urban context. In particular, I consider it to be incompatible with the solidity and permanence resulting from the dominant use of stone and brick in the concentration of historic buildings in the central area.

- 6.4 In my opinion, the adverse visual and amenity effects can not be addressed simply by removing the upper floors of the building as suggested in the evidence of Mr Falconer. I consider that the design approach for the site development is fundamentally flawed and requires a complete re-consideration rather than amendments to the current proposal.
- 6.5 In my opinion, the proposal is contrary to the policy framework relating to design and amenity considerations for the Octagon Townscape Precinct set out in the DP. It is also inconsistent with the policy direction for the CBD zone set out in the 2GP which seeks to ensure the amenity of streetscapes is maintained and enhanced. In this regard it is contrary to Policy 18.2.3.1 which seeks to ensure building heights reflect the general heights of the block.

Rebecca Skidmore

21st July 2017