

Rebuttal Evidence

Of

Don Anderson

1 Both the AEE that I prepared and my planning evidence have been pre-circulated. I don't wish to repeat either document other than to expand on the synopsis in my planning evidence.

2 I have been involved in Dunedin planning since graduating in 1971, initially with council's City Planning Department and then as a planning consultant in private practice. That hands-on experience has enabled me to better understand the background to today's application for the 5 Star hotel adjacent to Dunedin's town hall complex (Dunedin Centre).

3 It is fair to say that for a long time, Dunedin's lack of population growth was seen as a barrier to the city's future. Much of the 1972 District Scheme details the need to conserve the physical resources while shifting the planning focus onto the city's natural beauty of its hills, harbour, peninsula, beaches and town belt, while recognising the ongoing importance of education and health opportunities.

4 In 1972, urban renewal was seen as the preferred strategy rather than greenfield development. Many sites were cleared within the historical CBD core around the exchange and significant new multi-storied commercial buildings erected, including:

- the State Insurance building (now part of Scenic Circle hotel),
- John Wickliffe House,
- Philip Laing House,
- Cargill House (now part of Scenic Circle hotel),
- State Insurance House (now part of Scenic Circle hotel),
- National Insurance House,
- CML Insurance house,
- Wrightson Head Office Building in High Street.

Then demolition and redevelopment moved north along Princes Street, through the Octagon to North Moray Place and the following were built:

- Insurance House (now Burns House),
- Central Mission House (now Forsyth Barr House),
- Evan Parry House in Princes Street,
- Moray Place Post Office (now ANZ Bank),
- the Otago Savings Bank house (now Westpac house),
- ASB House in Cumberland Street, and finally
- Otago House and its extension on the corner of Princes Street and Moray place and the smaller glass fronted building on the corner of Upper Stuart Street and Smith Street.

5 The point of this list is to demonstrate that notwithstanding the concerns in the 1972 district plan about the lack of population growth and the acknowledged Victorian heritage, Dunedin has

embraced redevelopment within its CBD by demolition and rebuilding with multi storied commercial buildings of modern design.

6 For the panel's information, all of these post 1960 buildings in Dunedin's CBD exceeded the 9m to 11m height rule that is now in the CBD.

7 I wish to draw to your attention to relevant extracts from the 1972 district Scheme as follows;

- *The CBD is and will remain the main focus of the city's cultural and commercial life. Any proposals which enhance the ability of the CBD to perform these functions are generally to be encouraged*
- *To encourage redevelopment over as much as possible of the CBD core area that is in need of new buildings in such a way as to encourage maximum design freedom and maximum land assembly*
- *To build a new Municipal Chamber for the civic administration and a new public library to serve the whole city.*

8 The 1990 reviewed district scheme continued the CBD theme in objective 37 which states:

"To facilitate improvements to the shopping, business, cultural and social environment of the Central Business District and reinforcing its status as the main centre of commercial and community activity in the Dunedin metropolitan area."

In support of that objective, the 1990 reviewed district scheme imposed no general height limits on buildings within the CBD which included 193 Moray Place. It did however impose height limits of 9m, 11m, and 14m on identified view shafts of First Church along Harrop Street and Great King Street, the Railway Station down Stuart Street, and Knox Church along George Street (see attachments 1). It further provided that the inner circle of the Octagon and the cathedral Grounds be "protected areas" and controlled the height of buildings in the vicinity of the protected area between 10.00am and 3.00pm over the summer months between 21 September and 21 March inclusive (see attachments 2 and 3).

9 These objectives and policies continue into both the operative district plan and the 2GP, both of which are seeking to achieve a vibrant CBD for the city. In the ODP, issue 9.1.1 states:

- *The character and amenity of Dunedin depends on a strong and vibrant city centre.*

Objective 9.2.5 states:

- *Ensure that the central Activity and Local Activity zones continue to develop as "people places".*

And anticipated environmental outcome 9.10.4 states:

- *Vibrant Central Activity....zone.*

10 The introduction to Section 18 Commercial and Mixed use Zones in the 2GP states:

- *The retention and enhancement of the vitality and viability of the CBD and Centres is a key resource management issue for Dunedin City.*

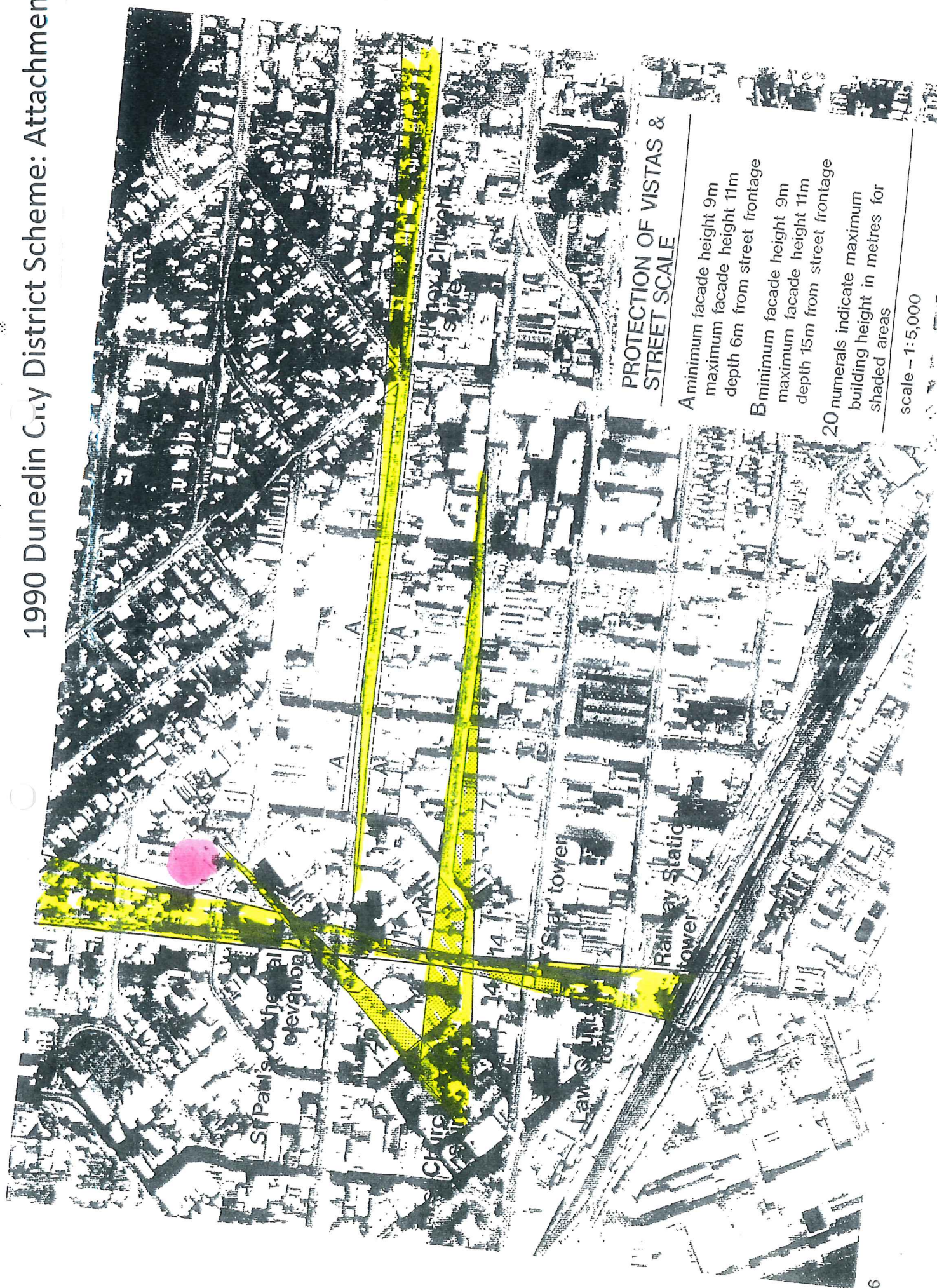
11 The proposal for 193 Moray Place achieves the vibrancy that has been ongoing within the CBD for over 40 years. Just as the earlier redevelopment revitalised the exchange area and along Princes Street through to north Moray Place, the proposal for 193 Moray Place will introduce visitors within walking distance of the CBD including the Octagon, the George Street retail strip, and of course, the Dunedin Centre across Moray Place.

12 There have been and continue to be environmental effects in achieving this long held public expectation for the redevelopment of the CBD, initially in the form of the demolition of heritage buildings (the demolition of the Stock Exchange is a prime example). Now the environmental effect is about exceeding the permitted building height limit that was introduced into the 1995 district plan for the first time. But that effect is transitory and relatively minor on the individual private properties involved when assessed against the statutory documents as now required by the King Salmon/ Davidson decisions of the Courts. The Dunedin City Council as the land owner of 193 Moray Place has complete control over matters affecting the public realm which includes the streets and the open space such as the Octagon.

13 That balance will have been assessed by the Dunedin City Council, advised by its planning and urban design staff, when it entered into the Memorandum of Understanding with the applicant that has enabled today's proposal to proceed.

Don Anderson

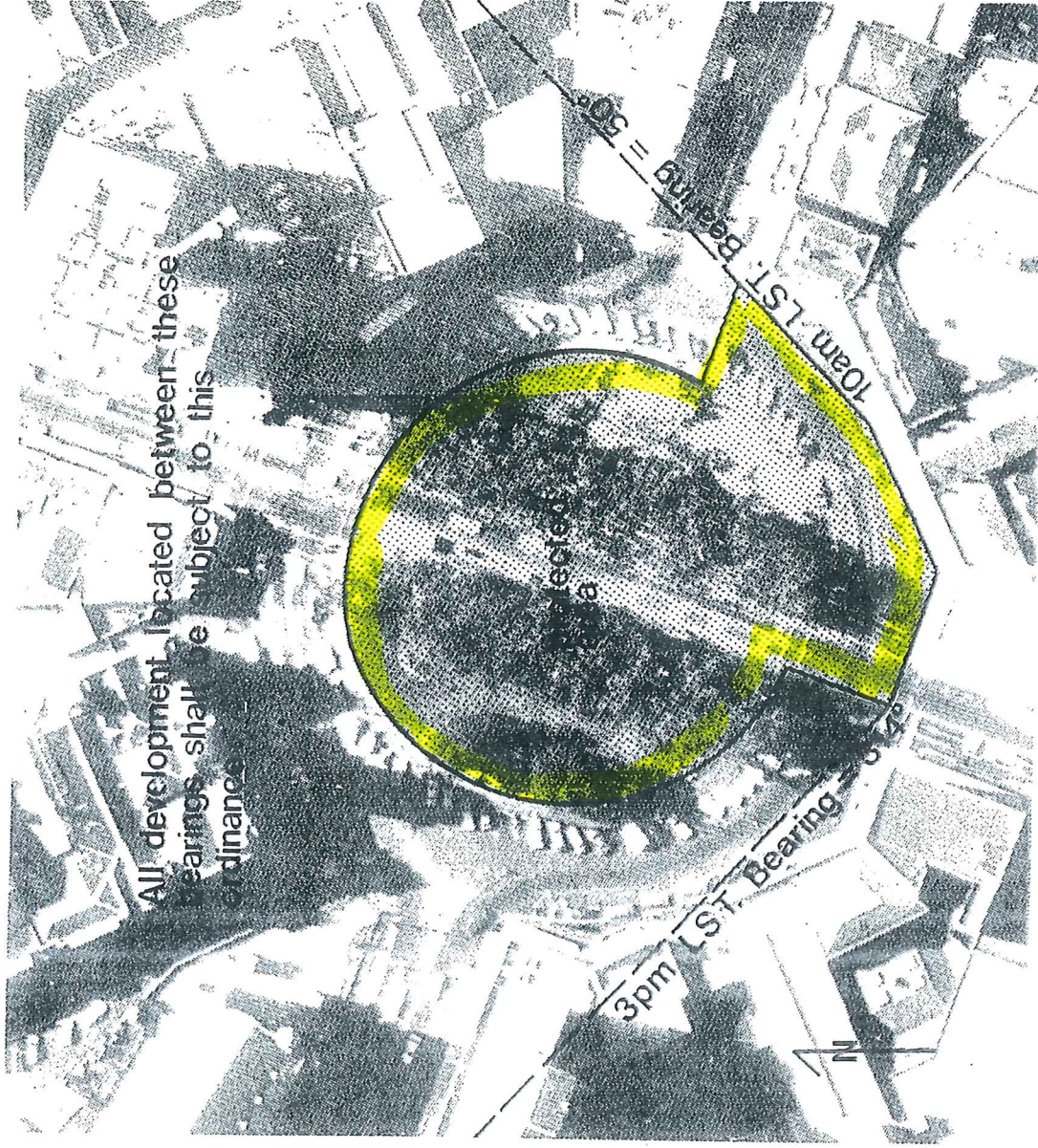
31 July 2017



1990 Dunedin City District Scheme: Attachment 2

THE OCTAGON

The height of all building development in the vicinity of the protected area will be such that no shadows are cast on the protected area between 10.00am and 3.00pm (Local Standard Time) over the summer months between 21 September and 21 March inclusive.



The Octagon is one of the most important nodes in the City and in many respects is the focus of civic life. Along with Carisbrook and Forbury Park it is probably the best known Dunedin feature as far as other New Zealanders are concerned. The penetration of the maximum amount of sunshine possible is a fundamental requirement for the Octagon.

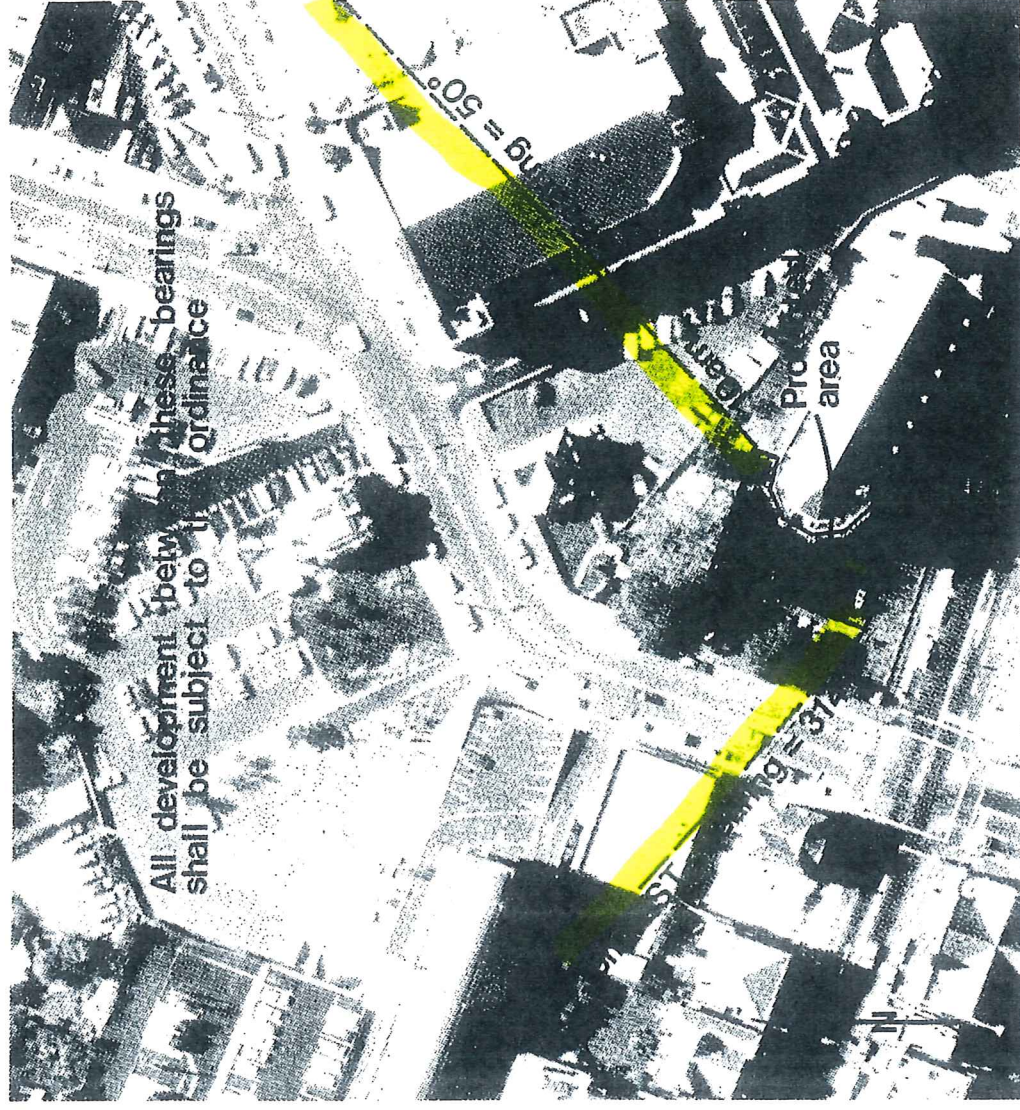
EXAMPLE, in order to comply with the 10.00am requirement no building at a bearing of 50° from any point within the protected area shall project through a recession plane of 32° originating at ground level along the periphery of the protected area.

The calculate the recession plane angle for every other bearing contained within this ordinance, use may be made of Fig A of this ordinance, "Elevation and bearing to sun in Dunedin".

1990 Dunedin City District Scheme: Attachment 3

ST. PAUL'S CATHEDRAL GROUNDS

The height of all building developments in the vicinity of the protected area will be such that no shadows are cast on the protected area between 10.00am and 3.00pm (Local Standard Time) over the summer months between 21 September to 21 March inclusive.



The St Paul's Cathedral grounds, are similar in importance and function to the Knox Church and the First Church Grounds in that they offer a retreat from the busyness of Central Business District activity and also mark an important street entrance to the centre of the city. Any loss of sunlight in these open spaces would amount to a considerable loss of public amenity.

In view of the rise of the land form to the northwest and the height of recent building development in that direction (especially the Town House), sun access to the space during winter months is limited mainly to morning hours. Consequently, the ordinance has been expressed in terms of summer months only. Access of morning sun during the winter months will nevertheless be achieved by the location and topography of the protected area.

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