

## APPENDIX C – RESPONSE TO REQUEST 29

1. The Panel's request #29 is:

*Council witnesses to provide updated analysis regarding:*

- *A bullet point list of objective elements contributing to an "exemplary" building (Alistair Ray)*
- *The meaning, from an urban design perspective, of "high quality" and "good quality" (Alistair Ray)*
- *A list of factors understood to contribute to a "well-functioning urban environment" (Alistair Ray, Holly Gardiner, and Nicola Williams, in addition to Andrew Willis (noted at 21 above))*
- *A potential tiered rule framework for assessing tall buildings, with certain criteria (including mass) being applicable between heights of 28m and (say) 45m, and others applying up to a higher height*

2. Mr Ray's supplementary evidence in response to request #29 is **overleaf**.

**BEFORE AN INDEPENDENT HEARINGS PANEL  
IN CHRISTCHURCH**

**TE MAHERE Ā-ROHE I TŪTOHUA MŌ TE TĀONE O ŌTAUTAHI**

**UNDER** the Resource Management Act 1991 (the **RMA**)

**AND**

**IN THE MATTER OF** the hearing of submissions on Plan Change 14 (Housing  
and Business Choice) to the Christchurch District Plan

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**SUPPLEMENTARY STATEMENT OF EVIDENCE OF ALISTAIR RAY ON  
BEHALF OF CHRISTCHURCH CITY COUNCIL**

**URBAN DESIGN – CENTRAL CITY ZONE**

**Dated: 14 December 2023**

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## EXECUTIVE SUMMARY

1. My name is **Alistair Ray**. I am employed as a Principal and Senior Urban Designer at Jasmax.
2. I have prepared this supplementary statement of evidence in response to requests by the Independent Hearings Panel (**IHP**) to:
  - (a) Provide a bullet point list of objective elements contributing to an "exemplary" building.
  - (b) Comment on the meaning, from an urban design perspective, of "high quality" and "good quality".
  - (c) Provide a list of factors I had understood to contribute to a "well-functioning urban environment" (**WFUE**) when preparing my primary evidence and rebuttal evidence.
  - (d) Discuss a potential tiered rule framework for assessing tall buildings, with certain criteria (including mass) being applicable between heights of 28m and (say) 45m, and others applying up to a higher height.
3. Based on my consideration of the questions raised, I conclude that:
  - (a) It is difficult, if not impossible, to define using words or criteria, the precise difference between "good-quality", "high-quality" and "exemplary quality" design outcomes. The elements that one would look to assess can be identified, which I have provided, but which category (good, high, exemplary) the project sits within is a matter of degree that needs to be assessed by experts in the particular field.
  - (b) This points to the importance of design review by experts for the more high-profile projects, for those developments that are likely to have the most significant impact on the overall city-built form. This is particularly important the larger and taller a building is proposed in relation to its context.
  - (c) Building upon national and international best practice, I have identified the list of urban design factors that I considered to contribute to a well-functioning urban environment when preparing my primary evidence and rebuttal evidence.

- (d) A tiered approach to building heights within the City Centre Zone could work from an urban design perspective, and I have set out how I think this could operate.

## **INTRODUCTION**

- 4. My name is **Alistair Ray**. I am employed as a Principal and Senior Urban Designer at Jasmax.
- 5. I prepared a statement of primary evidence on behalf of Christchurch City Council (**Council**) dated 11 August 2023. My primary evidence addressed urban design issues in the CCZ, focussed specifically on building heights in the CCZ, arising from the submissions and further submissions on Plan Change 14 to the Christchurch District Plan (the **District Plan; PC14**).
- 6. I have the qualifications and experience set out at paragraphs 12-15 of my primary evidence dated 11 August 2023.
- 7. I also provided a statement of rebuttal evidence dated 10 October 2023.
- 8. I repeat the confirmation given in my primary evidence that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023, and that my evidence has been prepared in compliance with that Code.

## **SCOPE OF SUPPLEMENTARY EVIDENCE**

- 9. This supplementary evidence addresses the following matters:
  - (a) A bullet point list of objective elements contributing to an "*exemplary*" building.
  - (b) The meaning, from an urban design perspective, of "*high quality*" and "*good quality*".
  - (c) A list of factors I understood to contribute to a "well-functioning urban environment" when preparing my primary evidence and rebuttal evidence.
  - (d) A potential tiered rule framework for assessing tall buildings, with certain criteria (including mass) being applicable between heights of 28m and (say) 45m, and others applying up to a higher height.

## EXEMPLARY, HIGH-QUALITY AND GOOD-QUALITY

10. The Panel requested a list of objective elements contributing to an exemplary building, and the meaning, from an urban perspective, of “high quality” and “good quality”.
11. I consider these two questions inseparable, and I will deal with both together. In this section of my supplementary evidence I will:
  - (a) provide bullet point lists of what I consider to be urban design elements contributing to an exemplary building, and to a good or high quality urban environment; and
  - (b) give a more detailed explanation as to how my response has been arrived at.
12. In **Appendix A**, I provide some background information to assist in demonstrating how I have arrived at my opinions with respect to:
  - (a) elements that contribute to an exemplary building, the meaning, from an urban design perspective of high quality and good quality; and
  - (b) the list of urban design factors I considered to contribute to a well-functioning urban environment when I prepared by primary and rebuttal evidence.
13. I consider the following to be **urban design elements contributing to an exemplary building**:
  - (a) Relationship to context, and surrounding buildings;
  - (b) Coherency of the design strategy – it could be simple or complex, but there should be a coherence to the strategy;
  - (c) Scale and massing, proportions of the building form;
  - (d) Composition of façade, including the top of the building – use of materials, colours, rhythms, proportions, detailing and execution; and
  - (e) Handling detail – integration of practical elements such as plant and extract, air conditioning, car parking and access, security grilles and alarms etc.

14. I consider the following to be **urban design elements that contribute to a good or high-quality urban environment**:
- (a) The urban grain or the layout and pattern of the arrangement of street blocks and lots and the framework of routes and spaces that these form;
  - (b) The scale and massing of the buildings and the proportions and relationship they form with adjacent streets and open spaces;
  - (c) The degree of building continuity to provide a sense of enclosure, creating clearly articulated public streets and spaces;
  - (d) Well-designed streets that promote street-life and the use of active transport modes;
  - (e) A network of high-quality attractive public open spaces and routes, including the integration of natural elements to support mahinga kai, play and enhanced well-being for all people;
  - (f) A high-degree of mixed use and diversity of uses, appealing to a broad cross-section of the population;
  - (g) Highly activated buildings especially at ground level to assist in providing an attractive and vibrant public realm; and
  - (h) Excellent architectural and landscape design quality throughout buildings and the public realm, with an appropriate response to cultural and landscape context.

### **Explanation**

15. Whilst the above list represents the elements to consider in assessing a building / development proposal, I do not consider that it is possible to define in words the difference between “high-quality” and “good-quality”. It is a matter of degree to be assessed by experts in the subject matter.
16. I consider that design quality is a vital component of a successful and well-functioning urban environment. In my opinion, the larger a building gets relative to its neighbours the more excellence is required in the design to achieve a successful and sensitive relationship to the neighbouring buildings and to achieve an overall coherent city-built form.

17. But the mere existence of design standards or criteria does not guarantee a successful design outcome.
18. Qualitative controls are difficult to document in such a way that no misinterpretation can occur. In my opinion, it is quite possible to design an unsuccessful building within any given set of practical written criteria.
19. Architects and designers work to design criteria regularly and are adept at meeting check lists of requirements, but it is impractical and cumbersome to expect the criteria to be exhaustive such that any eventuality is covered.
20. I think it is important to recognize and accept that the assessment of building design and urban design is an area of expertise. Experts are required.
21. Also, I consider it is not possible to prescribe design qualitative elements through quantitative metrics. But just because one cannot neatly summarise design quality in words does not mean to say it is not relevant or important.
22. For example, take the subject of movies. There is a relatively consistent ability to appraise movies as being great or poor. There can be some disagreement and exceptions, but in most cases experts will be able to agree on what is a great movie. In most cases, regular movie-goers (with no particular expertise) will often agree with the experts...but it is the experts who are best placed to assess the qualities of a movie.
23. Yet how is such an assessment possible? How is a movie great? It is not about its length, or the number of actors, or the number of scenes, or the number of cameras used, or the budget, or even how famous the actors or director is. It is an art form. It is about story-telling, character portrayal, the screenplay, pace and timing, cinematography, acting and directing skills, the music or film score. These are all qualitative elements that are impossible to quantify, yet experts will be able to make a judgement on the quality of these elements and how they all come together.
24. It is similar for buildings and development proposals within the urban environment. As with movies, there are certain elements to look for, which I have identified earlier in this section, but the quality of those elements needs to be judged objectively by experts.
25. However, it must be recognised and accepted that there will be examples of disagreement. In the same way as there can be movies that draw a split



opinion, there will be buildings that divide opinion. But the fact there can occasionally be disagreement on design quality should not undermine its importance, or justify the exclusion of quality assessments from the planning process. Just because quality cannot easily be defined, does not mean to say a quality assessment has no place in the planning system.

26. Where a quality assessment is required, that does point to the need for design experts to review consents for buildings or other larger scale projects. I do not consider there can be a set of quantitative metrics to assess a building against which can result in a pass or fail. In my opinion, experts are needed to assess a building's quality, and the scale and significance of the building determines the level of expertise needed. A quality assessment is less important for a small building in a discrete part of the city, but a large building in the heart of the city, visible to all users of the city from near and far – becomes far more important to have a qualitative assessment by design experts.
27. In this regard, I do not consider that design reviews by experts are required in every case. In high-profile city centre cases it is likely to be important. In smaller projects outside of the city centre, it is less important, particularly in residential projects where Council staff have far more experience and the design principles are more widely understood.
28. But for higher-profile projects, I consider a quality assessment needs design experts, with design experience. Local knowledge will also be desirable as an understanding of local constraints with respect to material and constructability, appreciation of local history and context and cultural aspirations and expectations is also important.
29. For taller buildings in the city centre, I consider the key area of expertise is architecture, but expertise in urban design and landscape is also crucial. Accordingly, I consider that appointing from the approved certifiers for urban design is not sufficient for a tall, potentially prominent building where the key area of expertise is architecture, noting that some urban designers have expertise in building design and architecture, whilst others do not.
30. However, I consider a design review panel, made up of a carefully selected list of experts could be one suitable design response – especially where the panel consists of a variety of experts, including architects. With the right triggers, and the right powers, such a panel could be a really useful means of

assessment. I consider a potential option would be for planning provisions to require an urban design panel assessment, with sign off by the panel, before resource consent can be approved.

## **WELL-FUNCTIONING URBAN ENVIRONMENT**

31. The Panel have requested a list of urban design factors that I considered as contributing to a “well-functioning urban environment” (**WFUE**) when preparing my primary evidence and rebuttal evidence.
32. As mentioned in my primary evidence (para 24), the Ministry for the Environment<sup>1</sup> states that the list describing a WFUE in the NPS-UD is not an exhaustive list of factors that contribute to well-functioning urban environments. There are other factors that contribute to the outcomes that councils and other decision-makers may wish to consider alongside those of the NPS-UD, such as principles of urban design.
33. In my opinion, observing the principles of good urban design plays a significant role in the creation of WFUE. Building form and building design directly impact the quality, vitality and enjoyment of the built environment for people occupying and using the city. These effects can range from positive to adverse, depending on the design and spatial arrangement of buildings. People experience the city from close up, from afar, from street level and/or from height, and all of these contribute to the experience of the city. In addition to height, aspects such as the volume / mass and bulk of buildings, the sense of enclosure, the degree of building continuity, the architectural quality and craftsmanship and the quality and richness of materials all play a significant role in shaping the quality of the built environment and the degree at which it can be described as a WFUE.
34. The urban design factors which I had considered to contribute to a WFUE when preparing my primary evidence and rebuttal evidence can be summarised as follows:
  - (a) A human-scaled city with buildings and streets and spaces in excellent proportions, with a high-degree of building continuity to provide a sense of enclosure;

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<sup>1</sup> [Well-functioning-urban-environments.pdf](#)

- (b) Buildings that define space and create clearly articulated public streets and spaces;
  - (c) Well-designed streets that promote street-life and the use of active transport modes;
  - (d) A network of high-quality attractive public open spaces and routes;
  - (e) A high-degree of mixed use and diversity of uses, appealing to a broad cross-section of the population;
  - (f) Highly activated buildings especially at ground level to assist in providing an attractive and vibrant public realm; and
  - (g) Excellent architectural and landscape design quality throughout buildings and the public realm.
35. As mentioned at paragraph 12 above, I provide in Appendix A some background information to assist in demonstrating how I have arrived at my opinions with respect to:
- (a) elements that contribute to an exemplary building, the meaning, from an urban design perspective of high quality and good quality; and
  - (b) the list of urban design factors I considered to contribute to a well-functioning urban environment when I prepared by primary and rebuttal evidence.

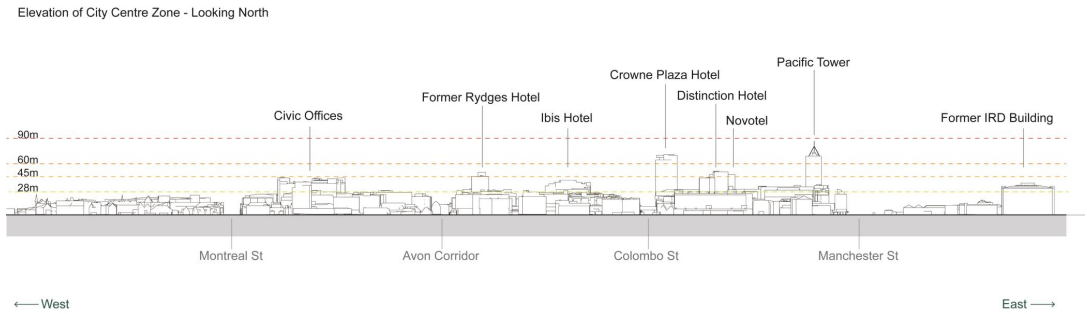
#### **TIERED RULE FRAMEWORK**

36. The Panel have requested that I discuss how a potential tiered approach to building form / heights could work.
37. I have looked into this question and consider the following could work from an urban design perspective. I understand planning experts have separately commented on a tiered approach from a planning perspective on pages 2 to 3 of Annexure A of the Joint Witness Conferencing Statement of Planners on City Centre Zone Heights and Densities dated 4 December 2023, and their approach aligns well with what I consider could work from an urban design perspective<sup>2</sup>.

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<sup>2</sup> <https://chch2023.ihp.govt.nz/assets/Joint-Witness-Statements/Joint-Witness-Statement-Planners-City-Centre-Zone-Height-Density-4-December-2023.pdf>

38. I understand that one of the concerns of the Panel is that PC14 as notified makes it difficult for buildings over 28m in height because of the tower dimension and setback controls. Whilst slim residential towers could be designed to meet these standards, the concern is that commercial buildings could find it hard due to the effective limit on the size of the floorplate. The 40m maximum tower dimension effectively limits a floorplate to approximately 750m<sup>2</sup>. A typical office floorplate would normally be at least 1,000m<sup>2</sup>.
39. My concern over allowing a greater tower dimension (and therefore floorplate) is that a very tall building (say 75m+) at that dimension would be very bulky, much larger than the existing towers in central Christchurch, and therefore risks being quite dominant. With no tiered approach, PC14 recommended a set of standards that works for all buildings over 28m, and I supported this approach. This included standards relating to building setback from the street and side/rear boundaries together with maximum tower dimensions.
40. I understand the Panel may be concerned that the standards would be applied rigidly, as though they were cut-off points for declining resource consent, thus ruling out larger floorplate towers. However, it is important to note that the standards are just baseline guides, and that anything breaching the standards could still be consented through a Restricted Discretionary (RD) consent.
41. I have considered the alternative of having a tiered approach, where larger floorplate towers are allowed up to a certain height, and then only slender towers allowed above this height.
42. I consider that 45m is the most suitable height for this to happen. Above 45m in the CCZ, there are only a few buildings, and all are relatively slender towers. This is illustrated in the city centre elevation / cross section below (Figure 1). For clarity, I provide a larger version of Figure 1 in **Appendix B**.



**Figure 1: Long elevation of the CCZ (west to east) demonstrating how most buildings sit beneath 28m in height, there are several buildings between 28m and 45m, but only 2 buildings greater than 60m in height. A larger scale version of this diagram can be found in Appendix B to this evidence.**

43. There are more buildings within the CCZ below 45m, and these include buildings that are not considered towers. There are several bulkier buildings below the 45m height including the Civic Offices and the former IRD building on Cashel Street. However, whilst these two buildings in particular sit comfortably within the city form from a height perspective, they both have relatively large building massing (which is a combination of height and width/length), and in my opinion they border on dominance in the streetscape.
44. Therefore, whilst larger footprint / massing buildings could represent an appropriate fit within the cityscape, I still consider it important that any buildings above 45m are more slender towers, whilst buildings between 28m (the Operative District Plan (**ODP**) effective height limit) and 45m still have some degree of control around the size of the footprint and therefore a control over their massing.
45. I could therefore support an approach as follows: which allows bulkier buildings between 28m and 45m (with controls) but still requires buildings above 45m to be slender towers:
  - (a) **Buildings up to 28m** – No proposed change from the ODP and PC14 as notified and these are generally supported. A Restricted Discretionary (RD) consent will be required, unless the Urban Design (**UD**) certification process is followed.

- (b) **Buildings between 28m to 45m** – I could support buildings in this range subject to design quality (additional assessment criteria apply). Buildings would still need an RD consent. UD Certification is not supported, as Council officers would provide a much greater degree of independent scrutiny as well as holding knowledge of the strategic / wider physical and policy context is required as buildings project above the current 28m ceiling. Buildings would require a 6m setback from the street above 21m, and a setback from the side/rear boundary as per PC14 as notified. But, and this is the major change, any part of the building above 28m can have a floorplate up to a maximum of 1,200m<sup>2</sup> so long as the building overall is not higher than 45m.

In my experience with Jasmax, working on a range of new commercial buildings, 1,000m<sup>2</sup> represents the typical minimum expected by commercial developers (although recognising there are still exceptions below this figure), whilst 1,200m<sup>2</sup> represents a typical figure. This will allow more commercial buildings than PC14 as notified in this height range, but still provide a degree of control to avoid excessively large building masses, noting again that a breach of this standard will still only require an RD consent, and in some cases the figure could be breached if the overall design approach is well designed.

- (c) **Buildings above 45m** – as above, there would be more support from Council for buildings above 45m than compared to the ODP and these would be subject to design quality (additional assessment criteria apply) as per PC14 Notified. Buildings would still need RD consent and proposed tower dimensions / setbacks apply, effectively limiting floorplates to approximately 750m<sup>2</sup> – thus pushing for slim, residential / hotel towers (although this does not necessarily exclude commercial buildings). Again, the Urban Design Certification process is not supported, as a much greater degree of independent scrutiny is required as buildings project above the current ceiling. Buildings would require a 6m setback from the street above 21m, and a setback from the side/rear boundary as per PC14 notified.

46. However, to avoid a building that is 1,200m<sup>2</sup> floorplate between 28m and 45m and then another slender tower protruding above this – which would be a very strange outcome – I would propose these tower dimensions / setbacks apply for any part of the building above 28m if the overall building

height is above 45m. in other words, you fall in one or the other category, not both. Illustrations of these scenarios are attached in **Appendix C**.

**Alistair Ray**

14 December 2023

## **APPENDIX A – BACKGROUND INFORMATION TO DEMONSTRATE HOW I HAVE ARRIVED AT MY OPINIONS**

Below I provide background information to assist in demonstrating how I have arrived at my opinions with respect to elements that contribute to an exemplary building, the meaning, from an urban design perspective of high quality and good quality, and the list of urban design factors I consider contribute to a well-functioning urban environment.

### New Zealand Urban Design Protocol (MFE, 2005)<sup>3</sup>

1. There is an absence of clear guidance at the national level in New Zealand as to the elements, characteristics or principles that represent good urban design or good urban environments.
2. The Urban Design Protocol marked an important milestone in the urban design field when it was launched in 2005, as it represented the first time that central government spoke about the importance of urban design. It attempted to identify seven essential design qualities that together create quality urban design, known as the seven C's.
3. However, they were an awkward mix of design principles (such as choice, connections) and process (collaboration, creativity, custodianship) that all conveniently began with the letter "C". They did not represent a list of the essential characteristics of successful urban environments, or the essential principles of urban design, and they were certainly not written in a manner that could be used as a form of assessment of development proposals.

### People + Places + Spaces (MFE, 2002)<sup>4</sup>

4. In my opinion, an earlier document by MFE in 2002 presented a more coherent list of design principles. Whilst the landscape and building styles differ between places, it presented a list of design principles that are common in all our most successful urban places:
  - (a) Consolidation and dispersal
  - (b) Integration and connectivity

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<sup>3</sup> [New Zealand Urban Design Protocol | Ministry for the Environment](#)

<sup>4</sup> [People, places, spaces: A design guide for urban New Zealand | Ministry for the Environment](#)



- (c) Diversity and adaptability
  - (d) Legibility and identity
  - (e) Environmental responsiveness
5. Unfortunately, this document was not as widely received and referenced as the later Urban Design Protocol, and is now over 20 years old. However, the list of principles is still relevant today and is a good starting point for understanding what makes successful urban places, although it still did not go into detail or present a practical list of essential elements that one would need employ to make an assessment of a development proposal.

#### New Zealand Institute of Architects (NZIA)

6. Despite the qualitative and objective nature of assessment, awards can be given out for buildings (similar to awards being given out for movies). Indeed, the most common way of assessing excellence in architecture nationally is through awards programmes. Our national professional institute of architects seek to recognise excellence through awards programmes. The NZIA awards programme includes a number of key elements:
- (a) peer review by a judging panel which comprises members with high standing (national awards winners themselves) in the industry;
  - (b) always includes a non-local juror for additional independence (often Australian in the case of the national awards); and
  - (c) mandatory in-person site visit.
7. The aim of the NZIA Architecture Awards is defined as below, noting the purpose is to promote excellence in design<sup>5</sup>:

*At all levels, the purpose of the awards is to:*

- *Promote excellence in design and to advance the profession of architecture*
- *Raise public awareness of the value of good sustainable design*
- *Encourage and promote environmentally responsible practices and solutions for the enhancement of the built environment*
- *Raise the standing of architects within the community and encourage informed public debate on architectural and urban design issues*

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<sup>5</sup> [About New Zealand Architecture awards \(nzia.co.nz\)](http://nzia.co.nz)

8. Excellence is not defined. However, in making assessments, judges evaluate each project by looking at (also taken from the NZIA website<sup>6</sup>):
- (a) The relationship of the building to its site, context and presence.
  - (b) The degree of consistency and completeness in expressing the relationship between concept, form, and structure.
  - (c) Light, colour, texture and spatial qualities.
  - (d) Structure, construction, materials and issues of durability and detail.
  - (e) Environmental performance and the benefit to the environment through design.
  - (f) User satisfaction, value to the client and acceptability of solutions to the brief; and
  - (g) Contribution to the advancement of architecture as a discipline and the enhancement of the human spirit.
9. The jury may also consider the community and cultural benefits - what are the positive social impacts of the building? Another consideration is the cost vs outcome. All projects should incorporate key sustainability criteria.

#### Wellington City Council

10. I note that Wellington City Council (WCC) has “Design Excellence” requirements in their Operative District Plan’s Central Area Zone<sup>7</sup>.

*“The issue of design quality is even more important for buildings of unusual height or bulk, which due to their size, height and massing can have a significant impact on the city, both at street level and from a distance. To ensure that over-height buildings visually enhance the cityscape of the Central Area, the Council will require that they display design excellence.”*

However, Design Excellence is not well defined and Wellington City Council are considering options to improve this policy in their District Plan review<sup>8</sup>.

Section 3.9 notes:

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<sup>6</sup> [About New Zealand Architecture awards \(nzia.co.nz\)](http://nzia.co.nz)

<sup>7</sup> [v1chap12.pdf \(wellington.govt.nz\)](#)

<sup>8</sup> [Central Area\\_Issues&OptionsPaper\\_20200219\\_Draft.docx \(wellington.govt.nz\)](#)

*“As the policy has been implemented over time it has become apparent that there is a need for greater clarity as to how developers can achieve ‘design excellence’. This has been reinforced by the outcomes of recent Environment Court appeals in relation to Design Excellence provisions. Feedback from Consent Planners has reinforced that the Design Excellence provisions are [sic] lack clarity with regard to criteria and process, and need to be defined and easily assessable.:*

I understand WCC are drafting policy amendments to provide greater clarity and guidance around design excellence, in accordance with accepted best practice.

11. However, it must be noted that Wellington City Council is unique in that it has included design guides embedded within the District Plan for many years.
12. The District Plan includes the Central Area Urban Design Guide, which states the intention:

*To achieve high quality buildings, places and spaces in the Central Area of the city. This will be achieved by ensuring they:*

- *are coherently designed*
- *make a considered response to context*
- *address heritage values*
- *establish positive visual effects*
- *provide good quality living and working environments*
- *integrate environmental sustainability principles*
- *and - provide conditions of safety and accessibility*

13. It identifies the following key elements to be assessed to determine design quality. This list represents an excellent attempt to qualify the key elements to assess in determining the design quality of development proposals within the urban environment, particularly in a city centre context, and has been in existence and use within the NZ planning system for over 20 years.

**1. Design Coherence**

- Consistency and integration

**2. Relationship to Context**

- Consistency or contrast
- Positive precedents
- Achieving consistency
- Developing an authentic sense of place

- 3. Siting, Height, Bulk and Form**
  - Street edge definition and building alignment
  - Height and scale relationship
  - Building bulk
  - Natural light, outlook and ventilation
  - Positive open space
  - Wind effects on public space
  - Pedestrian Block Permeability
- 4. Edge Treatment**
  - Building fronts
  - Active edges
  - Servicing and car parking
  - Shelter and building entrance enhancement
- 5. Façade Composition and Building Tops**
  - Relation to neighbouring buildings
  - Additions and modifications to existing buildings
  - Shopfronts
  - Building tops and roofscape
  - Human scale
  - Flexibility and adaptability
- 6. Materials and Detail**
  - Compositional coherence
  - Visual interest
  - Physical robustness
  - Façade transparency

14. Overseas, a number of organisations have explored the topic of the essential design qualities that make successful urban places and the element that constitute design excellence. Even though the context is different, basic urban design principles are relatively universal and I consider much can be learnt from these publications.

By Design – Urban Design in the planning system: towards better practice (Commission for Architecture and the Built Environment (CABE) 2000)<sup>9</sup>

15. The above is a ground-breaking document in the UK which helped to change attitudes towards urban environments. It noted:

*Good urban design is rarely brought about by a local authority prescribing physical solutions, or by setting rigid or empirical design standards but by approaches which emphasise design objectives or principles.*

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<sup>9</sup> [By design: urban design in the planning system: towards better practice \(designcouncil.org.uk\)](http://designcouncil.org.uk)

16. Like “<sup>10</sup>People + Places + Spaces”, it identified that successful urban places tend to have characteristics in common. These were analysed and led to the identification of 7 principles or objectives of urban design.
- (a) Character
  - (b) Continuity and enclosure
  - (c) Quality of the public realm
  - (d) Ease of movement
  - (e) Legibility
  - (f) Adaptability
  - (g) Diversity
17. Perhaps more useful for this discussion, it also identified 8 aspects of development form which determine the quality of any urban place or urban development. This list is the closest to a list of matters of assessment.
- (a) Layout: Urban structure
  - (b) Layout: Urban grain
  - (c) Landscape
  - (d) Density and mix
  - (e) Scale: Height
  - (f) Scale: Massing
  - (g) Appearance: Details
  - (h) Appearance: Materials

Office for the Government Architect New South Wales

18. The Office for the Government Architect for NSW has an integrated design policy for the built environment of NSW called “Better Placed”<sup>11</sup>.

*“It seeks to capture our collective aspiration and expectations for the places where we work, live and play. It creates a clear approach to ensure we get the*

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<sup>10</sup> [People, places, spaces: A design guide for urban New Zealand | Ministry for the Environment](#)

<sup>11</sup> [Better Placed \(nsw.gov.au\)](#)

*good design that will deliver the architecture, public places and environments we want to inhabit now and those we make for the future.”*

19. A well designed built environment is defined as:

- (a) Healthy
- (b) Responsive
- (c) Integrated
- (d) Equitable
- (e) Resilient

20. Objectives for good design are:



21. The 70 page “Better Placed” document provides extensive detail on each of these design objectives together with reinforcing the importance of design process in achieving good design outcomes.

*“Design is both a process and an outcome – a way of thinking and a result of making. Better Placed must respond to both of these components in order to achieve its vision. **Good design outcomes result from good processes.**”*

### Melbourne City Council (MCC)

22. MCC have a Design Excellence program 2019-2030<sup>12</sup>.

23. The following quotation is taken from that document, again noting the importance of design process and how excellence is measured. It points to the value and importance of a design review process and the benefit of awards programs for design excellence.

*“What is design excellence?”*

<sup>12</sup> [Design Excellence Program 2019-2030 \(melbourne.vic.gov.au\)](https://www.melbourne.vic.gov.au/design-excellence-program)

*'Design excellence' is a multi-faceted accolade used to describe projects that demonstrate exceptional standards of architecture, landscape architecture, and urban design.*

*Design excellence is measured by the function, liveability, sustainability and public contribution of our buildings and urban spaces. Design excellence can be achieved in projects of any scale and value and is not limited to high cost or iconic buildings.*

*The measurement of excellence requires careful evaluation by multi-disciplinary teams comprising industry experts. Independent juries and review panels are well placed to provide this role. Platforms such as awards, design competitions and design review panels empower this peer-to-peer evaluation and are critical to the feedback loop of design excellence."*

24. It also sets out the importance and value of design to Melbourne, including the direct and indirect impact that design quality has on the economy of the city.

### Enhancing liveability

The quality of our urban environment, including the spaces between buildings, landscapes, and public space has a profound impact on the liveability of a city for people of all ages and incomes. Investment in a high quality public realm can improve the attractiveness of active transport modes such as walking and cycling, and contribute substantially to our physical health and well being.



**\$87**

million annual economic benefit from active transport public realm investment in the Hoddle Grid<sup>1</sup>

### Attracting and retaining talent

Numerous studies demonstrate the quality of a city's buildings and public realm is a key determinant in choosing which city to live, work, study, or visit. With increasing competition between global cities for talent in the knowledge economy, the quality of our urban environment is critical to our desirability as a destination.



**85%**

of participants in a European study identified **"Quality of Living Environment"** as most important in choosing where to live <sup>2</sup>

### Supporting creative industries

A successful Design Excellence Program can empower designers by elevating the value of design for potential clients, customers and investors. A strong design culture recognises and promotes good designers, and provides emerging talent with a platform to showcase new and fresh ideas.



**85,000**

designers employed in Victoria's creative industries generating **5 billion** in annual revenue<sup>3</sup>

### Building city brand and identity

Buildings of outstanding quality and character have an enduring legacy, and influence the image and culture of a city. Buildings such as the Sydney Opera House or Federation Square contribute significant cultural and economic value, and provide a strong sense of place and belonging. Their preservation and value garners significant public interest.

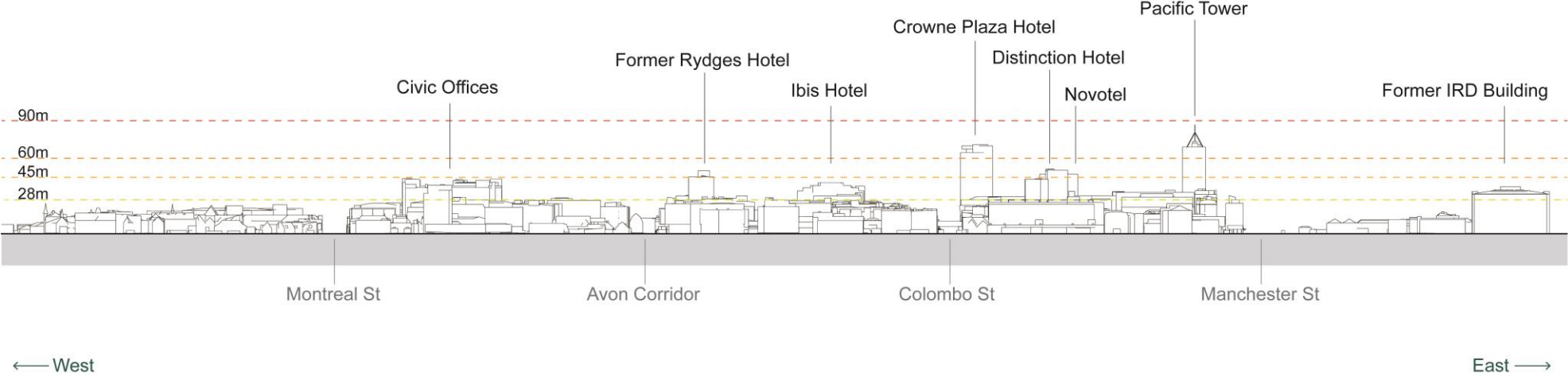


**2.8**

million people visited Federation Square in 2018<sup>4</sup>

**APPENDIX B – ENLARGED VERSION OF FIGURE 1: LONG ELEVATION OF THE CCZ (WEST TO EAST) DEMONSTRATING HOW MOST BUILDINGS SIT BENEATH 28M IN HEIGHT, THERE ARE SEVERAL BUILDINGS BETWEEN 28M AND 45M, BUT ONLY 2 BUILDINGS GREATER THAN 60M IN HEIGHT.**

Elevation of City Centre Zone - Looking North





**APPENDIX C – ILLUSTRATIONS OF POTENTIAL TIERED APPROACH TO  
BUILDING HEIGHTS**

# Illustrations of potential tiered approach to building heights

Potential building envelopes shown in beige (2 x sites shown)

Existing buildings over 60m - dark red

Existing buildings between 45m and 60m - bright red

Existing buildings between 28m and 45m - light red

## Operative Plan & PC14 (as notified) - Building up to 28m



Maximum streetwall height: 21m    Maximum overall height: 28m    Setback from streetwall: 45 degrees

Restricted Discretionary consent required, unless following the Certified Urban Designer approach.

Expectation of good building design quality.

# Illustrations of potential tiered approach to building heights

Potential building envelopes shown in beige (2 x sites shown)

Existing buildings over 60m - dark red

Existing buildings between 45m and 60m - bright red

Existing buildings between 28m and 45m - light red

## PC14 (as notified) - Building up to 45m



Maximum streetwall height: 21m Overall height: 45m

Setback from streetwall: 6m

Setback from side / rear boundaries (applies above 28m): 10% of building height / or 6m, whichever is the lesser

Maximum horizontal tower dimension (applies above 28m): 40m (effectively limit of 700m<sup>2</sup> floorplate)

Restricted Discretionary consent required.

Additional matters of discretion apply - including matters relating to building design quality.

Expectation of high building design quality.

## Possible alternative tiered approach - Building up to 45m



Maximum streetwall height: 21m Overall height: 45m

Setback from streetwall: 6m

Setback from side / rear boundaries (applies above 28m): 10% of building height / or 6m, whichever is the lesser

Maximum horizontal tower dimension: none

Maximum tower floorplate (applies above 28m): 1,200m<sup>2</sup>

Restricted Discretionary consent required.

Additional matters of discretion apply - including matters relating to building design quality.

Expectation of high building design quality.



# Illustrations of potential tiered approach to building heights

Potential building envelopes shown in beige (2 x sites shown)

Existing buildings over 60m - dark red

Existing buildings between 45m and 60m - bright red

Existing buildings between 28m and 45m - light red

## PC14 (as notified) & Possible alternative tiered approach - Building at 75m



Maximum streetwall height: 21m    Overall height: 75m    Setback from streetwall: 6m

Setback from side / rear boundaries (applies above 28m): 10% of building height / or 6m, whichever is the lesser

Maximum horizontal tower dimension (applies above 28m if building is more than 45m total height): 40m (effectively limit of approx. 700m<sup>2</sup> floorplate)

Restricted Discretionary consent required.

Building above 90m requires a full Discretionary consent

Additional matters of discretion apply - including matters relating to building design quality.

Expectation of exemplary building design quality

## Unacceptable outcome - combining standards for building up to 45m and standard for building over 45m



If building is over 45m in height, then tower dimensions / setbacks for the taller element apply to all parts of the building over 28m.

Not acceptable to have larger floorplate between 28m and 45m, then smaller tower dimension for parts of the building over 45m. This will be an odd and unacceptable outcome.

So the proposed tiered approach will allow larger floorplate commercial buildings up to 45m. But above 45m, buildings should be more slender towers, erring towards a residential / hotel building.

Building above 90m requires a full Discretionary consent - but tower dimension controls are still expected to apply / guide building form.

# Illustrations of potential tiered approach to building heights

Potential building envelopes shown in beige (2 x sites shown)

Existing buildings over 60m - dark red

Existing buildings between 45m and 60m - bright red

Existing buildings between 28m and 45m - light red

## Summary of proposed tiered approach

### Building @ 28m



### Building between @ 45m



### Building @ 75m

