

24 AUGUST 2021

**DOMINION ROAD MIXED USE EXPERT CONSENTING PANEL**  
**ATTN.: BRONWYN CARRUTHERS**  
**CHAIRPERSON**  
**C/- ENVIRONMENTAL PROTECTION AGENCY**  
**BY E-MAIL - [DOMINIONROAD.FASTTRACK@EPA.GOV.TZ](mailto:DOMINIONROAD.FASTTRACK@EPA.GOV.TZ)**

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Dear Expert Consenting Panel

## **FURTHER URBAN DESIGN REVIEW OF PROPOSAL**

1. Thank you for requesting an additional urban design opinion on the matters outlined in your Minute (M-11) dated 20 August 2021.
2. I have read and considered the Applicant's Memorandum of Counsel dated 13 August 2021 and comment below.

### **Building D**

3. This matter has been discussed in paragraphs 16-19 of the Applicant's 13 August 2021 Memorandum.
4. The Applicant refers to an indicative redesign adopting a different design methodology and (potentially) construction methodology based on work by its architect TLC Modular. The Applicant did not provide any of this material with its Memorandum.
5. I am comfortable that the reductions in building mass I recommended on 5 July 2021 were each properly arrived at and relevant to address the proposal's urban design effects. I have approached the Applicant's new information and theoretically different Building D configuration on the basis of asking myself how essential is it that the 'step' in Building D that was originally proposed, and that my recommendations would retain but reduce by

1-storey in height, still need to occur in the scenario that my other recommended changes had occurred.

6. In my assessment, I identified that a relevant built form characteristic of this Special Character area was a very clear delineation between a generally low-height and low-scale neighbourhood punctuated by notably taller and linear development along the arterial corridor edges. In my opinion the design and shape of Building D as proposed, although I did not support its overall height, did still seem intended to contribute to this built form characteristic in conjunction with Blocks A, B and C.
7. To that end while I identified that there was a justifiable need to reduce the total height of several proposed buildings, my recommendations sought to retain and accentuate the way that development within the Site's depth back from the street progressively stepped up towards and to reinforce that edge. In the first instance, a uniform Block D height across its full east-west depth would work against that outcome and I am not supportive of it. Part of this is because Blocks B+C would have the same depth, height and silhouette as A+D, but whereas Block A would be visually lower and smaller than the others, Block D would appear equivalent to Blocks B and C. This would in my opinion materially undermine the spatial and linear emphasis of building mass closer to the Dominion Road frontage that I regard as necessary. In this respect I continue to consider the Block D 'step' as a very important outcome.
8. Building D was proposed as a double-loaded building with 2 x 8.45m-deep apartment modules (and 16.9m total depth). Unless the Applicant's indicative redesign seeks to reduce the total depth of the building (such as for instance to 10m-12m or less), I understand that the  $\frac{1}{2}$  level of concern to the Applicant would remain 8.45m deep. It is not apparent to me why in such a depth only one bedroom could be accommodated as has been stated. This is not to at all question the Applicant's sincerity, but to explain an element of uncertainty in my own analysis resulting from the Applicant relying on but not providing its revised design plans. If the Applicant's intent might be to reduce the depth of Blocks A and C in particular, then this would be a relevant matter for me to further consider because if discernibly *narrower* than Blocks B and C, there may be a possibility of not absolutely needing the *height* of Block D to still reduce as a 'step' in order for the Dominion Road side to remain visually and obviously the built form emphasis.
9. But I have assumed that at this time the Applicant's intent is to retain the buildings at their 16.9m proposed depth and I have not been able to take that possibility any further.
10. Lastly, I have worked on and am familiar with a number of dwellings, in a variety of contexts but including terraced housing, where the top level has been recessed back from and is smaller than the floor area below, including so as to accommodate a single bedroom and ensuite / storage areas. I could not agree that there is any inherent built form defect or shortcoming of any concern with such configurations, although I accept the Applicant's position that its experts see it as awkward compared to having a full-depth floor plate. I respectfully regard that as a matter of their design preference, not evidence of an unworkable or unreasonable constraint being put forward.
11. In terms of housing choice and variety, I have no demographic expertise. I cannot comment on the potential social effects that may result depending on

whether Block D contains fewer, or more, 1-bedroom units compared to 2-bedroom units as is discussed in the Applicant's Memorandum.

12. On the basis of all of the above I remain of the opinion that Block D should retain a 'step', as was originally proposed and which would be retained as a result of my earlier recommendation.

### **Laneway**

13. This matter has been discussed in paragraphs 20-21 of the Applicant's 13 August 2021 Memorandum.
14. I acknowledge the Applicant's confirmation that the proposed laneway will be secured after-hours and confirm that this was one question in my mind that contributed to my original recommendation.
15. My principal concerns with the proposed laneway, with particular reference to those business tenancy shapes that are narrow (A, B, E, F, G, H, K and L) was that it may prove impractical for these to provide dedicated entry and circulation areas at both sides and still retain a workable internal layout. I have seen examples of such double-fronted retail units that over time simply cease operating from one of the entrances (whichever has the least footfall passing by). It would not in my opinion be acceptable for this possible outcome to occur along the Dominion Road frontage.
16. In my opinion the laneway concept seems clearly intended as an alternative to Dominion Road as a setting for business and this is problematic in light of the importance I consider the Unitary Plan places on development facing and emphasising the role of streets. The design typology of a retail 'sleeve' around the outside perimeter of a larger-scaled and less-externally orientated activity is well known and is effectively what is proposed. The typology is intended to provide an engaging street-based built form edge to streets. It is not in my opinion common for the sleeve to then seek to orient internally inwards rather than outwards.
17. But I would accept that there may be a number of potential laneway users that would not otherwise be walking along the street (such as if they drove to the supermarket in the first instance). These people could theoretically lend commercial support to the street-front retailers from the laneway side without necessarily competing with the principal street frontage as a source for other customers. That would in my opinion be a positive outcome if it helped commercially buttress those operators' ongoing success.
18. Having considered the Applicant's Memorandum and request further, and noting my preference that the laneway still be retained for service functions only, I would not be opposed to it being made available for public access and trade subject to an ongoing operational condition of consent applying to all of proposed retail units "A"- "H" and "J"- "N" (noting that unit "I" does not have access to the laneway) that:
  - a. Requires a customer entrance at Dominion Road for each store, which is to be open and accessible at all times that each store is open for business in a way that is visually transparent (i.e., be physically open or be of openable transparent glass). These entrances are not to be

rendered visually impermeable such as through the affixation of advertising signage or boards to them.

- b. No display areas or signage is to be erected immediately behind or on glazed windows of the Dominion Road elevation which has the effect of blocking views into each store from the street, and/or comprises an area that is more than 50% of the glazed area of each shop's front façade.
  - c. Require that if a secondary customer entrance is provided to the laneway, this shall at all times be the secondary access to the Dominion Road entrance in terms of the way that each store is internally laid-out and orientated towards.
19. I have not sought to propose specific wording for such a condition of consent noting the expertise of planners and resource management lawyers at drafting conditions precisely so as to ensure they are legally fit for purpose. I trust that this does not inconvenience the Expert Consenting Panel.

Please feel welcome to contact me should you wish to discuss any aspect of the above further.

Yours sincerely,



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