

**BEFORE HEARING COMMISSIONERS
FOR THE PALMERSTON NORTH CITY COUNCIL**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ
MO TE KAUNIHERA O PAPAIOEA**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of proposed Plan Change I: Increasing Housing
Supply and Choice to the Palmerston North District
Plan

**REPLY STATEMENT OF ANDREW BURNS
ON BEHALF OF PALMERSTON NORTH CITY COUNCIL**

URBAN DESIGN

Dated 22 August 2025

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A. INTRODUCTION

1. My name is Andrew Burns.
2. I prepared a s 42A report dated 25 July 2025 ("**Report**") on the urban design aspects of Plan Change I ("**PC:I**") for the Palmerston North City Council ("**the Council**").
3. My experience and qualifications are set out in my Report.
4. I repeat the confirmation given in my Report that I have read and will comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 ("**the Code**"), and that this reply statement has been prepared in compliance with the Code.

B. SCOPE

5. This reply statement addresses the following matters:
 - (a) MRZ-O2: Bult Development in the Medium Density Zone ("**MRZ**");
 - (b) MRZ-S2: Height in Relation to Boundary ("**HIRB**");
 - (c) MRZ-S8: Outlook Space;
 - (d) Subdivision Chapter 7B, P1, clauses 2, 7 and 8; and
 - (e) Spatial extent of proposed MRZ.
6. In preparing this reply statement, I have reviewed:
 - (a) Mr Lindenberg's statement of evidence dated 11 August 2025.
7. I undertook expert conferencing with Mr Lindenberg and Ms Jenkin on 21 August 2025. A Joint Witness Statement ("**JWS**") was prepared covering the matters in this evidence (the JWS is attached to Ms Jenkin's Reply Statement as Appendix E). I note where agreement and/or amendment to the notified provisions was reached, or where disagreement remained.

C. MRZ-O2: BUILT DEVELOPMENT IN THE MEDIUM DENSITY RESIDENTIAL ZONE

8. Mr Lindenberg supports Kāinga Ora's original submission¹ that sought changes to Objective 2, including simplification and removing sub-points (a) to (j). The requested change to MRZ-O2 reads:

'Built development in the Medium Density Residential Zone positively contributes to achievement of a predominantly residential urban environment that supports Medium Density living.'

9. I do not support the requested changes and have addressed this in my Report.² The JWS noted disagreement on this matter (at issue 2).
10. If the change supported by Mr Lindenberg was implemented, the logical cascade from urban design vision (objective) to implementation guidance (policy) to measurables in the standards would be lost. Kāinga Ora's shortened and simplified version of MRZ-O2 lacks the specificity needed to guide consistent urban design outcomes. While Mr Lindenberg does not specifically address the policy, for completeness it is worth noting that the revised policy sought by Kāinga Ora (utilising the previous detail from the objective) would likely be too high level to provide the necessary specificity for implementation purposes. Important aspects of the notified policy which give clarity on the what the 'Purpose of the Medium Density Zone' (MRZ-O1) means would be lost, for example: *'...buildings that are compatible with the predominantly residential use of the Zone, **reflect the planned built form...**'* (my emphasis).

D. HEIGHT IN RELATION TO BOUNDARY (MRZ-S2)

11. Mr Lindenberg also supports changes to proposed PC:I standard MRZ-S2, with the effect that the 5m + 45° HIRB standard would apply to the entirety of a site. Mr Lindenberg states that if the effects of this proposed standard to the front 2/3 of a site are acceptable, then this can equally be applied to the rear 1/3. Mr Lindenberg considers this will enable greater flexibility and choice.
12. As recorded in the JWS (Issue 4), I disagree with Mr Lindenberg's position for the following reasons:

¹ SO 199.16 by Kāinga Ora.

² s 42A report, paragraph 39 (urban design evidence of Andrew Burns).

- (a) The practice of integrating variable recession planes is already in the Operative District Plan (“**ODP**”), for example the standard for multi-unit housing in the Aokautere Plan Change G area (R10.6.3.3 ix, b).⁴ I also note no recession plane apply at street frontages. Extending variation between front and rear of the site was integrated into the operative Auckland Unitary Plan in 2015 (e.g. Mixed Housing Suburban, Mixed Housing Urban and THAB zones) for the same reasons that are recommended for PC:I.
- (b) The purpose of the proposed HIRB standard is to better enable typical 2 storey development 1m-1.5m from the boundary ⁵ than the Medium Density Residential Standards (“**MDRS**”) 4m + 60° HIRB standard permits, and to ensure that a 3rd storey is set back (3.5m – 4.4m) to address visual dominance for neighbouring properties. This will also ensure better access to sunlight for neighbours. The stepped HIRB plane encourages the highest and bulkiest parts of buildings to be located towards the street frontage of the lot and away from the boundaries at the rear of the lot.
- (c) The process of developing the proposed HIRB standard included ‘Lot Testing’ ⁶ to verify the viability of the package of building form, location and access standards for a permitted 3-dwelling outcome.⁷ Four lots, typical to Palmerston North, were identified with input from Council Planning Officer Simon Mori (Narrow Rectangular Mid-Block; Corner; Rear; and a Small lot with several layout options). This testing demonstrated that a balance of providing for housing, reasonable amenity within the housing and reasonable amenity across the boundary, while allowing reasonably sized units per lot, can readily be achieved with the proposed stepped 5m + 45° and 2.8 + 45° recession planes.

E. OUTLOOK SPACE (MRZ-S8)

- 13. Mr Lindenberg supports the proposed 6m x 4m outlook standard for main living rooms, contrary to Kāinga Ora’s original submission which sought a reduction to 4m x 4m⁸. However, Mr Lindenberg seeks a reduction in the 3m x 3m outlook space for a primary bedroom, down to 1m x 1m, on the basis that it is appropriate

to align this with other habitable rooms to strike a balance with on-site amenity and efficiency.

14. I support retaining the 6m x 4m living room outlook standard but disagree with Mr Lindenberg's requested reduction of the primary bedroom outlook space because this would allow:

- (a) The principal bedroom window of one unit to face squarely into the principal bedroom window of another unit 2m away; and,
- (b) The main living room window to face squarely into the principal bedroom window of another unit 7m away.

15. In these two scenarios, visual privacy will be non-existent without use of indoor blinds, resulting in very low amenity for residents. Critically, this does not achieve the intent of the standard as set out in proposed Policy MRZ-P3, clause 4 "*Building designs and site layouts provide a reasonable level of privacy...*". This is not consistent with achieving a well-functioning urban environment both on site and across the boundary.

16. Kāinga Ora's own published urban design guidance ³ addresses 'Privacy and Overlooking':

'Buildings, along with sites, need to be designed to give privacy to the residents who live there and to the spaces they occupy. As development densities increase, greater consideration needs to be given to design of these spaces.'

And;

'Provide appropriate separation, landscape and screening to ensure the separation and privacy of these spaces is maintained.'

17. In order to achieve privacy with separation requested by Mr Lindenberg, residents are likely to close blinds on their respective room windows thereby cutting visual connection with the outdoors and daylight into the dwelling. As

³ Section 3.6, Kāinga Ora one Ora Urban Design Guidelines, Version 1.0 March 2023.

well as compromising the liveability of dwelling and the sense of well-being for residents, this will require a greater reliance on artificial light.

18. McIndoe Urban's work for Auckland Council's Operative Unitary Plan (2015) to test and verify outlook space identified reasonable minimums of 6m (bedroom-to-bedroom) and 9m (living room-to-bedroom) respectively for two situations above. These were established in reference to real-life examples.
19. The proposed outlook space standard has been tested on typical sites and is workable with 1m side yard separation distances. It encourages principal living rooms and the main bedroom to have outlook over the private rear of the property or towards the street. My Report also shows that other orientations of outlook spaces are possible on typical Palmerston North lots.⁴

F. SUBDIVISION CHAPTER 7B (SUB-MRZ-P1)

20. Mr Lindenberg considers that clauses 2, 7 and 8 of SUB-MRZ-P1 should be deleted because they are not appropriately targeted. The JWS noted partial agreement on this matter leading to an amendment of the relevant clauses.
21. Clause 2 seeks to incorporate water sensitive design; clause 7 calls for subdivisions to be designed using Crime Prevention Through Environmental Design ("CPTED") principles; and, clause 8 requires high quality landscape outcomes to be achieved including encouraging the retention of mature vegetation.
22. I have provided design review advice for resource consents to the Council since 2013, including subdivision consents. A general observation is that the level of design review undertaken is affected by the size / scale of any given application. In practice, subdivision of a standard single lot (say 600-800sqm) in Palmerston North invites a different level of assessment than a larger greenfield application or for multiple assembled sites in the city. Based on the level of design documentation for subdivision, I have also observed that this does not include a level of focus on water-sensitive design at larger or smaller scales, though stormwater is a matter typically addressed. I have therefore considered it appropriate to subsume clause 2 into the broader topic of managing stormwater

4 Refer **Attachment C**, s 42A Report, Andrew Burns urban design evidence.

(clause 3). I consider CPTED matters (clause 7) to be important and relevant at subdivision, and I support the adjusted wording in relation to this clause as set out in the JWS. At clause 8, I consider the focus on mature vegetation to be a relevant matter. Broader landscape outcomes are generally not addressed on private lots for subdivision but are matters considered for larger scale applications where streetscape is an important outcome.

G. SPATIAL EXTENT OF PROPOSED MRZ

23. Mr Lindenberg's evidence supports amendments to the spatial extent of the MRZ. This is based on the view that not all of the Council's four walkable catchments should apply (800m to neighbourhood centres; 400m to open space reserves; 600m to bus stops; and 800m to primary/intermediate schools).
24. As recorded in the JWS, I do not agree with the request to selectively apply the walkable catchments and thereby include Kāinga Ora's additional three locations for the reasons below.
25. While I acknowledge Mr Lindeberg's point related to Policy 5 of the National Policy Statement for Urban Development ("**NPS-UD**") (his paragraph 5.6), the MfE guidance on this matter states (my emphasis):

*"Enabling higher-density development in locations with good access and amenity means people can **live close to where they work, learn, shop or connect with friends and family**. Such options let residents avoid congestion and long commute times. Businesses can also access more potential workers, customers and other businesses. The intensification provisions are particularly important where they apply in areas close to current or planned rapid transit and frequent public transport services, as well **as places where people can access many opportunities within walking distance**."* ⁵

"While the 800-metre catchment may be a good starting point, the draw of certain amenities will influence how far people are willing to walk to

5 Ministry for the Environment Understanding and implementing intensification provisions for the NPS-UD. September 2022 Page 10.

access them and is likely to **influence the size of a walkable catchment...**"⁶

26. As well as general advice noted above for access to services and facilities, the MfE also provides guidance on the pedshed for public transport (800m to transit stops)⁷ and a range of other evidence exists in relation to availability of open spaces within 400m of each dwelling. Harnik notes that "*residents are more likely to use a park if it is close by*"⁸ but notes that there is significant variation depending on the potential user type and the facilities available. He identifies scenarios where a teenager might walk 400m to a local park, an elderly person might walk 200m or so to sit in a park, children in an apartment might be allowed to play if supervised by a 12-year-old 100m from home; and a time-pressured pregnant mother might walk 100m to take a toddler to a playground. In a review of secondary research data in the US, Walker and Crompton conclude that people "*who perceived they had the ability to access a park on foot or by bicycle were 9% more likely to use parks.*"⁹
27. Research by the Urban Task Force (UK) provides guidance to counter urban sprawl and increase sustainable development through housing density and compact settlements. A key diagram from this report is reproduced below.¹⁰
28. From this research it is clear that the MfE and other published advice consider the walkable accessibility of dwellings to a range of services, facilities, open spaces and transit to be important. The triggers for identifying areas suitable for housing intensification are that commercial centres **and** open space **and** public transport **and** schools are all critical. I do not support the request from Mr Lindenberg that these are selectively applied.

6 Ibid. Page 23.

7 Ibid. Page 24.

8 Harnik, P. Urban Green: Innovative Parks for Resurgent Cities. (Island Press, Washington 2010.) Pages 27-32.

9 Walker J.R., and Crompton J.L. Journal of Park and Recreation Administration Volume 30, Number 3. The Relationship of Household Proximity to Park Use. Pp 52-63.

10 Towards an Urban Renaissance, DETR, UK (1999).

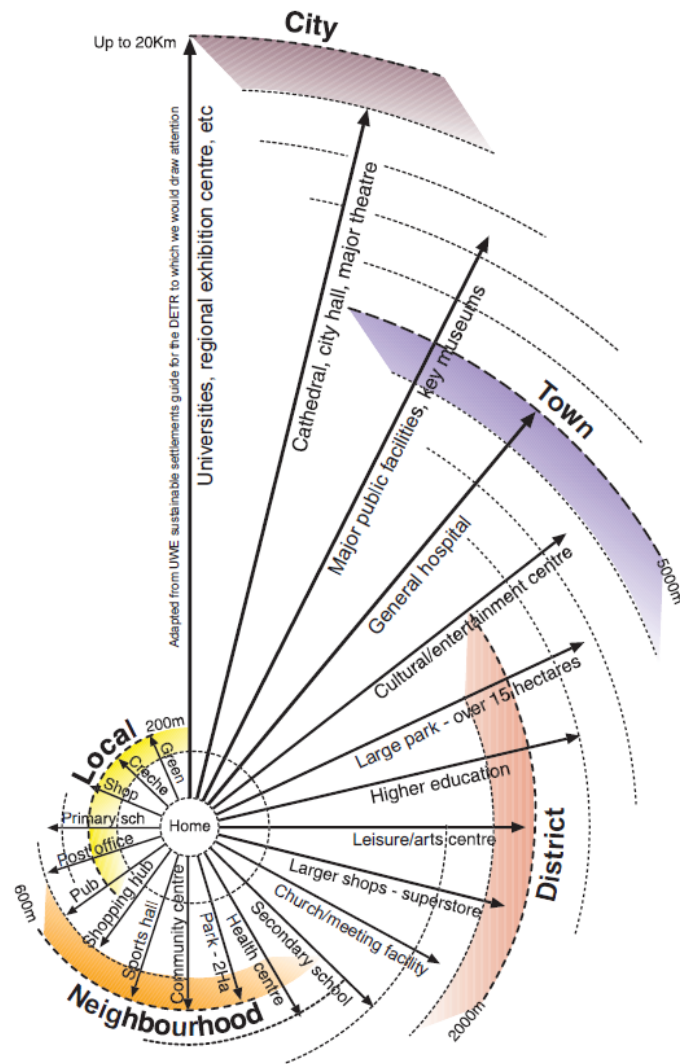


Diagram from 'Towards an Urban Renaissance' describing accessibility characteristics for the home.

Andrew Burns

22 August 2025