

**BEFORE INDEPENDENT HEARING COMMISSIONERS
IN THE TAUPŌ DISTRICT**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHAKE
TAUPŌ**

**IN THE MATTER of the Resource Management Act 1991
AND**

**IN THE MATTER of the hearing of submissions on Taupō District
Council's Plan Change 40 (PC40)**

**STATEMENT OF PRIMARY EVIDENCE OF BRENDON SCOTT LIGGETT
ON BEHALF OF KĀINGA ORA – HOMES AND COMMUNITIES**

(CORPORATE)

8 SEPTEMBER 2023

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1. EXECUTIVE SUMMARY

1.1 My name is Brendon Scott Liggett. I hold the position of Manager of Development Planning within the Urban Planning and Design Group at Kāinga Ora – Homes and Communities (“**Kāinga Ora**”) and am presenting this evidence on behalf of Kāinga Ora.

1.2 The key points addressed in my evidence are:

(a) A summary of the Kāinga Ora submissions on the Taupō District Council (“**the Council**”) Proposed Plan Change 40 (“**PC40**”) on the Taupō District Plan (“**District Plan**”), including the rationale for the relief sought and in particular comments about:

(i) Permitted maximum building height standard; and

(ii) The introduction of the 12m Environment Height Overlay.

2. INTRODUCTION

2.1 My name is Brendon Scott Liggett. I hold the position of Manager of Development Planning within the Urban Planning and Design Group at Kāinga Ora – Homes and Communities.

2.2 I hold a Bachelor of Planning from the University of Auckland. I have held roles in the planning profession for more than 20 years and have been involved in advising on issues regarding the Resource Management Act 1991 (“**RMA**”) and District Plans.

2.3 My experience includes four years in various planning roles within local government. For the past 17 years I have been employed by Kāinga Ora (including as Housing New Zealand).

2.4 I have been providing development planning expertise within Kāinga Ora (as Housing New Zealand) since 2006. In this role I have:

a) Undertaken identification and assessment of redevelopment land within the portfolio;

- b) Provided input into the strategic land planning, including the Asset Management Strategy, various investment and land use frameworks, and various structure plan processes of Kāinga Ora;
- c) Provided advice on, and management of, the regulatory planning processes associated with Kāinga Ora residential development projects;
- d) Managed engagement with local authorities, local communities and other agencies on matters relating to regulatory policy frameworks associated with residential development;
- e) Provided advice on, and management of, input into strategic planning activities including plan changes and plan review processes throughout the country, including more recently, technical lead and project management of Kāinga Ora submissions to the Plan Changes implementing the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act (“HSAA”) and the National Policy Statement on Urban Development 2020 (“NPS-UD”) across the country.

2.5 I confirm that I am authorised to give corporate evidence on behalf of Kāinga Ora in respect of PC40.

3. BACKGROUND TO KĀINGA ORA

3.1 Kāinga Ora was formed in 2019 as a statutory entity established under the Kāinga Ora – Homes and Communities Act 2019, and brings together Housing New Zealand Corporation, HLC (2017) Ltd and parts of the KiwiBuild Unit. Under the Crown Entities Act 2004, Kāinga Ora is a crown entity and is required to give effect to Government policy.

3.2 The Kāinga Ora - Homes and Communities Act 2019 (“**the Kāinga Ora Act**”) sets out the functions of Kāinga Ora in relation to housing and urban development.

3.3 The Government Policy Statement on Housing and Urban Development (“**GPS-HUD**”) was published on September 28, 2021, and provides a shared vision and direction across housing and urban development, to

guide and inform the actions of all those who contribute to the housing and urban development sector. The GPS-HUD outlines the need for concerted and ongoing action across six focus areas to realise the vision, outcomes, and future envisaged for Aotearoa New Zealand:

- (a) Ensure more affordable homes are built;
- (b) Ensure houses meet needs;
- (c) Enable people into stable, affordable homes;
- (d) Support whanau to have safe, healthy affordable homes with secure tenure;
- (e) Re-establish housing's primary role as a home rather than a financial asset; and
- (f) Plan and invest in our places.

3.4 Kāinga Ora is the Government's delivery agency for housing and urban development. Kāinga Ora therefore works across the entire housing spectrum to build complete, diverse communities that enable New Zealanders from all backgrounds to have similar opportunities in life. As a result, Kāinga Ora has two core roles:

- (a) being a world class public housing landlord; and
- (b) leading and coordinating urban development projects.

3.5 The statutory objective¹ of Kāinga Ora requires it to contribute to sustainable, inclusive, and thriving communities through the promotion of a high quality urban form that:

- (a) provide people with good quality, affordable housing choices that meet diverse needs;
- (b) support good access to jobs, amenities and services; and

¹ Section 12, Kāinga Ora Homes and Communities Act 2019

(c) otherwise sustain or enhance the overall economic, social, environmental and cultural well-being of current and future generations.

3.6 The statutory functions of Kāinga Ora in relation to urban development extend beyond the development of housing (which includes public housing, affordable housing, homes for first home buyers, and market housing) to the development and renewal of urban environments, as well as the development of related commercial, industrial, community, or other amenities, infrastructure, facilities, services or works.

4. KĀINGA ORA SUBMISSION ON PC40

4.1 Kāinga Ora recognises that Taupō District is a Tier 3 local authority, and the Taupō township is considered an ‘urban environment’ from interpretation under the National Policy Statement on Urban Development 2020 (“**NPS-UD**”).

4.2 Kāinga Ora submission on PC40 sought for greater development capacity within the Taupō Town Centre, greater height overlay applied over selected commercially zoned areas in the centre (beyond the permitted height) and the height standard to be stipulated in metres rather than storeys to remove ambiguity from the rule.²

4.3 Kāinga Ora interests in Taupo is to ensure that the Taupō District Plan and changes proposed through PC40 can enable greater development opportunities in Taupō town centre to the wider urban environment and township and has a clear rule planning framework that is easy to follow and understand.

4.4 Kāinga Ora has reviewed the Council’s Section 42A Report (**‘s42A Report’**) dated 10 July 2023. Kāinga Ora generally supports and agrees with the recommendations made in the s42A report, including the recommendation on the Taupō Town Centre Environment Height Overlays and tiered spatial application of height in the town centre.

² OS104.11, OS104.12

However, Kāinga Ora remains of the view that amendments are necessary to two key standards, which are the:

- i. Permitted maximum building height standard; and
- ii. The introduction of the 12m Environment Height Overlay.

4.5 The statement that follows therefore addresses those remaining areas of concern.

5. PERMITTED MAXIMUM BUILDING HEIGHT STANDARD

5.1 Outside of the Taupō Town Centre Environment Height Overlay, Kāinga Ora is seeking amendments to help clarify what the maximum height is within the Taupō Town Centre Zone. Currently the maximum height permitted within the Taupō Town Centre Zone is three storeys, with no specified height in metres. The term 'three storeys' has not been defined in metrics, is ambiguous and leaves room for interpretation in regard to the exact height anticipated in the District Plan.

5.2 Considering a combination of floor to ceiling heights and building forms, it is reasonable to assume that an appropriate floor to floor height for residential buildings can be 3.2 metres per level with 2.7 metres for an internal floor to ceiling height to achieve an acceptable level of amenity and daylighting. In some cases, the floor to floor height could be greater to enable higher ceilings, structure and service depths, and internal design 'look and feel', which could result in height ranging from 3.5-4.0 metres per level. The floor to floor height is what is seen from the outside.

5.3 In a commercial environment, the floor to floor heights can be 3.6-4 metres to achieve an internal floor to ceiling height of 3.0 metres for commercial uses (i.e. retail, restaurants, offices, showrooms) on each level, particularly the ground floor. Typically, the minimum height is 4 metres for commercial uses at ground and a variation of floor to floor heights above ground to be 3.0-4.0 metres to accommodate residential or commercial uses. The internal floor to ceiling height in a commercial or mixed-use development will depend on the fitout, and structure and service depths.

- 5.4 If the proposed development was purely for residential uses, the floor to floor heights (as seen from the outside) could range 3.0-3.2 metres, where 3.0m is seen as a minimum to allow for the internal height to be met.
- 5.5 It is important to note that the floor to floor height (as seen from the outside) needs to provide for internal amenity and daylighting into the internal space and the 'hidden' structure and service depths between floors for insulation, structural framing, flooring, and wiring. The 'hidden' space is not visible to the public eye from the outside. In most cases, dependent of the building structure, the 'hidden space' can vary from 0.3m to 1m and the 'internal floor to ceiling height' could be reduced to 2.4m. However, internal floor to ceiling height to 2.7m can have significant advantages in flexibility of use and broadens the project's market appeal and therefore its economic viability.
- 5.6 Without including the foundation and any roof space, the minimum floor to floor height for a residential three-storey building would be 11m (3.2 metres per floor) and for a commercial/mixed-use three-storey building at 11.2m (4m at ground, 3.6m above ground). However, that does not account for structure or service depths. Often developers will need to add height for a pitched roof, variation in ground floor for commercial use, structure and service depths between floors, and modulation of the roof to divert rainfall to gutters; all of which increases the total height of a three-storey building to the range of 11m-12m for residential buildings and 14m for commercial buildings. A 1m allowance is typically given to a pitched roof in any building.
- 5.7 To help illustrate the heights discussed, specific diagrams from the evidence of Mr. Nicholas James Rae, urban design expert, submitted evidence on behalf of Kāinga Ora in the Proposed New Plymouth District Plan, Hearing Stream 16 – Commercial and Mixed Zone is attached to this evidence (**Attachment A**). The diagrams clearly show the floor to floor heights and total heights, Kāinga Ora consider appropriate for residential and commercial buildings and help aid the Council to visualise the relief sought from Kāinga Ora in PC40.

- 5.8 By describing these floors to ceiling heights and building forms, the anticipated metrics (metres) in the proposed permitted maximum building height as set out in the s42A Report at “three storeys” becomes unclear in the District Plan and town centre.
- 5.9 From a developer’s perspective, the standard actually provides greater flexibility and freedom to the landowner to build a three storey building that can range in height across the site. The s42A report does not deny this as it enables variability in terms of overall height, massing and design.³ However, since the Council is proposing to introduce Environment Height Overlays into the District Plan over a reduced spatial extent across the town centre, the permitted maximum building height standard suddenly becomes too similar to those areas identified for the additional height of 12m, and 18m. In particular it raises the question to how much more development could be achieved on a site with a 12m height overlay.
- 5.10 In regard to the permitted maximum building height, Kāinga Ora requests that the Panel amend the “three storeys” standard as part of PC40, to specify a maximum height in metres. Kāinga Ora requests that the permitted height standard is specified to be 11m+1m for pitched roof, to support the enablement of a three-storey building effectively and efficiently to be built in Taupō Town Centre. This change will give plan-users certainty to the anticipated permitted maximum building height in the Town Centre and a clear indication of the anticipated built form, and height across the town.

6. THE INTRODUCTION OF THE 12M ENVIRONMENT HEIGHT OVERLAY

- 6.1 In making the requested change above, Kāinga Ora seeks that the additional height overlay of 12m, identified to specific blocks of commercially zoned land⁴ in the Taupō town centre, is amended. By amending the metrics of the three-storeys maximum building height to 11m (+1m for roof allowance) or 12m, as stated and sought above, the

³ Para112, PC40 Town Centre s42A Report.

⁴ 12m fronting Roberts Street and on the southern extent of Te Heuheu Street. Para 196, PC40 Town Centre s42A Report.

tiered approach and additional Environment Height Overlays enabled over specific blocks of the town centre will need to be reconsidered, making the 12m in some parts to be less effective in achieving any greater uplift, development scope or opportunity on a site, in the town centre.

- 6.2 The S42A report author recognised that to achieve a high degree of intensity and quality design outcomes within the Pedestrian Precinct, consolidating redevelopment and reconnecting with the Lakefront, a tiered approach to height should be introduced across parts of the town⁵ (greater than the permitted maximum height standard).
- 6.3 The s42A Report author accepts in part Kāinga Ora submission⁶ to enabling additional height in the Town Centre and over a reduced spatial extent. Since then Kāinga Ora has done some further work and is supportive of the Council s42A Report recommendations on the reduced spatial extent application of the Environment Height Overlays and tiered height approach across the Taupō Town Centre.
- 6.4 Nevertheless, as stated above, since the Council is proposing to introduce Environment Height Overlays into the District Plan over a reduced spatial extent across the town centre, the permitted maximum building height standard suddenly becomes too similar to those areas identified for the additional height of 12m, and 18m. In particular it raises the question to how much more development space could be achieved on a site with a 12m height overlay (versus a three storey building site that would range in 11-12m in height). From Kāinga Ora perspective, it is highly unlikely that a fourth level would be enabled on such a site, let alone a mezzanine floor. It is likely that the additional height will only enable a variation in floor heights and overall building form, it will not provide any additional level or scope for development. This is evident in **Attachment A**, which shows that a building will need a minimum height of 13.6m to achieve 4 storeys where the ground floor to floor height is 4m.

⁵ Para 195, PC40 Town Centre S42A report.

⁶ Page 67, Appendix A, PC40 Town Centre S42A report.

- 6.5 In its original submission Kāinga Ora had requested a 15m height limit overlay across parts of the Taupō Town Centre. Kāinga Ora seeks that the amended spatial application of the Environment Height Overlay of 12m as proposed by Council in its s42A Report is amended to 15m to encourage the additional height, development scope and form envisioned, anticipated and supported by the Council officers over the properties fronting Roberts Street and to the southern extent of Te Heuheu Street. The height from 12m to 15m would create the development scope for a fourth level or mezzanine floor to be included in a building. The Town Centre is well situated to amenities, which supports higher density living and urban built form. This aligns with the NPS-UD which requires planning decisions to contribute to well-functioning urban environments⁷.

7. CONCLUSION

- 7.1 The intent of the submission is to ensure the delivery of a planning framework across the Taupō District that contributes to well-functioning urban environments that are sustainable, inclusive and contributes towards thriving communities that provide people with good quality, affordable housing choices and support access to jobs, amenities and services.
- 7.2 Kāinga Ora relief provides landowners in the Taupō Town Centre the appropriate heights to be able to deliver quality development, removes any ambiguity to what is permitted, and creates flexibility for building design and structures. Kāinga Ora considers that if its submission on PC40 is adopted, the provisions would be further enhanced and more efficient and effective at achieving the objectives of the plan.

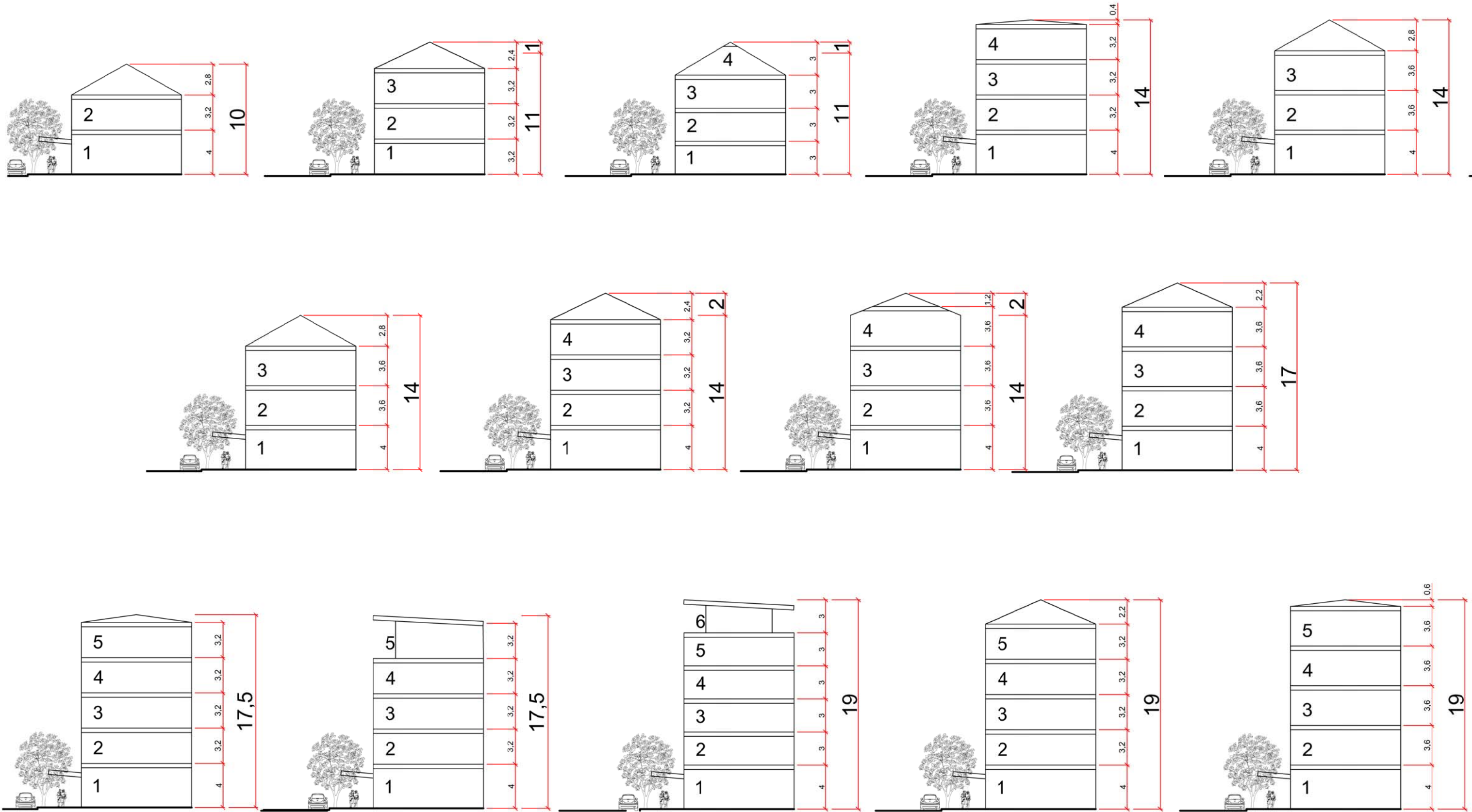
BRENDON LIGGETT

8 September 2023

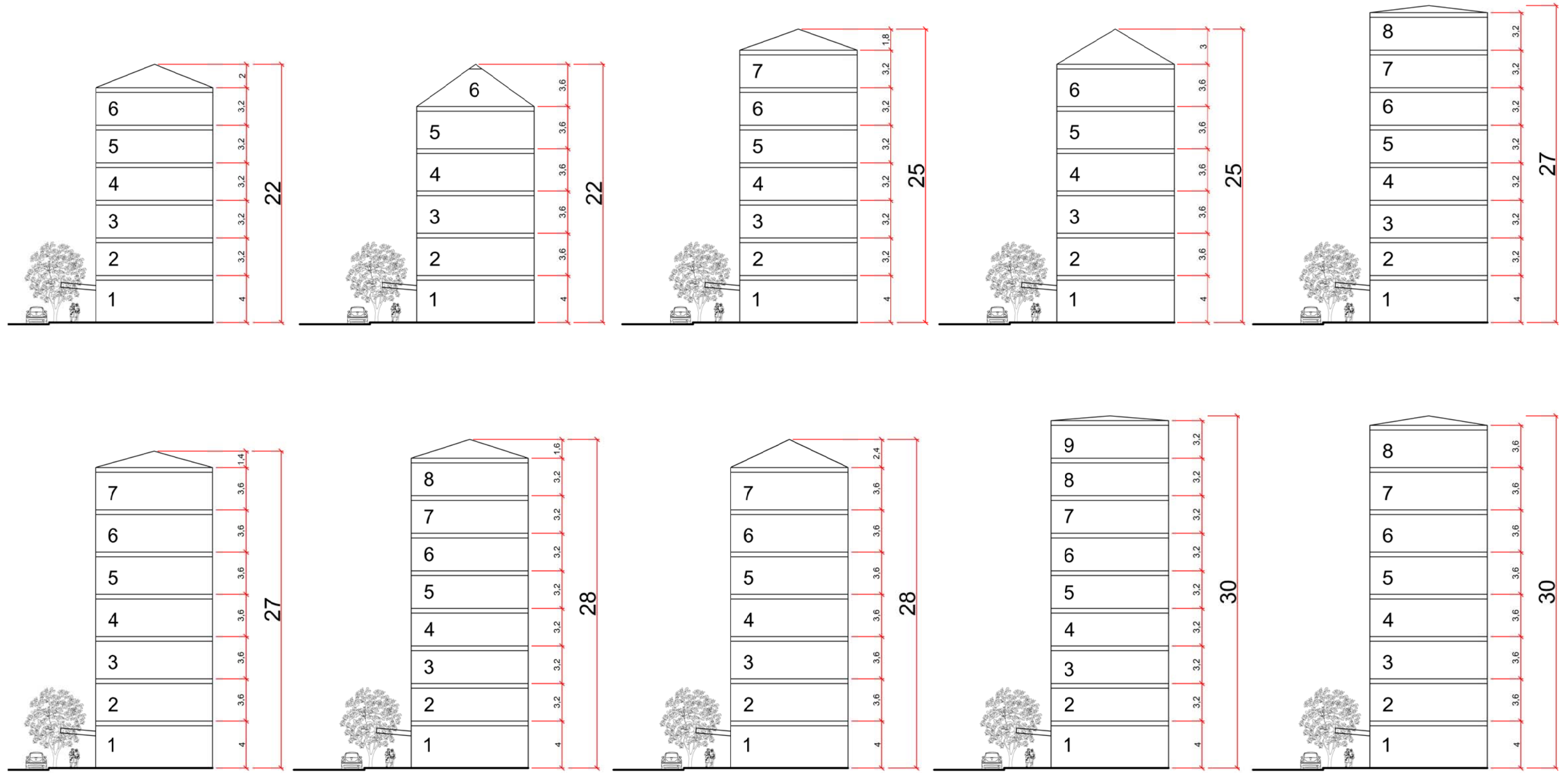
⁷ Policy 1 of the NPS-UD

Attachment A

Evidence of Nicholas James Rae for the New Plymouth Hearing Stream 16



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