

**IN THE MATTER**  
of the Resource Management Act 1991  
And  
the Local Government  
(Auckland Transitional Provisions) Act 2010  
And

**IN THE MATTER OF**  
Topic 059, 060, 062 & 063 Residential Provisions

**STATEMENT OF EVIDENCE OF MARK TODD**  
On Behalf of Ockham Holdings Ltd  
Submission 6099

## INTRODUCTION

- 1 My name is Mark James Todd. I have the qualification of BSC from the University of Auckland, majors in Philosophy and Mathematics. I am 50% owner of Ockham Residential Group.
- 2 I have been involved in brown field residential property development since 1997. I am a qualified carpenter and was a site manager with up to eight builders under my direction until 2008. Since then, I have moved into large scale brown field apartment development. Over the last 5 years, during the GFC, Ockham has built 210 units valued at over \$140m. Ockham currently has three urban regeneration projects on its books in various stages of construction and consenting. These projects comprise 145 units valued at approximately \$110m.
- 3 Ockham's projects have received much interest because of their commitment to detail, built quality, and Urban Design best practice solutions. Ockham has received attention from Treasury, Auckland Council planners and policy staff, MBIE, the Mayor's Office and many media outlets. Three of their last four projects have been selected for the ADM as exemplars.  
  
Ockham's stated goal is to lead the private sector by example and produce exemplar brown field developments.  
  
Being well funded, Ockham is able to commit to best practice Urban Design and demonstrate that exceptional residential high density outcomes are commercially viable. Because of our experience and sound financial footing we are able to risk consenting non-complying development that bend reality and prove there are alternative, innovative solutions to the issue of how to provide smaller, more affordable units in existing urban areas.
- 4 My evidence is in support of Ockham Holdings Ltd's (Ockham) submissions and I note our primary concern is that the PAUP residential development controls fail to provide the economic opportunity to supply the volume and variety of housing in appropriate locations to fulfil the goals of the AP. Specifically, we strongly object to the MHS zone sharing identical development controls to the SH zone.

- 5 Clearly, the MHS zone is intended to deliver a more varied, lower cost housing supply than the SH zone. Indeed it is clear these two zones are distinct in their respective intended outcomes and will therefore have distinct built forms.

Ockham believes that what naturally distinguishes the MHS zone from the SH zone is that it should allow for three story buildings rather than just two. Design, modulation and the retention of green space are what regulate urban character and amenity. ***Height limits do not protect neighbouring properties from loss of sun or shading, HIRTB rules do. Height limits do restrict the range of economically viable housing typologies and price points a developer can deliver to market.***

- 6 In this case, allowing redevelopment in the MHS zone to occur over three levels provides 50% more GFA per site than the SH zone. This is natural and appropriate, and achieves two important outcomes:

- a) *An increased supply of housing.*
- b) *More affordable housing because the land cost relative to the GFA is radically reduced.*

- 7 **To summarise, Ockham believes a MHS with development controls identical to the SH zone is redundant.** The development controls of the MHU zone should be applied to the MHS zone. In other words, there should only be one Mixed Housing Zone – MHU. This was the original, informed, position of the reporting officers for the Council before political interference split the Mixed Housing zone into two.

- 8 The Auckland Plan notes at para 116  
*‘116. All new developments will need to adhere to universal principles of good design and promote Identity, diversity, integration and efficiency, whether at the scale of a site, a street/block, a neighbourhood, or the city. Better place-making, rather than development controls, will become the focus of the planning process. Good design and place making will create our future heritage. At the same time, existing historic character areas will continue to be protected’.*

- 9 The AP identifies correctly that better place making is a fundamental to achieving a quality city. It also notes appropriately that development controls should not be the

prime focus of the planning process. The PAUP does not take up that challenge- the breadth of rules has increased in respect of residential controls.

The PAUP goes well beyond the intent of the Auckland Plan in terms of the proposed regulatory framework and emphasises use of deterministic design related development control standards rather than focussing on a consultative design led process initiated through a restricted discretionary development control process for new buildings.

10 Ockham believes there are only four core development controls:

1. *Building coverage.*
2. *Retained green space (currently termed Landscaping)*
3. *Height*
4. *HIRTB*

11 We believe all the other controls should not be rules as such but dealt with as assessment criteria on an RDA basis. The site specific context of every site will naturally result in infringements of many of these other rules which may well be natural and appropriate.

***Further, a trade-off between amenity, proximity and affordability is a decision best left to purchasers and developers. It is the development controls that affect neighbouring sites and the public realm that the public should have a large degree of certainty and confidence in.***

12 The attached table represents our position on the Residential development control rules. The changes sought to the development controls should apply even if there are no changes to the number and extent of the proposed residential zones. If the zones are merged as suggested then the provisions for the MHS would be removed and the controls set out for the MHU zone will prevail.

Mark Todd

22 September 2015