

## **Before the Auckland Unitary Plan Independent Hearings Panel**

**In the matter** of the Resource Management Act 1991 and the Local Government  
(Auckland Transitional Provisions) Act 2010

**And**

**In the matter** of the Proposed Auckland Unitary Plan (**PAUP**) and procedures  
established under the relevant legislation to address the submissions  
and further submissions processes in relation to the PAUP following  
notification of it by the Auckland Council

---

## **Auckland Council's closing comments in relation to Topic 077 Sustainable Design – Design Statements**

---

**MEREDITH  
CONNELL**

**Solicitors:**

J Campbell  
PO Box 2213, Auckland 1140, DX CP24063  
Ph: 09 336 7500, Fax: 09 336 7629  
janette.campbell@mc.co.nz

# Auckland Council's closing comments

May it please the Panel:

## 1 Introduction

- 1.1 This memorandum records Auckland Council's (**Council**) closing comments in response to matters raised by the submitters and the Independent Hearing Panel (**Panel**) relating to design statements during the hearing for Topic 077: Sustainable Design. The hearing was held on 2 and 3 September 2015.
- 1.2 Specifically this memorandum addresses the following:
  - (a) Regulation of design statements as a procedural tool in the PAUP;
  - (b) Cost and benefit analysis;
  - (c) Further information relating to the Ponsonby Road example attached to the evidence of Ms Wood and Ms Ogden-Cork;
  - (d) Clarification of the proposed PAUP provisions relating to the PAUP outcomes and effects that design statements are intended to address;
  - (e) Matters of scope raised in Mr Brabant's legal submissions for the University of Auckland; and
  - (f) Matters relating to the Panel's interim guidance raised in Mr Brabant's legal submissions for the University of Auckland.

## 2 Regulation of design statements as a procedural tool

- 2.1 During the Topic 077 hearing Panel Member Shepherd made the point that the PAUP imposes regulations to ensure better outcomes are achieved. The Panel then questioned whether design statements ensure better outcomes and why design statements, which are a procedural tool, rather than specifying any particular substantive outcome should be required as part of the District Plan.
- 2.2 The Panel asked that the Council provide a response to those questions.
- 2.3 The Council's message in relation to design statements has been consistent throughout all of the zone hearings to date and the Topic 077 hearing. Design statements do not dictate any particular physical outcome.<sup>1</sup> They are a procedural tool that facilitates better design outcomes by encouraging a logical series of design decisions based on a thorough understanding of the site, its context, and the relevant PAUP provisions.<sup>2</sup>
- 2.4 Conversely, the objectives, policies and particularly the rules in the PAUP do dictate physical outcomes. It is these provisions that will largely determine the design outcomes for Auckland. They have been drafted to give effect to the RPS objective to achieve a quality built environment. However, in many cases it is

---

<sup>1</sup> Wood and Ogden-Cork Primary Evidence, Topic 077, paragraph 7.33

<sup>2</sup> Wood and Ogden-Cork Primary Evidence, Topic 077, paragraph 1.5

not possible to provide physical measurements, in the form of development controls, that are necessary to achieve a quality built environment. For this reason, the PAUP provisions relating to design are often qualitative in nature.

- 2.5 Design statements operate within this framework of objectives, policies and rules to provide an evidential basis for the design decisions that are made in arriving at a final development proposal. The information provided in a design statement will enable the Council to assess a resource consent application against these qualitative design provisions.<sup>3</sup>
- 2.6 In fact, architects, designers and those people in the applicant's team that are responsible for design are the only specialists who typically do not provide any justification as to why they have made certain design decisions. As Mr Allan confirmed at the Topic 077 hearing in his legal submissions for Kiwi Property Group Limited, Kiwi Property Holdings Limited and The National Trading Company of New Zealand Limited, development proposals are often simply a "white paper design" with no allowance for context let alone any explanation as to why certain design decisions have been made.
- 2.7 Other specialists, such as landscape architects, geotechnical engineers and traffic engineers, clearly set out the reasons for their opinions or decisions and provide evidence in support of them. For example, a traffic engineer does not simply provide a roading and parking solution for a development. His or her recommendation is based on a calculated parking demand, and modelling and analysis of the roading network, and intersection capacity in order to determine if the local roads can accommodate the proposed activity and its associated traffic generation. An integrated traffic assessment can also be conceptualised as a procedural documentation of a specialist process. Like a design statement, the content of an integrated traffic assessment is necessary in order to understand the final recommendations of the traffic engineer and development decisions of the applicant, as well as the justification for any residual effects.
- 2.8 The value of contextually responsive design appears not to be in dispute.<sup>4</sup> Therefore, where the Council can be satisfied that a development proposal has been designed in a way that is contextually responsive it can be satisfied that the design outcome will be better than if it was not designed in this way.<sup>5</sup> As a tool that facilitates contextually responsive design, design statements will result in better quality outcomes, even though they do not mandate any particular response.

### **3 Cost and benefit analysis**

- 3.1 Mr Allan, again in his legal submissions for Kiwi Property Group Limited, Kiwi Property Holdings Limited and The National Trading Company of New Zealand Limited stated:<sup>6</sup>

Thus the Council's proposal imposes almost universal additional expense for occasional benefit whereas relying on the RMA provisions

---

<sup>3</sup> Ogden Cork Primary Evidence, Topic 059, 059, 060, 062, 063, paragraph 1.19

<sup>4</sup> Joint Planning Statement on behalf of multiple parties, Topic 077, paragraph 4.3 and 4.5

<sup>5</sup> Wood and Ogden-Cork Primary Evidence, Topic 077, paragraph 7.19

<sup>6</sup> Mr Allan, Legal Submissions on behalf of Kiwi Property Group Limited, Kiwi Property Holdings Limited and The National Trading Company of New Zealand Limited, paragraph 3(f)(iii)

regarding information only incurs additional cost where that is necessary.

- 3.2 The Panel asked the Council to provide a response to Mr Allen's statement.
- 3.3 While the direct cost of preparing a design statement is relatively easy to quantify, this is not the case for the benefits that derive from design statements. However, that is not to say that the benefits are only occasional (as Mr Allan suggests) nor are they outweighed by the cost of preparing a design statement.
- 3.4 The monetary cost of preparing a design statement will vary considerably depending on the nature, scale and complexity of a proposal, the skills of the applicant's team and what methods are used to illustrate design concepts (ie hand sketches or CAD design, etc).<sup>7</sup> Ms Ogden-Cork and Ms Wood in their primary evidence on behalf of the Council provided some examples of the time and cost that might be associated with preparing a design statement.<sup>8</sup>
- 3.5 The benefits of undertaking a thorough design process are not in dispute and many submitters have confirmed that they already voluntarily undertake a context analysis as part of their current design process.<sup>9</sup>
- 3.6 These benefits will go a long way toward achieving the Council's objectives for the Region set out in the Auckland Plan and the PAUP.
- 3.7 Mr Arbuthnot, who presented evidence on behalf of Ports of Auckland Limited, appeared to agree with the Council that there is an urban design problem in Auckland. However, he did not consider that the mandatory provision of design statements is the best way to remedy the problem. The Council disagrees and does not believe that it can achieve its objectives and effect real change in the way Auckland is being designed if it is not proactive about regulating for better design outcomes. The Council witnesses confirmed in the hearing for Topic 077, that there are legacy plans that include non-statutory design guidelines. However, the Council's experience is that the efficacy of achieving good design outcomes under those legacy plans has been poor as these guidelines have no regulatory force.
- 3.8 The Council does not expect every applicant to submit a design statement like the exemplar statement attached to the evidence of Ms Ogden-Cork and Ms Wood.<sup>10</sup> The Council has been very explicit in that the information provided in a design statement should correspond to the scale and complexity of a proposed development and any potential effects. It will be for the applicant to determine the level of information provided. Chapter G.1.4.C is simply a guide.
- 3.9 Mr Allan suggests that design statements will only produce occasional benefits.<sup>11</sup> The Council disagrees. The evidence presented by the Council confirms that applicants who undertake and demonstrate a robust and clear site analysis and design rationale (the two key components of a design statement) generally

---

<sup>7</sup> Nicole Miller Rebuttal Evidence, Topic 077, Paragraph 7.2

<sup>8</sup> Wood and Ogden-Cork Primary Evidence, Topic 077, Paragraph 12.12 – 12.21

<sup>9</sup> Joint Planning Statement on behalf of multiple parties, Topic 077, paragraph 4.5

<sup>10</sup> Wood and Ogden-Cork Primary Evidence, Topic 077, Attachment E

<sup>11</sup> Mr Allan, Legal Submissions on behalf of Kiwi Property Group Limited, Kiwi Property Holdings Limited and The National Trading Company of New Zealand Limited, paragraph 3(f)(iii)

prepare a better quality design proposal, and one that fits better with the surrounding environment.<sup>12</sup>

## **4 Ponsonby Road example**

- 4.1 The exemplar design statement<sup>13</sup> relates to the development on the corner of Ponsonby Road and Mackelvie Street in Auckland. The design statement was prepared by the Council as an example of an exemplar design statement based on information that was provided voluntarily by the applicant as part of their resource consent application.
- 4.2 During the Topic 077 hearing, the design process for this development was discussed. Prior to the current design being consented, the applicant had approached the Council with a different design proposal. Through pre-application discussions with the applicant, the Council and the applicant agreed that there were a number of weaknesses with the initial design proposal. As a result, the applicant chose to engage a new designer who prepared a revised design and associated design statement. The result has been an exceptionally well designed building that is considered to respond positively to its surrounding context.
- 4.3 Mr Blunt in his evidence on behalf of the Council stated:<sup>14</sup>
- ... the scheme has been built (opening earlier this year) and it is already regularly referred to as an example of a positive and valued new development.
- 4.4 During the Topic 077 hearing the Panel asked the Council what weaknesses were identified with the original design proposal. Council staff involved in the application have identified the initial weaknesses as including the following:
- (a) A lack of understanding of the local context of the proposal. The applicant did not provide any urban design or planning analysis of the area and ignored key outcomes identified in the centre plan for Ponsonby;
  - (b) The design did not respond to the historical character of the area nor did it address the specific character and heritage aspects of the site;
  - (c) The original proposal included a one storey height infringement above what was provided for in the district plan. While the plan infringement was not of itself considered to be a negative impact, the design and location of the additional height was considered to cause a negative impact on the neighbouring residential properties on Richmond Road;
  - (d) The layout of the proposed buildings was not well designed. There were a number of internal public spaces that were not connected to the existing laneways already established in the area. The internal spaces were poorly designed, located in shaded areas and presented safety concerns; and

---

<sup>12</sup> Wood and Ogden-Cork Primary Evidence, Topic 077, paragraph 7.19

<sup>13</sup> Wood and Ogden-Cork Primary Evidence, Topic 077, Attachment E

<sup>14</sup> Blunt Primary Evidence, Topic 077, Paragraph 8.12

- (e) The original proposal had a poor interface with Mackelvie Street. It consisted of a blank façade with mostly a loading bay and car park access.

## **5 Clarification regarding PAUP outcomes and effects to be addressed**

### **PAUP outcomes**

- 5.1 Panel Member Hunter commented that the design statement guidance in Chapter G.1.4.C of the PAUP would benefit from further clarification in relation to the PAUP outcomes that a design statement should address. She identified a number of areas in the provisions where reference is made to “outcomes identified in the PAUP”. However, it was not clear which outcomes were being referred to. The Panel requested that the Council provide clarification and a revised version of the Chapter G.1.4.C provisions to address this point.
- 5.2 The provisions in Chapter G are intended to apply to all zones where design statements are required. However, the outcomes identified in the PAUP will vary considerably between each zone. For that reason, the Council took a generic approach to its drafting of Chapter G.1.4.C.
- 5.3 In order to provide further clarity as to the outcomes that are intended to be addressed, the Council recommends that all references to “outcomes identified in the PAUP” be replaced with “outcomes identified in the planning context analysis”. This will enable the applicant to identify in its context analysis the planning outcomes relevant to the site and the area in which the proposed development is to be located.
- 5.4 Appendix 1 contains a revised Chapter G.1.4.C, showing the amendments identified above in blue text, that the Council recommends to provide clarity in relation to the PAUP outcomes that should be addressed in a design statement. These amendments are in addition to those set out in the rebuttal evidence of Ms Miller for the Topic 077 hearing.<sup>15</sup>

### **Relevant effects**

- 5.5 Panel Member Hunter has requested that the Council provide clarification in relation to the effects that a design statement is intended to assist the Council to assess.
- 5.6 A design statement is not intended to include an assessment of environmental effects. As set out in the evidence of Ms Miller for the Council:

A design statement will provide information on the existing environment, for example a visual analysis of the existing streetscape and th/e/ positive aspects of that streetscape that the development responds t/oo. A design statement will also provide information through annotated plans, sketches, images and written explanation of how the layout and built form components of the proposed development respond to streetscape.

Both of these components of a design statement will enable the Council to determine whether the activity will have potential effects on

---

<sup>15</sup> Miller Rebuttal Evidence, Topic 077, Attachment A

the environment (in this case, the amenity of the streetscape), as required under s 104(1)(a) of the RMA and whether it will achieve B2.2.2.1(b) as required under s 104(1)(b)(v) of the RMA...

- 5.7 As set out above, the PAUP contains objectives, policies and rules relating to design. However, because of the nature of design, the provisions are largely qualitative and require subjective assessment.
- 5.8 Insofar as a proposal generates adverse effects that must be considered in the context of the PAUP objectives, policies and rules relating to design, the information in a design statement will assist the Council to carry out its assessment by providing evidential information explaining and supporting why various design decisions have been made by an applicant.<sup>16</sup>
- 5.9 We note that design statements are not only about reducing adverse effects, they are also a useful tool to illustrate the positive effects of a proposal.
- 5.10 It is important to note that design statements do not introduce any new matters that require assessment. Rather, they assist the Council in understanding and assessing the effects of a proposal, such as amenity or visual effects, against the qualitative provisions of the PAUP.<sup>17</sup>
- 5.11 Ms Ogden-Cork prepared a table which was attached to her primary evidence for the Topic 059/060/062/063 Residential zone hearings, which illustrates this point by setting out the assessment criteria for development in the Residential zones and the specific matters in a design statement that are relevant to the Council's assessment of a proposal against those criteria.<sup>18</sup>

## 6 Scope

- 6.1 Mr Brabant, in his legal submissions for the University of Auckland, submitted that the changes proposed by the Council to Chapter G.1.4.C of the PAUP introduce an extensive range of information requirements that are outside the scope of the notified version of the PAUP. Similarly, Mr Brabant submitted that the design statement provisions in each of the zones have been substantially expanded and made more onerous, which is outside the scope of legitimate amendments at this stage in the PAUP process.

### Legal framework

- 6.2 Clause 6 of the First Schedule to the RMA requires that a submission be 'on' the proposed plan.
- 6.3 In an ordinary First Schedule process, if satisfied that a submission is valid, the Council must make a decision on the matters raised in the submission pursuant to clause 10(1) of the First Schedule, which provides:

A local authority must give a decision on the provisions and matters raised in submissions, whether or not hearing a hearing is held on the proposed policy statement or plan concerned.

---

<sup>16</sup> Ogden Cork Primary Evidence, Topic 059, 059, 060, 062, 063, paragraph 1.19

<sup>17</sup> Miller Primary evidence, Topic 077, paragraph 10.7

<sup>18</sup> Ogden Cork Primary Evidence, Topic 059, 059, 060, 062, 063, Attachment C

- 6.4 The Council must also, in an ordinary First Schedule process, consider whether any proposed amendments to a proposed plan are within the scope of matters raised in submissions. The test to determine scope is well established. It requires the Council to consider the extent of the submissions and whether or not the changes are ones that come fairly and reasonably within them.
- 6.5 This, of course, is not an ordinary Council hearing or First Schedule process. The Panel has been established by the Local Government (Auckland Transitional Provisions) Act 2010 (**LGATPA**) to hear submissions and make recommendations on the PAUP. As set out in section 144 of the LGATPA, the Panel is not limited to making recommendations only within the scope of submissions made on the PAUP, and can make recommendations on any other matters relating to the PAUP that are identified by the Panel, or any other person, during any hearing.
- 6.6 It scarcely needs saying at this point that the process of reviewing a district plan is complex. Issues emerge throughout the public participatory process and, as a result, the plan must evolve. It is therefore important that your assessment is approached in a realistic workable fashion.
- 6.7 In the context of a district plan review, the extent of submissions and what is considered to come fairly and reasonably within them must be given a liberal interpretation. In the review process, everything is subject to change. One cannot assume that simply because a submission does not refer to a specific zone, it will not have any impact on the zone provisions. Judge Jackson has confirmed this approach in the Environment Court:<sup>19</sup>

Submissions can and should be read more widely in the context of a proposed district plan, as opposed to a variation or a plan change.

#### **Basis for relief sought**

- 6.8 Some submitters made submissions that the design statement information requirements are too complex.
- 6.9 The National Trading Company (**NTC**) submission stated:<sup>20</sup>
- Part 3 Chapter G Section 2.7 of the Unitary Plan imposes unnecessarily extensive and complex information requirements for resource consent applications.
- 6.10 NTC sought the following relief:<sup>21</sup>
- (a) Revision of Part 3 Chapter G Section 2.7 to:
- (i) Minimise the extent and complexity of information required to be submitted with resource consent applications...
- 6.11 The relief sought by Housing New Zealand Corporation (**HNZ**) includes:<sup>22</sup>
- Consequential amendments to address issues of complexity and duplication between information requirements for design statements throughout the Plan so as to provide greater certainty on the scale and nature of these requirements for development.

---

<sup>19</sup> *Rimanui Farms Ltd v Rodney District Council*, A109/06.

<sup>20</sup> National Trading Company Submission (2632-53)

<sup>21</sup> National Trading Company Submission (2632-53)

<sup>22</sup> Housing New Zealand Corporation Submission (839-10147)



- 6.12 In response to these submission points the Council has made a number of amendments to the provisions in Chapter G in an attempt to reduce the complexity of the design statement information requirements and to remove any duplication in the requirements.
- 6.13 The Council has also reformatted the information contained in Chapter G.1.4.C in order to make the PAUP more user-friendly. That particular information is now set out in a table that mirrors the information requirement tables in each of the zones.
- 6.14 While the proposed amendments may not necessarily be on all fours with the alternative relief sought by the submitters (which seeks that the design statement information requirements be deleted from the PAUP), the question for the Panel is whether the amendments proposed by the Council come fairly and reasonably within the scope of the submissions set out above. The submissions by NTC and HNZ are broad, seeking amendments to reduce the complexity of the design statement information requirements. In Council's submission the proposed amendments are a fair and reasonable response to those submissions, and therefore, a valid matter to be determined under Clause 10.
- 6.15 Moreover, those submissions identify a broader issue that the notified PAUP was too complex and difficult to interpret, which needs to be addressed in order to promote the outcomes in the RPS which aim to achieve a quality built environment.
- 6.16 In brief, the Council's proposed amendments to Chapter G are considered to be within the scope of the submissions identified, as well as being necessary in order to give effect to the RPS. Further, as discussed above, the Panel's powers are not limited by scope considerations, which in our view reflects the "full review" nature of the Unitary Plan process.

## **7 Interim Guidance**

- 7.1 Mr Brabant also commented in his legal submissions that the information requirements in Chapter G.1.4.C are contrary to the Panel's Interim Guidance on Chapter G – General Provisions dated 9 March 2015.<sup>23</sup>
- 7.2 We do not propose to tell the Panel what it may have intended by way of its Interim Guidance on Chapter G – General Provisions. However, our interpretation of that piece of interim guidance was that it was directed at the part of Chapter G.2.7 that was shifted to the start of Chapter G (as section 1.4A). This information was confined to the general information requirements in G.2.7.1 that included a restatement of the information required by s 88 and Schedule 4 of the RMA.
- 7.3 None of the design statement information requirements fall within that category. Therefore, to the extent that the Panel considers the guidance in Chapter G.1.4.C is necessary, it should be included in the PAUP.

---

<sup>23</sup> Mr Brabant Legal Submissions for The University of Auckland, Topic 077, paragraph 3

## **8 Conclusion**

- 8.1 The importance of achieving a quality built environment is recognised in the Auckland Plan and B2.2 of the RPS section of the PAUP. Design statements will assist the Council in achieving this objective by facilitating thorough design processes that result in better design outcomes. Therefore, it is the Council's submission that design statements are appropriate and essential in order to give effect to the RPS, and that they should be included as a mandatory requirement in the PAUP.

Janette Campbell/James Hassall

Date: 16 September 2015

## APPENDIX 1

### Right of Reply Track Changes 16 September 2015

#### TOPIC 077 – Sustainable Design

##### G2.7.2: Design Statements

###### Editorial

1. Councils proposed changes are shown underlined and deleted text is in ~~strike through~~. Black text changes record amendments proposed in Primary Evidence (either pre or post mediation).
2. Not all text that is underlined text is new, and may be relocated from other sections of G2.7.2.
3. **Green text** changes record amendments proposed and agreed in mediation. Those amendments not agreed to stay black.
4. **Red text** changes record amendments proposed in rebuttal evidence.
5. **Blue text** changes record amendments proposed post hearing (e.g right of reply).
6. **Yellow highlighted text** records amendments that are considered out of scope of submissions.
7. **Grey highlighted text** changes record amendments that are consequential amendments from previous hearings / evidence.
8. Numbering of this chapter will be reviewed as part of an overall review of the Unitary Plan numbering protocols.
9. The text commencing from G2.7.2.1 has been converted into a table to make it simpler and easier to understand.
10. The version of the PAUP referred to in each of the zone special information requirement tables is identified in a comment box for each zone.

#### 2.7.2 G1.4C Design statements

~~In addition to the plans and drawings required above, a~~ A design statement is required for most new development and subdivision within the Residential, Business, City Centre, Public Open Space, Rural, Coastal and some Special Purpose zones that requires a resource consent. The special information requirements clause within these certain zones sets out which activities require a design statement and to what level of detail information is what context analysis and design response matters are required to be addressed. This section provides an explanation of the type and form of information that is expected under each matter.

Design statements are a key method identified in RPS B2.2 to deliver a quality built environment. They assist council's assessment of a development proposal against the provisions relevant to built form, character, landscape and amenity that collectively contribute to sense of place and quality design outcomes.

**Comment [MM1]:** Consequential change arising from Hearing 004 from evidence of Michele Perwick

**Comment [MM2]:** Housing New Zealand Corporation (839-10147)

**Comment [MM3]:** Wisimca Company Limited (6796-4) and others

In the preparation of a design statement, applicants are required to give consideration to the matters that define the existing and future built form and quality of the environment in which a site is located, and articulate how the proposed development responds to this context to support quality design outcomes. Design statements help to streamline the resource consent process by ensuring the design rationale for a proposed development is well documented and effectively communicated. In particular, they document the opportunities and constraints that affect the viability of development and how various conflicting issues are to be resolved.

**Comment [MM4]:** Wisimca Company Limited (6796-4) and others

Design statements provide contextual information to assist in the preparation of an assessment of the environmental effects of a proposal. They ~~should~~ could form a discrete package of information to be included as part of a resource consent application. They should not duplicate the planning assessment prepared as part of the Assessment of Environmental Effects. However, if applicable, any specialist urban design or landscape assessments that may be required can be incorporated into an additional section of a design statement.

**Comment [MM5]:** Wisimca Company Limited (6796-4) and others

### **Presentation of Information**

**Comment [MM6]:** Wisimca Company Limited (6796-4) and others

A design statement is a document prepared to understand the site's context, identify existing elements of the site and interrelationships between different factors which affect the site. Design Statements are a predominantly visual document. ~~It presents~~ presenting the design process undertaken in ~~preparing~~ developing a development proposal. ~~It uses~~ They use a combination of annotated plans, sketches, maps, images, photos and written explanation and words to describe the design rationale and design decisions made in relation to how a development proposal and how ~~it~~ fits within the context of the ~~has responded to the opportunities and constraints of a site and its surrounding context~~ area.

**Comment [MM7]:** Wisimca Company Limited (6796-4) and others

This includes:

- The character of the existing environment.
- The planned future form and quality of the area.
- Opportunities and constraints that affect the site and its potential for development.
- Key factors affecting ~~commercial~~ economic viability.
- The design rationale and key principles that have informed the proposal.
- How conflicting issues have be resolved, or prioritised.
- How the proposal responds to its context, including planning context.
- How the proposal achieves quality design outcomes.
- Design details that may assist in the avoidance or mitigation of potential adverse effects.

**Comment [MM8]:** Wisimca Company Limited (6796-4) and others

In order to address these issues, all design statements require a site analysis, summary of planning context, an opportunities and constraints analysis and a design response. A neighbourhood analysis is required for specific larger scale or complex activities that have the potential to affect the wider neighbourhood. The neighbourhood analysis considers what features lie more or less within a 400 metre or 5 minute walking distance from the site.

**Comment [MM9]:** Wisimca Company Limited (6796-4) and others

The extent of information provided under each matter should correspond with the scale and complexity of the proposed development and the scale and significance of any potential effects in relation to the locality. Multiple matters may be shown on one drawing sheet if applicable.

**Comment [MM10]:** Housing New Zealand Corporation (839-10147)

Table X below provides further explanation on the purpose of each matter identified in the special information requirement tables of the relevant zones, and the type of information anticipated as being relevant.

**Comment [MM11]:** Redwood Group Limited (5838-26) and others

The non-statutory ADM Auckland Design Manual provides more detailed guidance on the purpose, components and recommended presentation format of design statements.

**Comment [MM12]:** Consequential change arising from Hearing 013 RPS Urban Growth, evidence of Nicholas Roberts

Design statements form part of council's assessment of resource consent applications. They should form a discrete package of information within the assessment of environmental effects that accompanies the resource consent application for these activities. They do not supersede any other information requirements associated with the proposal.

**Comment [MM13]:** Housing New Zealand Corporation (839-10147)

The special information clause of the relevant zone identifies what information is required for a design statement. Not all information is required for all activities.

**Comment [MM14]:** Housing New Zealand Corporation (839-10147)

#### **2.7.2.1 CONTEXT ANALYSIS**

The context analysis is an analysis of built and environmental elements relevant to the development of a site. A site analysis and opportunities and constraints analysis is needed for all activities that require a design statement. A neighbourhood analysis is needed for specific larger scale or complex activities that have the potential to affect the wider neighbourhood. Refer to the special information requirements clause of the relevant zone for guidance.

**Comment [MM15]:** Housing New Zealand Corporation (839-10147)

#### **Site analysis**

The site analysis comprises two elements, the existing site plan (a standard requirement of all resource consent applications) and streetscape character (for front sites only). The purpose of the site analysis is to analyse and record the characteristics of the site, its relationship to adjoining sites and the street, and general movement to and through the site for all users.

**Comment [MM16]:** Housing New Zealand Corporation (839-10147)

TABLE X

Matter (refer special information requirement tables in relevant zones) and Purpose	Information Required (where relevant to fulfill the stated purpose of the information matter)
<b>A. CONTEXT ANALYSIS</b>	
<b>1. SITE ANALYSIS</b>	
<p>a. <b>Existing site plan</b></p> <p><u>Purpose: To analyse and record the characteristics of the site including its natural and built features, and the general movement to and through the site for all users in the context of adjacent sites.</u></p>	<ul style="list-style-type: none"> <li>1. The required information is the general information requirements for an existing site plan listed in clause 2.7.4 G1.4A.3 above, where relevant, with the addition of the following:               <ul style="list-style-type: none"> <li>a. <u>Important</u> views to, through and from the site (e.g. to bodies of water, volcanic cones, historic heritage places, other landscape features and prominent buildings)</li> <li>b. <u>Predominant</u> winds, areas prone to high winds, shadowing from buildings, trees or structures on adjoining sites.</li> </ul> </li> </ul>

Comment [MM17]: Housing New Zealand Corporation (839-10147)

Comment [MM19]: Housing New Zealand Corporation (839-10147) and others

Comment [MM18]: Housing New Zealand Corporation (839-10147) and others

Comment [MM20]: Housing New Zealand Corporation (839-10147) and others

Comment [MM21]: Housing New Zealand Corporation (839-10147) and others

Comment [MM23]: Consequential change arising from Hearing 004 from evidence of Michele Perwick

Comment [MM24]: Housing New Zealand Corporation (839-10147)

Comment [MM22]: Housing New Zealand Corporation (839-10147)

<p>b. <b>Streetscape character</b></p> <p><b>Purpose:</b> To identify the positive aspects of the streetscape character of the immediate area and the positive aspects within it that the proposal should could respond to.</p>	<p>2. The following information is required for front sites and sites that front public spaces only. The analysis should include a minimum of the three adjoining properties either side of the site and across the street. Plans, sections, elevations and/or annotated photographs are an acceptable method of presenting this analysis. An analysis, for at least the three adjoining properties either side of the site and the three properties across the street, of:</p> <p>The required information, where relevant, is as follows:</p> <ul style="list-style-type: none"> <li>• a. approximate building setback from street boundary</li> <li>• b. estimated building height, scale, massing and roof form</li> <li>• c. predominant building types, architectural character, appearance and heritage</li> <li>• d. architectural features and articulation of street facade, including materials, finishes and colour, organisational principles of proportions, rhythms, solid to void ratios, and general location of doors and windows</li> <li>• e. materials, finishes and colour</li> <li>• f. existing vegetation</li> <li>• g. type and height of fencing</li> <li>• h. signage</li> <li>• i. the planned future form and character of the neighbourhood as defined by the relevant zone or precinct objectives and policies.</li> </ul>
<p><b>2. EXISTING NEIGHBOURHOOD CONTEXT analysis</b></p> <p>A neighbourhood analysis is only required for developments of a scale that may affect the wider neighbourhood. It is a larger picture of the area and may consider the natural and cultural environment, movement, neighbourhood character, use and activity, and urban structure. It provides an understanding of the predominant development patterns and form of the neighbourhood, the overarching cultural and environmental values of the area and how people move it.</p> <p>The special information requirements clause of the relevant zone lists those activities that require a neighbourhood analysis and the elements for which information must be provided. Multiple elements may be shown on one drawing sheet.</p>	
<p>a. <b>Natural and cultural environment</b></p> <p><b>Purpose:</b> To identify, at a neighbourhood scale, the natural and cultural context of the site.</p>	<p>3. The required information is a plan showing within a 400m radius of the site, the following, where relevant:</p> <ul style="list-style-type: none"> <li>• a. Predominant landscape and landform character including ridge lines</li> <li>• b. Topography using 10m (maximum) contour intervals</li> <li>• c. Location of public open space and green spaces including biodiversity corridors</li> <li>• d. Watercourses and coastlines (including riparian margins and coastal inundation areas), floodplains and overland flowpaths</li> <li>• e. Places of cultural importance, including churches, marae, and sites and places of significance to Mana Whenua</li> <li>• f. Significant historic heritage places</li> <li>• g. Significant views to, and through and from the site from the surrounding area (including to places/items of heritage value) and identified viewshafts (e.g. volcanic, Auckland War Memorial Museum)</li> </ul>

**Comment [MM26]:** Bracey (5696-17) and others

**Comment [MM27]:** Housing New Zealand Corporation (839-10147)

**Comment [MM28]:** Housing New Zealand Corporation (839-10147)

**Comment [MM29]:** Housing New Zealand Corporation (839-10147)

**Comment [MM25]:** Te Atatu Scenicview Limited (3391-20) and others

**Comment [MM30]:** Housing New Zealand Corporation (839-10147)

**Comment [MM31]:** Housing New Zealand Corporation (839-10147)

**Comment [MM32]:** Housing New Zealand Corporation (839-10147)

**Comment [MM33]:** Housing New Zealand Corporation (839-10147)

**Comment [MM34]:** Housing New Zealand Corporation (839-10147)

**Comment [MM36]:** Housing New Zealand Corporation (839-10147)

**Comment [MM35]:** Housing New Zealand Corporation (839-10147)

**Comment [MM37]:** Te Ara Rangatu O Te Iwi O Ngati Te Atat Waiohua Trust Board (5255-59) and others

**Comment [MM38]:** Housing New Zealand Corporation (839-10147)

<p>b. <b>Movement</b></p> <p><del>Purpose: To identify walking, cycling, public transport and vehicular networks around the site.</del></p> <p><del>Required only when a new public or publicly accessible street may be required due to the scale of development.</del></p>	<p>4. The required information is a plan showing within a 400m radius of the site, the following, where relevant:</p> <ul style="list-style-type: none"> <li>• <del>a. walking and cycling networks and their accessibility for people of all ages and abilities</del></li> <li>• <del>b. key destinations, including public open space, schools and shops</del></li> <li>• <del>e. bus stops within 400m walking distance and rail services within 800m walking distance, including routes and frequencies</del></li> <li>• <del>d. bus lanes and high occupancy vehicle lanes</del></li> <li>• <del>e. location of on-street parking and other public parking facilities</del></li> <li>• <del>f. street type (arterial road etc).</del></li> </ul>
<p>c. <b>Neighbourhood Built Form character</b></p> <p><del>Purpose: To identify the predominant built character of the wider neighbourhood.</del></p>	<p>5. The required information is as follows and applies to both front and rear sites.</p> <ul style="list-style-type: none"> <li>• <del>a consideration of these matters specified in the information listed in this table under (a)-(f) of Streetscape character in clause 2.7.2.4 above for the wider neighbourhood, where relevant and excluding the last three (3) bullet points. , presented at a broader level of detail, within a 400m radius of the site.</del></li> </ul> <p>6. In addition to the above, where the site has a centres zoning, the following information, for a minimum radius of 400m from the site, is required, where relevant:</p> <ul style="list-style-type: none"> <li>• <del>a. cross sections or photographs showing key streets and their street enclosure (the height of building facades on either side of the street relative to street width)</del></li> <li>• <del>b. the location of existing active building entrances and glazed frontages, and those which have the potential to develop into active frontages, having regard to the provisions of the Unitary Plan</del></li> <li>• <del>c. location of public open spaces</del></li> <li>• <del>d. significant landmarks</del></li> <li>• <del>e. significant gateways</del></li> </ul>

**Comment [MM39]:** Housing New Zealand Corporation 839-10147

**Comment [MM40]:** Housing New Zealand Corporation 839-10147

**Comment [MM41]:** Housing New Zealand Corporation (839-10147)

**Comment [MM42]:** Housing New Zealand Corporation (839-10147)

**Comment [MM43]:** Housing New Zealand Corporation (839-10147)



<p>d. <b>Use and activity</b>  <b>Purpose:</b> To record land uses and activities in the surrounding area, that may inform the location and arrangement of uses and activities within the subject site. giving consideration to how different uses will work together and connection into the wider neighbourhood.</p>	<p>7. The required information is a plan showing within a 400m radius of the site, the following, where relevant:</p> <ul style="list-style-type: none"> <li>a. The general location and arrangement of land uses in the surrounding area. This may include residential, retail, centres, industry, public open space, and community facilities such as schools, hospitals, recreation centres and libraries.</li> </ul>
<p>e. <b>Urban structure</b>  <b>Purpose:</b> To identify the existing neighbourhood structure of sites, streets and street block configuration.</p>	<p>This is required where new public or publicly accessible streets may be created due to the scale or type of development proposed:</p> <p>8. The required information is plans showing within a 400m radius of the site, the following, where relevant:</p> <ul style="list-style-type: none"> <li>a. Existing subdivision pattern (cadastral boundaries), showing street and lot boundaries</li> <li>b. Existing street block size</li> <li>c. Existing key street types. This should be shown through typical cross sections or annotated photographs of streets in the area and include the width and arrangement of footpaths, berms, street trees, on-street parking and street carriageway.</li> </ul>
<p><b>3. PLANNING CONTEXT</b></p>	
<p>a. <b>Planning Context</b>  To identify the planned future form and quality of the site and neighbourhood.</p>	<ul style="list-style-type: none"> <li>A summary of key relevant Unitary Plan development controls that influence the development of the site</li> <li>A summary of relevant Unitary Plan objectives, policies, assessment criteria and overlays that inform the development, and that define the future form and quality of the area</li> <li>Consented, or designated works in the vicinity that have not yet been constructed.</li> </ul>
<p><b>4. OPPORTUNITIES AND CONSTRAINTS ANALYSIS</b></p>	

**Comment [MM45]:** Housing New Zealand Corporation (839-10147)

**Comment [MM44]:** Housing New Zealand Corporation (839-10147)

**Comment [MM46]:** Housing New Zealand Corporation (839-10147)

**Comment [MM47]:** Housing New Zealand Corporation (839-10147)

**Comment [MM48]:** Housing New Zealand Corporation (839-10147)

**Comment [MM49]:** Te Atatu Scenicview Limited (3391-20) and others

**Comment [MM51]:** Te Atatu Scenicview Limited (3391-20) and others

**Comment [MM50]:** Te Atatu Scenicview Limited (3391-20) and others

<p>a. <b>Opportunities and Constraints</b></p> <p><b>Purpose:</b> To present a summary of the key built and environmental elements identified in the site and neighbourhood analyses that the project should respond to. The opportunities and constraints analysis that should guide influence the design response, as a result of the contextual analysis above.</p>	<p>9. The required information is-</p> <ul style="list-style-type: none"> <li>An annotated drawing showing, where relevant: a. the site and adjacent sites, streets and public open spaces b. key opportunities and constraints relevant to development of the site.</li> <li><del>Any limitations identified by other specialists (e.g. heritage assessment, integrated transport assessment etc).</del></li> <li>Other limitations identified (e.g. heritage, transport, economic viability etc).</li> </ul> <p>10. The applicant should also consider how any of the following matters influence the site's opportunities and constraints:</p> <p>a. any specialist reports provided with the application (heritage assessment, integrated transport assessment etc)</p> <p>b. guidance provided in pre-application discussions with council officers</p> <p>c. guidance provided by the Auckland Urban Design Panel or any other design review panel recognised by the council.</p>
--	---

**Comment [MM53]:** Housing New Zealand Corporation (839-1-147)

**Comment [MM54]:** Housing New Zealand Corporation (839-1-147)

**Comment [MM52]:** Housing New Zealand Corporation (839-1-147)

**2.7.2.2 B. DESIGN RESPONSE**

The design response shows how the proposed design has been informed by and responds to the context analysis. It has eight components, including a concept design and additional information requirements tailored to the size and complexity of the activity, as specified within the special information requirements clause of the relevant zone.

<p>a. <b>Concept design</b></p> <p><b>Purpose:</b> To record general design principles, form and layout that respond to the opportunities and constraints identified in the context analysis. It shows the general design concept.</p>	<p>1. The required information is, where relevant, the following, and is expected to be at an indicative level only. Sketch plans, with supporting written explanation, are acceptable.</p> <ul style="list-style-type: none"> <li>a. A written summary of key design principles, including</li> <li>An explanation of how the concept design responds to the site's identified opportunities and constraints and how design decisions have been made when there are competing interests.</li> </ul> <p>b. how the proposed design provides for equal physical access in accordance with the principles of universal design (including identification and slope of any accessible paths between buildings and carparks; slope of any accessway from the street to the front door of a building, slope of any pedestrian or vehicle accessways; and the overall dimensions of rooms, doorways, corridors and stairs) consistent with the corresponding rules in the zones.</p> <p>c. building footprint and setbacks from boundaries and buildings on adjoining sites</p> <p>d. building height, scale, massing and roof form</p> <p>e. location of outdoor living space and landscaping</p> <p>f. location of pedestrian and vehicle access, parking and loading</p> <p>g. location of public fronts and private backs, where residential use is proposed</p> <p>h. site orientation and size, where the site is being subdivided</p> <p>i. indicative façade articulation, internal room layout, materials, finishes and colours</p> <p>j. general location and scale of earthworks (cut and fill)</p> <p>k. location and type of any new street and size of any new street block, where these are proposed.</p>
--	---

**Comment [MM55]:** Housing New Zealand Corporation (839-1-147)

**Comment [MM57]:** Housing New Zealand Corporation (839-10147)

**Comment [MM56]:** Housing New Zealand Corporation (839-1-147)

**Comment [MM58]:** Housing New Zealand Corporation (839-10147)

<p><b>b. Proposed site plan layout</b></p> <p><b>Purpose:</b> To show how the proposed layout of development responds to the context of the site and adjoining properties and any public open space (including the street); and how it supports good place making and legibility to the planned future form and quality of the area as identified in the PAUP- planning context analysis.</p>	<p>2. The required information is</p> <ul style="list-style-type: none"> <li>the general information requirements for a proposed site plan listed in clause 2.7.4 G1.4A.4 above, where relevant, with the exception of (k), (l) and (m), which form part of the landscape and open space plan requirements below.</li> </ul> <p>For new subdivisions, in addition to the above:</p> <ul style="list-style-type: none"> <li>proposed street block and site widths, depths, layout and orientation</li> <li>proposed building footprints, where these are known.</li> </ul> <p>For development on sites with centres zoning, in addition to the above:</p> <ul style="list-style-type: none"> <li>the location of proposed active building frontages</li> <li>location of proposed public open space</li> <li>proposed landmark locations and gateways</li> </ul> <p>In addition to all of the above, where new public open space, development of existing public space, or publicly accessible open space is proposed:</p> <ul style="list-style-type: none"> <li>its place within the public open space hierarchy of the wider area</li> <li>proposed community and recreational facilities, such as playgrounds</li> <li>uses of adjacent sites, building footprints, heights, elevation of building façades fronting the open space boundary and boundary treatments</li> </ul>
<p><b>c. Proposed building design Elevations</b></p> <p><b>Purpose:</b> To show how the height, scale, massing, proportions and architectural features of the building respond to the site and surrounds, and how it relates to streetscape character, to the planned future form and quality of the area as identified in the PAUP- planning context analysis.</p>	<p>3. The required information is</p> <ul style="list-style-type: none"> <li>the general information requirements for proposed elevations listed in clause G1.4A.6 above, with the addition of the following:</li> </ul> <p>For any development fronting a public street,</p> <ul style="list-style-type: none"> <li>an elevation or photomontage showing the street facing façade of the proposed building and existing buildings on either side of the proposed site.</li> </ul>

**Comment [MM61]:** Consequential change arising from Hearing 004 from evidence of Michele Perwick

**Comment [MM59]:** Housing New Zealand Corporation (839-1-147)

**Comment [MM62]:** Housing New Zealand Corporation (839-1-147)

**Comment [MM63]:** Housing New Zealand Corporation (839-1-147)

**Comment [MM60]:** UDF 5277-41 and others

**Comment [MM64]:** Housing New Zealand Corporation (839-1-147)

**Comment [MM66]:** Consequential change arising from Hearing 004 from evidence of Michele Perwick

**Comment [MM67]:** Housing New Zealand Corporation (839-1-147)

**Comment [MM65]:** Housing New Zealand Corporation (839-1-147)

<p>d. <b>Sunlight access</b></p> <p><del>Purpose: To</del> demonstrate how sunlight access is to be maintained/ provided to private outdoor living courts or public open spaces within the site and on adjoining properties.</p>	<p>4. The required information is</p> <p><del>Where there is a development control infringement for height in relation to boundary or height,</del></p> <ul style="list-style-type: none"> <li>shadow diagrams showing, <del>where relevant:</del> a. sunlight access and shadowing to the project site <u>and surrounding area</u>, adjacent sites, streets and public open space from proposed buildings and structures on the project site and existing buildings and structures on adjacent sites at 9am, midday, 3pm and 6pm on the summer solstice, winter solstice and the equinox.</li> </ul> <p><u>Where a residential activity is proposed</u></p> <ul style="list-style-type: none"> <li>the location and orientation of private outdoor spaces, and any communal areas including a summary of how much sunlight areas will receive during <u>winter</u></li> </ul>
<p>e. <b>Landscape &amp; Open Space</b></p> <p><del>Purpose: To</del> show how the proposed development has been designed to respond to surrounding landscape and landform and how landscape treatment <del>has been used to enhance the function and amenity of spaces responds to the environmental and amenity outcomes identified in the PAUP planning context analysis.</del></p>	<p>5. The required information is drawings showing the following, where relevant:</p> <p><del>a. location and design of public open space, communal open space and private outdoor living space, public and private streets, parking areas and pedestrian linkages</del></p> <ul style="list-style-type: none"> <li>The general information requirements for a proposed site plan, related to a landscape plan as listed in Clause G1.4.A.4. under clauses (k), (l) and (m)</li> <li>Proposed response to surrounding landscape and the interface with any natural environment and streetscape features identified in the context analysis above</li> <li>Key landscape design features</li> <li>b. proposed planting type e.g. revegetation, ground cover, amenity planting, semi-mature tree transplants, including species, grade, spacing, density and numbers</li> <li>e. existing vegetation that is to be removed or retained including protected trees</li> <li>el. water management systems drainage and any low-impact design devices <u>any design features that support stormwater management</u></li> <li>e. location of impervious areas</li> <li>f. conceptual design of any hard landscaping</li> <li>g. location, extent, height and design of all proposed boundary treatments</li> <li>h. location of watercourses, coastlines and riparian margins</li> <li>i. extent of any earthworks, showing existing and proposed contours, relationship to adjoining sites and the street, retaining wall locations, heights and <u>materials</u>.</li> </ul> <p><u>In addition to the above, where new public open space, development of existing public space, or publicly accessible open space is proposed:</u></p> <ul style="list-style-type: none"> <li>how spaces have been orientated in relation to climatic conditions, such as sun and <u>prevailing wind</u></li> <li>location, design and slope of pedestrian access and movement within and around the open space</li> <li>location, design and slope of any vehicle access/car <u>parking</u></li> </ul>

**Comment [MM68]:** Housing New Zealand Corporation (839-1-147)

**Comment [MM69]:** Housing New Zealand Corporation (839-1-147)

**Comment [MM70]:** Housing New Zealand Corporation (839-1-147)

**Comment [MM71]:** Housing New Zealand Corporation (839-1-147)

**Comment [MM72]:** Housing New Zealand Corporation (839-1-147)

**Comment [MM73]:** Housing New Zealand Corporation (839-1-147)

<p>f. <b>Streets, access ways and lanes</b></p> <p>Purpose: To show how the proposed development will create or maintain a movement framework which supports a permeable and connected network of streets and public spaces responds to the site and surrounds and to the movement and transport outcomes identified in the PAUP planning context analysis.</p>	<p>6. Where new public or private streets which are publicly accessible are proposed, the required information is drawings showing the following:</p> <ul style="list-style-type: none"> <li>• a. connections between new and existing streets</li> <li>• b. street type (arterial road etc)</li> <li>• c. proposed design of carriageways, berms, footpaths, materials, parking, street trees, service locations, above and below ground services, and vehicle crossing locations and designs, and street lighting types, sizes and locations.</li> </ul>
<p><b>Urban structure</b></p> <p>Purpose: to show how the spatial characteristics of sites, blocks and streets support good place making and legibility, and enable positive relationships between private development and public spaces.</p>	<p>7. For new subdivisions, the required information is drawings and supporting written explanation showing:</p> <ul style="list-style-type: none"> <li>a. street block and site widths, depths, layout and orientation</li> <li>b. building footprints, where these are known.</li> <li>c. the location of proposed active building frontages, where business uses are proposed</li> </ul> <p>8. For development on sites with centres zoning, the following is also required:</p> <ul style="list-style-type: none"> <li>a. location of proposed public open space</li> <li>b. landmark locations and gateways</li> <li>c. views analysis.</li> </ul>

**Comment [MM75]:** Housing New Zealand Corporation (839-10147)

**Comment [MM74]:** Housing New Zealand Corporation (839-10147)

**Comment [MM76]:** Telecom New Zealand Limited (2191-446-452) and others

**Comment [MM77]:** Housing New Zealand Corporation (839-10147)

**Comment [MM79]:** Housing New Zealand Corporation (839-10147)

**Comment [MM78]:** Housing New Zealand Corporation (839-10147)

<p><b>Public open space</b></p> <p>Purpose: to show the function and design of new publicly accessible open space and how it will fit within the wider neighbourhood and its open space hierarchy.</p>	<p>9. Where new public open space, development of existing public space, or publicly accessible open space is proposed, the required information is drawings and supporting written explanation showing:</p> <ul style="list-style-type: none"> <li>a. its place within the public open space hierarchy of the wider area</li> <li>b. proposed landscape design, including existing and proposed planting, buildings and structures, walkways and ecological networks</li> <li>c. existing and proposed topography/landform</li> <li>d. proposed community and recreational facilities, such as playgrounds</li> <li>e. uses of adjacent sites, building footprints, heights, elevation of building façades fronting the open space boundary and boundary treatments</li> <li>f. relationship with existing or proposed streets</li> <li>g. interface with any watercourses and/or coastlines</li> <li>h. provision for and integration of water sensitive design features such as stormwater ponds and swales</li> <li>i. how spaces have been orientated in relation to climatic conditions, such as sun and prevailing wind</li> <li>j. location, design and slope of pedestrian access and movement within and around the open space</li> <li>k. location, design and slope of vehicle access/car parking if applicable.</li> </ul>
--	---

**Comment [MM80]:** Housing New Zealand Corporation (839-10147)

**Comment [MM81]:** Housing New Zealand Corporation (839-10147) and others