
**URBAN DESIGN ASSESSMENT:
MIXED USE PROJECT AT 75 - 97 TAMAKI DRIVE, 6 -
14 PATTESON AVENUE, AND 26 - 30 MARAU
CRESCENT, MISSION BAY, AUCKLAND**

FOR

DRIVE HOLDINGS LTD

BY

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EXECUTIVE SUMMARY

This report outlines an independent urban design assessment of a mixed-use project at 75-97 Tamaki Drive, 6-14 Patteson Avenue, and 26-30 Marau Crescent, Mission Bay, Auckland (“the Site”). The development includes 100 residential units, retail, food & beverage, and commercial tenancies, and a cinema in buildings that vary from 3 to 8 storeys in height. The application has been made under the Resource Management Act 1991 in terms of the Auckland Unitary Plan: Operative in Part (“AUP: OP”).

The key conclusions of this report are that:

- ▶ The project has been arrived at from over 18 months of spatial testing of the Site’s opportunities and constraints, including three sessions with the Council’s independent Urban Design Panel and numerous informal meetings with the Council’s planning and urban design officers.
- ▶ The project will represent a substantial change to Mission Bay but once the planned future form of the Local Centre, Mixed Use, and Mixed Housing Urban zones applied to the bulk of the land in the neighbourhood are taken into account, will be in line with the scale of intensification identified within the AUP: OP.
- ▶ The key urban design strategy has been to ‘tune down’ the residentially-predominant Marau Crescent elevation and ‘tune up’ the Tamaki Drive frontage based on its role as the centre’s ‘main street’ and the presence of the large Mission Bay reserve and beach.
- ▶ The massing, bulk, and visual appearance of the proposed buildings has been designed to create a series of individual building forms rather than a continuous literal perimeter block. The architectural detailing proposed includes numerous voids, recesses, projections and aesthetic elements such as louvre fins to provide visual interest and amenity to the surrounding streets.
- ▶ The project will activate and enliven all three of the road frontages, and also the Mission Bay reserve. In so doing, the project will contribute to the AUP: OP’s planned future form for the zone in a way that recognises the scale and role of Mission Bay as a Local Centre.
- ▶ The project will result in adverse bulk, massing, shadowing, and overlooking effects on adjacent sites that will be at most minor and, overall, similar in net effect to what the AUP: OP’s bulk and location controls provide for.
- ▶ The principally affected part of the environment is the Ronaki Road hill immediately south of Marau Crescent. With reference to the AUP: OP’s bulk and location controls, the properties at Marau Crescent will enjoy more openness and a more ‘residential’ outcome than the AUP: OP enables (an improvement), while those at the top of Ronaki Road hill will lose some existing sea views due to the additional height proposed at the Tamaki Drive and Patteson Avenue frontages. On balance, the ‘improvement’ for the Marau Crescent properties is the more desirable in urban design terms given that these persons are the closest and most susceptible to adverse effects arising from use and development on the Site. Adverse urban design effects created on occupiers of the upper part of Ronaki Road hill will be appropriate due to the varied design and visual quality of the project, and the separation distances proposed between those properties and the project.

On the basis of the above and subject to the recommendations set out in this report, **consent could be granted on urban design grounds.**

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1. INTRODUCTION

- 1.1 This report outlines an independent urban design assessment of a mixed-use project at 75-97 Tamaki Drive, 6-14 Patteson Avenue, and 26-30 Marau Crescent, Mission Bay, Auckland (“**the Site**”). The development includes 100 residential units, retail, food & beverage, and commercial tenancies, and a cinema in buildings that vary from 3 to 8 storeys in height. The application has been made under the Resource Management Act 1991 (“**RMA**”) in terms of the Auckland Unitary Plan: Operative in Part (“**AUP: OP**”). This report has been prepared for Drive Holdings Ltd.
- 1.2 A separate planning assessment should be relied on to establish the overall merits of the application including satisfaction of the relevant AUP: OP matters.

2. SCOPE AND INVOLVEMENT

- 2.1 I have been engaged to provide an independent urban design assessment of the application based on the urban design-related provisions of the Auckland Unitary Plan: Operative in Part.
- 2.2 I have been consulted during the design process and offered suggestions as the design evolved. However, the design decisions made by the applicant’s design team have been its own.
- 2.3 The process followed to undertake this urban design assessment is as follows:
 - a. Three site visits in order to understand the location, characteristics and context of the Site were undertaken. This included surrounding local streets and the beach reserve.
 - b. A briefing from Mr. Peter Neeve, Planner, outlined the key planning considerations relevant to the Site’s development.
 - c. A number of design workshops were attended with the applicant’s design team to explore alternative massing strategies and land use solutions.
 - d. Meetings with the Council’s officers and independent Urban Design Panel were undertaken, and their feedback considered. This resulted in a number of refinements and, in my view, improvements to the project.
 - e. The applicant’s preferred plans were reviewed and comments were given to its design team.
 - f. Final development plans were received and assessed.

- g. This report has been prepared.
- 2.3 The drawings relied on for the assessment were prepared by Buchan Group Ltd. (“**Buchan**”), and labelled “Mission Bay / Resource Consent [A]”. A visual assessment and landscape plans prepared by LA4 Ltd were also considered. As part of the Buchan material, a number of photo simulations have also been prepared. Of note, those from the south of the project (the Ronaki Road hill) are based on computer simulations due to the lack of public spaces on this hill and the inability of access to private houses other than 6 Ronaki Road.

3. URBAN DESIGN FRAMEWORK

- 3.1 ‘Urban design’ encompasses a wide range of potential considerations, evidenced by the breadth of matters included in MfE’s 2005 New Zealand Urban Design Protocol. As a result of this breadth, urban design analyses, when based only on preferred or ‘ideal’ urban design prerogatives do not always match well with the specific matters relevant to RMA proceedings. Practical challenges faced by urban designers working under the RMA include the following
- a. Urban design outcomes only apply to the extent that they are relevant to the specific resource management issues relevant to each specific application, and this may mean the matters considered by an urban designer vary between Districts and even land use zones within the same District. In some cases District Plans require non-ideal approaches to be used.
 - b. The RMA provides for positive environmental effects, which are a key goal of urban designers, but does not specifically require them (although an NPS or Plan can require them such as the way the AUP: OP frequently uses the phrase “positively contribute” in its zone policies).
 - c. The RMA does not seek or require that a resource consent proposal has to be the ‘best’ possible outcome for the land or what an urban designer might prefer - merely that a landowner promoting their own preference must demonstrate that it achieves whatever applicable outcomes apply, and this may not include any preferred or ideal urban design outcomes.
 - d. A failure to achieve an ideal or preferred urban design outcome as a potential ‘missed opportunity’ is not the same as the creation of an adverse effect on the environment, and may be irrelevant to whether or not what is proposed merits the granting of consent.

- 3.2 Given that the project is to be evaluated under the RMA, a framework has been derived from the urban design outcomes, issues and effects identified as relevant in the AUP: OP Local Centre zone (Chapter H11). I have been advised that, as it relates to the Site, the relevant provisions can be deemed to be Operative. A key consequence of the AUP: OP policy framework is that a consideration of the project against the AUP: OP outcomes (or “future environment”) has become at least as important as the more conventional assessment of the project against the “existing environment”.

Local Centre zone

Relevant zone objectives

- 3.3 The general objectives for all centres and the Local Centre zone-specific objectives articulate the key outcomes that are sought by the AUP: OP for the Site (my emphasis added):

General Objectives

*H11.2(1) A strong network of centres that are **attractive environments** and attract ongoing investment, promote commercial activity, and provide employment, housing and goods and services, all **at a variety of scales**.*

*H11.2(2) Development is of a form, scale and design quality so that **centres are reinforced as focal points** for the community.*

*H11.2(3) Development **positively contributes towards planned future form** and quality **creating a sense of place**.*

*H11.2(4) Business activity is distributed in locations, and is of a **scale and form**, that:*

- (a) provides for the **community’s social and economic needs**;*
- (b) **improves community access** to goods, services, community facilities and opportunities for social interaction; and*
- (c) manages adverse effects on the environment, including effects on infrastructure and **residential amenity**.*

H11.2(5) A network of centres that provides:

- (a) a framework and context to the functioning of the urban area and its transport (a)network, recognising:*
 - (i) the regional role and function of the city centre, metropolitan centres and town centres as commercial, cultural and social focal points for the region, sub-regions and local areas; and*
 - (ii) local centres and neighbourhood centres in their role to provide for a range of convenience activities to support and serve as focal points for their local communities.*
- (b) a clear framework within which public and private investment can be prioritised and made; and*
- (c) a basis for regeneration and intensification initiatives.*

Local Centre Objectives

H11.2(6) Local centres enable commercial activity which **primarily services local convenience needs** and provides **residential living opportunities**.

H11.2(7) The scale and intensity of development within local centres is **in keeping with the planning outcomes identified in this Plan for the surrounding environment**.

H11.2(8) Local centres are an **attractive place to live, work and visit**.

Relevant zone policies

3.4 The general policies for all centres and the Local Centre zone-specific policies articulate what key outcomes will implement the AUP: OP objectives for the Site (my emphasis added):

General Policies

H11.3(1) Reinforce the function of the city centre, metropolitan centres and town centres as the primary location for commercial activity, according to their role in the hierarchy of centres.

H11.3(2) Enable an increase in the **density, diversity and quality of housing in the centre zones** and Business – Mixed Use Zone while **managing any reverse sensitivity effects** including from the higher levels of ambient noise and reduced privacy that may result **from non-residential activities**.

H11.3(3) Require development to be of a **quality and design that positively contributes to:**

- (a) **planning and design outcomes identified in this Plan** for the relevant zone;
- (b) the **visual quality and interest of streets** and other public open spaces; and
- (c) **pedestrian amenity, movement, safety and convenience** for people of all ages and abilities.

H11.3(4) Encourage **universal access** for all development, particularly medium to large scale development.

H11.3(5) Require large-scale development to be of a **design quality that is commensurate with the prominence** and visual effects of the development.

H11.3(6) Encourage buildings at the ground floor to be **adaptable to a range of uses** to allow activities to change over time.

H11.3(7) Require at grade parking to be located and designed in such a manner as to **avoid or mitigate adverse effects on pedestrian amenity and the streetscape**.

H11.3(8) Require **development adjacent to residential zones** and the Special Purpose School Zone and Special Purpose – Maori Purpose Zone to **maintain the amenity values of those areas**, having specific regard to dominance, overlooking and shadowing.

H11.3(9) Discourage activities, which have noxious, offensive, or undesirable qualities from locating within the centres and mixed use zones, while recognising the need to **retain employment opportunities**.

H11.3(10) **Discourage dwellings at ground floor** in centre zones and enable dwellings above ground floor in centre zones.

H11.3(11) Require development to **avoid, remedy or mitigate adverse wind and glare effects on public open spaces, including streets, and shading effects on open space zoned land**.

H11.3(12) Recognise the **functional and operational requirements** of activities and development.

H11.3(13) In identified locations within the centres zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone enable **greater building height** than the standard zone height, having regard to whether the greater height:

- (a) is an **efficient use of land**;
- (b) **supports public transport, community infrastructure and contributes to centre vitality and vibrancy**;
- (c) considering the size and depth of the area, can be accommodated **without significant adverse effects on adjacent residential zones**; and
- (d) is **supported by the status of the centre** in the centres hierarchy, or is adjacent to such a centre.

H11.3(14) In identified locations within the centre zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone, **reduce building height** below the standard zone height, where the standard zone height would have **significant adverse effects on identified special character, identified landscape features, or amenity**.

H11.3(15) In areas surrounding the city centre, recognising their proximity and accessibility to the Business – City Centre Zone and Business – Metropolitan Centre Zone at Newmarket, provide opportunities for substantial office activities in the Business – Local Centre Zone and Business – Mixed Use Zone.

Local Centre Policies

H11.3(16) Enable activities for the **local convenience needs of the surrounding residential area**, including retail, commercial services, office, food and beverage and small-scale supermarkets.

H11.3(17) Enable large scale commercial activity where this:

- (a) supports:
 - (i) a diversity of activities within the local centre; and
 - (ii) the centre's on-going ability to provide for the local convenience needs of its surrounding community;
- (b) does not significantly adversely affect the function, role and amenity of the Business - City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone beyond those effects ordinarily associated with trade effects on trade competitors; and
- (c) manages adverse effects on the safe and efficient operation of the transport network including effects on pedestrian safety and amenity.

H11.3(18) Provide for the expansion of local centres to better provide for community social and economic well-being, where expansion is suitable for growth in terms of strategic and local environmental effects.

H11.3(19) Recognise:

- (a) the positive contribution supermarkets make to centre vitality and function;
- (b) the functional and operational requirements of these activities; and
- (c) where preferred built form outcomes are not achieved, the supermarket needs to achieve a quality built environment by positively contributing to public open space, including the activation of streets.

H11.3(20) Require activities adjacent to residential zones to **avoid, remedy or mitigate adverse effects on amenity values** of those areas.

H11.3(21) Restrict maximum impervious area within a riparian yard in order to ensure that adverse effects on water quality, water quantity and amenity values are avoided or mitigated.

Relevant restrictions of discretion and Assessment Criteria

3.5 The following restrictions of discretion are relevant to the project in chapter H11.8.1 of the AUP: OP (with Assessment Criteria links to the zone policies under H11.8.2 in underline) (my emphasis added):

H11.8.1(4) – for new buildings

- (a) the **design and appearance of buildings** in so far as it affects the **existing and future amenity values of public streets and spaces used by significant numbers of people**. This includes:
 - (i) the contribution that such buildings make to the **attractiveness pleasantness and enclosure** of the public space (refer policy H11.3(3)(a) and (b));
 - (ii) the maintenance or enhancement of **amenity for pedestrians using the public space or street** (refer policy H11.3(3)(c));

(iii) the provision of **convenient and direct access** between the street and building for people of all ages and abilities (refer policy H11.3(4));

(iv) measures adopted for **limiting the adverse visual effects of any blank walls** along the frontage of the public space (refer policy H11.3(3)(a)); and

(v) the effectiveness of **screening of car parking and service areas** from the view of people using the public space (refer policy H11.3(7)).

(b) The provision of floor to floor heights that will provide the flexibility of the space to be **adaptable to a wide variety of use over time** (refer policy H11.3(6)).

(c) The extent of **glazing provided on walls fronting public streets and public spaces** and the benefits it provides in terms of:

(i) the **attractiveness and pleasantness** of the public space and the amenity for people using or passing through that space (refer policy H11.3(3)(a) and (b));

(ii) the degree of **visibility that it provides** between the public space and the building interior (refer policy H11.3(3)(a) and (b)); and

(iii) the opportunities for **passive surveillance of the street** from the ground floor of buildings (refer policy H11.3(3)(a) and (b));

(d) the provision of **verandahs to provide weather protection** in areas used, or likely to be used, by significant numbers of pedestrians (refer policy H11.3(3)(c));

(e) the application of **Crime Prevention through Environmental Design (CPTED) principles** to the design and layout of buildings adjoining public spaces (refer policy H11.3(3)(c));

(f) the effects of **creation of new roads and/or service lanes** on the matters listed above (refer policy H11.3(3)(b));

(g) the **positive effects that landscaping**, including required landscaping, on sites adjoining public spaces is able to contribute to the amenity values of the people using or passing through the public space (refer policy H11.3(3)(c));

(h) taking an integrated stormwater management approach (refer policy E1.3(10)); and

(i) all the above matters to be assessed having regard to the **outcomes set out in this Plan and the functional requirements of the activities** that the buildings are intended to accommodate (refer policy H11.3(12));

H11.8.1(8) – for development standard contraventions (building height)

(a) **any policy which is relevant** to the standard;

(b) the **purpose of the standard**;

- (c) the **effects of the infringement** of the standard;
- (d) the **effects on the amenity of neighbouring sites**;
- (e) the **effects of any special or unusual characteristic of the site** which is relevant to the standard;
- (f) the **characteristics of the development**;
- (g) any **other matters specifically listed for the standard**; and
- (h) where more than one standard will be infringed, the **effects of all infringements**.

For building height contraventions, H11.8.2(8) identifies key policies for assessment as being H11.3(3)(a), H11.3(3)(b), H11.3(13), and H11.3(14).

Overall

- 3.6 The most relevant urban design observation of the planning framework is that the historical built form and planning direction for Mission Bay centre has been significantly changed through the AUP: OP process, not only in the built form outcomes enabled but that the policy direction requires the planning outcomes described within the Plan to be the focus of land use and development, not the maintenance of the previous status quo. This is problematic for urban design analysis in the context of a suburban centre such as Mission Bay, as the standard methodologies developed over the past 20 years have generally emphasised that new development should be of a form, scale and intensity that generally “fitted in” with its existing neighbourhood.
- 3.7 Because of the unreliability of those ‘standard’ urban design principles in the AUP: OP framework, I have instead assessed the project directly against the relevant outcomes expressed within the zone provisions, specifically the objectives and policies.
- 3.8 It seems clear from the AUP: OP restrictions of discretion and assessment criteria that policies H11.3(3)(a), H11.3(3)(b), H13.3(3)(c), H11.3(4), H11.3(6), H11.3(7), H11.3(12), H11.3(13) and H11.3(14) have particular importance and particular attention has been paid to these in this assessment.
- 3.9 It is acknowledged that resource consent is required for other matters under the AUP: OP. However as it relates to an urban design assessment based on built form outcomes, the above provisions are the relevant matters that relate to urban design.
- 3.10 In this assessment, I have complied with AUP: OP rule C1.8(2). That rule requires the Council to have regard to the “standards for permitted activities” as part of the context of the assessment of effects on the environment. I understand that this means analysis of the project’s effects is to take into account the zone bulk and location controls.

4. SITE ANALYSIS

- 4.1 The Site and its context have been described within the Buchan plans and the Assessment of Effects on the Environment (“**AEE**”) prepared by Peter Neeve. I agree with those descriptions.
- 4.2 The most relevant urban design characteristics that have not been described above relate to the “future” environment envisaged by the AUP: OP, and which are required to be considered due to rule C1.8(2). In summary these are:
- a. On the Site, development is anticipated to accommodate building heights up to 18m (16m habitable), or effectively 4 to 5 storeys. As shown on Buchan sheets 31, 32 and 34, the zone’s permitted activity standards feasibly and non-fancifully enable up to 35,120m² GFA on the Site. This is not a literal “permitted baseline”, but has been very relevant in my assessment of the project’s overall scale and intensity relative to the Plan’s provisions.
 - b. The residential land zoned Mixed Housing Urban around and behind the centre provides for 11m – 12m building height, and this could enable development of 4-storey tall buildings (or more where buildings ‘stepped’ down the slope of Ronaki Road hill).
 - c. The Mixed Use zone along the Tamaki Drive edge enables development up to 18m (16m habitable), or effectively 4-5 storeys. As shown on the Buchan sheets 91 - 105 the sheer length of this strip along Tamaki Drive is likely to change the built form character of the Mission Bay centre more than any other development likely in the next 30 years¹.
 - d. The Single House zone adjacent to and east of the Site is subject to a Historic Heritage overlay (in part), and an 8m height limit. The AUP: OP provides a more conventional “maintenance of the status quo” framework. It is unlikely that the development already on this land will change significantly in the foreseeable future because development on it already considerably exceeds the anticipated density enabled by the Single House zone.
 - e. Overall, The AUP: OP has enabled transformational change for Mission Bay that will over time lead to entirely different built form character and amenity values than exist now.

¹ For completeness, whenever in this assessment I have considered the Buchan sheets that illustrate AUP: OP bulk and location controls, it is acknowledged that these represent a ‘worse than worst case’ depiction of an actual building, because no building would be designed or granted that was formed of literally unbroken flat planes; there would necessarily be recesses, gaps, setbacks and step-downs, and in particular a varied roof profile between different buildings. They are illustrative and indicative only.

SITE OPPORTUNITIES

- 4.3 On the basis of the above, the following are the Site's key urban design opportunities:
- a. The Site encompasses effectively all of the core of the Local Centre zone on the eastern side of Patteson Avenue. This will allow for a comprehensive and legacy / landmark development to occur.
 - b. Proximity to the Mission Bay beach is a significant north-facing amenity that could support additional building height, provide a landmark sense of address, and also provide numerous positive effects to the beach (including passive surveillance over a wide area).
 - c. The Site is well served by public transport (bus) services.
 - d. The Site currently accommodates numerous restaurants and a cinema complex that serves a population beyond the immediate local area, and also attracts tourists. Retaining the cinema would be a desirable outcome if possible.
 - e. The Site is large and effectively flat. It accommodates no buildings or landscape features that are subject to a heritage or other limitation to re-development.
 - f. Three road frontages present a number of design opportunities, in particular the ability to recognise different contexts and sensitivities on each, ranging from the more-constrained Marau Crescent (residential) street edge, though to the least-constrained Tamaki Drive and the beach.
 - g. The AUP: OP Local Centre zone enables significant built form, visual character and amenity values changes to the currently dated and mixed-amenity environment.

SITE CONSTRAINTS

- 4.4 On the basis of the above, the following are the Site's key urban design constraints:
- a. The Marau Crescent residential activities and houses up the Ronaki Road hill will be sensitive to a loss of views or outlook across the Site. Marau Crescent is itself at this time a typical 'residential back street' rather than a commercial street. Its current amenity values reflect this.
 - b. Accommodating traffic will be challenging for any large-scale development. Marau Crescent would be the most desirable location for vehicle access in terms of the road network, but the least

appropriate in terms of the amenity values of those residents that live in Marau Crescent at this time.

- c. The Site is visually exposed and from many approaches will be in plain view. This will make any development likely to be highly visible.
- d. There are a number of Single House zoned character residential flats immediately east. An interface that can transition from that form to a more urban 'Local Centre' type development will be important along this edge.

5. DESIGN RESPONSE

- 5.1 The Site has been fully described in the AEE and documents prepared by Buchan. These descriptions are agreed with and are referred to, including the fundamental design strategy explained on Buchan sheets 5, 7 and 8.
- 5.2 The Site is uncharacteristically large and when the AUP: OP zone rules are applied, an undifferentiated built form could result, where the busy and beach-front Tamaki Drive could have the same extent of commercial activity, building height, and commercial signage as the much quieter Marau Crescent. I consider that this approach, which is likely to represent the least form of 'consent risk' for the proposed redevelopment, would be a poor response to the different contexts on the Site's 4 sides (the Buchan 'base scheme' illustrated on sheets 30 - 32 illustrate this). Instead, an alternative 'overs-and-unders' approach was followed that sought to redistribute the building mass that could otherwise eventuate so as to achieve a better response. Specifically:
 - a. The Marau Crescent frontage should be purely residential (the AUP: OP does not provide for residential units at the first (ground) storey), reflecting that Marau Crescent is in my opinion a 'residential' street, and not a preferred location for commercial activity. Units should preferably take on a terraced-housing characteristic with unit entrances obvious and visible from the street, to make the development as compatible as possible with the form and scale of residential developments likely on this street's opposite side. This would also allow a lower-intensity activity to 'sleeve' the more intensive commercial activities proposed behind.
 - b. Patteson Avenue is a commercial street that runs perpendicular to the beach. It is an important 'gateway' to the beach from the south, and has the potential, in the long term and in conjunction with future development on the opposite side of the street, to form a high-amenity pedestrian-focussed (shared space) street. Development here should emphasise the key junction of Tamaki Drive and Patteson Avenue, where additional height would be most appropriate, but be lower-height at the Marau Crescent intersection.

- c. Tamaki Drive is the key street in Mission Bay. Development would face north and also take in the reserve and beach. This is the 'premier' street for both commercial activity and housing, and is the most appropriate for additional height due the distance from any neighbouring sites, and the width of the street separating buildings from the reserve and beach. As with Patteson Avenue, the most appropriate focal point for height would be the Tamaki Drive / Patteson Avenue intersection. The least appropriate end for additional height is at the eastern end, adjacent to the Single Housing zone.
 - d. The eastern residential interface with the Single House zone is a long edge, where maximising horizontal setback away from the edge will best minimise potential privacy and loss of daylight effects.
 - e. The interior of the Site is best suited for a cinema complex; the operational characteristics of a cinema require large areas of blank external walls with no windows, and a functionally simple form. Internalising this away from a street edge, in favour of occupied habitable rooms and windows providing overlooking of adjacent streets, is the superior urban design solution.
- 5.3 In summary, 100 units (27 x 1-bedroom, 48 x 2-bedroom, and 25 x 3-bedroom) are proposed, with 2,920m² of retail space (over the first (ground) and second storeys), and 2,890m² of cinema facility. 268 car parking spaces are proposed in a sleeved first (ground) storey and basement configuration (i.e. they have been sleeved and screened by occupiable buildings around the street frontages at the first (ground) storey). It is understood that the final configuration of apartments will be determined by the state of the market at the time of construction.

6. ASSESSMENT

ZONE OBJECTIVES

H11.2(1) A strong network of centres that are attractive environments and attract ongoing investment, promote commercial activity, and provide employment, housing and goods and services, all at a variety of scales.

- 6.1 I do not consider that the project gives rise to any adverse urban design effects or issues relating to this objective. The project will improve the existing visual appeal (attractiveness) of the Site and provide for all of the outcomes described in the objective.

H11.2(2) Development is of a form, scale and design quality so that centres are reinforced as focal points for the community.

- 6.2 The scale, form and design quality of the project is considered very likely to reinforce the focal point role of Mission Bay as a bustling and important seaside centre in Auckland's eastern suburbs. It is the closest centre to the CBD and is the one likely to remain visited by tourists and which is, overall, best suited to focused intensification and population growth.
- 6.3 The project is in particular likely to reinforce the focal point for Mission Bay centre, including by emphasising the key intersection of Tamaki Drive and Patteson Avenue (see Buchan sheets 152 and 158). This part of the Site is considered the most legible and desirable 'point' to accommodate development scale and height because it is furthest way from sensitive neighbours, and is at the true focal point of the centre (the majority of Tamaki Drive opposite the beach is zoned Mixed Use and is not intended to act as a community focal point despite being zoned with the same building height within which the intended 'focal point' may become lost). Conversely, 'tuning down' development scale and commercial activity along Marau Crescent will best protect that street's residential amenity values and characteristics (and the outcomes enabled in the Mixed Housing Urban zone on its opposite side). I consider that this is substantially better for that street and the residents living along it than a purely commercial development at a larger scale would be (i.e. 5-storey buildings to the street edge including commercial ground floor shops / cafes and commercial traffic). This is a particularly noteworthy aspect of the project given that resource consent is explicitly needed to not provide commercial activities along the Marau Crescent first (ground) storey road frontage. Instead, focusing commercial activity along Patteson Avenue and Tamaki Drive is in the long term likely to help concentrate the centre's 'focal point' into those key street edges.
- 6.4 While the project does give rise to a number of adverse urban design effects relating to its form, scale and design quality, those that relate specifically to the centre being able to act as a focal point for the community would be less than minor and otherwise appropriate. Mission Bay is a busy, bustling medium-sized centre frequented by large groups of visitors (local and non-local) on a regular basis – many of whom are attracted by the combination of north-facing open space, beach, food & beverage, and commercial services together so conveniently close to the CBD.

H11.2(3) Development positively contributes towards planned future form and quality creating a sense of place.

- 6.5 This is in my view a key urban design issue relevant to the project, although objective 11.2(7) is more explicit (discussed later). The Council's Urban Design Panel offers a wide-ranging opinion on numerous proposals across Auckland and includes the expertise, in addition to qualified urban designers, of architects, landscape architects, developers, planners, and on occasion subject matter specialists such as iwi experts and historic heritage experts. In my view it has a track record of making constructive and value-adding recommendations relating to Auckland's built environment and for my part, I

recommended to my client that it take the time to engage meaningfully with the Panel. This resulted to a number of material improvements to the project between 2017-2018. However, the Panel is not a resource management body and its recommendations can on occasion be given more in the spirit of advocating for what the Panel sees as the best possible outcomes for a site rather than necessarily remaining based within the specific requirements of the AUP: OP.

- 6.6 The Panel has in this instance identified that it would prefer the project to be based more on historical built form and aesthetic cues (i.e. be less contemporary or “new” in its architecture and visual appearance). No rationale for this was given by the Panel, and I disagree that this is appropriate in light of this explicit AUP: OP objective. The objective in my view recognises the difference in building scales, typologies and forms enabled within the AUP: OP compared to the existing environment; it seeks a new sense of place to be “created”. This contrasts to an older existing sense of place being “maintained”, “borrowed”, “echoed”, “derived from” or similar – any of which directives could have been used if that was the AUP: OP’s intent for new development. In practical terms I also disagree that there is a relevant architectural or built form prompt reflected in Mission Bay’s existing predominantly 1-2 storey environment that could be convincingly or realistically adapted into apartment buildings up to 8-storeys tall without fundamentally changing that prompt anyway. In this respect, I consider that the AUP: OP objective’s emphasis on “creating” a sense of place rather than “maintaining” one is a considered and realistic consequence of the sheer step-change in built form outcomes the Plan enables.
- 6.7 The Ironbank building in Karangahape Road is one of many fundamentally “context-redefining” developments in Auckland that are widely celebrated as being successful – in part because of the sheer aesthetic juxtaposition they represent from the historical norm. They tend to come to re-define local character, and as Ironbank has done, can do so successfully. As such, I have not been able to agree with the Urban Design Panel that there is a resource management necessity to identify or follow an aesthetic narrative for the project that is derived from an existing cue.
- 6.8 Notwithstanding the above, in my view the project will create a high-quality sense of place that will be unique in Auckland and will in time come to reinforce a playful, coastal architecture in this medium-sized centre. The architectural and landscape responses proposed are well-resolved and include a high standard of detail.
- 6.9 Notwithstanding this, I agree with the point made in Buchan design analysis (sheets 4, 5, 11, 13 and 16), that it has taken cues from Mission Bay’s existing aesthetic environment including the curvilinear patterns of the Mission Bay fountain, the art-deco styling of some older buildings, and the more playful, coastal architecture that typifies older existing medium-rise apartment buildings along the Tamaki Drive coast (rendered concrete walls, curves and porthole windows, stainless steel, high-quality landscaping,

international-style flat planes and flat roofs, etc). As such, even were the AUP: OP not so unambiguous in its promotion and emphasis of new character and amenity values being “created”, my opinion would be that the project has appropriately developed a design narrative that is derived from – but still contemporarily adapts - a suitable existing and historical local aesthetic prompt.

6.10 Related to this is a preference from the Urban Design Panel that the Council’s Te Aranga (Maori) design principles be used in the design. These principles are administered by the Council’s Auckland Design Office, which also houses the Council’s urban designers. However, I do not consider that the Te Aranga design principles form part of mainstream urban design training, theory or practice; they are a ‘parallel’ set of values, in the same way that traffic engineering or landscape architecture values can also relate importantly to the built environment but still sit outside the remit of an “urban designer”. I am not Maori, have no expertise in Maori cosmology, spiritual values as they relate to the built environment, or built form design preferences generally. As such, I have no view on the principles. I understand however that the local Mana Whenua Ngati Whatua, have been in dialogue with the applicant and have indicated support for the proposed design along with the Orakei Local Board.

6.11 Overall, my analysis is that the project will positively contribute to the AUP: OP’s planned future form, and will create a sense of place, because:

(a) The AUP: OP directs consideration of the planned future form of the centre, not its historic or existing form or associated character and amenity values. I understand that for Mission Bay, this change will be significant and quite dramatically transformative, and it has formed the context of my analysis of the project in this respect. Specifically, and with reference to the AUP: OP zone analysis provided previously, my understanding is that the planned future built form for Mission Bay is:

(i) 97m length of Local centre zone east of Patteson Avenue, with rules promoting continuous building frontages between sites, with building height of 16-18m.

(ii) 83m length of Local centre zone west of Patteson Avenue, with rules promoting continuous building frontages between sites, with building height of 16-18m.

(iii) 170m of Mixed Use zone west of the (western) Local Centre zone, with rules promoting continuous building frontages between sites, with building height of 16-18m.

(iv) In terms of the above, I note that in terms of policy H13.3(14). Mission Bay has not been subject to a reduced building height limit (Planning map overlay control) reflecting local or underlying amenity value or other sensitivities. For

example, Mairangi Bay on the North Shore has had both the Local Centre and Mixed Use zone height limits reduced to 11-13m instead of the 'normal' 16-18m that applies in Mission Bay.

(v) In total, the AUP: OP planned future form for Mission Bay is a very long and intense (crudely 350m long x 18m / 5-storeys tall), north-facing urban wall facing the beach and defining the southern side of Tamaki Drive. Breaks and gaps are unlikely to be provided other than for road and access openings and to delineate roof forms given the land and amenity value of north-facing floorspace at this premium address, and that there are no side yard or height to boundary setbacks in the Mixed Use zone. I would however expect a wide variety of building shapes and appearances to eventuate as adjoining developers sought to differentiate each-others' products. I therefore consider the Buchan indications of future mass (sheets 94 - 109) are very relevant to assessing the project albeit the uniform grey shapes would in reality take the form of a variety of different-looking buildings sitting side-by-side.

(vi) In the Local Centre zone provisions, the zone description states: "*provisions typically enable buildings up to four storeys high*" (H11.1). "Four storeys" is not echoed in any of the zone provisions and it is understood that the zone description is closer in status to an explanatory or advice note than a matter with statutory weighting. 4-storeys in a 16m occupiable height limit would amount to 4 x 4m stud height storeys. I am unaware of any new mixed-use buildings in suburban Auckland being built with 4m stud heights on each storey and as such I am not able to explain the basis for the statement in the zone purpose. In any event, the word "typically" in relation to building height within the zone is not expressed as an absolute "must not exceed" or even the milder "generally should not exceed". As such I have not been able to agree that compliance with the height limit or a number of storeys is of itself tied to the zone's planning outcomes. As I understand it, where the zone describes its planning outcomes, it is referring to the Plan as a whole, including policies, assessment matters and the resource consent framework seeking development quality, well-defined public space edges, safe and comfortable streets, and the accommodation of substantial growth - not just the "permitted activity standards", which would have been stated in the objective if that was the intention. Because of this, I have interpreted that the zone standards are used as consent triggers for specific consideration of merit, not as fixed spatial design 'boxes' that must be designed within.

- (b) The project will deliver a classical spatial focal point where the tallest building and greatest development density will literally be in the heart of the centre, reinforcing the existing commercial core of the centre and extending it vertically rather than horizontally outwards along the centre's back streets. I prefer this approach in the interests of retaining the most compact-possible area of commercial 'heart' in the centre rather than spreading commercial activity, associated nuisance, and visitor disruption more broadly into local streets.
- (c) The proposed height will help to retain the visual and activity 'core' of Mission Bay at the Tamaki Drive and Patteson Avenue intersection, where access for the community to the beach and reserve is greatest, rather than (in time) more generally along the 350m length of Local Centre and Mixed Use zone along Tamaki Drive opposite the beach. In this respect, the height proposed has benefits in overcoming what may become a 4-to-5 storey tall, 350m-long urban wall with no discernible heart or 'focal point' (achieving a real-world focal point in each Local Centre zone² is itself a key planning outcome in the AUP: OP to differentiate them from Mixed Use and the Terraced Housing and Apartment Building zones that typically exist around them). In my view, the intersection of Tamaki Drive and Patteson Avenue is the historical and obvious future focal point of the centre and this is where the greatest building height, density of activity and vibrancy of commercial and entertainment activity should cluster.
- (d) The project, at 3-to-8 storeys in height, will remain in the low-rise to medium-rise range of buildings, and this is pivotal in my opinion to successfully implementing the AUP: OP zone outcomes for the Local centre zone. High-rise buildings (greater than 10-12 storeys) would be extremely difficult to reconcile with a "local" type of commercial centre and would be a more obvious fit in a Town Centre or Metropolitan Centre.
- (e) The design response includes a number of different shaped and individually discernible building forms within the development, rather than a more singular or massive literal perimeter block on the Site. Although this approach has sacrificed a lot of potential horizontal floor area, the result is in my view a high quality and spatially generous porosity between buildings and through the Site, and which will give it a sense of high quality refinement and a smaller overall scale expressed as a precinct of related buildings rather than one or two very large buildings (refer Buchan sheets 7 and 151 – 158).

² See objectives H11.2(2) and H11.2(5)(a)(ii).

- (f) Tests undertaken by Buchan modelling the AUP: OP permitted activity standards for the Site identified that up to 35,120m² GFA could be realistically accommodated within the bulk and location envelope for the Site (subject to the underlying restricted discretionary consent requirement for new buildings, see Buchan sheets 31, 32 and 34). The project is for 35,095m² GFA despite seeking to considerably infringe the building height control in places. I consider that this is indicative of an “overs-and-unders” approach that, overall, does not seek a materially different or greater GFA for the Site (intensity of activity) than the AUP: OP has enabled for it (see Buchan sheets 20 – 30, 33 and 34). This is in my view indicative that the overall scale of the project is in keeping with the overall scale of outcomes planned for the Site.
- (g) The project is very public-space focused, promoting visual interest and architectural variety, a convincing incorporation of architectural depth (use of projections, recesses and voids), articulation, obvious public and pedestrian entrances, and a sculptural approach to buildings including variations and curves in building forms and windows. These, indicated on the Buchan renders (sheets 49 – 59) are not indicative of ‘cheap’ developments or those looking to ‘maximise’ the AUP: OP enablements.
- (h) The combination of scale, architectural quality and urban design benefits (street-based activation and visual quality of buildings), will in my opinion create a high-quality sense of place that will set a desirable baseline for other developments in the remainder of Mission Bay’s Local Centre and Mixed Use zones to aspire to. I consider that the project will create a unique aesthetic in Auckland’s centres that will in time come to be known as a distinctively Mission Bay or Eastern Bays style.
- (i) In light of the scale of built form enabled by the AUP: OP for the locality, the proposed height, in particular at the Tamaki Drive and Patteson Avenue corner, will not be out of place or adversely dominant. I consider that the Buchan photo simulations (see sheets 63 – 70 and 75 - 80) depict what will be a compatible fit in this urban beach environment.
- (j) I consider that ‘tuning down’ Marau Crescent to be a residential street free of commercial activity is a very successful design project, and will help to reinforce not only the Local Centre zone and the Mixed Housing Urban zone but Tamaki Drive and Patteson Avenue as the community’s social and economic focal point. I consider therefore that the project exhibits complementary land use and building height strategies. Buchan sheets 51 and 52 (Marau Crescent) compared to sheets 49 and 54 (Tamaki Drive) highlight the different responses proposed, notable because the same development controls apply to each frontage without recognition of their very different contexts.

H11.2(4) Business activity is distributed in locations, and is of a scale and form, that:

- (a) provides for the community's social and economic needs;*
- (b) improves community access to goods, services, community facilities and opportunities for social interaction; and*
- (c) manages adverse effects on the environment, including effects on infrastructure and residential amenity.*

6.12 I consider that the project raises no urban design issues or environmental effects relevant to clauses (a) or (b). In terms of clause (c), amenity effects are considered fully below in later sections. In summary however, I consider that the project is appropriate in terms of its residential amenity effects because:

- (a) The project will result in adverse amenity effects to the east that are very comparable to a 'compliant' development, because of the incorporation of substantial horizontal setbacks, compliance with the Height in Relation to Boundary control, and use of a serrated / varied building face (refer to Buchan sheets 171 – 173, and 175 - 178).
- (b) The project has less adverse amenity effects to those adjacent residential properties at the Marau Crescent street level, and other residential properties accessed from Marau Crescent, than a 'compliant' development because it is lower in height and has no commercial activities based within the street (refer to Buchan sheets 112 – 119 and 169).
- (c) The project is likely to have more adverse effects on those properties near the top of the Ronaki Road hill in terms of a loss of potential long-field sea views (refer Buchan sheets 87 – 90, 92, 93, and 120 - 127). However, for these properties, the proposed maximum over-height buildings on Tamaki Road will be substantially separated (refer Buchan sheet 169 – approximately 131m for 6 Ronaki Road and 111m for 27B and C Ronaki Road). Those properties will also in many cases likely be subject to a loss of openness and views from future redevelopment on sites that directly neighbour them (refer to Buchan sheets 114, 118, 122 and 126³). For properties on Ronaki Road hill other than 6 Ronaki Road, and when compared to the AUP: OP development standards for the Site, I consider that any residential amenity effects would likely be appropriate and suitably mitigated. In my view only 6 Ronaki Road would be subject to a loss of sea-horizon views that might not be

³ It is understood that for 6 Ronaki Road, the owner has over time had civil limitations imposed on downslope properties limiting building height so as to preserve views. In this respect, while the AUP: OP provides for those properties to develop and block 6 Ronaki Road's views, those civil limitations would need to be removed from the property titles for the AUP: OP enablement to be taken up – such as via a site amalgamation and redevelopment scenario.

otherwise lost to a 'compliant' development on the Site (although the AUP: OP rules do nonetheless enable a substantial change to existing views). When the quality of the proposed view combined with the separation distances involved between the project and that site is taken into account, I consider that this is a more than minor change, but an appropriate overall urban design outcome for that property, mitigated by the varied design proposed, reduction of height and mass at Marau Crescent giving views and openness into the Site, and attention given to softening the roof forms proposed (see Buchan sheets 87 – 90). I also consider that the reduction in visual amenity proposed for 6 Ronaki Road is more than offset in urban design terms by the residential amenity benefits proposed for the properties at the base of the hill and on Marau Crescent directly opposite the site.

- (d) In terms of (b) and (c) above, I consider that Buchan sheets 111 - 127 substantiate, albeit in a simulated manner, the likely offset of effects away from the base of Marau Crescent and to the top of the hill. I consider that this is a successful urban design way of “managing” residential amenity effects, because it prioritises those neighbours that are closest to the Site, and who will be more susceptible to adverse effects such as shadowing, privacy and overlooking, and visual dominance – even from a “compliant” height development across the road from them. Where neighbours will be subject to the greatest loss of existing views, they are also the furthest away from the buildings in question and will have the greatest remaining view to enjoy.

- 6.13 Overall, I consider that the urban design effects of the project on residential amenity will be largely comparable to the effects enabled by the AUP: OP's permitted activity standards, and in terms of properties at the top of Ronaki Road hill, will be otherwise acceptable given the intention for substantial environmental change set out within the AUP: OP zones (including for those neighbours themselves), and the separation distance between those properties and the project.

H11.2(5) A network of centres that provides:

- (a) a framework and context to the functioning of the urban area and its transport network, recognising:***
- (i) the regional role and function of the city centre, metropolitan centres and town centres as commercial, cultural and social focal points for the region, sub-regions and local areas; and***
 - (ii) local centres and neighbourhood centres in their role to provide for a range of convenience activities to support and serve as focal points for their local communities.***
- (b) a clear framework within which public and private investment can be prioritised and made; and***
- (c) a basis for regeneration and intensification initiatives.***

- 6.14 This matter relates to a very strategic consideration of the centres network and role of individual centres within the network. The project raises no concerns in this respect; the project will not compete with or undermine the role of any centre 'higher' in the hierarchy than Mission Bay, and is otherwise of a scale and design that is compatible with the scale and significance of Mission Bay as an important tourist / visitor destination in the Eastern Bays. I consider that the project is an appropriate fit for the importance of Mission Bay including as a visitor destination close to the CBD, and will provide a focal point for the local community for reasons outlined previously.

H11.2(6) Local centres enable commercial activity which primarily services local convenience needs and provides residential living opportunities.

- 6.15 The project raises no particular urban design concerns relating to this objective; the commercial activity proposed will primarily serve local convenience needs although the cinema and at least a portion of the food and beverage space proposed will serve a wider and visitor-based catchment (as is the case now with existing facilities on the Site). This appears to be provided for within the objective, and reflects the historic role of Mission Bay as an attractor of (high volumes) of visitors. Given that this is an existing function due to the historical role of Mission Bay as the closest beach (with shops and amenities) to the CBD, the extent of commercial activity proposed is appropriate, and appropriately focused towards the beach; larger-scale retail facilities such as a shopping mall could give rise to a question of whether this objective was being served. Residential living opportunities are also proposed, including along Marau Crescent instead of commercial activity.

H11.2(7) The scale and intensity of development within local centres is in keeping with the planning outcomes identified in this Plan for the surrounding environment.

- 6.16 This matter, building on objective 11.2(3), is in my view the key urban design issue relevant to the project. In my opinion, and as outlined previously, the project is "in keeping with" the planning outcomes identified for the surrounding environment in the AUP: OP because:

- (a) The objective, as with 11.2(3) refers to the "Plan" as a whole, not just the zone's permitted activity standards.
- (b) In respect of overall shadowing effects, and with reference to Buchan sheets 129 – 136, I am comfortable that the project's shadows on adjacent public spaces and private sites is sufficiently comparable to a 'compliant' alternative as to be in keeping with the AUP: OP's planning outcomes for the surrounding environment.
- (c) In respect of the immediate residential interface to the south:

- (i) The avoidance of commercial activity and associated nuisance (lighting, signage, noise, traffic, etc.), and provision of a street-based 3-storey townhouse typology within Marau Crescent will considerably improve the amenity and qualities of the street for those residents living on the opposite side of that street. As these persons reside closest to the project, minimising impacts on these persons is in my view the urban design priority and I consider the project does considerably “better” than the AUP: OP enables. I note that a proposed plant / services space on Marau Crescent will not of itself result in any problematic adverse noise or other amenity effects (refer to Buchan sheets 51, 52, and 156).
- (ii) I support the simulations prepared for the applicant relative to properties at 4, 6 and 12A Ronaki Road and also 27B and 27C Marau Crescent. In my view, once the zone development controls for the Site, and indication of potentially permitted development that those residents’ own neighbours could undertake under the AUP: OP, are taken into account, the project will likely be no worse than and be generally better than what might otherwise occur. They indicate that for all houses behind the Site other than perhaps 6 Ronaki Road, development complying with the zone height limit would likely be sufficient to entirely block sea views. My analysis is that they would all also benefit from the lower development mass proposed along the Marau Crescent frontage than a more bulky “compliant” alternative. While some loss of constant / unbroken sea horizon would be lost from 6 Ronaki Road, my analysis as outlined previously is that the separation distance and variation in building form proposed will still allow the property to be used and enjoyed in accordance with the Plan’s intent for that zone. I also consider that the substantial setback distances that will exist will also avoid any adverse visual dominance or privacy effects arising from those parts of the project that are above the zone’s building height limit. Finally, I note that future development on 6 Ronaki Road (and other neighbours) within the Mixed Housing Urban zone height limit could ‘reclaim’ much of the sea view that would be lost by the project. This is relevant inasmuch as the extent of loss of views proposed is not an irreparable or permanent loss.
- (iii) Limiting vehicle access to the Site from Marau Crescent to only residents will help to maintain the street’s existing residential character and amenity values.
- (iv) Limiting commercial activity from ‘wrapping’ around the Patteson / Marau corner other than to achieve a minimum

of activation and 'recognition' at the corner, which is a generally desirable urban design strategy to enliven and activate visually prominent corners, is in this instance appropriate. The landscaped area proposed in front of the corner will help to reinforce the residential predominance that is desirable on Marau Crescent, and the termination / commencement of the Mission Bay commercial area (refer to Buchan sheets 50, 72, 74 and 147).

- (d) In respect of the immediate residential interface to the east:
 - (i) As discussed previously, the project incorporates a combination of setbacks and steps, and a 'serrated' or offset building line whereby many units will not directly face the neighbouring property. These techniques will maintain the amenity and utility of the adjoining residential zoned land. Compliance with the AUP: OP height in relation to boundary control has been an essential design consideration, in my view, and in conjunction with the setbacks proposed will not crowd out or spoil the adjoining residential amenity. It is also relevant to note that the land subject to a historic heritage overlay does not directly adjoin the Site, and this will create a form of transitory buffer between the Site and that development further east.
 - (ii) The use of a fully residential interface along the eastern boundary is supported as it brings with it a consistent noise, internal occupant, and building design treatment that a commercial office building or visitor accommodation facility may not have achieved so compatibly.
- (e) In respect of the adjacent reserve and beach to the north:
 - (i) The reserve is predominantly zoned "informal recreation", with the development set back (and south) by the width of Tamaki Drive. As such the project will not give rise to problematic adverse shadowing effects of the reserve, nor will it be visually dominant or appear out of place (in the future Tamaki Drive environment) relative to the Local Centre / Mixed Use 'strip'. In this respect, the massing and expression of individual building forms rather than a continuous over-height slab has been critical in accommodating the height sought.
 - (ii) The project will enliven and activate the reserve and beach, including through the second storey food and beverage frontage (accessed from the rear via the elevated outdoor cinema plaza / lobby). This will maximise views and amenity between diners and the beach.

- (iii) The height proposed will allow many residents to passively overlook both the beach and reserve, and the public car park. This may result in some safety benefits in line with accepted Crime Prevention Through Environmental Design (“**CPTED**”) research and principles.
 - (iv) When users of the beach view the project and also, in future, development along the Mixed Use zone strip, the project’s additional height will help to reinforce its role as the focal point of the centre.
- (f) In respect of the Local Centre and Mixed Use zones to the west:
- (i) The project will not predetermine or undermine the ability of that land to be developed according to the preferences of the relevant land owners in the future. Shadowing will be limited to morning periods due to Patteson Avenue’s favourable north-south orientation. Once likely landscaping and canopies are taken into account, it is very unlikely that the project’s height will materially worsen the warmth, openness, or pleasantness of the street for pedestrians or other users.
 - (ii) In my opinion the key urban design issues relevant here are the cumulative effects of a 350m long urban wall facing the beach, and also the qualities of Patteson Avenue, which will be the only 2-sided ‘conventional’ commercial street in the centre.
 - (1) In terms of the former, the expression of individual buildings along Tamaki Drive with gaps between them but additional height will provide a contrast with potentially lower and wider future buildings to the west, in a way that will reinforce to users of the centre and beach where the centre’s focal point is.
 - (2) In terms of the latter, the project has been designed to present an urban edge including canopies, landscaping, articulated building facades, and sunny outdoor living spaces. This would be compatible with a range of different design outcomes on the opposite side of the street.
- (g) In respect of the adjacent public streets:
- (i) I consider the project focuses on a street-based, well activated external design that will promote and protect pedestrian amenity. The inclusion of landscaped planters and canopies will offer visual interest and weather protection.

- (ii) Provision for car parks and vehicle access has minimised visual and other effects on the footpath and pedestrian amenity.
 - (iii) Landscaping has been considered in conjunction with the operational requirements of the streets by Auckland Transport (“AT”), and will complement the building design including through the inclusion of elevated planter boxes above the first (ground) storey.
 - (iv) The project will enliven and activate the public streets, and do so in a way that will prioritise the street edges and Tamaki / Patteson intersection as the community’s focal point.
 - (v) The project will not problematically shadow Tamaki Drive due to its location on the street’s south side. Patteson Avenue shadowing in morning periods will be appropriate as discussed previously. Shadowing on Marau Crescent will be less than the AUP: OP rules allow due to the reduced building height and visual permeability / porosity proposed. As such, I consider that the project will not compromise the amenity or quality of any of the three streets it adjoins.
- (h) In respect of the Local Centre zone on the Site itself:
- (i) The Local Centre zone does not specify in its provisions any absolute or inherent building height that must be achieved; and the opportunity for resource consent as a restricted discretionary activity is a considerably more enabling approach than existed previously. While the zone description describes a typical outcome of up to 4-storey buildings, this falls considerably short of creating a planning framework whereby in the Local Centre zones buildings taller than 4-storeys are inappropriate or unacceptable in light of the practical urban design opportunity on this Site to achieve a superior outcome.
 - (ii) The comparative GFA analyses undertaken by Buchan (see their sheets 20 – 34) are sufficient to give me confidence that the project is not seeking a scale or intensity of development that is overall materially beyond what the AUP: OP permitted activity standards have enabled on the Site.
 - (iii) The project responds very obviously to the Site’s different external ‘edge’ characteristics, focusing building height where there are the best views and the most capacity to

accommodate it, and reducing building height where it is the most likely to create the most adverse amenity value, shadowing, visual dominance and overlooking effects on adjacent neighbours. This reflects the 'design-based' approach that I consider is at the heart of the AUP: OP.

- (iv) In my view the proposed building height and visual prominence has been 'earned' by high quality design and a well resolved architectural response (the independent Urban Design Panel's questioning the proposed aesthetic approach is noted and has been discussed previously, but this is not the same thing as suggesting that the project of its own merit lacks quality). This has been complemented by the expression of individual building forms rather than continuous 'perimeter' buildings, and inclusion of sculptural façade forms and relatively deep recesses.

6.17 Overall and in conclusion, and taking into account the permitted activity standards that apply to the Site and in particular the additional building height proposed beyond that, I consider that the development will be in keeping with the planning outcomes identified for the surrounding environment by the AUP: OP as a whole. Adverse urban design effects associated with the above will in my opinion be comparable to the scale and intensity of development enabled by the AUP: OP, but configured in a manner that is in my opinion superior and more desirable than a "design to comply" alternative. This includes the omission of commercial activity along the Marau Crescent frontage, massing and bulk of the project including the Site's proposed visual porosity from the south (i.e. residents on the Ronaki Road hill will be able to see over the Marau Crescent frontage and well into the Site), shading and shadowing effects, and the overall GFA and density of development sought.

6.18 I consider that potential urban design effects on the planning outcomes identified for the surrounding environment have been avoided, remedied or mitigated by the following:

- (a) Considerable design recognition and 'frontage' to the streets.
- (b) A bulk and massing strategy that seeks to pull mass away from adjacent residential zones and towards the focal point of the centre at the Tamaki Drive and Patteson Avenue intersection.
- (c) Inclusion of a contemporary architectural aesthetic that incorporates locally-relevant references and a well-resolved strategy for each building and street frontage.
- (d) Internalisation of the cinema within the Site, avoiding its functionally-necessary blank walls and surfaces from facing a street.

- (e) Incorporating a variety of surface planes, recesses, projections and voids between and around buildings, and also compatible landscaping. The use of artificial grass on the roofs of some buildings is also supported as it will help to visually soften and break up views over the top of the development from elevated properties on the Ronaki Road hill.

H11.2(8) Local centres are an attractive place to live, work and visit.

6.19 Although “attractiveness” is a subjective and personal matter of taste, I consider that the project’s design quality and efforts taken to present visually engaging and interesting development will positively contribute to a new sense of place for Mission Bay centre. The project will also improve the Site’s existing visual quality and attractiveness.

6.20 In this respect the following characteristics of the project have informed my opinion:

- (a) The project has avoided the presentation of large blank walls, loading docks or car parking areas to any external view or street elevation. Provision for vehicle access via two doors is considered to be the lowest possible impact option.
- (b) The project involves a number of individually discernible buildings including a related but differing series of heights and façade solutions. These will avoid the creation of very large or out-of-place buildings in the centre. I also consider that the Marau Crescent and eastern façades are distinctively ‘residential’ in appearance and differ obviously from the more commercial Patteson and Tamaki Drive frontages.
- (c) The inclusion of landscaping and a variety of colours and materials, as well as the inclusion of numerous recesses, voids and gaps between and around buildings, will give the project a generous and high-quality appearance.
- (d) The project will provide additional commercial retail and food-and-beverage opportunities that will serve those that live at, work at, and visit the centre in a way that will offer greater choice and vibrancy within the centre.
- (e) The project will result in a distinctive skyline with landmark qualities. This will create a memorable experience for visitors.
- (f) The architecture proposed, although of an aesthetic origin questioned by the Council’s independent Urban Design Panel, is in my view of a high quality. It features a number of visually interesting curves, steps, and faces; and a successful proportion of solid to glazing in the front elevation walls (uniformly glazed ‘curtain walls’ can be as flat and visually bland as a solid blank wall). The inclusion of visually thick

curved framing devices within the facades will provide visual interest as well as rhythm, and the inclusion of generous planter boxes helps to visually separate the commercial base of the activity from the residential units above.

- (g) Textured materials and a variety of colours are proposed as well as extensive landscaping throughout the project. The inclusion of sun-rooms / balconies, despite the units being larger than would make balconies required by the AUP: OP, will give another degree of depth and variability within the facades. These will together ensure that the buildings appear to be of a higher quality than plain or painted pre-cast walls and flat aluminium window solutions.

ZONE POLICIES

H11.3(1) Reinforce the function of the city centre, metropolitan centres and town centres as the primary location for commercial activity, according to their role in the hierarchy of centres.

- 6.21 The Site is not zoned city centre, metropolitan centre or town centre zone. However, I consider that the project is very unlikely to result in any measurable or identifiable adverse effect on any of those zones as discussed previously.

H11.3(2) Enable an increase in the density, diversity and quality of housing in the centre zones and Business – Mixed Use Zone while managing any reverse sensitivity effects including from the higher levels of ambient noise and reduced privacy that may result from non-residential activities.

- 6.22 I consider that the issue raised by this policy relates to reverse sensitivity effects. In my view, the project has successfully addressed reverse sensitivity effects including by:

- (a) Internalising the cinema away from external or public edges, and directing customers away from the residential environment within Marau Crescent.
- (b) Avoiding commercial activity on Marau Crescent and instead focusing on that street as a residential back street. The inclusion of a 3-storey townhouse typology on this elevation further reduces the likelihood of any reverse sensitivity effects occurring between high density housing on the northern (Site) side of Marau Crescent, and the existing (but likely to intensify) dwellings on the southern side of that street.
- (c) Providing commercial activity on Patteson Avenue and Tamaki Drive, including vehicle access for commercial activity visitors, so as to protect residential amenity.

- (d) Stepping the height and bulk of buildings away from the southern and eastern boundaries so as to limit adverse effects on residential neighbours.
- (e) Avoiding residential activities at the first (ground) storey along the busier and more commercial Tamaki Drive and Patteson Avenue, and providing a residential entrance lobby within the internal second storey plaza (see Buchan sheets 22 and 23).
- (f) Clearly differentiating publicly accessible parts of the second storey plaza from the private residential area, and securing this appropriately (see Buchan sheet 138).

6.23 Overall, I consider that the project will not give rise to any adverse reverse sensitivity (urban design) effects of concern, and consider that any such adverse effects have been suitably avoided, remedied or mitigated through the design decisions made.

H11.3(3) Require development to be of a quality and design that positively contributes to:

- (a) planning and design outcomes identified in this Plan for the relevant zone;*
- (b) the visual quality and interest of streets and other public open spaces; and*
- (c) pedestrian amenity, movement, safety and convenience for people of all ages and abilities.*

6.24 This matter is one of the key issues relevant to the project, along with objectives H11.2(2) and HH.2(7). In terms of clause (a), and as discussed previously, I consider that the project exceeds the building height envelope of the AUP: OP rules, but in a manner that will lead to a superior urban design response for the Site overall, less adverse effects on immediate residential neighbours, and a stronger reinforcement of the Local Centre's commercial core as the focal point of the community in light of the likely substantial development along Tamaki Drive in the future up to the 18m enabled by that zone's rules. While the taller buildings proposed will impede some existing views from elevated dwellings on the Ronaki Road hill, I consider that these will not be significant when considered against the backdrop of the changes to views signalled by the AUP: OP's 18m height limit enabled for the Site, and are appropriate in light of the separation distances and visual quality proposed. Internally, the apartments are well laid out and generously sized. They are functional and will provide for the daily needs of residents, including those that face internally into the cinema courtyard. Overall, I have concluded that the project will have both positive and adverse effects in respect of the planning and design outcomes identified for the zone. Adverse effects will in my view be appropriate and have been avoided, remedied or mitigated by the design approach and quality of architectural resolution proposed.

6.25 In terms of clause (b), for reasons outlined previously I consider the project will positively contribute to the visual interest of streets and the Mission Bay Beach reserve. While the Council's independent Urban Design Panel has questioned the origin of the architectural aesthetic proposed, this does not go so far as to conclude that what is proposed is not of a high visual quality and interest. In my view the project will considerably improve the visual quality and interest of Marau Crescent, Patteson Avenue and Tamaki Drive from their current states. I consider that the project will have positive effects on the visual quality and interest of the streets and beach reserve, with any adverse effects in this respect being limited to aesthetic personal matters of taste (whether people find the building architecture appealing), and will be less than minor as well as avoided, remedied or mitigated by way of the design decisions made.

6.26 In terms of clause (c), I consider that pedestrian movement, safety and convenience will be enhanced by the project including by way of greater enclosure and street activation, improved weather canopies above Tamaki Drive and Patteson Avenue footpaths, and a widened footpath area on Tamaki Drive. Pedestrian amenity will also be benefitted by the minimisation of vehicle access points proposed. The elevated second storey plaza has pedestrian benefits inasmuch as it gives communal access to the second storey food and beverage outlets and the cinema allows all of these to be accessible by an elevator and escalator as well as stairs. In my opinion this is considerably superior to a fragmented alternative whereby each upper storey premises is accessed from within a first (ground) storey store or by individual stairwells from Tamaki Drive. Sharing the second storey commercial entrances with the Cinema entrance and the principal residential entrance will combine the most possible users across the daytime, and contribute to a populated and safe second storey plaza space complemented by landscaping and activated by the food and beverage units. In my opinion the project will have both positive and adverse pedestrian amenity effects, with adverse effects being at most minor and avoided, remedied or mitigated by the design approach and quality of pedestrian spaces proposed.

H11.3(4) Encourage universal access for all development, particularly medium to large scale development.

6.27 The project is for first (ground) storey, street-based commercial activities at Patteson Avenue and Tamaki Drive. Access to the second storey food and beverage area and cinema, as well as the principal residential entrance / lobby, is accessible via stairs, an escalator and an elevator. This in my opinion reasonably provides for universal access although it is noted that the Marau Crescent townhouses are not accessible by wheelchair – they include small stair risers to access the internal first (ground) storey, which have been set slightly above the street (this is a conventional means of managing first (ground) storey residential activity and is of itself supported).

6.28 I consider that the project raises no adverse urban design effects of concern in relation to this matter.

H11.3(5) Require large-scale development to be of a design quality that is commensurate with the prominence and visual effects of the development.

- 6.29 I consider that the project is large scale and that this policy applies to its assessment. In essence, it requires that as development scale increases, so too should its design quality. I note, in respect of the Council's independent Urban design Panel's comments, that the word "design" does not mean "architectural approach", and in my opinion is more neutral than stating that a particular aesthetic preference or model should or must be used.
- 6.30 The project is in my view of a high standard of design quality, including individual buildings, a variety of façade solutions, substantial depth within and between facades, and a bespoke approach to each elevation responding to the opportunities and constraints presented by each one. The landscaping proposed will in my view complement the architecture and improve the quality of the streets around the Site. I consider that the tallest building is well located and proportioned, and will complement the importance of the Tamaki Drive / Patteson Avenue intersection, and Mission Bay Beach reserve. In respect of building height generally, the expression of individual, smaller footprint buildings, has been an essential design strategy that has allowed the height proposed to be appropriate without being excessively bulky and visually dominant. Building materiality and colour will express texture and also appropriately contribute to visual interest.
- 6.31 The substantial setbacks along the eastern elevation mitigate the building length proposed and will allow a serrated and very varied elevation to face that direction. The lower-height Marau Crescent elevation will result in a considerably more compatible and superior solution than a more commercial-based one would. It is also in my opinion evidence of the project's quality of design and design response to its environment.
- 6.32 The inclusion of artificial grass on a number of roof forms is very unusual but in recognition of the elevated views over the top of the development that will be possible from dwellings on Ronaki Road hill, is an innovative means of mitigating the visual effects of a larger-scale roofscape. At the separation distances involved, it will not be possible for a viewer to differentiate that the grass is artificial, and this will in my view considerably improve the roofscape of the project.
- 6.33 Overall and on balance the project includes a variety of design inclusions that are beyond what is commonly proposed, and is in my view a direct result of the prominence of the project and the need to better manage its visual effects. As such, I consider the project will have appropriate visual effects on the environment, and a design quality that is commensurate to its prominence with adverse effects avoided, remedied or mitigated by the design decisions made.

H11.3(6) Encourage buildings at the ground floor to be adaptable to a range of uses to allow activities to change over time.

- 6.34 The first (ground) storey of Tamaki drive and Patteson Avenue, and the food and beverage uses at the second storey plaza, have been designed with a floor to ceiling height suited to commercial uses. This will allow for periodic changes of users and uses without difficulty.
- 6.35 As explained elsewhere, I support the decision to not provide commercial activity along Marau Crescent and this necessarily means that for that street frontage the project does not meet the ideal outcomes envisaged by this policy.
- 6.36 Overall, I consider the project is adaptable to a range of commercial ground floor uses and raises no adverse urban design effects of concern or that would be more than minor in nature.

H11.3(7) Require at grade parking to be located and designed in such a manner as to avoid or mitigate adverse effects on pedestrian amenity and the streetscape.

- 6.37 The project is successful in this respect, internalising at-grade car parking behind a 'sleeve' of commercial activities along Tamaki Drive and Patteson Avenue, and residential (and servicing) activities along Marau Crescent. The project is for a commercial / customer parking garage access from Patteson Avenue, and a resident access from Marau Crescent. These will have at most minor adverse visual amenity and pedestrian amenity or safety effects, and I support the design solution proposed. I consider that to ensure any pedestrian amenity effects are mitigated, the footpath treatments on both the Patteson Avenue and Marau Crescent street frontages should continue uninterrupted across the vehicle crossings in terms of both colour and grade. This has been proposed and I support this outcome.

H11.3(8) Require development adjacent to residential zones and the Special Purpose School Zone and Special Purpose – Maori Purpose Zone to maintain the amenity values of those areas, having specific regard to dominance, overlooking and shadowing.

- 6.38 In my opinion this matter is one of the most relevant to the project. This is because of the potential for additional height sought to adversely affect adjacent residential zoned land.
- 6.39 For the reasons already outlined in this report, I consider that the project will appropriately maintain the amenity values of adjacent residential zones, including the properties on the opposite side of Marau Crescent and up the Ronaki Road hill. I consider that the project will result in negligibly different shadowing effects on any residential site than a compliant bulk and location alternative would. In terms of dominance, I consider that the project will be

less dominant on any residential property, especially on the south side of Marau Crescent, than the AUP: OP standards contemplate. The additional height sought will result in a loss of some existing views from properties on the upper part of the Ronaki Road hill, and this has been assessed previously.

- 6.40 Overall, I consider that the project will be appropriate and that any adverse effects have been avoided, remedied or mitigated by the scale and form proposed and the decision to 'pull' development height and bulk away from the residential boundaries. As such, the project will in my opinion appropriately maintain residential amenity values.

H11.3(9) Discourage activities, which have noxious, offensive, or undesirable qualities from locating within the centres and mixed use zones, while recognising the need to retain employment opportunities.

- 6.41 This matter is not in my opinion relevant to the project.

H11.3(10) Discourage dwellings at ground floor in centre zones and enable dwellings above ground floor in centre zones.

- 6.42 Discouraging residential activities at the first (ground) storey within centres zones is a well-established policy approach in Auckland, so as to maximise the use of ground floor space for commercial uses (where the effects of large numbers of pedestrians walking passed the front door is a positive effect, not a negative effect as it can be for residential uses). Commercial uses at first (ground) storey also are more likely to front the street and activate it with doors and windows. Residential uses at ground floor can be more difficult to accommodate due to the need to mediate internal user privacy from the outside, and secure outdoor living courtyards behind barriers.

- 6.43 In this instance, commercial ground floor activity is proposed at the Tamaki and Patteson Avenue frontages. These are busier streets and logically where commercial activity is best suited.

- 6.44 Marau Crescent is currently a quieter and exclusively residential street. It would not be able to accommodate commercial activity without considerably changing its existing character and amenity values, and would in any event be considerably inferior as a commercial frontage to the other road frontages due to the much lower volumes of passing traffic as well as less favourable solar orientation.

- 6.45 Because Marau Crescent is a residential street and given the extent of commercial activity that has been enabled in Mission Bay in the Local Centre and Mixed Use zones along Tamaki Drive, it is very unlikely that there is any real need for this frontage to be developed with commercial activities.

- 6.46 Using it instead for residential activity at a relatively lower intensity of 3-storey townhouses in my opinion reinforces the residential characteristics of Marau Crescent and will in particular offer the best possible / least adverse solution for those residents living directly across the road. As those residents are in my opinion likely to be the most affected by the project, this prioritisation is a desirable outcome. In my view all amenity and outdoor living requirements for these units can be met on the nearby beach and reserve, and setting the units back behind larger open space courtyards would be an inferior outcome for the Site given that they would be to the south side of the units as well as along a visually exposed street frontage.
- 6.47 Reinforcing those existing amenity values will in my opinion have no material adverse urban design effects on the Local Centre zone or Mission Bay as a whole, and is a positive effect of the project. In terms of adverse effects that the project avoids on those residents across the street, of note is that an AUP: OP compliant solution would likely give rise to the following adverse effects:
- (a) Greater building height and length;
 - (b) The nuisance and noise of customers coming and going especially at night (such as from a licensed restaurant);
 - (c) The operational noise of shops (such as cafes grinding beans in the morning or a gym playing audible music at early hours);
 - (d) The visual nuisance of commercial signage including at night (such as from a dairy or chemist);
 - (e) Socially unpopular effects of certain types of customers congregating outside certain types of shops (such as around a liquor outlet).

H11.3(11) Require development to avoid, remedy or mitigate adverse wind and glare effects on public open spaces, including streets, and shading effects on open space zoned land.

- 6.48 The most important open space relevant to the project is the Mission Bay reserve and beach. This sits north of the Site and as such the project will not create shadowing effects on that space.
- 6.49 Adverse wind effects are unlikely given that the predominant wind is a north-easter, coming in from the sea. The porosity of the development and frequent gaps between buildings will allow the wind to dissipate through the Site rather than be channelled into one small space such as Patteson Avenue or Tamaki Drive.
- 6.50 Glare is also unlikely to be problematic due to the depth and frequency of balconies and sun-rooms proposed. In combination with the depth of recesses and window overhangs proposed, sunlight is unlikely to be uncomfortably reflected into the eyes of users of adjacent public spaces.

The avoidance of any highly reflective mirror-glass is also relevant in this respect.

- 6.51 As such and overall, I consider that through the combination of solar orientation and the bulk and mass proposed for buildings on the Site, adverse wind and glare effects on adjacent public spaces, and shadowing on public open space zoned land, has been appropriately avoided, remedied or mitigated.

H11.3(12) Recognise the functional and operational requirements of activities and development.

- 6.52 I consider that this policy is largely limited to the need for two garage doors to service the development, at Patteson Avenue and Marau Crescent. As described previously, I consider that the project will be appropriate in this respect and will not give rise to problematic urban design effects.

- 6.53 In terms of the cinema, this is a functional 'box', where it is difficult to include windows and other openings as this defeats the objective of large, darkened internal cinema rooms. For this reason it is proposed to internalise the cinema box and I support this, It is typical for cinemas to have elevated lobbies set back from a street and the project is unremarkable in this respect save for the plaza space being semi-open and serving a food and beverage strip and residential unit entrances as well (which I support for reasons of increasing the plaza's patronage and likely occupation).

- 6.54 In terms of the second storey food and beverage strip, I consider that the rear access via the plaza is a suitable solution (it was questioned by the Council's independent Urban Design Panel). Having an elevated plaza serving all of the strip allows for universal access (individual store second storeys would otherwise likely be serviced only by individual staircases), and maximises the orientation of dining space towards the beach. Operationally, this maximises the amenity and utility of the food and beverage strip to connect with the beach and reserve, as well as helping to enliven and populate the second storey plaza.

- 6.55 Overall however, the project raises no issues or effects of concern relating to the functional and operational requirements of the project.

H11.3(13) In identified locations within the centres zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone enable greater building height than the standard zone height, having regard to whether the greater height:

- (a) is an efficient use of land;***
 - (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;***
 - (c) considering the size and depth of the area, can be accommodated without significant adverse effects on adjacent residential zones;***
- and***

(d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre.

6.56 The Site is not subject to an additional building height overlay, however on the basis of my analysis the proposed additional building height is an efficient use of the Site; will support public transport and contribute to Mission Bay's vitality and vibrancy; will not result in "significant" adverse effects on adjacent residential zones due to the setbacks proposed from any such land; and will be compatible with the larger Local Centre scale and function of Mission Bay as a centre that supports large numbers of visitors as well as the immediate local residential catchment.

6.57 I support the additional height proposed because it will help to legibly reinforce the focal point and literal heart of the Mission Bay centre at the Tamaki Drive and Patteson Avenue intersection; differentiate the Local Centre zone from the extended Mixed Use zone strip along Tamaki Drive generally; has allowed the applicant to provide generous gaps and voids between individual buildings rather than retain a longer and more continuous building form around the Site perimeter; and lastly provide a more sensitive and higher amenity (residential) treatment along Marau Crescent.

H11.3(14) In identified locations within the centre zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone, reduce building height below the standard zone height, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, or amenity.

6.58 The Site is not subject to a reduced building height overlay. Although I do not consider "significant adverse effects" are likely from a compliant building height and bulk outcome along Marau Crescent, the reduction in intensity and height proposed along that frontage is a successful attribute of the project and is one of the reasons that I support the additional height proposed at Tamaki Drive.

H11.3(15) In areas surrounding the city centre, recognising their proximity and accessibility to the Business – City Centre Zone and Business – Metropolitan Centre Zone at Newmarket, provide opportunities for substantial office activities in the Business – Local Centre Zone and Business – Mixed Use Zone.

6.59 This matter is not relevant to the project.

H11.3(16) Enable activities for the local convenience needs of the surrounding residential area, including retail, commercial services, office, food and beverage and small scale supermarkets.

6.60 The project is for a relatively medium-scale of commercial activities, including food and beverage, retail, and commercial services. While a

cinema is not identified in the policy, I note that it is a well-established activity within the local environment and is not considered likely to create any problematic adverse urban design effects due to the way it has been internalised and accommodated within the development.

- 6.61 Overall, I consider that the project will not give rise to any problematic urban design effects based on the mix and extent of commercial activities proposed; indeed if commercial activity had been provided along the Marau Crescent frontage (as the AUP: OP rules require in the first instance), more commercial activity than has been proposed would result.

H11.3(17) Enable large scale commercial activity where this:

(a) supports:

- (i) a diversity of activities within the local centre; and*
 - (ii) the centre's on-going ability to provide for the local convenience needs of its surrounding community;*
- (b) does not significantly adversely affect the function, role and amenity of the Business - City Centre Zone, Business - Metropolitan Centre Zone and Business - Town Centre Zone beyond those effects ordinarily associated with trade effects on trade competitors; and*
- (c) manages adverse effects on the safe and efficient operation of the transport network including effects on pedestrian safety and amenity.*

- 6.62 This matter is not considered relevant to the project; the cinema is not considered to be a "large-scale commercial activity".

H11.3(18) Provide for the expansion of local centres to better provide for community social and economic well-being, where expansion is suitable for growth in terms of strategic and local environmental effects.

- 6.63 This matter is not relevant to the project as it is not proposed to expand the Local Centre zone.

H11.3(19) Recognise:

- (a) the positive contribution supermarkets make to centre vitality and function;*
- (b) the functional and operational requirements of these activities; and*
- (c) where preferred built form outcomes are not achieved, the supermarket needs to achieve a quality built environment by positively contributing to public open space, including the activation of streets.*

- 6.64 This matter is not relevant to the project.

H11.3(20) Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on amenity values of those areas.

- 6.65 For the reasons already outlined previously, I consider that the project has appropriately avoided, remedied or mitigated adverse effects on the amenity values of adjacent residential zoned land. The most affected area are the upper slopes of Ronaki Road hill, where some existing dwellings will have some existing sea views impeded. The effects of this have been mitigated by the separation distances involved, porous building design proposed allowing views into the Site, the smaller individual (rather than larger single) building forms proposed, building height reduction at the Marau Crescent edge, and quality of architectural finishing proposed (including some areas of artificial grass 'green roof').
- 6.66 However, those views will for the most part already be susceptible to loss by way of AUP: OP-compliant redevelopment by neighbours on the Ronaki Road hill itself, and can in large part be "re-claimed" by eventual redevelopment of affected sites based on the AUP: OP rules that now apply to those sites as well.
- 6.67 When this moderate loss of amenity is compared to the substantial enhancement of amenity proposed for those residential units at the bottom of the Ronaki Road hill (less building height and avoidance of commercial activity and associated nuisance), I consider the project to be superior and more positive in overall terms than a compliant AUP: OP alternative would be. Further south, from Patteson Avenue, I consider that Buchan sheets 102 and 103 show that, in its planned future context, the development will not overbear or excessively visually dominate the Site's south-western corner with Marau Crescent.

H11.3(21) Restrict maximum impervious area within a riparian yard in order to ensure that adverse effects on water quality, water quantity and amenity values are avoided or mitigated.

- 6.68 This matter is not considered relevant to an urban design assessment.

OVERALL URBAN DESIGN MERIT

- 6.69 The project is for a large-scale redevelopment that will be transformative for the character and amenity values of the Site. While the overall intensity and scale of the project is comparable with what could be reasonably expected in compliance with the zone development controls, the project seeks an alternative built form including building heights up to 8 storeys.
- 6.70 The project's overall bulk, form and massing strategy is in my view very successful and appropriate for the Site. It recognises the Site's unique opportunities and constraints, and in particular effects the successful redirection of intensity away from the Marau Crescent edge to the Tamaki Drive frontage.

- 6.71 The project is supported in general bulk, form and mass terms by the Council's independent Urban Design Panel although that Panel has questioned some matters of finer detail. Having considered those matters in terms of both likely environmental effects and the provisions of the AUP: OP, I do not consider that further changes to the building's aesthetic response or architectural narrative are warranted.
- 6.72 The project will positively contribute to the AUP: OP's planned future form and will create a new and high-quality sense of place for Mission Bay, in a way that will maintain the amenity values of adjacent public spaces and residential zones.
- 6.73 The height proposed will not be problematic in the wider environment and will indeed reinforce the community focal point of the Local Centre zone and the Tamaki Drive / Patteson Avenue intersection.
- 6.74 There will be a loss of some existing views from dwellings on the Ronaki Hill rising behind and to the south of the Site. However, based on the photo simulations prepared by Buchan, I consider that many of these existing views could be lost to development on the Site in compliance with the zone height limit at the Marau Crescent edge, and redevelopment of other sites on the hill itself (i.e. neighbours blocking each others' views). Where the project will result in a loss of view it will include interrupting what are currently 'clear horizon' views.
- 6.75 On the basis of an urban design evaluation of those lost views, in combination with the improved outcomes (compared to a compliant AUP: OP alternative) for the dwellings at the base of Ronaki Road hill, on the south side of Marau Crescent opposite the Site, and the improved public amenity and character values likely on the Site's three street frontages, I consider that the project is overall more desirable than and is more appropriate than an alternative AUP: OP complying project.
- 6.76 Overall, I consider that the project will have a combination of adverse and positive urban design effects, and that any adverse effects would be appropriate. In my view the project will be compatible with the outcomes sought by the AUP: OP for the Local Centre zone although it is noted that the proposed building at the corner of Tamaki Drive and Patteson Avenue is as tall as I consider could be supported in this environment without raising potentially inappropriate urban design effects, and is supported in part due to the overall bulk and location effects proposed that include a recess for its own top floor back from the street, as well as less height at Marau Crescent, and a number of open space voids between individual buildings that provide porosity and 'breathing room' around and through the buildings.
- 6.77 Taking the above into consideration, I recommend that the consent be granted subject to conditions of consent to address the following matters:
- (a) A final materials and colour palette to be approved by the Council prior to the issue of a building consent.

- (b) A final lighting and landscaping plan for the development, including the internal publicly-accessible plaza space, to be approved by the Council prior to the issue of a building consent.
 - (c) Highly reflective “mirror” glass shall not be used.
 - (d) The landscape planters along the second storey façade shall be retained as communal open space and be subject to consistent maintenance.
 - (e) Signage for the commercial tenancies shall be limited to the first (ground) storey of the tenancies, with no signage permitted on Marau Crescent, above the first (ground) floor of Patteson Avenue beyond 10m of the Tamaki Drive intersection, or the second storey food and beverage strip on Tamaki Drive and including the first 10m of Patteson Road from the intersection with Tamaki Drive. Signage for the cinema, which may be visible through the plaza openings on Tamaki Drive and Patteson Avenue, is excluded from this requirement. Building naming signage is also excluded from this requirement, and shall be designed to integrate with the architectural forms and proportions of the buildings.
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7. CONCLUSIONS

- 7.1 This report has outlined an independent urban design assessment of a mixed-use project at 75-97 Tamaki Drive, 6-14 Patteson Avenue, and 26-30 Marau Crescent, Mission Bay, Auckland. The development includes 100 residential units, retail, food & beverage, and commercial tenancies, and a cinema in buildings that vary from 3 to 8 storeys in height. The application has been made under the Resource Management Act 1991 in terms of the AUP: OP.
- 7.2 The key conclusions of this report are that:
 - a. The project has been arrived at from over 18 months of spatial testing of the Site’s opportunities and constraints, including three sessions with the Council’s independent Urban Design Panel and numerous informal meetings with the Council’s planning and urban design officers.
 - b. The project will represent a substantial change to Mission Bay but once the planned future form of the Local Centre, Mixed Use, and Mixed Housing Urban zones applied to the bulk of the land in the neighbourhood are taken into account, will be in line with the scale of intensification identified within the AUP: OP.
 - c. The key urban design strategy has been to ‘tune down’ the residentially-predominant Marau Crescent elevation and ‘tune up’ the Tamaki Drive frontage based on its role as the centre’s ‘main street’ and the presence of the large Mission Bay reserve and beach.

- d. The massing, bulk, and visual appearance of the proposed buildings has been designed to create a series of individual building forms rather than a continuous literal perimeter block. The architectural detailing proposed includes numerous voids, recesses, projections and aesthetic elements such as louvre fins to provide visual interest and amenity to the surrounding streets.
- e. The project will activate and enliven all three of the road frontages, and also the Mission Bay reserve. In so doing, the project will contribute to the AUP: OP's planned future form for the zone in a way that recognises the scale and role of Mission Bay as a Local Centre.
- f. The project will result in adverse bulk, massing, shadowing, and overlooking effects on adjacent sites that will be at most minor and, overall, similar in net effect to what the AUP: OP's bulk and location controls provide for.
- g. The principally affected part of the environment is the Ronaki Road hill immediately south of Marau Crescent. With reference to the AUP: OP's bulk and location controls, the properties at Marau Crescent will enjoy more openness and a more 'residential' outcome than the AUP: OP enables (an improvement), while those at the top of Ronaki Road hill will lose some existing sea views due to the additional height proposed at the Tamaki Drive and Patteson Avenue frontages. On balance, the 'improvement' for the Marau Crescent properties is the more desirable in urban design terms given that these persons are the closest and most susceptible to adverse effects arising from use and development on the Site. Adverse urban design effects created on occupiers of the upper part of Ronaki Road hill will be appropriate due to the varied design and visual quality of the project, and the separation distances proposed between those properties and the project.

7.3 On the basis of the above and subject to the recommendations set out in this report, **consent could be granted on urban design grounds.**