

## Appendix 3.7.1

### REVIEW OF NEW ZEALAND AND INTERNATIONAL PRECEDENTS FOR DESIGN STATEMENTS

#### NEW ZEALAND PRECEDENTS

##### 1.1 *Auckland's Legacy Councils*

Requesting a Design Statement (or equivalent) as part of a resource consent application already occurs within many of Auckland's legacy councils. The remaining legacy councils also highlight context analysis as an important component of a best practice development process. A brief summary of precedents for Design Statements within each legacy council is presented below:

1.1.1 *Waitakere*: The Waitakere District Plan requires a "site and neighbourhood analysis" and a "design response" for all applications for medium density housing, apartments, mixed use and retail development (new buildings or additions over 100m<sup>2</sup> gross floor area). City Wide Urban Design Rule 2.1 (i)-(xv) lists out the information to be provided (refer Appendix A for full text)<sup>i</sup>.

1.1.2 *North Shore City*: North Shore City District Plan requires a "context analysis" and an "urban design statement" be submitted for all limited discretionary development within specific Business zones<sup>ii</sup>. Rule 2 (Context Analysis) and Rule 3 (Urban Design Statement) lists out specific information requirements (refer Appendix A for full text).

1.1.3 *Auckland City*: Auckland City District Plan requires a "site and context analysis" for various development types, including all consent applications in the Residential 1 and 2 zones, and a "site and context analysis and design response" for applications covered by Appendix 10 ("the development of residential dwellings within existing buildings or new buildings in residential zones within specified growth areas."). Sections 2.1 – 2.4 list out the information to be provided (refer Appendix A for full text).

1.1.4 *Rodney District*: *Rodney District Development Design Guide* provides guidance in order to facilitate high quality development throughout the District. Within the Guide the value of site and context analysis is expressly stated, including description of the various elements analysis should consider.

*Understanding how a proposal will interact with its environment is critical to minimise adverse impacts and maximise value-adding positive ones. Site and context analysis is the best way to achieve this.*

Page 5, Rodney District Council *Rodney District Development Guide*<sup>iii</sup>

1.1.5 *Manukau City Council*: Manukau City Council's *Residential Apartment Design Guide* includes substantial focus on the importance of development responding to its context. This is supported by detail on what such an analysis should cover and recommends that a "design statement" be provided for all consents applications.

*Thorough site analysis will help to achieve more appropriate design solutions for Manukau City. All applications for development within Manukau City should be accompanied by a written statement explaining how site analysis has informed the proposed design.*

Pg 26, Manukau City Council *Residential Apartment Guide*<sup>iv</sup>

- 1.1.6 *Franklin District Council:* Franklin District Council's *Urban Residential Design Guide - for a rural district* states the importance of a development analysing and responding to its site and neighbourhood context.

*A detailed analysis of the site and surrounds should be undertaken before commencing design work. This analysis should involve Council.*

*Integrate the layout of activities on the site with its surroundings and respond to what's going on around it.*

Pg 11, Franklin District Council *Urban Residential Design Guide – for a rural district*<sup>v</sup>

- 1.1.7 *Papakura District Council:* While the Papakura District Plan does not specifically request or encourage a context analysis, in effect the Plan does require certain applications to consider many of the key elements this would cover. Part 12.5.2 in Section Three: Urban Papakura requests a suite of information to be provided with all consent applications (except for Controlled Activities), including items such as access, landform, existing buildings and watercourses<sup>vi</sup>. However, it is acknowledged that these requirements primarily focus on the development site itself, rather than extending out to the surrounding context.

## 1.2 *Other New Zealand examples*

- 1.2.1 The Urban Design Toolkit (Ministry for the Environment). The Urban Design Toolkit is a compendium of tools that can be used to facilitate high-quality urban design. The Toolkit includes a wide range of tools that are typically used by a number of different professions, both in New Zealand and overseas. Section 1: Research and Analysis, is about "Understanding the Urban Context and Character" and states that "*research and analysis tools are essential for understanding the context and character of the urban environment. These tools should be used in the first steps of an urban design project. They identify the qualities that make a place special, and enlighten design development and decision-making.*"

- 1.2.2 Nelson City Council. The Nelson City Resource Management Plan (PC14, Appendix 14) requires for subdivision a '*context analysis*' addressing the conditions in the surrounding neighbourhood and

landscape, beyond the legal boundaries of the site, a 'site analysis' addressing conditions within the legal boundaries of the site and at the boundary, and identifying opportunities and constraints. Nelson City (PC 14, Appendix 22) requires a similar level of information for comprehensive housing development which is defined as "three or more dwellings designed and planned in an integrated manner". Information required includes plan and elevational information about neighbouring buildings, a site context plan, and a design statement.

- 1.2.3 Wellington City Council: The Wellington City District Plan requires applicants to submit a "Design Statement" for all applications that will be assessed against one of the District Plan's many Design Guides. The Plan outlines the specific content required within a design statement, including specific elements for area specific development. *"If a proposal does not comply with the objectives of the Design Guide, the Design Statement must convincingly justify that the development does not detract from the intention of the Design Guide and that the proposal does not create an adverse effect on the environment."* (Wellington City District Plan, Section 3.2.4.1)
- 1.2.4 Christchurch City Council: Throughout the Christchurch City Plan numerous references are made to quality design and development. Specifically, Part 14 Subdivision includes a clause on "site and context" and states *"proposals will need to demonstrate how the development responds to constraints and opportunities within and beyond the site."*
- 1.2.5 Kapiti Coast District Council: Kapiti Coast District Council's Best Practice Subdivision Design Guideline includes a Neighbourhood Context and Site Analysis. It states that the following matters should be considered in the neighbourhood context analysis, in terms of both constraints and opportunities: The pattern of development in the neighbourhood; the built form, scale, amenities and character of the surrounding neighbourhood; and notable features or characteristics of the neighbourhood. It also requires "a detailed analysis of the site and its surroundings facilitates the design of appropriate subdivision responses"
- 1.2.6 Tauranga District Council: Tauranga District Council provides a detailed guideline<sup>vii</sup> on the value of urban design, including promoting the importance of context analysis to preparing any development proposal. While not a statutory document, the guideline discusses the value of, content and process for both context analysis and a responsive design. *"Only when information has been gathered and understood can the design options for the development site be explored."*
- 1.2.7 Taupo District Council: Taupo District Plan Appendix Three - Mapara Valley Structure Plan, Part 3 Context Analysis identifies context analysis as the "first stage of development". *"A Context Analysis can help to identify the constraints and opportunities available within each*

*neighbourhood and how development of the subject site can ensure that these are mitigated or maximized respectively.”*

- 1.2.8 New Zealand Transport Agency (NZTA): The central government transport agency, NZTA, provides an interesting reference point. While not a local authority and therefore not immediately relevant to the purpose of this paper, the agency’s commitment to context analysis provides yet further support for its integral role in a development process. NZTA’s Urban Design Professional Services Guide provides internal direction on where and how urban design is relevant to the organisations work and outlines specific processes to be followed. This includes requiring a “contextual analysis” as the first step in any development project, described below:

*The Contextual Analysis – Analysis of Project Surrounds*

- a. *To develop a full understanding of the character of the place (built, natural, cultural and community environment) impacted by the project.*
  - b. *To identify and assess the constraints and opportunities inherent in the context of the scheme (now and in the future) that will inform the road design.*
  - c. *Graphic and textual description and analysis of the context and issues from a broad regional scale to a more detailed local scale.*
  - d. *Include an assessment of the views and visual qualities of the place/corridor, including walking and cycling linkages and connections, accessibility to public transport and major destinations.*
- 1.2.9 Housing New Zealand (HNZ): HNZ provides a second example of a central government commitment to the importance of development responding to its context and reiterates such analysis as the first step in any design process. HNZ’s *Design Guide – Urban* outlines a process for designing an urban development, identifying “urban analysis” as the first step.

*“Ask questions about the area surrounding a proposed development, to help determine the suitability of its location. No design work is done in this section; it comes before any proposal has been developed. It is a fact finding and gathering mission for the urban environment within and from outside the site.”*

## INTERNATIONAL PRECEDENTS

- 1.2.10 United Kingdom - Design and Access Statements: The United Kingdom planning system requires a ‘design and access statement’ (DAS) be submitted with all planning applications (with certain exemptions). They require applicants to explain “*design principles and concepts that have been applied to particular aspects of the proposal.*” The DAS consists of seven sections: use (activity type), amount, layout, scale, landscaping, appearance and access<sup>viii</sup>. Specific information requirements are not stated, however guidance is

provided on what could be covered within each section and provides examples in support.

- 1.2.11 Victoria, Australia – ResCode: The Victoria Australia Residential Code (known as the 'ResCode') places a requirement on development to conduct a 'neighbourhood and site description' and a 'design response'. This requirement sits within every planning scheme (similar to local authority plans) within the state of Victoria. The ResCode outlines the items and documentation required as part of a site analysis.
- 1.2.12 Moreland, Australia: Moreland Design Code. Urban context report and a design response is required for all residential development of 4 storeys or more.
- 1.2.13 New South Wales, Australia: State Environmental Planning Policy 65. Requires that residential flat buildings are designed by registered architects and enables the Minister for Planning and infrastructure to form SEPP 65 design review panels to give independent advice on the design quality of building proposals. Required for 3+ storeys and/or 4+ dwellings.

## APPENDIX A

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### Waitakere District Plan

#### City Wide Rule 2.1:

- (i) *Plans at a recognised and readable scale, North Point, boundaries and dimensions to be shown.*
- (ii) *Contours at 0.5 metre intervals with spot levels shown at strategic points on the external site boundaries.*
- (iii) *Site plan of existing physical conditions accurately detailing all buildings, fences vegetation and paved surfaces on the site. The outline of existing buildings on adjoining sites where they are adjacent to or on the boundary should be detailed. Height and dripline of vegetation on and overhanging the site is to be detailed.*
- (iv) *Location and extent of all Natural Areas or other special features, as shown on the District Plan Maps.*
- (v) *Existing driveways vehicle crossing details, in addition to footpath, kerb and carriageway details adjacent to the site, should be shown. Other street features such as trees, street lights, transformers, relationship/access to public transport, fire hydrants should be shown or detailed.*
- (vi) *Location and use of sites, buildings and structures, including the height of walls, fences and retaining walls along site boundaries.*
- (vii) *Abutting main private open spaces and habitable room windows which have outlooks towards the subject site, service areas and the like.*
- (viii) *Accurately plotted services - as-built drainage (i.e. stormwater and sanitary sewer networks).*
- (ix) *All existing easements, building line restrictions, and road widening designations should be shown.*
- (x) *Views to and from the site should be noted.*
- (xi) *Potential noise sources should be identified.*
- (xii) *Community facilities and distance via the existing movement network should be noted (i.e. corner shop, bus stop, parks, schools).*
- (xiii) *Contaminated soils and areas of uncertified fill on the site should be identified.*
- (xiv) *Any notable natural features or heritage features should be identified.*
- (xv) *Extent of any proposed building demolition.*

### North Shore City District Plan

#### 15.3.3 Retail Activities:

*Policy 12. By requiring that all Limited Discretionary activity applications in the Business 1-4 zones, and the Business 9 zone on Hinemoa Street (between Rugby and Brasseley Roads only), be accompanied by a Context Analysis and Urban Design Statement which: i) Is appropriate to the scale of the proposal, ii) Identifies how the proposal responds to the characteristics of the particular site, street and neighbourhood, including an appropriate ground floor elevation, iii) Identifies how the proposal achieves the relevant assessment criteria of the Urban Design Code or an alternative acceptable design solution.*

*15.6.2.11 Context Analysis & Urban Design Statement- Business 1- 4 Zones, and the Business 9 Zone, (on Hinemoa Street between Brasseley and Rugby Roads only)*

#### 1. General

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A Context Analysis and Urban Design Statement must be provided in association with any Limited Discretionary activity resource consent application under Rule 15.4.1.4 in the Business 1-4 zones and the Business 9 zone on Hinemoa Street (between Brassey and Rugby Roads only)

Provided that the following are exempt from this requirement:

- a) Permitted activities under Rule 15.5.1.2
- b) Controlled activities under Rule 15.5.1.3(e)
- c) Signs in accordance with Section 13
- d) Network utilities, (including those subject to Rule 14.5.2.4 Height, Height to Boundary and Yards Controls).

## 2. Context Analysis

The Context Analysis should, through the use of drawings, plans and/or photos, (as appropriate) and written explanation, document the existing built form of the site and surrounding area. It should identify the important features of the site and neighbourhood which have influenced the design response of the proposal, including

- a) In relation to the site:
  - i) Orientation and topography, shown by north point and contours at 0.5m intervals;
  - ii) Sun and shade characteristics, as shown by shadow diagrams and analysis; (not required where only alterations are proposed)
  - iii) Prevailing winds;

Note: the above matters are in addition to information requirements for resource consent applications specified in Rule 3.10.7.1

- b) In relation to the surrounding area:
  - i) The built form, scale and character of the surrounding buildings;
  - ii) Significant views to, through and from the site;
  - iii) Nearby scheduled buildings and trees;
  - iv) Street and block patterns;
  - v) Pedestrian connections with the surrounding area;
  - vi) The location of existing active, pedestrian focused street frontages, and of those street frontages which are anticipated with the potential to develop in the future into an active, pedestrian focused environment having regard to the provisions of the District Plan, and of any relevant Town Centre Plan.

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vii) The location of and connections with any public amenity areas;

c) The extent of Context Analysis

The extent of information provided in a Context Analysis should be tailored to the scale of the proposal and relevant to its circumstances. The information provided must address an area of sufficient size to enable the context of the proposal to be well understood. The following are intended as a guide :

- i) In relation to large scale development (such as a new or redeveloped mall or large store) the Context Analysis should extend for a 400m distance from all site boundaries.
- ii) In relation to smaller new buildings, and significant additions to the floor area of an existing building, the Context Analysis should extend from all site boundaries for a distance of two times the length of the road frontage boundary of the development site. For corner sites, the longest road frontage boundary should be used to calculate the extent of the distance to be included within the Context Analysis. For rear sites, the longest site length shall be used to calculate the extent of distance to be included within the Context Analysis.
- iii) In relation to small additions to the floor area of existing buildings the Context Analysis should only include the adjoining sites.
- iv) In relation to alterations to the façade(s) of existing buildings (visible from a road, public open space or from a recreation or residential zone), the Context Analysis should address a length of 20 to 30 metres, on either side of the subject site, and on either side of the street.

d) The Council may reduce the information requirements specified in Clauses 2 a) and b) above where the application relates to minor alterations to an existing building if the requirement is not relevant to the evaluation of the application. However the information provided as part of the Context Analysis must be of sufficient detail to enable the proposal and its relationship to its environs to be readily determined.

### 3. Urban Design Statement

The Urban Design Statement must explain how the design of the proposal:

- a) Derives from and responds to the Context Analysis;
- b) Relates appropriately to existing buildings on the site and to surrounding development. If any change can be viewed from a street, the application must include accurate and scaled proportioned street elevations showing the proposal in the streetscape context by way of a drawing or photomontage;
- c) Respects and responds appropriately, (particularly at ground floor level) to the location of existing/ potential pedestrian-focused street frontages, eg retail/ town centre street or town centre edge street;
- d) Respects, acknowledges and responds positively to the existing street character in terms of form and appearance, mass, proportion and use of materials. Provided that in those locations



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where existing buildings and/or streetscape have little or no design merit, then the design of new development should seek to contribute to the creation of an alternative desirable streetscape,

e) Addresses the extent to which the proposal achieves the relevant assessment criteria, including those of Section 15A, Urban Design Code. Where assessment criteria will not be met/achieved, applicants will need to demonstrate an alternative acceptable design solution.

f) Street Relationship Assessment

i) In the Business 2 and 3 zones, where a development is proposed with parking proximate to the street, (in front or beside a building) an assessment shall be provided of the extent to which the proposal could adversely affect street amenity, and identify how any adverse effects will be appropriately mitigated.

ii) Where a site has two or more street frontages, an assessment shall be provided identifying the most appropriate location for the active street front and for vehicle /servicing access, having regard to the existing and future function and activity of these streets,

g) In the Business 4 zone, gives effect to the Albany Structure Plan and the additional assessment criteria in Rule 15.7.1

h) In relation to additions to existing buildings, the Urban Design Statement should relate specifically to the addition, (not the existing building), and the assessment should also relate only to those assessment criteria in the Urban Design Code which are relevant to the addition.

Explanation and Reasons

In the Business 1 -4 zones, and Business 9 zone on Hinemoa Street (between Rugby and Brassey Roads only) a Context Analysis and Urban Design Statement is required in association with all new buildings, and external alterations to existing buildings to ensure that development achieves the high standards of urban design which are sought for these zones as detailed in the assessment criteria in Section 15A, Urban Design Code. In particular the Context Analysis and Design Statement should demonstrate how the proposed development relates to its context, is appropriately integrated with surrounding development, and that a high standard of pedestrian and streetscape amenity is created.

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## Rodney District Council

[http://www.rodney.govt.nz/Building/Documents/Urban\\_Design\\_Guide/Rodney\\_District\\_Development\\_Design\\_guide.pdf](http://www.rodney.govt.nz/Building/Documents/Urban_Design_Guide/Rodney_District_Development_Design_guide.pdf)

## Manukau City Council

<http://www.manukau.govt.nz/SiteCollectionDocuments/Residential%20Apartment%20Guide%20Part%20One%20-%20Context.pdf>

## Franklin District Council

<http://www.franklin.govt.nz/LinkClick.aspx?fileticket=2bXOBBp7UxY%3d&tabid=977>

## Papakura District Plan

Section Three: Urban Papakura

Part 12.5 Information to accompany applications for resource consents

All applications for a resource consent must include the following information except that applications for a resource consent for a controlled activity generally do not need to be accompanied by an assessment of effects as outlined in 3 below. Where appropriate, information shall be supplied in plan form drawn at a suitable scale.

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12.5.2 A description of the existing characteristics of the site and locality including:

- location, area and dimension of the lot
- access to the lot, including roads
- generalised relief of the lot including contours and/or spot heights sufficient to show the general topography of the site
- location of all areas of indigenous vegetation, including details on any species listed in Schedule 3E
- size, location and use of existing and/or proposed buildings on the lot
- Section Three, Part 12 – Applications, Monitoring And Designations Papakura District Plan – Section Three, Urban Papakura 12/3
- any watercourses, wetlands or drainage systems accurately located
- the location of any schedule or protected item listed in Schedule 3B
- any easements or encumbrances affecting the proposal
- for proposals in the Residential 3 Zone, any relevant geo-technical information to demonstrate that there are no potential or existing hazards such as instability or erosion
- any potential natural and man-made hazards on or affecting the site

## Urban Design Toolkit (Ministry for the Environment)

<http://www.mfe.govt.nz/publications/urban/urban-toolkit-2009/html/page4.html>

## Nelson City Council

<http://www.nelsoncitycouncil.co.nz/environment/nelson-resource-management-plan/nrmp-plan-changes/proposed-plan-change-14/>

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**Kapiti Coast District Council**

<http://www.kapiticoast.govt.nz/Documents/Downloads/Best-Practice-Subdivision-and-Development-Guide.pdf>

**Tauranga City Council**

<http://www.tauranga.govt.nz/council-documents-reports/councils-strategies-plans-reports/strategies/urban-design.aspx>

[http://econtent.tauranga.govt.nz/data/documents/strategies/urban\\_design/guidelines/devguide\\_part2.pdf](http://econtent.tauranga.govt.nz/data/documents/strategies/urban_design/guidelines/devguide_part2.pdf)

**Taupo District Council**

[http://www.taupo.govt.nz/MCMS/Embedded/PlanChange23MaparaValleyStructurePlanArea/PDF5pdfcopy\\_28347.pdf](http://www.taupo.govt.nz/MCMS/Embedded/PlanChange23MaparaValleyStructurePlanArea/PDF5pdfcopy_28347.pdf)

**New Zealand Transport Agency**

<http://www.nzta.govt.nz/resources/urban-design/professional-services-guide/docs/psg12.pdf>

**Housing New Zealand Corporation**

<http://www.hnzc.co.nz/about-us/our-publications/design-guidelines/design-guide-urban/design-guide-urban.pdf>

**INTERNATIONAL PRECEDENTS**

**Design & Access Statements UK**

<http://webarchive.nationalarchives.gov.uk/20110118095356/http://www.cabe.org.uk/files/design-and-access-statements.pdf>

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/designaccess>

**ResCode, Victoria, Australia**

[http://www.dpcd.vic.gov.au/\\_data/assets/pdf\\_file/0020/41726/1255\\_Making\\_a\\_planning\\_application\\_for\\_a\\_dwelling\\_in\\_a\\_residential\\_zone\\_Dec\\_2001\\_.pdf](http://www.dpcd.vic.gov.au/_data/assets/pdf_file/0020/41726/1255_Making_a_planning_application_for_a_dwelling_in_a_residential_zone_Dec_2001_.pdf)

and

<http://www.dpcd.vic.gov.au/planning/planningapplications/moreinformation/residential-development/provisions>

**Moreland**

<http://www.moreland.vic.gov.au/building-and-planning/higher-density-design-code.html>

**SEPP65**

<http://www.planning.nsw.gov.au/LinkClick.aspx?fileticket=ectSnzCSeB0=&tabi..>