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PART 3
PRE & POST DESIGN ISSUES

FACILITATING PLANNING CONSENT

Expediting a project through the planning process in a timely and efficient manner benefits all parties involved in a development. Overall quality of design, a direct consequence of the skills and experience of the architect and development team's skill and experience, affects the speed of consent processing more than anything else. Development teams and architects should, therefore, initiate discussions with council regarding their overall design approach at an early stage in the development proposal process.

Objectives

- To expedite high quality development projects through the planning process as quickly and efficiently as possible.
- To encourage a dialogue between the development team and the Territorial Authorities as early as possible.
- To facilitate the design process and ensure communication of relevant, reliable information.

Better Design Practice

- Before beginning concept design for an apartment project, prepare a context analysis (see Part 1 Context Analysis). This should explain the site's constraints, opportunities, and capacity for development by relating the site to the surrounding area (planning controls, public transport networks, pedestrian networks, traffic issues, local open space, etc).
- Before beginning concept design, the development team should meet with a senior Council planner to discuss the context analysis. The senior planner will:
  - gather the appropriate Council officers, such as an engineer and an urban designer, to explain the consent process and identify significant issues specific to the project
  - answer general questions and discuss parameters of the proposed project
  - establish a relationship with the development planner who will see the project through the Resource Consent process
  - supply information on costs, levies and financial contributions that Council will impose.



Pre-application meetings can save developers and designers time and money through quicker expedition of the planning consent process.

→ When an initial concept design is complete, meet with the Council planner to discuss design concepts and alternatives that have been investigated. Materials should include:
- a written statement with drawings/diagrams showing how the context and site analyses have informed conclusions regarding development options that respond to the existing context
- analysis and indicative proposals for boundary areas, including the development's relationship to neighbouring streets/ public areas and to existing pedestrian and road networks
- indicative footprints of buildings on the site
- site entry points
- planned public open space, communal open space and private open space
- indicative design for parking, including number of car parks proposed
- indicative ground plane treatment, including location of permeable areas.

→ Consider taking advantage of services such as Urban Design Panels (where available), or having the concept design peer-reviewed by suitably skilled design consultants.

Rules of Thumb

Some councils may charge for the time involved in pre-application meetings, but developers should consider this a worthwhile investment, given the cost, both in time and money, of major revisions and modifications to designs.

The Council may require other levies or financial contributions in addition to the charges for processing a development's consent application.

The Auckland City Council Urban Design Panel offers free pre-application urban design advice. Using this service may indicate early on whether a proposal is likely to be supported throughout the consent process from an urban design perspective. Currently, some projects are obliged to go before the urban design panel and some are only encouraged to go before it (see below).

Further Information: General information on the Urban Design Panel is available on the Auckland City Council website:

www.aucklandcity.govt.nz/council/services/panel/default.asp

Information on projects that are required to use the service is also on the website:

www.aucklandcity.govt.nz/council/services/panel/members.asp

MANAGING APARTMENT DEVELOPMENTS

The smooth running and effective management of an apartment development is determined to a large extent by the quality of the initial design, especially in regard to issues covered in section B4 Building Performance (building envelope, energy efficiency, water conservation, maintenance and waste management). Another major factor in the efficient operation of apartment developments is whether or not a building manager is employed to deal with day-to-day issues.

A knowledgeable market will price ongoing management and maintenance costs into the market value of apartments, with these costs becoming easier to evaluate as a development ages and historical data accrues. Apartment buyers are increasingly aware of the potential hazard of levies (made up of maintenance and sinking funds, body corporate secretarial fees, land leases, etc.) being unrealistically low when developments first go on the market.

The legal ownership and management of apartment developments is currently dealt with under the Unit Titles Act 1972. This provides for the subdivision of land into units owned by individual proprietors (owners), and common property that is owned jointly by all the unit proprietors.

Under the current act, a body corporate is established when a developer deposits a unit plan for the development with the District Land Registrar at the local office of Land Information New Zealand. A valuer will have set the "unit entitlements" which define the relative value of all units and determine the share each owner has to pay toward the body corporate. At this point the body corporate might consist only of the developer, with new owners automatically becoming part of the body corporate as they complete settlement on their units. The body corporate will usually engage a professional management firm to perform the role of body corporate secretary – as apartment developments can have large financial turnovers, there should be skilled and experienced stewardship.

New legislation is currently under review to update the Unit Title Act, and should be passed by 2008. Among changes designed to protect consumers are likely to be: allowing bodies corporate to change rules with a 75% majority, putting in place a disputes resolution mechanism and requiring long-term maintenance funds to be in place.

Objectives

- To establish operational rules that allow for efficient operation of the body corporate.
- To have effective mechanisms for the day-to-day management of the development and to clearly communicate these to residents.
- To establish an effective annual and long-term maintenance programme with adequate funding from unit proprietors.

Better Practice

- Establish an effective body corporate with sound operational rules.
- Appoint a professional firm as body corporate secretary. Roles, on behalf of the body corporate, can include:
  - administration of accounts
  - completing "full, true and complete accounts of the affairs and transactions of the body corporate"
  - convening meetings of the body corporate and preparing minutes
  - ensuring the development is fully insured at all times
  - preparing budgets for the body corporate and maintaining a fund for all its expenses



Good management of apartment developments includes regular building maintenance.

- collecting levies from the owners and paying accounts
- reporting regularly to the body corporate - at least quarterly and preferably monthly
- organising the annual building warrant of fitness, if required
- maintaining a register of proprietors (owners) as required by the Act and supplying Section 36 certificates when a unit is sold or mortgaged
- coordinating maintenance of common property, usually through the appointment of a building manager
- setting up a sinking fund for future major common area maintenance
- responding promptly to requests for information from owners or owners' committees.

→ Engage qualified professionals to advise on a long-term maintenance programme and funding required. Advantages include:
- allows considered, planned decision-making
- safeguards occupant health and safety
- reduces the risk of over investment
- optimises the maintenance process
- reduces plant and equipment downtime
- lowers life cycle costs and enhances the building image.

→ Engage a building manager (on-site or off-site) for day-to-day building and property maintenance.

→ Deal with repairs and maintenance in common areas promptly to reduce the risk of vandalism.

→ Provide clear instructions to new owners (and their tenants) including:
- regular newsletters to keep residents generally informed
- names and contact details of owners' committee representatives, building manager and body corporate manager
- guidelines for owners and tenants on whom they should notify when repairs and maintenance are required
- instructions on location and use of waste disposal and recycling facilities
- rules on access to common areas, including permitted hours of use for recreation facilities
- instructions on emergency, fire and security systems
- information on location and use of parking (private and for visitors)
- limits on where satellite dishes and TV aerials can be placed (developments should use common aerials etc. as much as possible)
- rules regarding window boxes, the general appearance of balconies and gardens and drying of washing in publicly visible areas.

Rules of Thumb

A key issue in many developments is how water and wastewater are paid for. Most developments have a single meter for water use from which the water company bills the development as a whole. Water and wastewater bills are then shared between units and included in annual levies. In lieu of individual, official water company meters, some developments may have 'check meters' which allow water usage to be measured and the bill divided accordingly. Check-metering may be more time-consuming (meters have to be read, a spreadsheet of usage has to be maintained and owners billed separately by the body corporate secretary), but will encourage reduced consumption and may be preferred by some owners.

Further Information: The Mysteries of Bodies Corporate: A guide to the rights and responsibilities of apartment ownership. Auckland Regional Council, January 2003.

http://www.arc.govt.nz/arc/library/g94174_2.pdf

What to Look For When Buying a Terraced House or Apartment. North Shore City Council/ Auckland Regional Council.

http://www.arc.govt.nz/arc/library/x16658_2.pdf

The website of the Department of Building and Housing - www.dbh.govt.nz