

Attachment 3

UD Memo



Urban & Environmental

Prepared for:
Ministry of Justice
Date: 05 March 2025
Issue: DRAFT

architectus™

**DRAFT -
Commercial in
Confidence**

New Waitākere
District Courthouse
Bulk & Location Study

URBAN DESIGN MEMO

New Waitākere District Courthouse

Urban Design Memorandum

1. Introduction

The Ministry of Justice (MoJ) proposes to lodge an application for a referral project under the Fast Track Approvals Act (2024) to utilise the fast-track consenting process via an expert consenting panel.

This application, known as Waitākere District Courthouse, relates to the subject site located at 14 Edmonton Road, Henderson 'Falls Car Park' (the 'Site'). To support the referral application, this memorandum provides a high-level assessment of the urban design aspects of the development, including:

- Summary of the proposal and the Site's key characteristics;
- Preliminary assessment of the proposal against relevant policy documents;
- Summary of key urban design opportunities and design response;
- Potential effects to be considered and potential mitigations;
- Preliminary recommendations and conclusion.

This memorandum should be read in conjunction with Appendix 1 – Waitākere District Courthouse, Bulk & Location Study, prepared by Architectus and dated December 2024.

Should the project be successful in referring to the Fast-track EPA process, a full Urban Design Assessment will be prepared and lodged as part of the full substantive fast track application for a Notice of Requirement.

2. Project Description and Summary

The MoJ has purchased a site at 14 Edmonton Road, Henderson in anticipation of building a new courthouse for Waitākere. A Detailed Business Case (DBC) s 9(2)(a), s 9(2)(ba)(i) [REDACTED]. The DBC approved the courthouse brief for 10 courtrooms and 4 mediation rooms. It is anticipated that the GFA of the Courthouse building will be circa 10,000-12,000 sqm excluding vehicles and parking.

The MoJ engaged Architectus to provide architectural and urban design services for the concept design of the new Waitākere District Courthouse in Henderson.

The new courthouse will provide its region with new support amenities and external spaces that are community oriented and connect with local and cultural heritage. Principles of functionality, efficiency, user experience and connectivity apply equally to the integration of the project into its physical context and internal spatial planning.

Figure 1: Aerial Photo (2017)



3. Site and Context Analysis

The Waitākere site (refer Fig. 1) is in Henderson. Henderson (Māori: Ōpanuku) is a suburb of Auckland. It is 13 kilometres west of the Auckland's City Centre, and two kilometres west of the Whau River, a southwestern arm of the Waitematā Harbour. Henderson covers 4.97 km² and had an estimated population of 13,000 as of June 2024. Henderson is located between the Waitākere Ranges to the west, and the Te Atatū Peninsula in the east. The area is within the catchment of Te Wai-o-Pareira / Henderson Creek, an estuarial arm of the Waitematā Harbour. The Western Line runs through the suburb, with Henderson Railway Station being adjacent to the town centre. Henderson Railway Station is adjacent to the main shopping centre and a bus interchange. Motorway access is provided via the interchange at Lincoln Road, in the adjacent suburb of Lincoln. The point where the Opanuku and Oratia Streams meet (the Tui Glen Reserve / Falls Park area) is the beginning of Te Wai-o-Pareira, also known as the Henderson Creek, and the point where the creek became navigable by waka.

The project site – the Falls car park site - is located on the corner of Edmonton Road and Alderman Drive (refer Fig. 2). Edmonton Road and Alderman Drive are urban arterial roads with a twenty-meter-wide road reserve and footpaths on both sides. Broken yellow lines along the Edmonton Rd and Alderman Drive frontages indicate no stopping or parking. The Site is currently home to placemaking activities in the southern part including the Ecomatters Bike Hub, Te Puna fresh food market and kids modular pump track (in 2023), as well as pay & display car parking managed by Auckland Transport in the northern part.

The approximately 4,435sqm Site is held in one record of title LOT 1 DP 564257. The Site fronts Alderman Drive (53m lengths) to the south-west and Edmonton Road (82m lengths) to the south-east.

The historic Falls Hotel (currently The Alderman's Café, refer Fig. 03) and the Falls Park lie immediately north-west of the site. On the northern-eastern end the site borders a driveway which provides access to the Korean Presbyterian Church of Auckland.

Access to the Site is via a two-way vehicle crossing to Edmonton Road (refer Fig. 4, 5) and a two-way vehicle crossing to Alderman Drive (refer Fig. 3). The Alderman Road access is protected by a right of way easement on the Record of Title. An informal one-way vehicle access is formed to/from the site at 22-24 Edmonton Road, the Korean Presbyterian Church site.

The site is zoned Business Metropolitan Centre under the Auckland Unitary Plan (Operative in Part) (AUP (OP)). A small portion of the site in the south-western corner is zoned Open Space – Informal Recreation (refer Fig. 6, 7).

The Business Metropolitan Centre zoning is the second most intensive zoning, after the Business City Centre Zone. Other Metropolitan Centre Zones in the Auckland isthmus are for example New Lynn, Manukau and Takapuna. In the south-western corner the site borders the Informal Recreation Zone of Falls Park. The land across Edmonton Road is zoned Mixed Housing Urban north of Takapu Street and Terrace Housing and Apartment Buildings to the south.

4. Statutory Policy Documents

Auckland Unitary Plan

The Unitary Plan guides the use of Auckland's natural and physical resources, including land development, by determining what can be built and where and how to create a higher quality and more compact Auckland.

Land that is zoned as Metropolitan Centre is intended for development of commercial and civic activities in locations that are second only to the Auckland CBD. The zone therefore enables an array of commercial, residential, and civic activities. Development in this zone needs to contribute positively to the public realm and avoid effects on more sensitive activities such as residential.

A District Court activity is defined as a 'Justice Facility' in the Metropolitan Centre zone. As specified in the AUP (OP) definitions, justice facilities include facilities used for judicial, court, or tribunal purposes, and/or activities including collection of fines and reparation, administration and support, together with custodial services as part of the operation of New Zealand's justice system. The activity sits under the Community Nesting Table specified in the AUP(OP) definitions.

Under the AUP (OP), new buildings require careful consideration of urban design outcomes. Some of the relevant key outcomes (objectives and policies) stated in the AUP(OP) are:

- Metropolitan centres are reinforced and developed for commercial, community and civic activities and provide for residential intensification.
- Metropolitan centres are an attractive place to live, work and visit with vibrant and vital commercial, entertainment and retail areas.
- Require development to be of a quality and design that positively contributes to:
 - the visual quality and interest of streets and other public open spaces; and
 - pedestrian amenity, movement, safety and convenience for people of all ages and abilities.

Figure 2:
View towards
the Site from
the intersection
Alderman Drive/
Edmonton Road



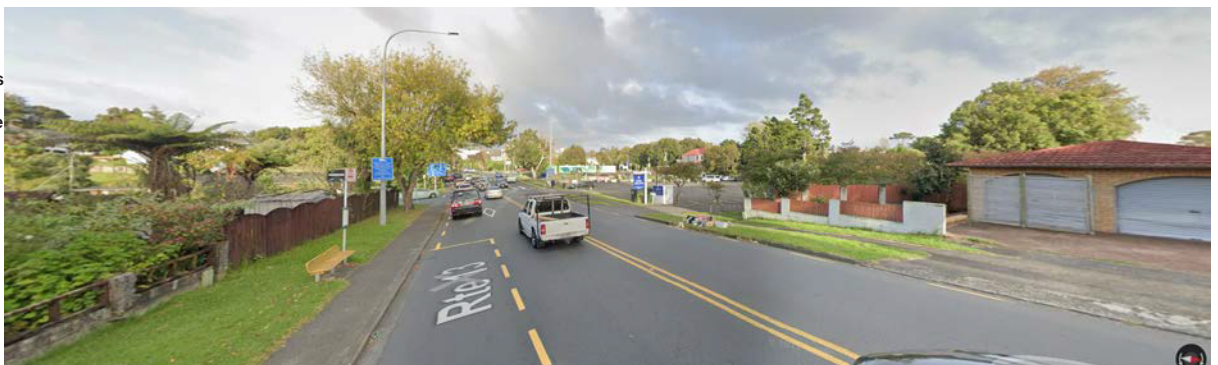
Figure 3:
View from Alderman
Drive towards East



Figure 4:
View from Takapu
St across Edmonton
Road towards the
Site



Figure 5:
View from
Edmonton Road
South-West towards
the intersection
with Alderman Drive



- 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.
- Require those parts of buildings with frontages subject to the General Commercial Frontage Control to achieve a reasonable level of street activation, building continuity along the frontage, pedestrian amenity and safety and visual quality.”

Further specific matters of discretion for new buildings specified in the AUP(OP), include the following:

- Design and appearance of buildings so far as it affects the existing and future amenity values of public streets and spaces, this includes:
- Provision of convenient and direct access between the building and street.
- Building contribution to the attractiveness and pleasantness of the public space.
- Measures to limit visual effects of blank walls along the frontage of the public space.
- Effectiveness of screening carparking and service areas from public spaces.
- Extent of glazing provided on walls fronting public streets and public spaces, including opportunities for passive surveillance at the ground floor.
- Provision and quality of landscaping to contribute to amenity values.

As the proposal will be progressed via the Notice of Requirement (NoR) pathway, the rules and standards specified above would not trigger consent, however, the matters of discretion provide guidance on the level of assessment and key matters to consider when assessing potential urban design effects of the proposed NoR.

AUP (OP) Overlays and Controls

Overlays

A Natural Heritage Overlay applies to the two Kauri trees situated within the north-eastern portion of the site.

A Historic Heritage – Extent of Place Overlay (Falls Hotel – ID 127) applies to a small portion of the north-western corner of the site.

Controls

The site is within Stormwater Management Control Area – Flow 2 (Oratia 4) and is subject to the General Commercial Frontage control on the Alderman Drive and Edmonton Street boundaries, requiring additional stormwater controls for the redevelopment of the site, including requirements for stormwater detention and reuse.

General Commercial Frontage Controls along Alderman Drive and Edmonton Road mean that applications for redevelopment of the site would be assessed for street activation, building continuity along the frontage, pedestrian amenity and safety, and visual quality. The AUP(OP) seeks to manage vehicle crossings by restricting them to one crossing per 50m of site frontage.

Overall, the intent of the General Commercial Frontage control is to maximise the activation of the outer streets in the Centre zones and providing for pedestrian amenity and safety.

Figure 6: Auckland Unitary Plan (OP) Zones

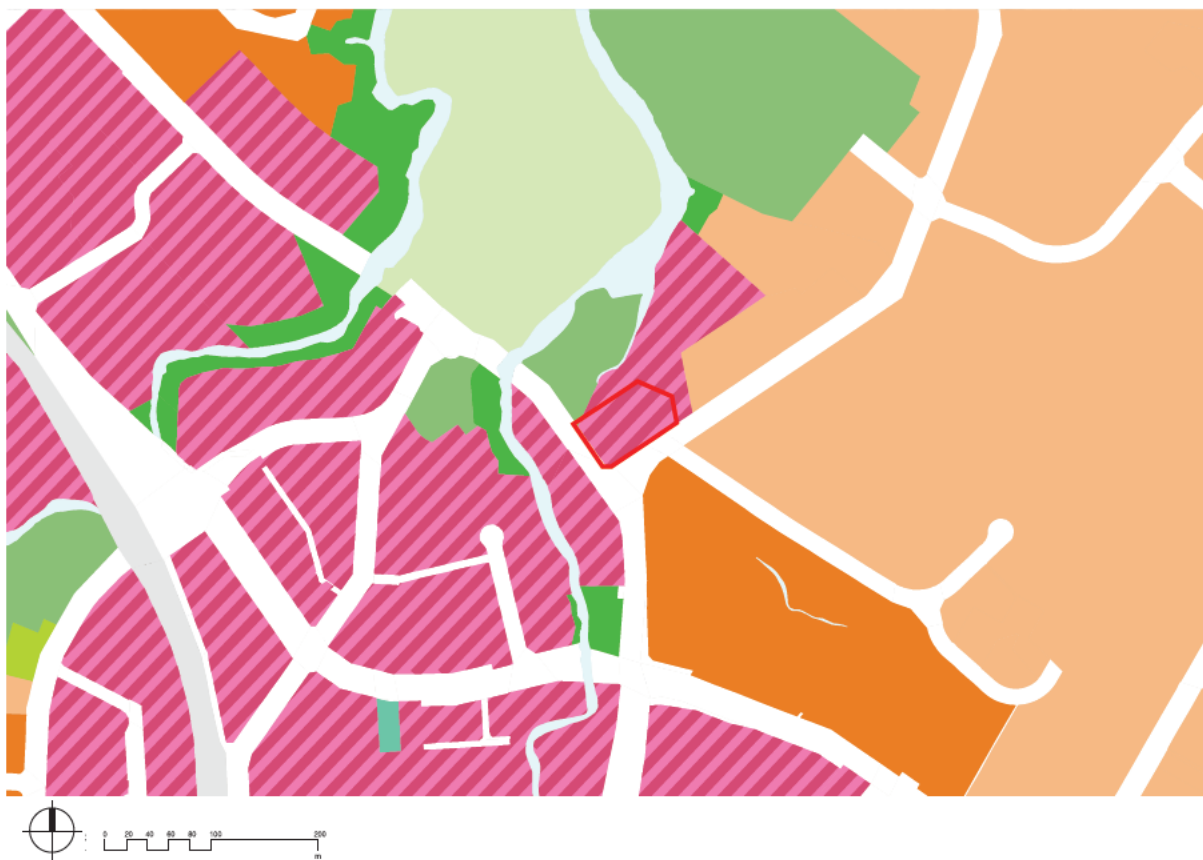


Figure 7: Aerial Photo (2017) with Auckland Unitary Plan (OP) zoning overlay



5. Additional Considerations

Piped stream and overland flowpath

Auckland GeoMaps records show several existing public stormwater lines traversing through the site. Most notably is the existing 1500mm diameter concrete line, servicing the upstream catchment and network within the Oratia Catchment. This runs from south-east to north-west through the centre of the site and discharges into the Waikumete Stream via a concrete outfall (refer Fig. 8).

Auckland GeoMaps show the presence of a major overland flow path which traverses through the subject site, following a similar path to the existing public 1500mm concrete line, and discharges into the Waikumete Stream at the north western boundary. A minor overland flow path, which has a catchment of less than 4,000m² and originates on the site, is shown to discharge into the major overland flow path

Trees

Two notable Kauri trees stand in the northern part of the Site. A third young Kauri tree stands adjacent to the west.

Three trees (European Ash, Ti Kouka and English Oak) stand along the Alderman Drive boundary and one tree (European Ash) Along the Edmonton Road boundary.

Engagement with mana whenua

The site is located in a statutory acknowledgement area.

6. Other non-statutory considerations

Eke Panuku Development Auckland,
Henderson High-Level Project Plan 'Unlock Henderson'
Essential Outcomes and Design Guidance

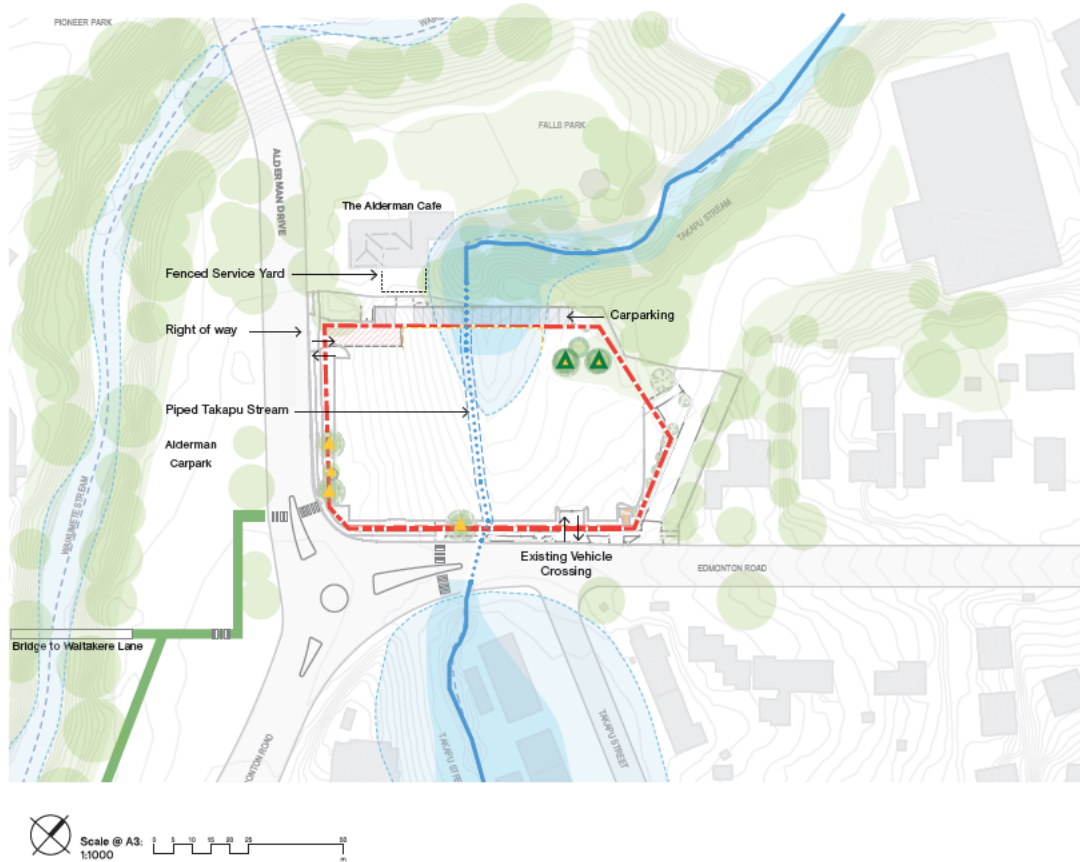
Eke Panuku Development Auckland (EP) is a council-controlled organisation that helps to rejuvenate parts of our city. EP manages about \$1.5 billion in land and buildings the council owns. EP prepared a High Level Project Plan (HLPP, dated May 2017) for Henderson, detailing the short, medium and long term principles and goals for the Unlock Henderson project.

The development principles are:

- reinforce the west Auckland and eco-centre identity
- integrate green building features in each development, creating a point of difference
- include partnership with the community, mana whenua, matawaaka and Council organisations in development planning
- ensure a place-led approach, embed Te Aranga Maori design principles and reflect the cultural narrative in developments
- achieve high-quality, medium-density residential and commercial development on Council-controlled land
- enable new walking and cycling links to better connect development sites to local amenities and service

The Unlock Henderson HLPP 2017 forms the guiding document for the regeneration and growth

Figure 8:
Site analysis -
stormwater and
trees



Site Details

Area: Approximately 4,435m².

Legend

- Site Boundary
- Overland Flowpath
- Piped Takapu Stream (1500 diameter)
- ▲ **Notable Trees:** Significant protected trees. legally protected and require resource consent for removal. Approval from Auckland Transport is also necessary for activities specified in D13
- ▲ **Street Trees:** Street trees are within the road reserve. Approval from Auckland Council and Auckland Transport must be obtained for activities listed in E17
- Flood Plain

of Henderson as an urban eco centre. The HLPP identifies nine potentially developable, council-controlled properties in the Unlock project area, which if developed over time could act as a catalyst for reinvigorating Henderson. The Alderman Carpark is one of the nine sites.

EP seeks the following essential design outcomes for a development on the Alderman Carpark Site:

- A high quality environmentally responsive building that achieves a minimum of a New Zealand Green Building Council 5 Greenstar rating.
- Express Māori cultural identity in the building through engagement with mana whenua.
- A proposal must be designed to respect its location as a gateway to Henderson, the heritage of the Falls Hotel, the two protected Kauri trees and create a positive edge to both roads.
- Demonstrate high quality architectural and landscape design.
- A development must achieve a minimum of four levels over a significant portion of the site.
- Design review process including a review by EP's Technical Advisory Group (TAG)

7. Bulk and Location Considerations

The AUP(OP) provisions for the Metropolitan Centre Zone provide guidance as to an appropriate level of development that adequately manages urban design effects and achieves appropriate urban design outcomes. The massing shown in the bulk & location study is guided by the AUP(OP) rules.

The zone has a height limit of 72.5m. The maximum street wall height along Alderman Drive and Edmonton Road is 32.5m, at which point a six-meter set back is anticipated. Floors above 32.5m are limited to a maximum 55m diagonal.

Height in relation to boundary controls (recession planes), protecting the open space zone to the north-west and the residential zones to the south-east, further guide the potential building envelope.

From an urban design perspective, the Justice Facility enabled by the Designation should be positioned to provide frontages to Alderman Drive and Edmonton Road and define the corner at the intersection. Setbacks from the street boundaries may be considered to retain existing trees along the street boundaries, to provide an appropriately sized entry area and a landscape buffer along frontages, where it is appropriate for privacy reasons (sensitive uses).

The massing for the proposed Justice Facility should have regard to the scale of the historic Falls Hotel immediately adjacent to the north-west.

8. Urban Design Opportunities

The development of the subject site offers several urban design opportunities:

- Transforming a centrally located site within a regenerating town centre with access to a full range of town centre amenities
- Framing of Alderman Drive and Edmonton Road by developing a building that fronts both streets and defines the corner at the intersection
- Extending Henderson's urban fabric with a civic building towards the north, along the Waikumete Stream (refer figure ground and AUP(OP) zoning map)
- Developing a civic building within approximately five minute walking distance from a major public transport interchange

Figure 9:
Figure Ground Plan
- Current Condition



Project site



Figure 10:
Figure Ground Plan
- with Justice
Facility proposal



Project site



- Utilising the prominent 'gateway site' at the entrance to Henderson with a public building
- Connecting to planned pedestrian and cycleway routes which will run right beside the site and provide access to the town centre – **check with EP and traffic engineers**
- Positively interfacing with the Twin Streams restoration project

9. Bulk and Location Design Response

The Requiring Authority has specific guidelines to achieve the functional requirements of the Justice Facility. This includes an accommodation schedule which requires a building with ten courtrooms plus ancillary supporting and administration facilities, adding up to approximately 13,000m² gross floor area (GFA).

s 9(2)(a), s 9(2)(ba)(i)

District Courts are the busiest courts in the country, handling a wide range of cases. Courthouses need to be designed to be accessible, secure, sufficiently spacious for all participants, legible, functional, calming environments, sensitive to the needs of different cultural groups and reflect the dignity of the court.

Massing:

The proposed Justice Facility has a rectangular footprint (approximately 67m x 32m), with its long side aligned parallel to Edmonton Road (refer Fig. 9 , 10). The north-eastern end of the floor follows the angled boundaries to accommodate a vehicle circulation ramp. This footprint repeats on the first floor. Floors three to five follow the first two floors, but are shorter (approximately 58m x 32m), vertically aligned on the south-eastern side and set back on the north-eastern end. A rooftop plantroom is set back from all building sides. The volume of the two lower floors relates to the scale of the Falls Hotel and residential development across Edmonton Road. Attached to the horizontal proportion of the main courthouse massing are the two vertical volumes of the circulation cores on the north-western side. A canopy along the Alderman Drive frontage wraps around the corner to Edmonton Road and provides shelter for the building's entrances.

Access for pedestrians:

The main/public pedestrian entrance is located off Alderman Drive. A secondary pedestrian entrance for jury members is located adjacent. The building is set back from the Alderman Drive boundary to provide a forecourt/gathering space visitors when entering the building. A canopy provides shelter from the elements. s 9(2)(a), s 9(2)(ba)(i)

Access for vehicles:

The proposal retains the existing legal vehicle access to the car parks and loading area of the Alderman Café.

Figure 11:
Axonometric view
of Bulk & Location
Study massing
proposal

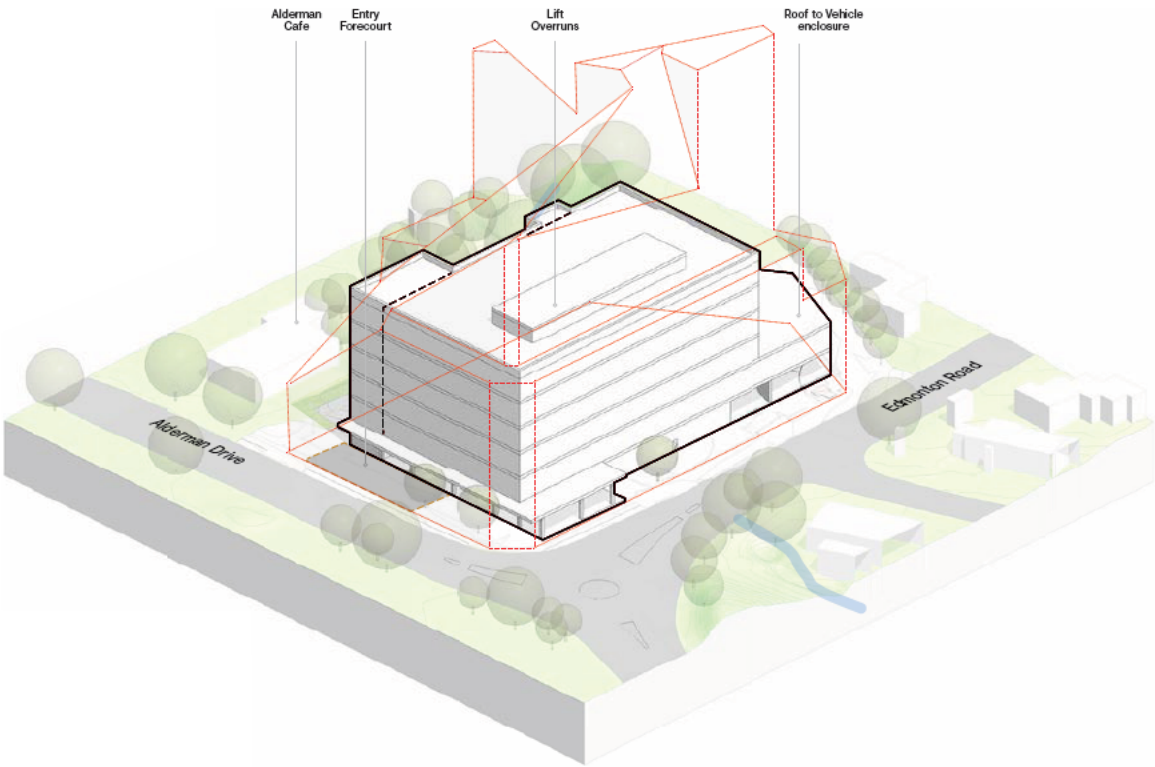


Figure 12:
Street elevations
of Bulk & Location
Study massing
proposal



A drop-off/pick-up area on Alderman Drive is desirable. s 9(2)(a), s 9(2)(ba)(i)

The vehicle crossing locations on Alderman Drive is retained; the two vehicle crossings on Edmonton Road are approximately in the same location as the current crossing to the car park.

Landscaping:

The proposal seeks to retain existing trees where possible, and where trees require removal, appropriate areas within the site are available for replacement / mitigation planting. The 'front yards' along Alderman Drive and Edmonton Road will be landscaped. The accessway and right-of-way area along the north-western boundary will remain sealed.

Piped Stream:

The proposed building covers a majority of the site. Due to the extent of the new Courthouse, most of the existing public stormwater lines within the site will be required to be relocated, realigned or removed in their entirety. As the 1500mm diameter line services the Oratia catchment upstream of the subject site, it is proposed that this line should remain. The proposed development enabled by the Designation, will provide adequate clearance between the structure's foundation piles and the existing 1500mm diameter stormwater line.

Overland Flowpath:

To manage the impact of the proposed building (enabled by the Designation) on the existing overland flow path it is been proposed that the entire foundation slab be elevated above the calculated water level of the 100-year overland flow path. This suspended foundation will have minimal obstructions within the flow path extent and will provide a clear path for the water to enter and exit the site and therefore maintain the current flood situation.

10. Potential Urban Design Effects

Traffic:

The northern part of the site currently operates as a pay and display car park operated by Auckland Transport.

s 9(2)(a), s 9(2)(ba)(i)

s 9(2)(a), s 9(2)(ba)(i)

I understand that the proposed justice facility would generate slightly more vehicle movements than the current car park; returning the car park to its full capacity of 153 spaces could generate significantly more vehicle movements than the proposed justice facility.

Building height and bulk:

Considering its footprint and height, the proposed courthouse building will be one of the larger buildings in the vicinity. s 9(2)(a), s 9(2)(ba)(i) context of

- the two-storey Falls Hotel to the north-east
- single storey house / three-storey terrace houses to the north-west
- single / double-storey houses on the eastern side of Edmonton Road

The bulk of the proposed courthouse is comparable to the Unitec Waitākere Campus Building and the Henderson Library and car park, both on Waitākere Lane. Pak’nSave and West Wave Pool to the east on Alderman Drive, both lower but bulky buildings, have a footprint much larger than the proposed courthouse.

Trees:

It is the intention to retain the existing trees on the Site. Should it become necessary during the design development process to remove any trees, the loss should be assessed in the context of any new landscaping proposal as part of the courthouse project.

Stormwater:

The proposed courthouse sits across an existing overland flow path, as described earlier, which needs to be retained. Accommodating the overland flow path will result in a raised ground floor level with ramps for accessible access. The Site’s location with a Stormwater Management Area Flow 2 (SMAF 2) will require detention/retention mitigation in accordance with the AUP(OP).

11. Design Recommendations to mitigate potential Urban Design Effects

Traffic:

The entry plaza in front of the building’s main entrance on Alderman Drive should be designed to avoid potential pedestrian - vehicle conflicts which could occur due the existing vehicle access to the Alderman Cafe.

The vehicle crossings s 9(2)(a), s 9(2)(ba)(i) should be designed to ensure pedestrian safety. A rescue island between the two crossings should be at least 2m long, ideally 2.5 to 3m.

Building height and bulk:

The building’s bulk should generally comply with the AUP’s height in relation to boundary, height and setback controls (refer Fig. 11). The bulk & location massing shows a two-storey plinth with additional four storeys located over the southern footprint and aligned with the plinth on the corner of the street intersection. This articulation of a building base/plinth relates well to the scale of the historic Falls Hotel and the existing residential context to the north-east and south-east (refer Fig. 12). The massing strategy of base and top offers the opportunity to develop this composition further during design development. A common datum between courthouse and the Falls Hotel could be emphasized via a recess in the courthouse. The courthouse massing could also develop into a base-middle-top arrangement, where the top floor (accommodating the judiciary) is differentiated.

Landscaping and Trees:

Any potential loss of trees should be mitigated via replacement planting, with species being agreed with council and tangata whenua.

Materiality:

Materials should be durable, low maintenance and appropriate for the civic importance of a courthouse. Glazed areas need to provide privacy where required by the internal functions of the spaces.

Wayfinding:

The courthouse should be legible, to allow easy orientation and wayfinding. Signage should be integrated, considered as part of the overall design and well-coordinated.

Crime Prevention through Environmental Design (CPTED):

CPTED is a crime prevention philosophy based on proper design and effective use of the built environment. The use of CPTED is intended to reduce crime and fear of crime by reducing criminal opportunity and fostering positive social interaction among legitimate users of space.

The design of the courthouse and surrounding landscaped areas should consider the National Guidelines for CPTED, available via the MoJ's website.

Lighting:

The courthouse and surrounding landscaped areas should be appropriately lit, as per the referenced guidance on CPTED above. Architectural/façade lighting should be appropriate for a court building and considered about residential neighbours.

12. Preliminary Recommendations and Conclusions

Having undertaken a high-level urban design assessment, I support the development enabled by the proposed Designation for a new Justice Facility from an urban design perspective, subject to the recommendations outlined above.

I anticipate that there will be design solutions responding to above recommendations which can be used to formulate suitable designation conditions; these will be detailed as part of the substantive application stage.

In conclusion, I consider that the bulk & location proposal for the Justice Facility represents an appropriate urban design response to the opportunities and constraints of the Site and its context. The proposed Justice Facility includes a civic building which the Business – Metropolitan Centre Zone provides for and is consistent with the zone's objectives. The proposal also fits within Eke Panuku's High Level Project Plan for Henderson and delivers on Eke Panuku's essential outcomes for the Site.

s 9(2)(a), s
9(2)(ba)(i)

Qualifications and Experience

s 9(2)(a), s 9(2)(ba)(i)

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