



URBAN DESIGN ASSESSMENT

04-March-2020

PRIVATE PLAN CHANGE REQUEST
33-37 GEORGE STREET, 13-15 MORGAN STREET
AND 10 CLAYTON STREET, NEWMARKET

PREPARED FOR:
SOUTH PARK CORPORATION

B&A
Urban & Environmental

CONTENTS

1.0	EXECUTIVE SUMMARY	1
2.0	INTRODUCTION	5
2.1	Scope of involvement in project	6
3.0	SITE AND CONTEXT ANALYSIS	6
3.1	The Site.....	6
3.2	Adjacent sites	7
3.3	Block structure and street pattern.....	15
3.4	Built form character and land use.....	18
3.5	Streetscape character	21
3.6	Amenities	23
3.7	Key development sites	23
3.8	Planning context	24
3.9	Site and context summary	25
3.10	Development opportunities and constraints	26
4.0	DESIGN RESPONSE: DEVELOPMENT OF PREFERRED CONCEPT	27
4.1	Initial concept design	27
4.2	Council engagement	28
4.3	AUDP presentation.....	28
4.4	Refinement of concept design and drafting of precinct provisions.....	29
5.0	DESIRED URBAN DESIGN OUTCOMES.....	30
6.0	ASSESSMENT OF PLAN CHANGE PROVISIONS.....	31
6.1	Assessment methodology	31
6.2	A high quality pedestrian environment	31
6.3	Quality built form.....	49
6.4	Relationship to neighbouring sites.....	64
7.0	CONCLUSION	76

1.0 EXECUTIVE SUMMARY

This report provides an urban design assessment of a Plan Change request by Southpark Corporation to apply a new precinct over 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street.

The purpose of the Precinct is to provide for a comprehensively designed and integrated mixed use development with high quality, publicly accessible spaces that enhance connectivity between Newmarket and the Auckland Domain. The proposed precinct provisions enable greater building height, while requiring a publicly accessible plaza and high-quality pedestrian connections through the site.

The scale and intensity of development enabled by the Plan Change offers the opportunity to capitalise on the site's location in an area of high amenity, largely outside volcanic viewshafts that constrain growth in other areas of Newmarket, and within close walking distance to public transport, public open space, retail, commercial, educational, and health services, and employment.

An assessment of the Plan Change provisions has been undertaken on the basis of urban design principles for development of the site. Below, I summarise that assessment under each of the principles.

Discourage lower density uses that would be incompatible with a higher density, pedestrian focused environment

- Discretionary activity status is given to a range of activities, such as Drive-through restaurants and Light manufacturing, that have either a permitted or restricted discretionary status in the site's underlying Business-Mixed Use zone. This change in activity status would, in my view, enable a wide ranging assessment of effects. This would include potential adverse effects on the creation of a high quality, pedestrian environment, which is a focus of the Precinct.

Achieve enhanced pedestrian connectivity and a community focal point

- The required pedestrian plaza, edged by active uses, will deliver a new community focal point to a growing working and residential community in this northern part of Newmarket.
- Shadow studies, based on the Plan Change's maximum development envelope, show that the pedestrian plaza receives sunlight over the majority of its area throughout the year during the middle of the day – a key time for occupation and use for an urban open space. Should the adjoining site to the north-east (39 George Street) redevelop, there is the potential for loss of sunlight to the pedestrian plaza during the winter solstice, with some sunlight being retained in the presumption that a new

building on that site is unlikely to completely ‘max out’ the zone’s development envelope. Overall, in my view, the amount of sunlight received to the plaza is reasonable within the urban environment of the Precinct and surrounding Newmarket area.

- The required pedestrian connections will provide valuable improved permeability through the wider area, extending an existing permeable network of Newmarket laneways through to a new interface and frontage with the Auckland Domain and southern part of Parnell.

Provide legible, direct, safe and accessible pedestrian connections with a public realm quality

- A range of matters of discretion and associated assessment criteria focus on good wayfinding, legibility, physical accessibility, and design features that reinforce a sense of being part of the public realm. This is together with requirements for key frontages to the pedestrian connections and plaza to be edged by active uses. This combination of provisions will, in my view, achieve the delivery of high quality pedestrian connections.

Accommodate vehicle access and carparking in a manner that does not compromise the pedestrian environment

- A proposed cap on carparking numbers, the discretion reserved to Council on the design of parking areas and vehicles access, and associated criteria which reinforce the importance of the pedestrian environment at each of the site’s street frontages will, in my view, contribute to an overall high quality pedestrian environment.

Positively integrate building height and massing into the surrounding area

- The Precinct provisions effectively manage building height and scale to integrate it in a positive manner into the surrounding environment through a combination of:
 - Four different Height Areas resulting in a staggering of building scale;
 - A 55m maximum tower dimension applied at a lower height than in the underlying Business-Mixed Use zone, resulting in more slender tower forms;
 - A minimum required 10m separation between any facing buildings across Height Areas B and C, to ensure building bulk in these two adjoining Height Areas does not appear visually contiguous; and
 - Assessment criteria, enabling consideration of building appearance as seen from the surrounding streets and area, and how the roof profiles and upper floors of buildings contribute to the skyline.

Ensure an overall high quality of design

- Proposed provisions, flowing through from objectives and policies to tailored standards, matters of discretion and assessment criteria, with their emphasis on high-quality architecture and design, provide a suite of tools that I consider will ensure an overall high quality of design is achieved for development within the Precinct.

Positively respond to each of the site's street frontages

- Proposed provisions enable Council to ensure that development in the Precinct:
 - presents activated, street level frontages to both George Street and Clayton Street (the Precinct's Auckland Domain and Newmarket facing frontages respectively);
 - prioritises pedestrian safety and legibility on all frontages;
 - has spatially generous volumes to pedestrian connections and views to the sky, creating legible and welcoming entry points to the Precinct; and
 - achieves upper floor street facing elevations that have high levels of glazing and passive surveillance of the street.

Encourage a design approach that responds to the sense of place and cultural heritage of the area

- Assessment criteria incorporate reference to mātauranga and tikanga, response to context including the Precinct's landscape setting beside the Auckland Domain, and to the use of landscaping in a manner 'that contributes to overall visual and pedestrian amenity and legibility, in particular for the connection from Newmarket to Auckland Domain.'
- In my view, these criteria are a clear guide to applicants for future resource consents within the Precinct regarding expectations to positively respond to the area's cultural heritage and sense of place elements, including its landscape setting.

Manage adverse effects to neighbouring sites, including visual dominance, privacy and shading

- The Precinct uses an approach of adopting some Business-Mixed Use zone standards to manage visual dominance and privacy and shading effects on adjacent sites, while introducing Precinct-specific provisions where Precinct boundaries are particularly sensitive to additional height. I consider this a well-balanced approach.

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- Overall, I consider that potential visual dominance and privacy effects to neighbouring sites are appropriately managed and the extent of additional shadow cast by the Precinct development envelope – when assessed against the existing and planned future environments – is not significant.

In summary, I consider that the Precinct provisions will enable Council to assess resource consent applications for development of the site with a sufficient level of discretion reserved to it to ensure that an integrated, mixed use development is achieved that positively responds to its context, including its landscape and cultural setting, with high quality, publicly accessible spaces and buildings that display high-quality architecture and urban design.

In my view, development undertaken in accordance with the Precinct provisions will be a valuable contribution to the wider Newmarket and Parnell area, providing enhanced connectivity, giving Newmarket a frontage to the Auckland Domain, and providing a new community focal point.

2.0 INTRODUCTION

This report provides an urban design assessment of a Plan Change to the Auckland Unitary Plan – Operative in part (**AUP**) to apply a new precinct – the ‘George Street Precinct’ - over 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street (**‘the site’**).

The report:

- reviews the characteristics of the site and its surrounding area;
- provides an overview of the AUP planning context;
- considers the urban design outcomes that are desirable in development of the site; and
- undertakes an urban design assessment of the Plan Change provisions.

The report is supported by the George Street Precinct Proposed Private Plan Change Drawing Set (**‘the Drawing Set’**). This document contains:

- photographic and diagrammatic analysis of the site and its context;
- a concept design scheme for the site;
- shadow diagrams;
- model shots of the concept scheme; and
- representative cross sections showing the proposed Plan Change development envelope.

The report should be read in conjunction with the Landscape and Visual Analysis by Rob Pryor of LA4 landscape architects. Mr Pryor’s assessment concentrates on the visual effects of the proposed bulk, scale and height of buildings enabled by the Plan Change. My assessment also discusses proposed bulk, scale and height as part of a broader urban design review. There is therefore a degree of overlap between the two reports.

In undertaking this review, I have also had regard to the Integrated Transport Assessment Report (**‘ITA’**) by Michelle Seymour from Commute Transportation Consultants, in so far as the accommodation of vehicles and vehicle movement has the potential to affect built outcomes on the site.

The report has been updated to include responses to Council’s November 2019 request for further information (**‘RFI’**).

I have visited the site on several occasions. The assessment undertaken in this report is informed by those visits, a desk-top analysis of the area, and a review of relevant Auckland Council documents, including the AUP.

2.1 SCOPE OF INVOLVEMENT IN PROJECT

My involvement in development of the proposed George Street Precinct has been:

- An initial review of the site and the wider area and the urban design opportunities for development that presented themselves, subsequent to my engagement being confirmed in mid-2017;
- On-going review and urban design input to concept designs for development of the site. This has included input into the concept scheme shown in Part B 'Concept Design and Masterplan' of the Drawing Set;
- Attendance at Auckland Council pre-lodgement meetings and a January 2019 presentation to the Auckland Urban Design Panel; and
- Input into George Street Precinct urban design related provisions.

3.0 SITE AND CONTEXT ANALYSIS

3.1 THE SITE

The proposed George Street Precinct applies to an approximately 7,873m² site located on the boundary between Parnell and Newmarket.

Bus routes into the city are located within 350m of the site on Parnell Road and Newmarket and Grafton railway stations are within 800m.

The site has frontages to George Street to the north, Morgan Street to the west, and Clayton Street to the south. It is located at the northern end of the Newmarket commercial area and directly to the south of the Auckland Domain.

The widths of these frontages, are approximately 37m, 25m, and 26m respectively.

The site is currently occupied by one to two storey buildings of simple, functional forms. These buildings house a variety of uses, including a gym and photography studio. That portion of the site adjoining the Morgan Street frontage is used for at-grade parking area, with a 25m setback to any building.

There is also a small area of at-grade parking along the George Street frontage, with a setback of approximately 8m to the building and a setback of approximately 5m along the western side of Clayton Street used for carparking.

A driveway runs through the site. This is informally used by pedestrians to walk between George Street and Clayton Street.

There is an approximately 10m fall in the site from its George Street frontage through to Clayton Street. There is also a 3m fall from west to east along the site's George Street frontage and a 2.5m fall from north to south along the Morgan Street frontage.

a small setback with a side yard along the common boundary with the Precinct site, adjoining its existing driveway.



Figure 2: Left photo - Looking east from the existing driveway through the Precinct site to the outdoor play area to the rear of the ACG Primary School. Right photo – Looking up the Precinct site’s driveway to George Street, with ACG Primary School on the right.

3.2.2 47 George Street

This site adjoins the Precinct site to the east. It is occupied by a two level office building, the southern part of which is built to the boundary with the Precinct site. Vehicle access to the site is via a driveway on its eastern side and, as noted at section 3.1, a driveway on the subject site which exits onto Clayton Street.



Figure 3: The office building at 47 George Street. At the right of the picture is the ACG Primary School, behind which is an existing building on the Precinct site and, in the background, the new Mercury Energy Building at 33 Broadway.

3.2.3 37 George Street

This small site (318m²) adjoins the Precinct site to the west. It is occupied by a one storey workers cottage. The cottage is used by a funeral home and is set back approximately 4m from the street frontage. It directly adjoins an existing building on the Precinct site. Aerial photographs indicate that the site has a grassed and vegetated rear yard, presumably a remnant of the cottage's likely original residential use.



Figure 4: 37 George Street.

3.2.4 2 Titoki Street Parnell

This site is diagonally opposite the Precinct site on the northern side of George Street, at the corner with Titoki Street. It is occupied by a 4-5 storey building used by ACG Parnell College.



Figure 5: ACG Parnell College at 2 Titoki Street.

3.2.5 25 Morgan Street

This site adjoins the Precinct site to the west, fronting to Morgan Street. It is occupied by a 2-3 storey building. The building is divided into six units that are used for purposes that appear to include both residential and commercial activity. Extensions to the rear of the main building directly adjoin the Precinct site.



Figure 6: 25 Morgan Street.

3.2.6 19 Morgan Street

This site, which is to the south of 25 Morgan Street, has common boundaries with the Precinct site along its eastern and southern sides. It is occupied by a 5-6 storey office building. The building comprises a 2-3 storey podium base, which houses carparking and office space, and a three storey 'tower' element.

The 'tower' element is set approximately 6m back from its southern boundary with the Precinct site's carparking area on its Morgan Street frontage, and approximately 5m back from its eastern boundary with the Precinct site. The southern and eastern facades of the tower have large areas of glazing, looking out over the Precinct site.

The podium base directly adjoins both common boundaries with the Precinct site. The roof of the podium appears to be used as an outdoor terrace.

3.2.7 11 Morgan Street

This site has common boundaries on its northern and eastern sides with the Precinct site. It is occupied by a one storey building, which directly adjoins the boundaries with the Precinct site. The building is used as a gym. It has a setback of approximately 6.5m from Morgan Street, used for carparking.



Figure 7: Left photo – 19 Morgan Street. Right photo – 11 Morgan Street.

3.2.8 9 Morgan Street

This site is directly to the south-west of the Precinct site. It is occupied by a one storey villa. Auckland Council's 'Geomaps' webpage shows the site as having three rateable units, one of which is shown as a residence. The building otherwise appears to be primarily used for commercial services.



Figure 8: 9 Morgan Street.

3.2.9 8 Clayton Street

This site has an approximately 35m long common boundary on its northern side with the Precinct site. It is occupied by a five storey residential apartment building. The ground floor of the building is used for carparking. The upper four storeys are apartments. The building's ground floor carparking level directly adjoins the Precinct site. Balconies to apartments at the four upper storeys of the building are set 2.4m

back from the common boundary with the subject site, with a further approximate 1.2m setback to the glazing line of the apartments.

The apartment building appears to have a central corridor with apartments either side of the corridor, either north facing towards the Precinct site, or south facing. Privacy screens between balconies indicate that there are five north facing apartments on each of the four upper storeys. Apartments on the northern side at first floor level face out to the boundary wall of the gym within the Precinct site at 10 Clayton Street.

This wall has an approximate 3m height relative to the floor height of the first floor apartments, blocking views to the north from these units. The wall runs along the full length of the common boundary with 8 Clayton Street, stopping at the 5m setback of the gym from Clayton Street. Apartments on the three upper floors have existing clear views north over the Precinct site.



Figure 9: Looking towards the apartment building at 8 Clayton Street, with the existing gym within the Precinct site (10 Clayton Street) in the foreground.

3.2.10 2 Alma Street

This site has a common northern boundary with the Precinct site, adjoining the driveway that serves 47 George Street. The building that occupies the site is 2-3 storeys in height and covers the whole lot. Auckland Council's 'Geomaps' webpage shows the site as having three rateable units, one of which is shown as a residence. The building otherwise appears to be primarily used for office purposes.

3.2.11 33 Broadway

This site, which is to the east of 2 Alma Street, also has a common northern boundary with the Precinct site, adjoining the driveway that serves 47 George Street. The site is occupied by a recently constructed six storey office building. This building, which is tenanted by Mercury Energy, also extends over 10 Alma Street to the east. The office building occupies the majority of both the 33 Broadway and 10 Alma Street lots.

Along its northern boundary with the Precinct site, where it adjoins the driveway, the building is erected to six storeys height directly on the boundary with three recessed bays, which are fully glazed along their northern side.

Refer to page 21 of the Drawing Set, which shows this relationship.



Figure 10: Looking north along Clayton Street, through to the existing driveway into the Precinct site. 2 Alma Street is at the centre of the photograph, with the new Mercury Energy Office building behind it.

3.2.12 Auckland Domain

Opposite the Precinct site, on the northern side of George Street, is Auckland Domain. This 75 hectare public open space is the city's oldest and one of its largest parks.¹

¹<https://www.aucklandcouncil.govt.nz/parks-recreation/Pages/park-details.aspx?Location=126>

3.2.12.1 *Maori heritage*

Auckland Domain has a rich history of Maori settlement. Pukekaroa, a hill within the Domain, was the site of a pa. The swamp provided waterfowl, eel, as well as building materials to a small village near the Domain's existing Park Road entrance.²

The park contains all of the explosion crater and most of the surrounding tuff ring of the Pukekawa volcano. The original meaning of Pukekawa is 'sour hill' since kumara, or sweet potato, could not be grown on the volcanic crater. In the wake of the New Zealand Musket Wars, its meaning was recast to 'hill of bitter memories' in reference to those who had lost their lives in the Wars.³

At the southern end of the Domain is a large steel-plate sculpture of a hawk. This 2004 installation, called 'Kaitiaki', according to the Maori artist Fred Graham, references the importance of the hawk in the oral traditions of Ngati Whatua and Tainui and the bird's strength as a guardian of the land.⁴

3.2.12.2 *Auckland War Memorial Museum*

The Auckland War Memorial Museum, which sits on a grass mound on the original crater rim, is a centre piece of the Domain. The building, opened in 1929, is in a neo-classical style. It is constructed from English Portland Stone with a rear portion, added in the 1960s, in rendered cement block.

In the mid-2000s, it went through a major renovation, with a new public entry added to its southern end. The building has an 'A' classification from the New Zealand Historic Places Trust⁵ and is subject to a Historic Heritage Overlay in the Auckland Unitary Plan (Operative in Part).

3.2.12.3 *Immediate context*

That part of the Domain closest to the Precinct site is used for carparking, which is accessed from both George Street and Titoki Street. Between the carparking area and the George Street frontage of the Domain is a grassed knoll with mature tree planting.

² New Zealand Herald article, 'Domain's rich secrets revealed, 9 February 2011, https://www.nzherald.co.nz/aucklander/news/article.cfm?c_id=1503378&objectid=11017967

³ As above.

⁴ As above.

⁵ https://en.wikipedia.org/wiki/Auckland_War_Memorial_Museum



Figure 11: Aerial of northern (George St) end of the Precinct site (red outline), showing its immediate context to the south of the Auckland Domain and the Domain's carparking, topography and landscaping.

3.3 BLOCK STRUCTURE AND STREET PATTERN

3.3.1 Neighbourhood legibility

The Precinct site is within a collection of streets which, while having Newmarket postcodes, in terms of legibility, have a layout, structure and associated land uses that are distinct from Parnell directly to the north and the commercial/retail heart of Newmarket to the south. George Street, Broadway and Carlton Gore Road are at the perimeters of this area, with Morgan Street, Clayton Street and Alma Street dividing it into blocks.

George Street is at the area's northern edge. The Auckland Domain forms a frame to much of George Street, providing a distinct change in character from urban blocks to green open space. Just to the south of Carlton Gore Road, the western railway line forms a strong east-west cut, visually dividing the area from the commercial core of Newmarket to the south.

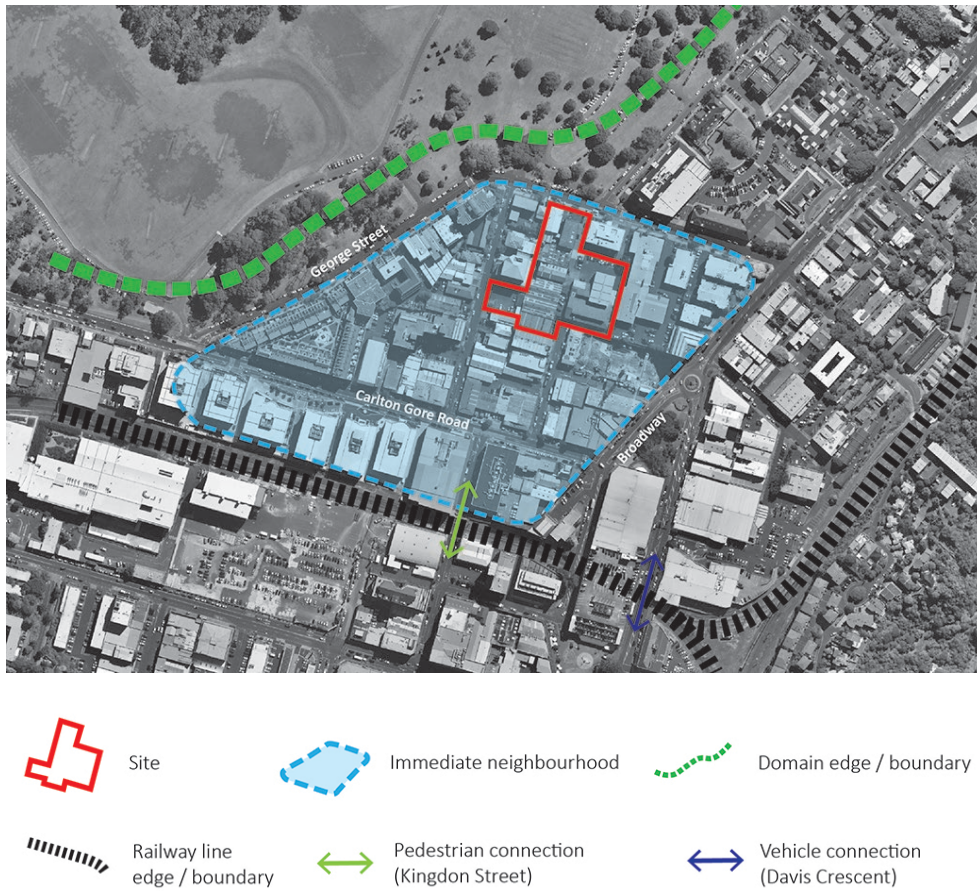


Figure 12: Diagrammatic analysis of the immediate neighbourhood of the Precinct site.

3.3.2 Block sizes

The Precinct site is on a large urban block formed by George Street, Morgan Street, Carlton Gore Road and Broadway. The dimensions of this block size, at roughly 230m north-south and 250m east-west, are typical of the blocks that surround the core of the Newmarket Metropolitan Centre.

Streets within the Centre, particularly those directly to the west of Broadway, including Morrow Street, Teed Street and Osborne Street, form much smaller blocks, with dimensions as narrow as 70m. These smaller blocks continue north of Khyber Pass Road in the area between Kingdon Street and Broadway. They stretch up to include the block, directly to the south of the Precinct site, formed by Clayton Street, Alma Street, Davis Crescent and Carlton Gore Road.

These smaller blocks offer pedestrians a high level of permeability and choice of walking routes. The existing driveway between Clayton Street and George Street is an informal northern extension of this permeable block pattern.

3.3.3 Newmarket Laneways Plan

A plan to develop the streets around these smaller Newmarket blocks into pedestrian focused ‘laneways’ was released by Auckland Council, on behalf of the Waitemata Local Board in 2015. The ‘Newmarket Laneways Plan’ sets out a number of principles to guide Council public realm investment in the laneways. The principles include the following:

- Prioritising the movement of people;
- Developing a dynamic local economy;
- Feeling and being safer;
- Reinforcing local distinctiveness;
- Streets are social spaces;
- Historic and cultural heritage; and
- Te Aranga design principles.

The Laneways Plan extends to Kingdon Street, one block south of the site. To date, streetscape upgrades in the laneways area have included Osborne Street, Teed Street and Lumsden Green. There has also been an extension of the laneways concept onto adjoining private sites, such as Osborne Lane off Kent Street and Osborne Street.

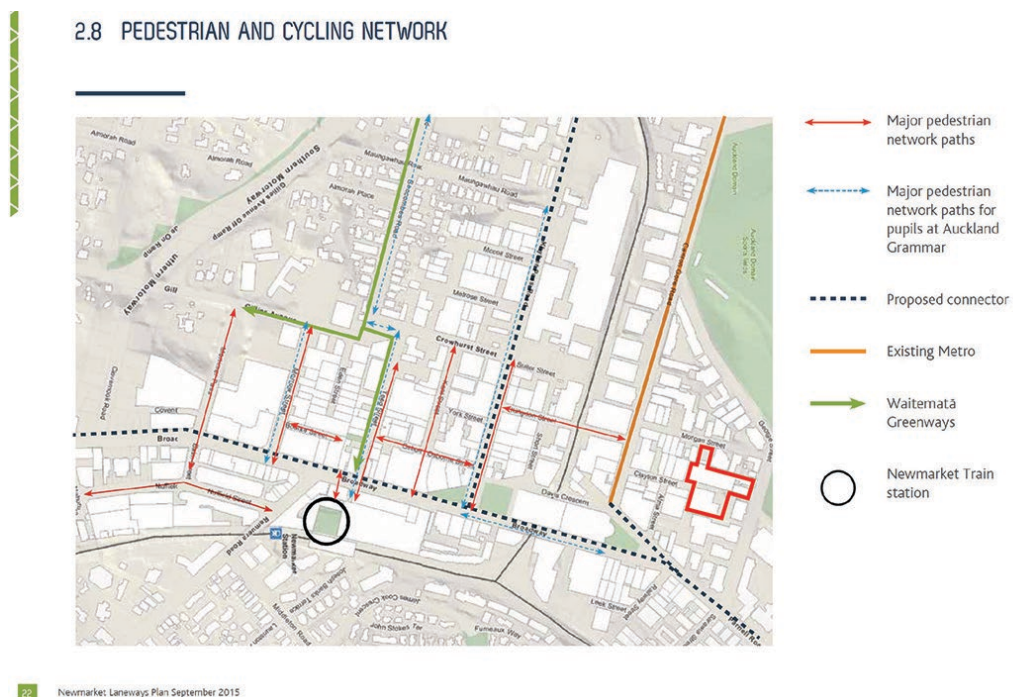


Figure 13: Excerpt from Auckland Council Newmarket Laneways Plan. This map shows the ‘laneways’ that form part of the Plan, marked as ‘Major pedestrian network paths.’ The location of the subject is outlined in red.



Figure 14: 'Osborne Lane' – a private 'laneway' development, accessed from Kent Street and Osborne Street, that has a public realm quality.

3.4 BUILT FORM CHARACTER AND LAND USE

Built form character in the blocks between Carlton Gore Road and George Street reflects broad movements and changes in land use in the area since a significant period of light industry development in the 1960s.

- That half of George Street west of Morgan Street has, unsurprisingly, given its direct proximity to the Auckland Domain, developed into a distinct medium to higher density residential neighbourhood of 1990s/early 2000s-era terrace houses and predominantly low-rise apartment buildings.
- The eastern half of George Street is a combination of: low rise 'campus-style' office buildings, with landscaping to the street frontage and parking to the rear or side of lots; and education (the ACG campuses) or retail uses within repurposed (the former New Zealand Foundation for the Blind buildings) or built for purpose buildings.
- Carlton Gore Road is a mix of office buildings, food and beverage outlets (which appear to have developed to support the office worker population) and some retail.
- Morgan Street and Clayton Street retain some uses associated with the area's light industry and commercial service past, including car mechanics. However, buildings are being repurposed for retail or associated uses, such as gyms, or are being removed and redeveloped.
- There are pockets of residential use along Morgan Street and Clayton Street, such as 29 George Street (a three storey 1960s era apartment building on the corner of Morgan Street) and the 8 Clayton Street

apartment building. Largely, however, residential use in the Carlton Gore Road – George Street blocks is concentrated along the western half of George Street.

- North of George Street, land use gradually transitions to primarily residential activity at the southern end of Parnell. South of Carlton Gore Road, land use transitions through to commercial / mixed use within the Newmarket Metropolitan Centre.

Refer to page 10 of the Drawing Set, which shows general land uses in the wider area.

3.4.1 Building heights

Building heights in the Carlton Gore Road - George Street blocks are generally low-rise (one to four storeys), occasionally punctuated by taller buildings, which form a notable part of the visual landscape. These include:

- the eight storey Parkwood Residences building, at the corner of Morgan Street and George Street;
- a five to six storey office building at 19 Morgan Street;
- a six storey office building at 10 Morgan Street;
- the six storey Mercury Energy office buildings at 33 Broadway;
- office buildings on the southern side of Carlton Gore Road, which are four to five storeys in height; and
- four to five storey apartment buildings along the western half of George Street.

In the central Newmarket retail and commercial area to the south, building heights are a mix of largely one to two storey older buildings along Broadway and Khyber Pass Road and larger scale buildings, typically from the early 1990s on, of up to seven storeys.

In the southern area of Parnell, directly to the north of the site, with the exception of the four to five storey ACG Parnell College at 2 Titoki Street, opposite the site, buildings are largely one to three storeys in height.

Refer to page 15 of the Drawing Set for diagrammatic analysis of existing building heights in the wider area.

3.4.2 Historic land use pattern

Maps and photographs of the Precinct site from the early 20th century onwards provide an interesting background to a shift in land use in the area from 1960s era light industry to the current trend towards a mix of uses.

- A 1940 aerial photograph shows the original predominant land use being housing, with much of the subject site being undeveloped.
- A 1959 aerial photograph shows a move towards light industry activities, with large buildings on the site and large buildings replacing housing along Carlton Gore Road.
- A 2001 aerial photograph shows the site much as it is today, with small pockets of the original housing, a predominance of commercial buildings, and the emergence of the existing medium to higher density residential neighbourhood along the western end of George Street.



Figure 15: 1940 aerial map of the site and surrounding area⁶



Figure 16: 1959 aerial map of the site and surrounding area⁷

⁶ Auckland Council GeoMaps.

⁷ As above.



Figure 17: 2001 aerial photograph of the site and surrounding area⁸

3.5 STREETScape CHARACTER

3.5.1 George Street

That part of George Street to which the Precinct site has the strongest relationship is from Morgan Street through to Broadway/Parnell Road. West of Morgan Street, George Street bends out of sight to the south-west.

This eastern half of George Street has a high level of landscaped amenity, derived from planted front yards to buildings, and street trees and grass berms on the southern side of the street. Buildings have varying degrees of setback. Directly opposite the Precinct site, the Auckland Domain has a strong presence, adding to the sense of visual openness of the area.

Refer to page 17 of the Drawing Set for photographs of George Street.

3.5.2 Morgan Street

Morgan Street has a more functional, utilitarian character than George Street, reflecting its light industry roots. There is a mix of street-adjointing buildings and some with small setbacks, used for carparking. There are also two larger at-grade carparks, at 8 Morgan Street and on the Precinct site's frontage to the road.

There are long, contiguous lengths of drop kerbs accommodating vehicle crossings along the street. One such drop kerb is 42m in length, providing access to a vehicle mechanic business and front yard carparking at the sites from 3-11 Morgan Street.

The narrow footpath along the eastern side of the street, the length and frequency of drop kerbs, building setbacks with carparking in front, the number of vehicle

⁸ As above.

crossings to building garages, and the absence of street tree planting, all contribute to an overall low level of pedestrian amenity.

The building silhouette along the street is of low-rise forms at the road's southern end, with a back drop of higher buildings, including the Parkwood Residences at 27 George Street. Looking north along the road, a canopy of trees within the Auckland Domain forms a termination to the view.



Figure 19: Looking north along Morgan Street.

Refer to page 18 of the Drawing Set for additional photographs of Morgan Street.

3.5.3 Clayton Street

Clayton Street also has a functional urban character. The majority of buildings along the street adjoin their frontages with the road and there is generally a strong continuity of building line.

Looking north along the street, against a lower height foreground, there is a backdrop of mid-rise buildings, including the five storey apartment building at 8 Clayton Street, the new Mercury Energy office building, and the Parkwood Residences.

The northern end of Clayton Street ends in the Precinct site. When looking north along Clayton Street towards the site there are views up along its existing driveway to a canopy of trees in the grassed area to the south of the carpark in the Auckland Domain.

Refer to page 19 of the Drawing Set for photographs of Clayton Street.

3.6 AMENITIES

The Precinct site is well-situated in terms of amenities within a close walking distance.

Within 400m of the site there are the following amenities:

- Bus stops for the Inner Link and Outer Link bus services;
- Playing fields of the Auckland Domain;
- The Auckland War Memorial Museum;
- ACG school campuses;
- Parnell Library;
- Parnell Tennis Club; and
- The northern end of the Newmarket Metropolitan Centre.

Within 800m of the site there are the following amenities:

- Newmarket and Grafton rail stations;
- Auckland Hospital;
- University of Auckland Khyber Pass Road campus and Park Road Medical School campus;
- The wider Newmarket Metropolitan Centre, including Scentre Group (New Zealand) Ltd's 277 and 309 Broadway shopping centre;
- St Peter's College;
- The Holy Trinity Cathedral; and
- The southern end of the Parnell Road retail area.

Refer to page 10 of the Drawing Set for diagrammatic analysis of amenities around the Precinct site.

3.7 KEY DEVELOPMENT SITES

At almost 7,900m², the Precinct site is a significant land holding in the wider Newmarket context. Other large sites in the area, which are either under development or have development potential, are:

- *University of Auckland campus on Khyber Pass Road*

This 5.2ha site, at the western end of Newmarket, is the former home of Lion Nathan Breweries. It currently has a relatively small percentage of building footprint, with the majority of the site taken up by at-grade parking. The site is used by the University's post-graduate engineering

faculty. It houses the faculty's wind tunnel testing facilities. The at-grade carpark areas of the site represent a development opportunity that is likely to be added to considerably over the next decade.

- *277-309 Broadway shopping centre*

Scentre Group (New Zealand) Ltd's almost 4ha shopping centre development, at the southern end of Newmarket, contains large anchor retailers, such as David Jones, and a range of small to mid-size retailers. The first stages of the re-development of the centre opened in August 2019.

- *66a and 80 Broadway*

This 1.4ha potential redevelopment site, at the northern end of Newmarket, is currently occupied by The Warehouse and Noel Leeming. Redevelopment plans for the site have been signalled in the media for some time.⁹

Alongside these larger sites, there has been a visible increase in the wider Newmarket area of the development of smaller to mid-size sites in the last five year period. A noticeable trend is the development of apartment buildings on sites around Newmarket Centre. These include the Hypatia apartments at 246 Khyber Pass Road, The James apartments at 371 Khyber Pass Road, the Nuffield Residences at 85 Nuffield Street, and Ramada Newmarket at 39-43 Gillies Avenue.

Refer to page 13 of the Drawing Set for photographs of key development sites.

3.8 PLANNING CONTEXT

The Precinct site has Business-Mixed Use zoning, as do all surrounding sites north of Carlton Gore Road through to around Maunsell Road, where the zoning changes to Residential-Terrace Housing and Apartment Buildings.

Business-Metropolitan Centre zoning applies to the Newmarket retail and commercial area from lots on the south of Carlton Gore Road, 120m south of the Precinct site.

The Auckland Domain has Open Space-Sport and Active Recreation, Open Space- Informal Recreation and Open Space-Community zoning. It is subject to a Historic Heritage Extent of Place overlay.

Volcanic viewshafts pass over the significant majority of the Newmarket Business-Metropolitan Centre zoned sites. The viewshafts reduce the maximum permitted

⁹ Refer for example, to the 4 June 2019 New Zealand Herald article, which references a masterplanned mixed used development on the site, including apartments, a hotel and retail spaces: https://www.nzherald.co.nz/business/news/article.cfm?c_id=3&objectid=12235031

height on these sites from the zone's default 72.5m to a band of around 30m-55m height, with some areas of lower and higher height.

A Height Variation control applies to the Precinct site and the surrounding blocks of Business-Mixed Use zoning between Carlton Gore Road and George Street. This increases the maximum permitted height on these sites from the zone's 18m to 27m.

A volcanic viewshaft passes over the western part of the Precinct site at a height of approximately 34m at the site's north-west corner and 49m at its south-west corner. The height of the viewshaft does not reduce the site's 27m permitted height, enabled by the Height Variation control, nor the 27m height permitted by the Height Variation Control on Mixed Use zoned sites to the west.

The eastern portion of the Precinct site is part of a triangle of Business-Mixed Use and Metropolitan Centre zoned land that falls outside any volcanic viewshaft. A Height Variation Control applies to the Metropolitan Centre zoned land in this triangle, in the Kingdon Street area, south of Carlton Gore Road. This reduces the zone's otherwise permitted 72.5m height to a range from 28m to 55m.

Refer to pages 7 and 9 of the Drawing Set for relevant planning maps.

3.9 SITE AND CONTEXT SUMMARY

- The Precinct site is a large land holding of 7,873m², located on the border between Parnell and Newmarket, 120m to the north of Newmarket's Business-Metropolitan Centre zoning. It has an approximately 10m fall from its George Street frontage through to Clayton Street.
- The site is directly opposite the Auckland Domain, a significant public space asset, with a rich cultural heritage and home to the Auckland War Memorial Museum.
- The site is in a large block with poor formal permeability, contrasting with a more fine-grained Newmarket laneway network to the south. An existing driveway through the site is used as an informal pedestrian connection between the Domain and Newmarket.
- The site is in a developing mixed use neighbourhood, which is transitioning from a light industry use past.
- Existing buildings in the wider area are largely low-rise (up to four storeys), with some buildings of a more mid-rise scale.
- Volcanic viewshafts and Height Variation controls modify the underlying permitted heights in the Newmarket area's Business-Metropolitan Centre and Business-Mixed Use zoning, resulting in a range of permitted heights from 27m on the Mixed Use zoned sites between Carlton Gore Road and

George Street (including the Precinct site) to a band of 30m to 55m sites in the Metropolitan Centre zoned area.

- These permitted heights show that the current planned future environment envisaged by the AUP for the wider area are buildings in the range of seven to fifteen storeys, depending on use.
- The volcanic viewshafts depress the building heights that would otherwise be permitted in Newmarket's Metropolitan Centre, reducing its overall development potential as a centre second only to the city centre in scale and intensity.
- The Precinct site is very well situated in terms of amenities: adjacent to retail and service uses within the Newmarket Metropolitan Centre; directly opposite the Auckland Domain; and with education facilities, bus stops and train stations within a close walking distance.

3.10 DEVELOPMENT OPPORTUNITIES AND CONSTRAINTS

The high level urban design opportunities and constraints that the Precinct site presents to development are:

- Providing for a greater intensity of development than currently enabled in the AUP, in an area outside volcanic viewshafts and with a high level of amenity within a close walking distance, including proximity to employment opportunities.
- Providing a neighbourhood focal point to a growing working and residential community at the northern end of Newmarket, balancing the 'pull' of Newmarket to the south in the form of Scentre Group's 277 and 309 Broadway shopping centre, and to the west, in the form of the University of Auckland's Khyber Pass Road campus.
- Addressing existing poor levels of permeability in the area and providing a pedestrian focused connection between the Auckland Domain and Newmarket.
- Managing the 10m north-south fall from George Street to Clayton Street across the site in a manner that achieves a quality pedestrian environment.
- Providing an opportunity to reinforce the sense of place and cultural heritage of the area.
- Accommodating building bulk on the site in a manner that appropriately manages amenity on neighbouring sites, in particular the adjoining apartment building at 8 Clayton Street.

4.0 DESIGN RESPONSE: DEVELOPMENT OF PREFERRED CONCEPT

4.1 INITIAL CONCEPT DESIGN

The currently proposed George Street precinct provisions are the result of a process that began in mid-2017 with an initial urban design review of the site.

Due to its position close to amenities and potential to accommodate greater intensity outside volcanic viewshafts that limit development intensity in other areas of Newmarket, the review supported greater height on the site, subject to any development:

- providing a pedestrian route on a north-south alignment through the site between George Street and Clayton Street;
- providing a publicly accessible plaza at its centre;
- having an emphasis on the quality of the pedestrian environment;
- accommodating increased building height and bulk in a manner that manages effects on the surrounding area; and
- having an overall high quality of design and architecture.

This urban design review was used as an input to iterations of subsequent development of a concept scheme for the site by the project architects Warren and Mahoney. The common components of that scheme through successive iterations were:

- addressing the level difference between George Street and Clayton Street in a manner that would enable efficient development by establishing a podium base over the site, level with George Street and approximately 10m in height at its southern end towards Clayton Street;
- all carparking for the development being accommodated in the podium;
- four buildings, of various heights, on top of the podium, with the tallest building being in the south-east corner;
- lower heights, responding to the AUP's 27m permitted height standard, for buildings towards George Street;
- all proposed building heights being under the volcanic viewshaft passing over the western part of the site;
- pedestrian connections between George Street, Clayton Street and Morgan Street, and a centrally positioned, publicly accessible plaza on top of the podium;

- providing the pedestrian connections up to the podium level in the form of stairs and escalators,
- publicly accessible spaces being edge by active uses where feasible.

4.2 COUNCIL ENGAGEMENT

Following an urban design review of the concept design, a number of meetings were held with Auckland Council staff in order to further refine the concept with Council input. Comments from Council officers including a recommendation that buildings should be of an elegant and slim profile. Building footprints were therefore reduced.

Emphasis was also placed by officers on the pedestrian amenity offered by the proposed north-south walking route between George Street and Clayton Street. Instead of a single podium, the design team was requested to consider an incremental stepping up in height between George Street and Clayton Street, possibly in the form of a series of small podiums or a constant, single incline between the streets.

Design concepts exploring those options were developed. However, they have not been pursued by the design team due to:

- construction challenges, including introducing design complexities into an otherwise simple podium structure;
- adverse effects on the efficiency of parking layout within the podium; and
- urban design challenges in achieving feasible active interfaces along an incremental rise between Clayton Street and George Street.

4.3 AUDP PRESENTATION

In January 2019, following an initial round of officer feedback, a refined iteration of a concept scheme for the site was presented to the Auckland Urban Design Panel ('AUDP'). By that time, a decision had been made, as an initial consenting strategy, to pursue a Plan Change for the site, as opposed to a resource consent application.

The AUDP were not presented with 'George Street precinct' Plan Change provisions, as they had not been drafted at that time. Key recommendations of the AUDP were as follows:

As a concept, the Panel recognises the potential for additional height (over and above the Unitary Plan provisions) on the site, but would need to see the architectural and urban design details of the proposal to form any opinion of support for any increased height in this location.

In order to address these issues, the Panel would like to see a draft set of principles and visual illustrations of the architectural and urban design outcomes for the site. The principles would also address:

- *Ensuring a diverse set of architectural responses which provides a variety and cohesiveness to the building form to ensure further visual interest in the short, medium, and long views. The Panel would expect this to be of an exemplary architectural quality beyond what was provided in the presentation;*
- *The interface between the site, and Morgan and Clayton streets;*
- *Ensuring effective legibility and connectivity (both visual and physical) between the Domain, through the plaza, to Clayton Street in both directions;*
- *Edge effects in terms of dominance, setbacks, etc. onto adjacent properties;*
- *How the buildings on-site address the plaza providing active and functioning public realm;*
- *A rationale for the level of carparking proposed and how traffic movements would work on Morgan and Clayton Streets and its impact on the public realm; and*
- *A movement strategy which encourages active modes of travel.*

4.4 REFINEMENT OF CONCEPT DESIGN AND DRAFTING OF PRECINCT PROVISIONS

The George Street Precinct proposed provisions have been developed to take into account the key themes of the AUDP recommendations:

- A focus on the development strategy creating and reinforcing a pedestrian oriented environment, both within the Precinct and in terms of its relationship to the surrounding Newmarket and Parnell area;
- The importance of a quality architectural response;
- Interfaces to street frontages;
- A highly legible pedestrian connection between George Street and Clayton Street;
- Interfaces to adjacent sites; and
- Active edges to the George Street-Clayton Street connection and plaza.

The process of developing the Precinct provisions has been to consider these recommendations, along with a fuller suite of desirable urban design outcomes for the site. These outcomes are referred to at section 5.0 of this report and are used as basis for assessing urban design related provisions in the Plan Change in section 6.0.

4.4.1 Drawing Set – Part B ‘Concept Design and Masterplan’

The Precinct provisions have been developed using the concept design presented to the AUDP in January 2019 as a ‘test case.’ That concept design is shown in the drawings in Part B ‘Concept Design and Masterplan’ of the Drawing Set.

Proposed precinct provisions largely reflect that concept design, incorporating the same key elements of a north-south pedestrian link, central plaza, and differing height areas.

Where the proposed provisions differ from the concept design is, as is appropriate for an AUP Precinct, they are ‘set’ at a higher level than the concept design. They do not prescribe or lead to a built outcome that only anticipates the concept design. A range of building permutations are enabled by the provisions, provided that they achieve the urban design outcomes the provisions encapsulate.

Furthermore, the building development envelope enabled in the Precinct provisions does not directly reflect that shown in the concept design. In some areas, for example, the concept design buildings are of a larger scale than would be permitted by the proposed Precinct development envelope. The decision to not directly mirror the concept design envelope in the Precinct provisions reflects, in part, a view that to do so would introduce undesirable complexity into the provisions.

5.0 DESIRED URBAN DESIGN OUTCOMES

A number of desired urban design outcomes (or principles) for development of the Precinct site have been formulated. These are based on a combination of best practice urban design, an analysis of the site and its context, and testing of feasible concept schemes, such as contained in the Drawing Set.

These outcomes are used as basis for assessing the proposed Plan Change provisions in section 6. The outcomes are:

A high quality pedestrian environment

- Discourage lower density uses that would be incompatible with a higher density, pedestrian focused environment.
- Improve pedestrian connectivity between Newmarket and the Auckland Domain/Parnell and provide a new community focal point.
- Ensure pedestrian connections are direct, legible, safe, accessible, and have a public realm quality.
- Ensure car parking supply, design, and vehicle access does not compromise the pedestrian environment.

Quality built form

- Ensure building height and massing positively integrates development into the surrounding area.
- Ensure an overall high quality of design.
- Positively respond to and address each of the Precinct's street frontages.
- Encourage a design approach that responds to the sense of place and cultural heritage of the area.

Relationship to neighbouring sites

- Manage adverse effects to neighbouring sites, including visual dominance, privacy and shading.

6.0 ASSESSMENT OF PLAN CHANGE PROVISIONS

6.1 ASSESSMENT METHODOLOGY

This section assesses the proposed Precinct provisions under the desired urban design outcomes referred to in section 5.0 for development of the site. Outcomes are grouped under the themes of a high quality pedestrian environment, quality built form, and relationship to neighbouring sites.

6.2 A HIGH QUALITY PEDESTRIAN ENVIRONMENT

6.2.1 Desired outcome: Discourage lower density uses that would be incompatible with a higher density, pedestrian focused environment

The Business-Mixed Use zone affords permitted activity status to Drive-through restaurants, Industrial laboratories, Light manufacturing and servicing, Repair and maintenance services, and Warehousing and storage. Service stations are restricted discretionary activities. The Plan Change Activity Table specifies all these activities have discretionary status.

This change in activity status is consistent, in my view, with a key intent of the George Street Precinct, to create a high quality pedestrian environment. Should such activities be proposed, discretionary activity status would enable a wide reaching assessment of their potential effects on pedestrian amenity. This would include assessment against the Precinct objectives and policies. Read as a whole, these objectives and policies set out that the planned future environment within the Precinct is one that has a high quality pedestrian realm. Proposed policy 7 is particularly pertinent:

'Require activities and built form which positively contributes to the maintenance of pedestrian interest and vitality at the interface of publicly accessible areas.'

While discouraging lower density uses, precinct provisions retain the activity status for uses in the underlying Business-Mixed Use zone that are consistent with achieving a higher density, pedestrian focused environment. This includes permitted status for small scale retail (up to 200m²) and restricted discretionary activity status for supermarkets between 450m² and 2000m².

In regard to supermarkets, I note that the concept design shows a 2,000m² supermarket at the Clayton Street entry to the Precinct, beneath the podium. This size is the same as the Countdown 'Metro' supermarket in Auckland Central¹⁰ and considerably smaller than typical supermarket sizes in suburban locations, which can range from 3,500m² to 6,000m².

Should a resource consent application be lodged for a development within the Precinct including such a metro style supermarket, although it is outside my core area of expertise, I agree with the observation of Council urban designer Ms Tracy Ogden-Cork, at page 31 of the Council RFI (urban design query 9), that such a smaller-scale supermarket would likely be an activity anchor to support street-based businesses and increased foot traffic along Clayton Street and Alma Street.

6.2.2 Desired outcome: Improve pedestrian connectivity between Newmarket and the Auckland Domain/Parnell and provide a new community focal point

A key opportunity that development of the site presents is providing enhanced connectivity between Newmarket and the Auckland Domain/Parnell area, and providing a new community focal point in this northern part of Newmarket, balancing the current 'pull' of Newmarket to the 207 and 309 Broadway shopping centre to the south and the potential future 'pull' to the west, as the University of Auckland's Khyber Pass Road campus develops further. This is achieved by a combination of the following requirements:

- a north-south pedestrian connection through the site, between George Street and Clayton Street;
- an east-west pedestrian connection extending from Morgan Street through to the centre of the site;
- a pedestrian plaza; and
- a requirement for 'active edges' along much of the length of the north-south pedestrian connection and along the site's George Street and Clayton Street frontages.

¹⁰ <http://www.stuff.co.nz/business/5658396/Auckland-to-get-mini-supermarkets>

Proposed Precinct standard IX6.2¹¹ specifies that the pedestrian plaza shall be in Height Area D (which runs on an alignment north of Clayton Street through to George Street) and that it should be positioned to incorporate the intersection of the pedestrian connections from Clayton Street and George Street. It also requires that the plaza have a minimum area of 700m² and no dimension less than 20m.

Proposed Precinct standards IX6.3 and IX.6.4 specify that the pedestrian connections shall be provided in the indicative locations shown on Precinct Plan 2, that they shall be publicly accessible between 7am and 11pm, and that they shall be completed at a specified development threshold.

6.2.2.1 Pedestrian plaza

Scale and position of plaza

At a required minimum size of 700m² and 20m dimension, the pedestrian plaza is of sufficient scale to offer a good level of public amenity within this urban environment. Comparisons can be made to Freyberg Place in Auckland Central, which is of a similar scale.

The requirement for the plaza to be anchored to the intersection of the pedestrian connections from Morgan Street and George Street within Height Area D ensures that the Morgan Street pedestrian connection, although likely to have a lower level of use than the Clayton Street / north-south route, benefits from termination in an activated, publicly accessible space.

The 'anchoring' of the plaza to this intersection has the effect of pulling the plaza to the southern part of the Height Area D. Although not a primary consideration, this has the benefit of locating the plaza closer to the likely higher generator of pedestrian movement – the Newmarket area.

Potential dominance of the plaza by adjoining buildings

Buildings are enabled on the western side of the plaza up to 29m above the podium in Height Area B and 35m in Height Area C, and on the plaza's eastern side up to 55m above the podium in Height Area A. These are buildings of a medium to high-rise scale. The Height Areas have a longer north-south dimension, meaning that buildings will be of a rectangular shape and present their long sides to the plaza. The combination of the permitted heights and likely dimension of buildings raises the question of potential visual dominance of the plaza.

¹¹ Proposed Precinct standard IX6.2 Plaza

In my view, this potential is appropriately managed by the size of Height Area D (within which the plaza is required), its spatial dimensions, and the view lines this enables.

In effect, in spatial terms, Height Area D is (and will likely be experienced as) an extension of the plaza itself. The following spatial qualities of the Height Area are notable:

- It extends the full north-south length of the site.
- The main part of the Height Area is an approximately 1,300m² rectangular area, 66m in length.
- Buildings within the Height Area are limited to 5m height above the George Street Datum (RL65.7 – the anticipated height of the podium) and a total gross floor area of no more than 250m²,¹² effectively restricting them to the ‘pavilion’ type structures often found in contemporary urban open spaces.
- The northern end of the Height Area is a 6m wide connection through to George Street. This is the same approximate width as the existing driveway through the site, retaining the same width of view corridor through to Auckland Domain, as experienced within the Precinct, that the existing driveway provides.

Potential visual dominance effects, as experienced within the plaza, are also managed by the 10m separation required between any part of a building greater in height than 5m above the George Street Datum between Height Areas B and C.¹³ The effect of this requirement is to achieve a separation between tower buildings in these two Height Areas, thereby avoiding a sense of a continuous wall of buildings, as experienced within the plaza.

The permitted spatial environment in the plaza is somewhat analogous to what might be experienced in a street within a Metropolitan Centre environment – where road widths approximate 20m and tall buildings are enabled on either side.

¹² Proposed Precinct standard IX.6.1(2)

¹³ Proposed Precinct standard IX.6.7(3)

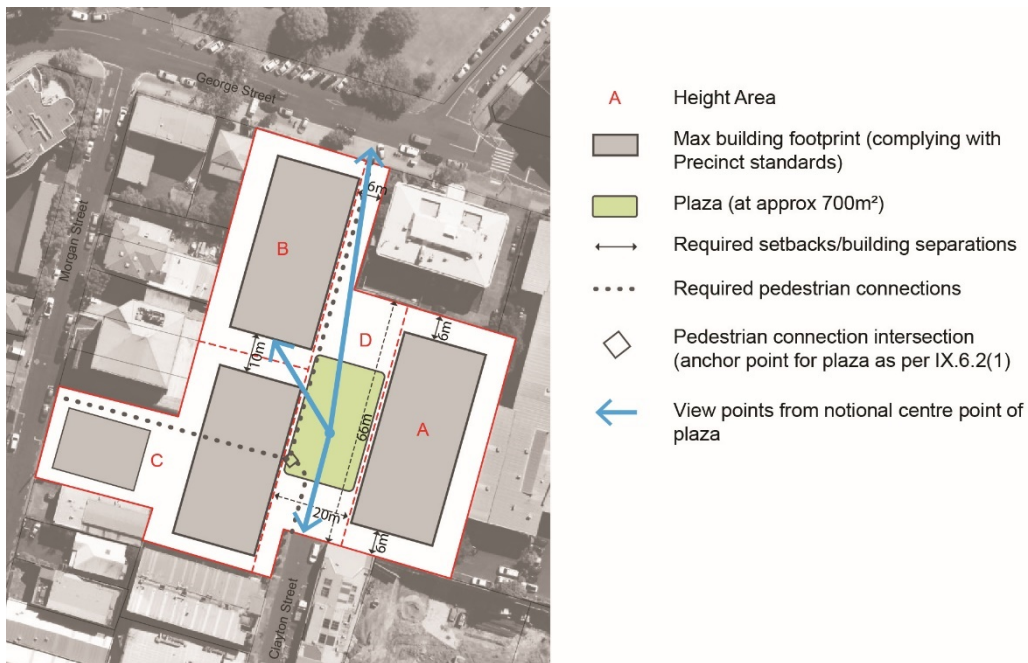


Figure 20: Analysis of spatial dimensions of Height Area D, the pedestrian plaza, and potential views from the plaza, relevant to dominance effects as experienced within the plaza.

Shading of the plaza

Shadow diagrams within Part C of the Drawing Set (pages 88-111) model the extent of sunlight which would be received in the plaza from development built to the maximum of the Plan Change envelope.^{14- 15}

Shadow diagrams are provided at hourly intervals. Shadow diagrams have also been produced, as requested by Ms Ogden-Cork, to show shading effects on the pedestrian plaza should 39 George Street (the ACG Primary School site), which adjoins the Precinct to the north-east, re-develop to its maximum permitted height of 27m and 100% site coverage. From these diagrams, the following can be extrapolated:

¹⁴ As per Ms Ogden-Cork's RFI queries 2 and 3 (page 13 of the RFI), these shadow diagrams replace those in the lodgement set, which were based on the concept scheme, with the Plan Change envelope itself.

¹⁵ As noted at page 46 of the Drawing Set, the combination of Plan Change standards including maximum height, those standards that apply to Precinct boundaries, and standards which control bulk within the Precinct, mean that a variety of building envelopes are possible, particularly in Height Area C – three examples of which are shown at page 47 of the Drawing Set. 'Example 1' has been used as the basis for shadow analysis of the plaza, shadow analysis of the wider area, and also the indicative montages attached to Mr Pyror's report. This is because this model, overall, has the greatest potential for adverse shading and visual effects – due to its length of north-south building mass in Height Area C parallel to Height Area D, and its length of east-west building mass being the most of all variants.

- Summer Solstice: Sun hits the western side of the plaza shortly before midday. By 3pm, the plaza is largely in shadow, with some sun on its eastern side. Overall, it receives in excess of 2 hours of sunlight over the majority of its area around the middle of the day.
- Winter Solstice: Sun hits the western side of the plaza before 10am. By 1pm, the plaza is in full shade. Overall, it receives approximately 2 hours of sunlight over the majority of its area from mid-morning until after midday.
- September Equinox: Sun hits the north-west corner of the plaza before 10am. By 1pm, the plaza is 60% in shadow, with sun on its eastern side. Overall, it receives approximately 2 hours of sunlight over large areas from mid-morning until after 1pm.
- Should a new building be constructed on 39 George Street at 100% site coverage and to that site's maximum permitted height of 27m, the shadow diagrams show that:
 - During the Summer Solstice, there will be no additional shadow cast on the pedestrian plaza;
 - During the Winter Solstice, the plaza, in the position that it is indicated in the diagrams (noting that it could move further south to areas of sun shown around midday) will be in full shadow throughout the day; and
 - During the Spring Equinox, there will be a small area of additional shadow at the northern end of the plaza, but it will be largely unaffected.

In summary, the plaza receives sunlight over the majority of its area throughout the year during the middle of the day – a key time for occupation and use for an urban open space.

Should 39 George Street redevelop, there is the potential for loss of sunlight to the pedestrian plaza during the winter solstice. Overall, I consider the hours of sunlight that would be received in the plaza with buildings constructed to the height enabled by the Plan Change provisions is, in my view, reasonable within this urban environment.

While the potential redevelopment of 39 George Street will affect sunlight received in the plaza during winter, I note that the shadow diagrams show shading from buildings within both the Precinct and 39 George Street that are developed to 100% of their possible envelope. In my view, it is unlikely that the development envelopes within the Precinct and on 39 George Street will be fully 'maxed' out and, therefore, an overall greater extent of sunlight will be received in the plaza.

In regard to 39 George Street, for example, I consider a reasonable development scenario is that any new building on that site will be pulled away from its western boundary adjoining Height Area D and the pedestrian/vehicle connection to the Precinct, in order to enable west facing windows that meet both Building Code and/or AUP controls (up to 6m setback required if there is glazing to west facing principal living rooms). This reduced footprint potential building would allow a greater amount of sunlight into the plaza on the Winter Solstice, at such future time that it redevelops, than shown in the diagrams.

Plaza as a focal point

The potential for the site to act as a focal point along a desire line of movement between Parnell and Newmarket is realised, in part, by the requirement for the plaza and furthermore, the requirement for portions of its edges to be lined with active uses.

Expectations as to what 'active uses' are is set out in assessment criterion IX.8.2(1)(c)(i):

'buildings contain activities that have an interaction with and contribute to the vitality of the adjoining open space.'

This criteria, together with the broad discretion reserved to Council on active edges under IX.8.1(1)(c), should achieve a plaza and north-south pedestrian route edged by uses that enliven and activate these spaces.

6.2.2.2 Pedestrian connections

The requirement for the north-south pedestrian connection is, in my view, a fundamental part of the development opportunity that the site affords. It extends the existing permeable network of Newmarket laneways through to a new interface and frontage with the Auckland Domain and southern part of Parnell. The additional requirement for a pedestrian connection through to Morgan Street enhances the site's overall permeability.

Public access along the two pedestrian connections is specified as being between the hours of 7am and 11pm. This gives access to the public through the site during daylight hours and well into the evening.

In discussions with Council officers, it was suggested that consideration be given to full 24 hour access along the connections. In her RFI comments (page 13, query 1 of the RFI), Ms Ogden-Cork states that there is some merit to not all through routes being 24 hours for CPTED¹⁶ reasons. However, she suggests that:

¹⁶ Crime Prevention Through Environmental Design.

- At least part of the route (excluding lifts and escalators) that is open to the air, might still be considered for 24 hour accessibility;
- A public easement may also be appropriate for at least part of the site; and
- The pedestrian routes might have a minimum clear width.

Below, I respond to her comments, as well as her request for a consideration of the amenity and access offered by the pedestrian routes against those enabled, for example, in the AUP's City Centre zone through its Bonus floor area provisions.

City Centre zone standard H8.6.18 sets out the requirements that a through-site link in that zone must meet in order to qualify for a bonus floor area allowance. Links should:

- Have urban design qualities including:
 - being specifically designed to traverse a site to connect roads or other public places; and
 - provide a shorter and more convenient route than any existing alternative;
- Have an unobstructed width of 3.5m; and
- Be publicly accessible from 7.30am to 6pm Monday to Friday for an arcade or covered link and 24 hours a day, seven days a week for a lane.

From the above, the essential questions are:

- What hours of public access should the Precinct's pedestrian connections have?
- Are the connections appropriately positioned to link streets and open spaces?
- Should there be a requirement for minimum dimensions for the connections?
- Should the connections be subject to a requirement for a public easement?

What hours of public access should the pedestrian connections have?

A fundamental aspect of the Plan Change is public access through the Precinct, particularly with an emphasis on enabling and encouraging pedestrian movement north-south between Clayton Street and George Street. This needs to be balanced, in my view, with appropriate safety considerations. Between the hours of 11pm and 7am there is likely to be a very low need for public access through the Precinct (ie: members of the public moving between the Auckland Domain and Newmarket). Should public access be enabled, safety issues would also be likely to arise, through

a combination of low footfall and areas along the pedestrian connections where adjoining active uses that might offer passive surveillance over the routes are not reasonably possible. For example, at the southern end of the Precinct where the level difference between Clayton Street and the podium is anticipated to be in the form of an escalator and lift (IX.8.2(1)(b)(iii)).

While lanes, which qualify for a bonus floor area allowance in the City Centre zone, are required to have 24 hour access, these are fully open to the sky, where parts of the Precinct connections will not be – again towards the southern end of the Precinct, where there will be a short but distinct area of low passive surveillance.

In regard to Ms Ogden-Cork's suggestion of 24 hour access through parts of the route, I consider this would have no clear benefit. A route is effective where there is movement along its full length enabled, not along part of it. Furthermore, requiring 24 hour access along part of a route is likely be more unsafe than safe, encouraging people into parts of the Precinct at times of the night that are likely to be poorly observed.

For the above reasons, I do not support 24 hour access through the Precinct.

Are the routes appropriately positioned to connect streets and open spaces?

In my view, the position of the connections are well positioned along 'desire' lines of movement. The north-south route links Clayton Street with George Street – effectively linking Newmarket with the Auckland Domain, and then on to Parnell. The Morgan Street route allows movement from this street through to both a connection with the north-south route and the required position of the pedestrian plaza - the open space at the centre of the Precinct, edged by active uses.

Should there be a requirement for minimum dimensions for the routes?

A desirable urban design outcome for the pedestrian connections is that they have a public realm quality, conveyed by their overall design, including their spatial characteristics and level of openness. Means that present themselves to achieve this outcome is either by a standard (for example, specifying a minimum width dimension), reserving discretion to Council on the overall design of the connections (with assessment criteria as guidance), or a combination of both.

The Plan Change manages the outcomes by reserving to Council overall design discretion (IX.8.1(1)(b)), with a supporting assessment criterion (IX.8.2(1)(b)(i)). I support this approach. The alternative of requiring a minimum dimension, via a standard, is a blunt tool, with the potential that connections may be designed to this minimum. In contrast the approach used by the Plan Change has the following benefits:

- As noted, overall discretion is reserved to Council, as part of a restricted discretionary activity process, on the overall design of the connections. This enables Council to decline approval for a resource consent application that includes the connections, based on their design.
- Assessment criterion IX.8.2(1)(b)(i) gives strong guidance as to what qualities the pedestrian connections are to have – namely, high amenity spaces with a public realm quality and that provide clear wayfinding. Specified means to achieve this include:
 - Retaining a good awareness of the sky;
 - A design that reinforces a sense of openness and public accessibility; and
 - Connections that are strongly legible walking routes, with building alignments reinforcing clear sightlines and spatial volumes of the entries to the connections.

In addition to the above, I note that the north-south pedestrian connection is through Height Area D. This Area, which is at the height of the anticipated plaza (RL65.7) is, with some small allowances for building coverage, a 20m wide space for much of its length which is open to the sky. The north-south pedestrian connection, which will move through this Height Area, will benefit from the significant width of this space and will, to all intents and purposes, be visually contiguous with it.

Should the connections be subject to a requirement for a public easement?

As stated earlier in this report, a fundamental aspect of the Plan Change is public access through the Precinct – to which I would add that the design quality of that access is an essential corollary. Access through the site in the positions shown on Precinct Plan 2 is a requirement of standard IX.6.3, with weight added to the importance of this requirement by non-complying status for infringing the standard (Table IX.4.1 Row A9). Council is given full discretion over the design quality of the pedestrian connections via criterion IX.8.1(1)(b). Whether, in addition to these management tools, there should also be a public easement requirement for these connections is a planning matter that is not within my direct area of expertise to comment on.

6.2.2.3 Delivery of the plaza and pedestrian connections

Precinct standard IX.6.4 ties delivery and completion of the plaza and pedestrian connections to occupation of adjoining buildings:

- Completion of the plaza is required before any building in Height Area A or in both Height Areas B and C greater than 5m in height above the maximum height of the anticipated podium (RL65.7) is occupied,

whichever is the earlier. These Height Areas adjoin the eastern and western sides of Height Area D, where the plaza is required to be located. The triggers, in my view, are logical in the sense that occupation of a building of the large scale enabled in Height Area A, or the combined scale of buildings in Height Areas B and C, will generate pedestrian movement that would provide the level of activity desirable to warrant delivery of the plaza.

- Completion of the George Street-Clayton Street pedestrian connection is tied to either occupation of any building in Height Area A greater than 5m in height above the George Street Datum, or the occupation of any buildings in both Height Areas B and C greater than 5m in height above the George Street Datum, whichever is the earlier. At the time a large building is constructed in Height Area A, as with the plaza, it is reasonable that the George Street-Clayton Street pedestrian connection be provided at the same time.

If a developer chooses to not proceed with a tall building in Height Area A as a first stage, but to develop the lower height buildings permitted in Height Areas B and C, I consider it reasonable that delivery of the north-south link be required at the time of occupation of buildings in both Height Areas. This will ensure a good level of overlooking and passive surveillance along the length of the connection.

- Completion of the Morgan Street pedestrian connection is tied to the occupation of any building in Height Area C greater than 5m in height above the George Street Datum. The Morgan Street connection passes through Height Area C. It is reasonable that this connection be provided at the same time as the construction of a building in this Height Area.
- I note that Precinct standard IX.6.4 uses the word 'completed' in regard to the trigger points for when the plaza and pedestrian connections are required. In 'completing' these elements, a resource consent will be required, with Council having discretion restricted to it under IX.8.1(1)(b) over their design. In my view, this gives certainty of outcome to Council that these features will be delivered in an appropriately high quality form, should development in the wider Precinct happen in a staged manner over time.

Realisation of the pedestrian connections and pedestrian plaza is fundamental to achieving the Precinct's potential as a high amenity pedestrian environment. In the absence of delivery mechanisms tied to development triggers, there would be a risk that, if development happens in a staged manner, substantial occupation of the site might occur before these amenity features are constructed.

I consider the proposed triggers for delivery of these features to be logical, addressing the possibility of staged development and requiring the plaza and connections at the time that adjoining buildings are occupied. Further weight is given to the importance of delivery of these features by IX.9 Special information requirements, which notes the importance of delivery of elements shown on George Street Precinct Plan 2 in any staged development.

6.2.2.4 Concluding comments in regard to pedestrian connectivity and a community focal point

- The required size and dimensions of the pedestrian plaza and the requirement for it to be edged by active uses will deliver a new community focal point in this northern part of Newmarket.
- The plaza receives sunlight over the majority of its area throughout the year during the middle of the day – a key time for occupation and use for an urban open space. Should 39 George Street redevelop, there is the potential for loss of sunlight to the pedestrian plaza during the Winter Solstice, with some sunlight being retained in the presumption that a new building on that site is unlikely to completely ‘max out’ the zone’s development envelope.
- The required pedestrian connections will provide valuable improved permeability through the wider area, extending the existing permeable network of Newmarket laneways through to a new interface and frontage with the Auckland Domain and southern part of Parnell.
- The requirement for the pedestrian connections to be publicly accessible between 7am-11pm appropriately balances the desirability of extended hours of access with safety imperatives.
- The requirement for the pedestrian connections and plaza to be constructed and completed at the time of occupation of adjoining buildings within the Precinct gives certainty as to their delivery and the quality of design outcome of these features should development occur in stages.

6.2.3 Desired outcome: Ensure pedestrian connections are direct, legible, safe, accessible, and have a public realm quality

Features of successful pedestrian routes are that they:

- are direct, with clear sightlines and few bends, enabling good wayfinding and ease of use;

- have good legibility: their overall design, in terms of how they are edged by buildings and their spatial qualities, enables them to be clearly understood as pedestrian routes;
- are safe: they are adjoined and overlooked by active uses and they avoid areas of entrapment;
- are accessible: they cater for use by people of a wide range of ages and abilities; and
- where they are privately owned, that they have design aspects that encourages their public use.

These elements are interwoven into proposed Precinct policies (4), (6) and (7):

(4) Require a publicly accessible space at podium level that creates a legible pedestrian through-route between George Street and Clayton Street, that is predominantly open to the sky, enhanced by landscaping, and ensures space for a plaza between the adjoining buildings.

(6) Require safe and attractive publicly accessible spaces and pedestrian connections to be provided adjoining each stage of development to ensure a high level of amenity and enhance walking links to the surrounding area.

(7) Require activities and built form which positively contributes to the maintenance of pedestrian interest and vitality at the interface of publicly accessible spaces.

As I discuss in part at section 6.2.2.2, these policies are carried through to the discretion reserved to Council under IX.8.1(1)(b) and IX.8.1(1)(c) to consider the design of the connections and plaza and active edges.

Assessment criteria, under IX.8.2(1)(b), related to matter of discretion IX.8.1(1)(b), directly reference the connections (and also the plaza) being designed to have a public realm quality, and to provide clear wayfinding. Specified methods listed under the criteria include references to:

- legibility and clear sightlines;
- retaining good views to the sky, particularly when approaching the southern point of the George Street-Clayton Street connection along Clayton Street;
- safety and passive surveillance; and
- the use of materials and finishes that convey a sense of public accessibility.

An allowance is made in the criteria for part of the Morgan Street pedestrian connection ('pedestrian connection type B') to pass through a building. In my view, this appropriately acknowledges that this part of the connection passes through a part of the site that design testing has shown is needed for a building footprint in this

area. A requirement for this part of the connection to be open to the sky would result in floorplates that I understand would be too small to be economically viable.

6.2.3.1 Accessibility of the pedestrian connections

In terms of accessibility, the criteria state that movement along the primary north-south connection, in that part between Clayton Street and the podium, shall be in the form of both an accessible lift and escalator, while the connection between Morgan Street and the podium shall be in the form of accessible stairs.

In my view, the reference to the level difference between each of the Morgan Street and Clayton Street entries to the site and the podium level that will allow pedestrians to move through to George Street being by way of (variously) accessible stairs, escalators and lifts, balances two imperatives:

- The need to traverse the north-south level difference over the site in a manner that is both reasonably feasible while achieving good urban design outcomes; and
- The need to ensure that the routes are accessible.

The optimal way to achieve the former imperative is by stairs, escalators or lifts. The concept design in Part B of the Drawing Set shows that using these methods enables pedestrians to move between street and podium level over a short horizontal distance, minimising the length of the pedestrian connection not adjoined by an active edge or subject to high levels of passive surveillance.

The accessibility matters in criterion IX.8.2(1)(b) are bolstered by criterion IX.8.2(1)(a)(ix) and criterion IX.8.2(1)(e). The former refers to buildings providing:

'...convenient and direct access between the street, pedestrian connections and publicly accessible spaces for people of all ages and abilities.'

The latter incorporates Business-Mixed Use zone policy H13.3.(4) into the Precinct. That policy states:

'Encourage universal access for all development, particularly medium to large scale development.'

6.2.3.2 Expectation for a podium structure

Criterion IX.8.2(1)(b) also sets up an expectation that pedestrian movement through the site and the required plaza are on top of a podium, constructed generally level with George Street, by way of clause (ii):

'a podium constructed across the Precinct, generally level with George Street, is the preferred means to traverse the north-south level difference across the Precinct and

the preferred level at which the plaza is provided. Alternative options should demonstrate that:

- *they are generally consistent with the criterion in IX8.2(b)(i); and*
- *they are generally consistent with policies IX3(3), IX3(4) and IX3(7).'*

This reinforces the podium and tower site structuring approach shown in the concept design in Part B of the Drawing Set and that has been a consistent part of the design strategy for the site since initial engagement with the Council in mid-2017.

The expectation that a podium and tower model will be used for development of the Precinct is also set up by Precinct policies (3) and (4):

(3) Promote high-quality architecture and urban design that enhances the relationship of buildings and open space and responds to the topographical and edge conditions of the precinct through the provision of a podium generally level with George Street.

(4) Require a publicly accessible space at podium level that creates a legible pedestrian through-route between George Street and Clayton Street, that is predominantly open to the sky, enhanced by landscaping, and ensures space for a plaza between the adjoining buildings.

In my view, a podium over the Precinct site, with accessible stairs, an escalator and a lift getting pedestrians up onto the podium in the shortest possible distance is the optimal way to address the level difference over the site, while ensuring a range of urban design outcomes are realistically achievable, including good passive surveillance and activation of edges.

While the Precinct provisions set up the expectation for a podium, they do not require it. I consider this appropriate. There may, indeed, be different design solutions that do not incorporate a podium but are still able to achieve good urban design outcomes. This is anticipated by assessment criterion IX.8.2(1)(b)(ii), which states that when alternative options are proposed, they should demonstrate general consistency with other specified criteria and policies that speak to the overall desirable urban design outcomes.

6.2.3.3 Active edges

As with the pedestrian plaza, the north-south pedestrian connection has a requirement for active edges. The extent of these is shown on Precinct Plan 2. They are along the majority of the western side of the route, with the exception of a short segment between Clayton Street and the indicative location of the plaza.

That segment where an active edge is not shown mirrors the probable location of the accessible escalator and lift between Clayton Street and the podium. The absence of a requirement for an active edge here reflects the reality that lining the facing walls of escalators with active uses is not reasonably achievable.

The overall extent of required active edge along the north-south pedestrian connection will, in my view, contribute to the delivery of a lively, safe and welcoming walking route between the Auckland Domain and Newmarket.

There is no requirement for active edges along the pedestrian connection between Morgan Street and the indicative location of the plaza. This recognises that there is a finite amount of active uses that the Precinct can sustain – locating such uses where they are most valuable, along the edges of the plaza and north-south pedestrian connection.

6.2.3.4 Effect of potential redevelopment of 39 George Street on the north-south pedestrian connection

Relevant to the desired outcome of a public realm quality for the pedestrian connections is an RFI query made by Ms Odgen-Cork (Urban Design query 4 at page 27 of the RFI).

Ms Odgen-Cork asks for analysis and commentary on whether the north-south pedestrian connection through to George Street might be subject to visual dominance effects if 39 George Street (the ACG Primary School site), which adjoins the eastern side of the pedestrian connection/vehicle route (ie: Height Area D) through to George Street were redeveloped with a building:

- to the full 27m height for that site as enabled under the Unitary Plan;
- directly adjoining the Precinct's eastern boundary/Height Area D;
- with a blank wall facing out to the pedestrian connection/Height Area D.

At its north-eastern end, towards George Street and adjoining 39 George Street, Height Area D has a width of 6m. The length (north-south) of the boundary at this point between Height Area D and 39 George Street is approximately 33m. With these dimensions (proportionally narrow width relative to length), combined with the enabled height on the ACG site, there is the potential for visual dominance of this part of the Precinct by redevelopment of the ACG site.

In my view, however, the likely result of any redevelopment of the ACG site would be a building with a degree of setback from its common western boundary with the Precinct and a facing western elevation to the Precinct that is well articulated and has reasonable to higher levels of glazing in it, such that potential visual dominance effects could be appropriately minimised.

- A new building on 39 George Street is likely to have a setback from the common boundary with Height Area D and not be built directly on the boundary. A setback would allow for incorporation of west facing windows that are either the minimum distance needed for Building Code

compliance (1m for fire rating purposes) or up to 6m, if the site were redeveloped for residential purposes and had west facing principal living rooms.¹⁷ This would result in a possible distance between any new building in the Precinct (being in its Height Area B) and 39 George Street being a likely 7m to 12m.¹⁸

- There is a very low risk of blank wall of any new building on 39 George Street facing out towards the pedestrian connection/Height Area D. This is because a new building on 39 George Street requires restricted discretionary consent under that site's Business-Mixed Use zoning. Provision H13.8.1(3)(a) in the Business-Mixed Use zone reserves to Council overall discretion over 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'* [Emphasis added].
- The pedestrian connection/Height Area D is not a public place, in the sense that it would not be vested in Council's ownership. However, it is a space that would be used by a significant number of people. In my view, this gives Council sufficient discretion to consider potential design impacts of a redevelopment of 39 George Street on the proposed north-south pedestrian connection, including the appearance and articulation of a facing wall to the pedestrian connection.
- 39 George Street has a fall of approximately 6m from north to south along its 33m boundary with the Precinct. This means that the height of any building on that site along its western elevation relative to the pedestrian connection and vehicle access on Height Area D would be lower than the site's enabled maximum of 27m in order to comply with the Plan's rolling height or average height definition of 'height' – at a more probable height of around 24m. This would result in a width to height ratio (6m width of Height Area D plus the 1-6m likely setback of the facing wall of a new building on 39 George Street, compared to its height) ranging from 1:2 to 1:4 – a comfortable spatial volume in this urban environment.

¹⁷ A 6m outlook space fully contained within the 39 George Street site from glazing of principal living rooms would be required for residential use of the site under its Business-Mixed Use zoning. West facing principal living rooms for a residential emphasis redevelopment of the site would be reasonably likely, given its depth, and to take advantage of the opportunity provided by the required building setback within the adjoining part of the Precinct, providing – in effect – outlook space of greater depth.

¹⁸ Being the 6m width of the 'open space' created by Height Area D plus a likely setback on 39 George Street of between 1m and 6m.

6.2.3.5 Concluding comments in regard to the legibility, directness, safety, accessibility and public realm quality of the Precinct pedestrian connections.

In my view, the proposed Precinct provisions are well crafted to ensure that the required pedestrian connections deliver the key features of successful pedestrian routes, namely, that they are:

- direct, provide good wayfinding, and have good overall legibility;
- safe
- edged by active uses;
- accessible; and
- have design features that reinforce a sense of public accessibility.

6.2.4 Desired outcome: Ensure car parking supply, design, and vehicle access does not compromise the pedestrian environment

A range of policies, standards and assessment criteria are used to manage the relationship between vehicles and pedestrians and ensure that the accommodation of vehicle movement and parking does not compromise the pedestrian environment.

6.2.4.1 Limitation on parking numbers

Standard IX.6.9 limits the permitted number of parking spaces to 500. This is marginally above the 464 spaces that the concept design in Part B of the Drawing Set incorporates. This number of spaces is likely still to be able to be accommodated into a podium structure, without having to resort to more awkward and less effective methods, such as incorporating carparking in screened upper floors of buildings.

From my reading of the Commute ITA, I understand that the 500 permitted parking spaces would be a 'cap' on the number of carpark spaces that activities enabled under the site's existing Business-Mixed Use zoning provisions would otherwise be able to achieve.

From an urban design perspective, I consider such a cap an effective mechanism to limit the vehicle movements that would likely otherwise result from a higher number of carparks, and therefore to limit the potential for effects on the pedestrian environment.

I note that the rationale and approach underpinning this standard is succinctly described in Precinct policy (9) as follows:

'(9) Limit the supply of on-site parking to recognise the accessibility of the George Street Precinct to public transport and Newmarket Metropolitan Centre.'

6.2.4.2 Design of parking areas and vehicle access

The design of parking and vehicle access are both matters over which Council is reserved discretion in IX.8.1(1)(d) and IX.8.1(2), flowing from proposed policy (8):

'(8) Require vehicle access to the precinct to prioritise pedestrian safety and not detract from the amenity of publicly accessible spaces and pedestrian connections through the precinct.'

Associated assessment criteria related to these matters of discretion include:

- A preference for parking to be located in basement levels, separated from the street and away from areas marked as 'active edges' in Precinct Plan 2 (IX.8.2(1)(d));
- The Precinct's primary vehicle access and service vehicle access being from Morgan Street (IX.8.2(2)(a)); and
- The George, Clayton and Morgan Street vehicle accesses being designed in a manner that prioritises pedestrians (IX.8.2(2)(b) and IX.8.2(2)(c)).

6.2.4.3 Concluding comments in regard to the effect on the pedestrian environment of carparking supply, design, and vehicle access

In my view, the combination of a proposed cap on carparking numbers, the discretion reserved to Council on the design of parking areas and vehicles access, and associated criteria which reinforce the importance of the pedestrian environment, will support a key aim of the Precinct: the delivery of an overall high quality pedestrian realm.

6.3 QUALITY BUILT FORM

6.3.1 Desired outcome: Ensure building height and massing positively integrates development into the surrounding area

6.3.1.1 Massing and height strategy

The Precinct provisions have been drafted to reflect the massing and height strategy of the concept design shown in Part B of the Drawing Set. This strategy can be summarised as:

- a grouping of four, well-spaced buildings of a slender form, with a plaza at their centre, all located on a low podium structure, level with a George Street datum of RL65.7;
- lesser height towards the George Street frontage, to allow buildings to visually integrate into the immediate streetscape and sit within a

comfortable relationship to the Auckland Domain and Auckland War Memorial Museum; and

- greater height towards the southern part of the site, where the depth and size of the large urban block within which the site is located, means that a taller building in this area will be seen in a wider built context.

The Precinct uses a range of provisions to achieve this strategy. These include the use of Precinct-specific 'Height Areas', Precinct-specific standards on maximum tower dimension, and assessment criteria.

I summarise these provisions below. This is followed by an overall commentary on the effectiveness of the provisions in managing building height and massing in a manner which positively integrates it into the surrounding area.

6.3.1.2 Height Areas and the George Street Datum

The Precinct has four 'Height Areas', with heights all measured from the RL65.7 George Street Datum¹⁹:

- Height Area A, at the south-east corner of the site, enables the greatest height within the Precinct – at 55m above the George Street Datum;
- Height Area B, adjoining the George Street frontage, has a maximum height of 29m relative to the George Street Datum;
- Height Area C is at the south-west corner of the site, with a frontage to Morgan Street and 6m setback from Clayton Street. It permits a maximum height of 35m above the George Street Datum;

Height Area D applies to an area which extends from the site's George Street frontage through to Clayton Street. The required pedestrian plaza and north-south pedestrian connection are within this Area. The maximum permitted height in this Area, relative to the George Street Datum, is 0m.²⁰⁻²¹

¹⁹ Heights fall west to east across the George Street frontage from approximately RL68 to approximately RL64.7. Refer to the Survey Data in Appendix 10 of the s32 report.

²⁰ This is with the exception of amenity structures and features needed for use of the space as a pedestrian area, including limited (250m² maximum gross floor area) buildings at no more than 5m height above the George Street Datum, providing some flexibility for possible cafes/food and beverage operators in anticipated 'pavilion' type buildings in this area.

²¹ The plans at pages 57-70 of the Drawing Set are useful to understand the relationship of the proposed Height Areas with the site's existing 27m maximum permitted height. The plans cut sections through the site, showing the 27m Height Variation control passing over the existing ground level at that section, as well as the existing Business-Mixed Use zone envelope. Heights above existing ground level of the proposed Plan Change envelope are also annotated, enabling a direct comparison between the Precinct's George Street Datum method of measuring height and the zone's 27m rolling or average height.

6.3.1.3 Maximum tower dimension and tower separation

Precinct standard IX.6.7 'Maximum tower dimension and tower separation' replaces a standard with the same title in the Business-Mixed Use zone (H13.6.4). The Precinct standard retains key elements of the zone standard, with some amendments and additions.

The effect that the proposed standard seeks to manage is similar to the zone standard, namely, restricting the bulk of taller buildings in order to manage visual dominance effects. This purpose has been refined in the Precinct, however, to promotion of slender building forms. This is encapsulated in Precinct policy (5), which states:

'(5) Require a slender building form that creates a sense of spaciousness between buildings above the podium level, maintains sky views from the publicly accessible spaces within the precinct, and where upper levels are setback from existing and future development on the site.'

55m maximum plan dimension applying from 5m above George Street Datum

The proposed standard retains the maximum plan dimension of 55m specified in H13.6.4. In the zone standard, the 55m maximum dimension applies to any part of a building above 27m in height from ground level. This means, in effect, that parts of a building below 27m in height have no control on their horizontal bulk or massing, resulting in more lateral spread of building mass.

The Precinct modifies the zone standard to apply the maximum 55m plan dimension to any part of a building greater in height than 5m above the George Street Datum, (or RL70.7).

The northern boundary of the site, to George Street, has an RL of between approximately 68 and 64.7 and the southern boundary, where it adjoins Clayton Street, has an RL of between 55.30 and 55.46 (north-western and north-eastern corners of Clayton Street respectively).²² Converting these RLs into heights above existing ground level means that the height at which the restriction on horizontal building bulk applies in the Precinct is 2.7m-6m above the George Street frontage and approximately 15.5m above the Clayton Street frontage.

This is a considerable reduction from the 27m height above ground level used by the zone standard. In the context of the additional height that the Plan Change seeks, I consider that this restriction will assist in achieving slender building forms, an overall desirable outcome of development within the Precinct.

²² Refer to Survey Data in Appendix 10 of the s32 report.

Managing separation distances between buildings within the Precinct

Standard IX6.7 requires that the minimum separation between any buildings greater in height than 5m above the George Street Datum between Height Areas B and C is 10m.²³

I consider that this standard will ensure a reasonable sense of spaciousness and avoid potential visual dominance effects between buildings facing each other across Height Areas B and C. This is both as experienced from within the Precinct and how these buildings might be seen from the surrounding area, particularly from the west and east, where the longer sides of these buildings would be more visible.

This bespoke provision is not applied between other Height Areas in the Precinct or between potential buildings within the same Height Area. This is because:

- The size and dimensions of the Height Areas, in combination with required setbacks from boundaries, mean that it is not likely that more than one 'tower' building would be constructed in each of Heights Areas A and B, and more than two buildings in Height Area C. This is demonstrated by the drawing 'Examples of Plan Change Envelope' at page 47 of the Drawing Set.
- At least two tower buildings with small floorplates could potentially be erected in Height Areas A and B, of a similar footprint to concept design 'Tower D' (the small floorplate concept building adjoining Morgan Street). However, this is unlikely, given what I understand is the high proportional cost of erecting buildings of such small size.
- The size and 'L' shaped configuration of Height Area C means that two tower buildings in this Height Area would be likely in order to make efficient use of the developable land in this part of the Precinct. A bespoke minimum separation between these buildings is not considered necessary. This potential spatial relationship is not considered as sensitive as that which might result from the appearance of long, visually contiguous buildings across Height Areas B and C.
- In the likelihood that at least one of the two potential buildings in Height Area C contains residential dwellings, the Business-Mixed Use zone standard H13.6.9 Outlook space, which applies in the Precinct, would be triggered. This would require separation between the buildings of 6m – 9m, depending on the arrangement of principal living rooms and other habitable rooms.

²³ Drawing Set plan 'Key Plan Change Standards' at page 45 of the Drawing Set, shows where this separation requirement applies – ie: between facing buildings in Height Areas B and C.

- Finally, I note that the placement of Height Area D between the other Height Areas means that there will be at least a 20m separation between any buildings across each side of this central area.

6.3.1.4 Views to the Precinct

Mr Pryor considers the visual effects of the building height and massing enabled by the Precinct provisions in his report, particularly based on NZILA standard visual simulations. He also gives consideration to model shots of the Plan Change envelope entitled 'Indicative Montages'.²⁴

Below, I provide some brief comment on those model shots, and the 'Bulk and Massing Study' model shots, at pages 50-56 of the Drawing Set, which show the Plan Change envelope from positions in the wider Newmarket/Parnell area, as set within both the existing built environment and the planned future built environment enabled by Unitary Plan zonings.

Bulk and Massing studies

The Bulk and Massing Study images have a low level of formal utility in assessing visual effects, as they are 'shot' from a 'bird's eye view' and not from ground level. However, they are useful in contextualising proposed heights in the Precinct within the existing and planned future height environment of the wider area.

The images have views from three positions:

- looking south-east to the Precinct from Auckland Domain;
- looking east to the Precinct from Carlton Gore Road; and
- looking north-west to the Precinct from east of the Newmarket Metropolitan Centre.

The images show that while Height Area A, in particular, will sit higher than heights enabled in immediately surrounding Business-Mixed Use zoned sites and Business-Metropolitan Centre zoned sites around Broadway, its height appears visually comparative to that of parts of the Business-Metropolitan Centre zoned University of Auckland Khyber Pass Road campus.

Indicative Montages

The Indicative Montages show photographic views to the Precinct from locations in the Newmarket/Parnell area. Each view within the Montage set has three variants:

- Photograph of the view to the Precinct (ie: no model overlay);

²⁴ Refer appendices to Rob Pryor's assessment for 'Indicative Montages' plans and Visual Simulations.

- Plan Change envelope laid over the photograph; and
- Both the Plan Change envelope and the building envelope enabled on surrounding sites under the Unitary Plan laid over the photograph.

The range of views selected for the Montages includes from main roads and intersections in the wider area (eg: the corner of Park Road and Khyber Pass Road, and Broadway looking north to the Precinct) and from the streets immediately around the Precinct (eg: George Street and Carlton Gore Road).

The Montages show that from the following locations, the Plan Change envelope will either not be visible or there will be only glimpses to it, as set within the existing environment:

- Intersection of Park Road and Khyber Pass Road (View A);
- Intersection of Park Road and Carlton Gore Road (View B);
- Parnell Road, near the intersection with Maunsell Road (View E); and
- Carlton Gore Road, near the intersection with George Street (View F).

From the following locations, the Plan Change envelope would be visible as set within the existing environment:

- Broadway, looking north to the Precinct from south of Khyber Pass Road (View C) - the Height Area A envelope can be seen over the existing carpark building at 77 Broadway;
- George Street, from the intersection with Broadway (View D) - the Height Area A envelope can be seen above the Nestle office building at 1 Broadway;
- George Street, from outside the Royal Foundation for the Blind building (View I) Height Area B and parts of Height Area A can be seen;
- Carlton Gore Road, from the intersection with Morgan Street (View J) - Height Areas A and C are a clear presence in the existing environment above the one storey building in the foreground; and
- Clayton Street, from the intersection with Carlton Gore Road (View K) - the envelopes of Height Areas A and C form a strong backdrop to the view.

In my opinion, the proposed Height Areas are not a dominant presence as represented in these existing environment views. This is because:

- The Height Areas are seen as background elements to existing buildings in the foreground;

- The Montages show the maximum developable envelope in the Precinct's Height Areas. Buildings of this full extent of mass, occupying 100% of the envelope, are unlikely to be proposed or consented;
- The Height Areas do not show the eventual building form that would result through the application of Council's discretion on the design and appearance of new buildings, and the use of assessment criteria, including the extent to which building design responds to its surrounding context, its landscape setting, and the extent to which the architectural expression of building roof profiles and upper levels contribute to the collective skyline of the Precinct²⁵;
- Considerable bulk (27m height at 100% coverage) is currently enabled on the Precinct through its Business-Mixed Use zoning;
- Views to built elements in the Precinct from these locations will reduce over time (as represented by the Montages), with surrounding sites redeveloping up to their Unitary Plan maximums.

6.3.1.5 Height and massing related assessment criteria

The primary and most effective means of managing scale related effects of new buildings is development standards. Retaining overall discretion on building design however, together with associated assessment criteria, is also a useful tool to manage such effects and achieve buildings that are a positive response to and integrate with their surrounding environment.

The Precinct reserves to Council discretion on building design and appearance (IX.8.1(1)), with related criteria well-crafted, in my view, to allow an assessment of the overall coherency of the design response, including materials and finishes, and how roof profiles and the upper floors of buildings contribute to the skyline – both being important considerations for the scale of development envisaged by the Precinct.²⁶

6.3.1.6 Concluding comments regarding building height and massing

Overall, I consider the Precinct provisions effectively manage building height and scale to integrate it in a positive manner into the surrounding environment. This is through a combination of:

- Four different Height Areas resulting in a staggering of building scale;

²⁵ Assessment criterion IX.8.2(1)(a).

²⁶ Refer assessment criteria IX.8.2(1)(a)(i), (iii) and (iv).

- A 55m maximum tower dimension applied at a lower height than in the underlying Business-Mixed Use zone, resulting in more slender tower forms;
- A minimum required 10m separation between any facing buildings across Height Areas B and C, to ensure building bulk in these two adjoining Height Areas does not appear visually contiguous; and
- Assessment criteria, enabling consideration of building appearance as seen from the surrounding streets and area, and how the roof profiles and upper floors of buildings contribute to the skyline.

6.3.2 Desired outcome: Ensure an overall high quality of design

In my view, this outcome is achieved by the range of proposed Precinct provisions as described in this assessment.

Other relevant elements in achieving an overall high quality of design relate to the importance of an integrated and comprehensive design approach. This is particularly important where, while it is possible the Precinct may be developed in one single stage, development occurs across a number of stages.

The importance of such a comprehensive approach is reinforced in Precinct objective (1), and policies (1) and (3), which refer to the Precinct being comprehensively developed rather than on an ad-hoc individual building basis, and noting the overall importance of high-quality architecture and urban design.

This objective and policies are carried through to the Precinct's matter of discretion on building design and external appearance, and associated assessment criteria such as IX.8.2(1)(a)(i);

'buildings, including alterations and additions, are of a high design quality and express an architecturally coherent design concept that positively:

- *responds to their surrounding context, including their landscape setting beside the Auckland Domain; and*
- *contributes to the visual interest and quality of the development, when viewed from the surrounding streets and area and from within the precinct by techniques including façade modulation and articulation and breaking up mass into distinct elements.'*

6.3.2.1 Visual variety

As a further observation to the above, I note that a discussion point with Council officers on draft Precinct provisions has been a concern regarding a 'built out' Precinct having buildings of an overly homogenous or monotonous appearance, and therefore a desire to ensure that there is some visual variety in form.

I consider that the overall discretion on building design afforded to Council (IX.8.1(1)) together with assessment criterion IX.8.2(1)(a), which notes the importance of façade modulation, articulation, and breaking up mass into distinct elements, satisfactorily addresses this concern.

6.3.2.2 Concluding comments regarding ensuring an overall high quality of design

I consider proposed provisions, flowing through from objectives and policies to tailored standards, matters of discretion and assessment criteria, with their emphasis on high-quality architecture and design, provide a suite of tools that will ensure an overall high quality of design is achieved for development within the Precinct.

6.3.3 Desired outcome: Positively respond to and address each of the Precinct's street frontages

Below, I consider the potential form and appearance of development as enabled by the Precinct provisions to each of its three street frontages.

6.3.3.1 George Street

Relevant provisions that apply to this frontage are described below:

- Height Area D extends to the Precinct's George Street frontage taking up 6m width of the street boundary at the eastern end. No building above street level is effectively permitted in this area, as Height Area D has a maximum RL65.7 height, 1m above the existing RL64.7 where the Height Area adjoins the street (very north-east corner of the precinct).²⁷
- The balance of the 37m wide George Street boundary is adjoined by Height Area B. This permits a maximum height of 29m above the George Street Datum, which equates to a maximum 30.3m above existing ground level for the front edge of any building in Height Area B, set 6m back from the street boundary (as required by the combination of standards referred to below).²⁸
- Precinct standard IX.6.6 requires a minimum 4m building setback from the George Street boundary, as measured above the George Street Datum.
- The Business-Mixed Use zone's standard H13.6.3 requires a 6m setback from the street, above 27m from ground level.

²⁷ Refer to the Survey Data in Appendix 10 of the s32 report.

²⁸ Refer to the drawing 'Plan Change Envelope – Vertical Scale above Existing Ground Plan' at page 49 in the Drawing Set.

- Precinct plan 2 requires an active edge parallel to the street frontage along the majority of the length of the Height Area B boundary with George Street.
- Assessment criterion IX.8.2(1)(a)(ii) sets an expectation that building doors, windows and balconies overlooking the street are maximised.
- Assessment criterion IX.8.2(2)(c)(i) requires the George Street vehicle access to be designed to prioritise pedestrians, reduce vehicle speed, be visually attractive, and positively respond to the adjoining pedestrian connection.

Comment

- I consider the required 4m building setback from the George Street frontage to be an appropriate response to the presence of the Auckland Domain, directly opposite, and to the varied existing setbacks of buildings along the street. Should a building be erected within the Precinct in this area in the short term before any redevelopment occurs on adjoining sites, the setback will also help visually moderate the height of the building relative to the low height of existing adjoining buildings.
- The proposed maximum 29m height above the George Street Datum for a building in Height Area B adjoining George Street equates to a maximum of 30.3m above existing ground level with a 6m setback from the boundary, once required setbacks are incorporated. Noting that the existing ground level is lower 6m from the street than it is on George Street itself, the additional marginal height would, in my view, be unlikely to be noticed as being of a different scale from the zone's underlying 27m permitted height.
- The requirement for an activated edge will most likely result in a food and beverage operator taking advantage of the 4m setback to George Street for outdoor seating.
- Assessment criterion IX.8.2(1)(a)(ii) will ensure highly glazed upper floors and a good degree of overlooking of the street.
- Assessment criterion IX.8.2(2)(c)(i) will ensure an appropriate priority is given to the pedestrian environment for vehicles accessing the Precinct from this frontage.
- The 6m wide extension of Height Area D to George Street introduces, in effect, a 6m wide side yard or building setback as seen from George Street for any building in Height Area B, reducing building bulk from what is currently enabled under the site's Business-Mixed Use zoning.

- The interplay of these provisions is likely to result in built form within the Precinct presenting to the George Street frontage much as represented in the concept design scheme in the Drawing Set. In other words, a mid-rise building setback from and addressing the street frontage with a ground floor activated space and with a setback from its eastern boundary to 39 George Street.

6.3.3.2 Clayton Street

Relevant provisions that apply to this frontage are described below:

- Height Area D extends the full width of the Precinct's frontage along the northern side of Clayton Street, also extending along the western side of Clayton Street where it adjoins the Precinct, to a depth of 6m. This Height Area enables a building up to RL65.7 (ie: the George Street Datum), which is 10.24m to 10.4m above Clayton Street at its northern termination with the site.²⁹
- Some exceptions to the maximum height in Height Area D include canopies, balustrades and occupiable buildings no higher than 5m above the George Street Datum (RL65.7) up to a maximum total gross floor of 250m².
- Assessment criterion IX.8.2(1)(b)(i) states that the required pedestrian connection from Clayton Street should be designed to maximise views to the sky looking north along the street and be designed as a strongly legible walking route.
- Precinct Plan 2 requires an activated edge along the majority of both the site's frontages to Clayton Street. Criterion IX.8.2(1)(c)(i) states that this should be at the same level as the street.
- Assessment criterion IX.8.2(2)(c)(i) requires the Clayton Street vehicle access to be designed to prioritise pedestrians, reduce vehicle speed, be visually attractive, and positively respond to the adjoining pedestrian connection.

Comment

- The interplay of these provisions is likely to result in built form within the Precinct presenting to the Clayton Street frontage much as represented in the concept design scheme in the Drawing Set. In other words, views through at street level to active edges, and a pedestrian connection up into the Precinct with predominantly open views up through to the sky,

²⁹ Clayton Street has an RL of 55.3 at its north-west corner with the Precinct and 55.46 at its north-east corner with the Precinct, Refer to the Survey Data at Appendix 10 of the Section 32 report.

and a background view of tower building forms in Height Areas A and C, separated by the generous void created by the lower height volume of Height Area D.

6.3.3.3 Morgan Street

Relevant provisions that apply to this frontage are described below:

- Height Area C, which extends to Morgan Street, permits a height of 35m above the George Street Datum. Above 27m from existing ground level, the underlying zone's standard H13.6.3 applies, requiring a 6m setback from the street. Taken from the maximum proposed building envelope at the top of this required setback towards Morgan Street, the maximum height as measured from existing ground level is 43.3m – 43.7m.³⁰
- Precinct plan 2 shows two vehicle crossings along the Morgan Street frontage, with assessment criterion IX.8.2(2)(a) stating the Precinct's primary vehicle access and large service vehicle access is from Morgan Street.
- Assessment criterion IX.8.2(2)(b) states that the Morgan Street vehicle access points should be designed in a manner to prioritise pedestrian safety and legibility, for example, by methods including minimising the overall width of the vehicle crossings.
- Assessment criterion IX.8.2(1)(a)(ii) sets an expectation that building doors, windows and balconies overlooking the street are maximised.
- Precinct plan 2 shows a pedestrian connection extending through to the Morgan Street frontage.

Comment

- The perspective at page 41 of the Drawing Set, which models the concept design scheme, gives some understanding of what a possible form of development towards Morgan Street would look like from application of the Precinct provisions. However, it is not entirely accurate.
- The image shows building bulk at upper levels (above 27m) within the 6m setback required by the Precinct provisions to the street frontage and to both side boundaries.³¹ It therefore shows a bulkier building than would be permitted without consent for infringement of applicable standards.

³⁰ Refer to the drawing 'Plan Change Envelope – Vertical Scale above Existing Ground Plan' at page 49 in the Drawing Set.

³¹ Precinct standard IX.6.8(3) and Business-Mixed Use zone standard H13.6.3, incorporated into the Precinct by way of IX.6(1).

- In my view, the application of the upper level 6m street setback and 6m setback from street boundaries will mean that the additional height above 27m enabled by Height Area C can be accommodated within the street frontage in a manner that is not overly dominant, particularly when seen within the context of the 27m heights permitted on adjoining sites.
- The image correctly shows two vehicle crossings to the street frontage. As per criterion IX.8.2(2)(b), it is possible at resource consent stage that the width of these could be narrowed further than what is shown.
- Overall, an 'activated' ground level frontage to Morgan Street would be desirable. However, from a practical level, this is not achievable while providing the primary vehicle access points the Precinct needs to access carparks and service areas, in preference to locating them along the George Street and Clayton Street frontages, where they would potentially undermine the pedestrian amenity expected from the required north-south pedestrian connection.
- There is some potential for conflict between the entry to the required Morgan Street pedestrian connection and the vehicle crossings. However, the Morgan Street pedestrian connection is likely to have a much lower level of use than the George Street-Clayton Street connection. Furthermore, I consider assessment criterion IX.8.2(2)(b) suitable to be able to manage these potential effects.

6.3.3.4 Concluding comments regarding addressing each of the Precinct's street frontages

Proposed provisions will ensure that development in the Precinct:

- presents activated street level frontages to both George Street and Clayton Street;
- prioritises pedestrian safety and legibility on all frontages;
- has spatially generous volumes to pedestrian connections and views to the sky, creating legible and welcoming entry points to the Precinct; and
- upper floor street facing elevations that have high levels of glazing and passive surveillance of the street.

Overall, in my view, the proposed provisions will produce a development form with streetscape outcomes superior to those enabled by the underlying zone.

6.3.4 Desired outcome: Encourage a design approach that responds to the sense of place and cultural heritage of the area

The Precinct sits within a wider area with a rich landscape and cultural context. I consider the Plan Change provisions allow Council to appropriately manage built responses to this context through:

- Criterion IX.8.2.(1)(a)(i), which includes the extent to which buildings positively respond to *'their surrounding context, including their landscape setting beside the Auckland Domain'*; and
- Criterion IX.8.2(1)(a)(v) which refers to *'the design process integrates mātauranga and tikanga.'*

As noted in the Site and Context analysis at section 3.0 of this report, development of the Precinct also offers the opportunity to bring the 'green' of Pukekawa / Auckland Domain through into the site and along the required north-south pedestrian connection. I consider that this opportunity is appropriately realised by criterion IX.8.2(1)(a)(vii). This states:

'landscaping is incorporated within the development, particularly along the pedestrian connections and within the plaza shown on George Street: Precinct Plan 2 – Urban design framework and in the required yard along George Street, in a manner that contributes to overall visual and pedestrian amenity and legibility, in particular for the connection from Newmarket to Auckland Domain.'

6.3.4.1 Views north along Clayton Street

As noted in section 3.0 of this report, and as shown within the Site Analysis in the Drawing Set, there is an existing view looking north along Clayton Street and up along the site's driveway to trees in the Auckland Domain.³²

This view has been a subject of discussion with Council officers. That discussion has focused around the contribution the view to these tree canopies makes to a sense of place, neighbourhood legibility and wayfinding – namely, the presence of the green open space of Auckland Domain directly to the north.

Officers suggested that consideration should be given to tailoring the Precinct development envelope in order to retain this view.

Indicative Montage K (in an appendice to Mr Pryor's report) shows:

- The existing environment looking north from Carlton Gore Road along Clayton Street to the Precinct;

³² Refer to photograph 6 on page 20 of the Drawing Set.

- The same view, with the Plan Change envelope overlaid on it; and
- The same view, with the Plan Change envelope, together with other sites at their maximum existing Business-Mixed Use zone envelopes, overlaid on the image.

The overlay of the Plan Change envelope on the photograph shows some limited view to the top of the trees within the Domain from this position above Height Area D – being the low area at the centre of the image.³³

The overlay of the Plan Change envelope together with buildings on surrounding sites erected to their existing zone maximums shows that a permitted building on 39 George Street would largely block views to the trees.

Section 4 (page 63 in the Drawing Set) furthermore shows that, bulk and height permitted in the Precinct under the existing Business-Mixed Use zone framework would enable substantially greater height within Height Area D, which would fully block views to the trees to the north.

In summary, I agree that the existing view to the trees looking north along Clayton Street contributes to a sense of place or wayfinding quality. However, while there is the potential for some limited retention of this view under the Plan Change envelope, its full loss is already anticipated by the existing Unitary Plan framework that applies to the site. I note that the desired outcome of wayfinding and sense of place is incorporated into proposed precinct assessment criterion IX.8.2(1)(a)(vii), with its reference to landscaping elements along the north-south pedestrian connection.

6.3.4.2 Concluding comments in regard to development responding to the area's sense of place and cultural heritage

Assessment criteria incorporate reference to mātauranga and tikanga, response to context including the Precinct's landscape setting beside the Auckland Domain, and to the use of landscaping in a manner 'that contributes to overall visual and pedestrian amenity and legibility, in particular for the connection from Newmarket to Auckland Domain.'

In my view, these criteria are a clear guide to applicants for future resource consents within the Precinct regarding expectations to positively respond to the area's cultural heritage and sense of place elements, including its landscape setting.

³³ Although, in reality, I doubt their visibility from this position, noting that the Montage does not show other structures that are permitted above the 'base' height in Height Area D – such as canopies, balustrades and occupiable buildings up to a height of 5m above the George Street Datum provided that their total gross floor area is no more than 250m².

6.4 RELATIONSHIP TO NEIGHBOURING SITES

6.4.1 Desired outcome: Manage adverse effects to neighbouring sites, including visual dominance, privacy and shading

Below, I describe how the Precinct manages each of these effects to neighbouring sites, followed by an associated comment.

6.4.1.1 Visual dominance

Methodology

In considering the extent and nature of any visual dominance effects to neighbouring sites arising from the Plan Change, I assess the following:

- The nature of the viewing audience in the neighbouring sites and the sensitivity of that audience to a change in existing views to the Precinct.
- The potential changes in views from neighbouring sites to or over the Precinct resulting from the Plan Change envelope, with a ranking as to the extent of visibility to the Precinct.
- The likely significance of visual dominance, also taking into account proposed mitigation techniques within the Plan Change (for example, visual/design related matters of discretion and assessment criteria).
- The overall nature of visual dominance.

The assessment takes a holistic view of potential visual dominance effects, looking at total potential effects that may result from both the 27m height currently enabled in the Precinct by the underlying Business-Mixed Use zone and Height Variation Control and from the proposed Plan Change envelope.

The assessment is of visual dominance effects (ie: the extent to which a structure may appear 'out of scale' and disproportionate to the context and character of an area) as opposed to wider visual effects.

I conclude with summarising comments. My assessment is based, in part, on the diagrams and plans in Section C 'Plan Change Standards and Comparative Analysis' of the Drawing Set – in particular, the sections at pages 57 - 70 of that Set.

Extent of visibility

Extent of visibility to the Precinct is graded according to:

- None: No views obtained.
- Glimpse: Small part visible.

- Partial: Part of the proposal is visible.
- Open: All or a significant part of the proposal is visible.

Nature of change

- Adverse: The proposal will be out of scale, and result in a high level of visual dominance as experienced by the viewing audience.
- Neutral: The proposal will complement the scale of the urban context, as experienced by the viewing audience.
- Positive: The proposal will improve the visual quality of the urban context, as experienced by the viewing audience.

Sensitivity of the viewing audience

In determining the quantum of visual dominance effects, my assessment incorporates consideration of the type of viewing audience in buildings on neighbouring sites and the nature of existing views from these sites towards the Precinct.

The viewing audience includes:

- Office workers (being the audience in a majority of the neighbouring buildings);
- Students and staff in the two schools: 39 George Street (ACG Primary) and 2 Titoki Street (ACG Senior College);
- Residents in units and apartments in buildings at 25 Morgan Street and 8 Morgan Street;
- Visitors to these sites.

Dependent on the particular nature, orientation of, and value attributed to a view, workers may have less susceptibility to change of view than residents. The sensitivity to change of views of residents within this urban context is likely to be lower than in an established and more homogeneous residential area.

Assessment³⁴

31 George Street

- *Existing view to Precinct:* The building on this site (1-2 storey cottage used for commercial purposes) has no views east directly towards the Precinct. It has windows over two floors facing south over its rear yard. An existing

³⁴ Refer to Figure 1 for a map showing the location, relative to the Precinct, of neighbouring sites.

building within the Precinct (at 33 George St) presents a two storey wall along the southern part of the common boundary with the site.

- *Extent of visibility:* Partial.

Visual dominance: Very low. Development within the Precinct would enable replacement of the two storey common boundary wall with a much higher structure. Views to this from the 31 George Street building would be limited to oblique views from its south facing windows with little visual dominance from potential greater height on the boundary due to the constrained field of view at this proximity. (**Refer** page 57 of the Drawing Set - Section 1).

- *Nature of effect:* Neutral.

25 Morgan Street

- *Existing view to Precinct:* The primary view from residential units in the building on this site is oriented to the north or the street, away from the Precinct. There is an existing one to two storey wall on the common boundary with the Precinct.

- *Extent of visibility:* Partial.

- *Visual dominance:* Low. Development within the Precinct would enable replacement of the one to two storey common boundary wall with a much higher structure. However, primary views within the 25 Morgan Street site are to the north and west (street facing) away from the Precinct. (**Refer** page 59 of the Drawing Set - Section 2).

- *Nature of effect:* Neutral.

11 Morgan Street

- *Existing view to Precinct:* The building on this site is built to all street boundaries, with the exception of a front yard parking area to the street. Windows are street facing to the west. The building has no views to the Precinct.

- *Extent of visibility:* Glimpse.

- *Visual dominance:* Very low. Views to built form within the Precinct would be limited to those from the front yard of 11 Morgan Street, likely up to 27m, given the setback required after this height. (**Refer** page 65 of the Drawing Set - Section A).

- *Nature of effect:* Neutral

19 Morgan Street

- *Existing view to Precinct:* The office building on this site has large areas of glazing on its southern and eastern elevations facing towards the Precinct, set back approximately 5m from the common boundary.
- *Extent of visibility:* Open.
- *Visual dominance:* Moderate. The office building would lose existing clear views from upper floors over the Precinct to the wider Newmarket area by potential development within the Precinct. These built elements (possible walls directly on the boundary) would be prominent, due to their close proximity to the site, but not uncharacteristic of the surrounding environment. (Refer pages 61 and 65 of the Drawing Set - Sections 3 and A).
- *Nature of effect:* Neutral.

39 George Street

- *Existing view to Precinct:* The ACG Primary School building on this site has windows looking south and west (through a tree and shrub canopy) to the Precinct, in addition to an outdoor play area on its southern side, adjoining the Precinct. Existing views to the south are over low-rise (1-2 storey) buildings within the Precinct.

- *Extent of visibility:* Partial – Open.
- *Visual dominance:* Very low – moderate. Potential built form on the site's southern boundary with the Precinct is a wall built directly on the common boundary. A potential boundary wall would be prominent within the view looking south, but not uncharacteristic of the surrounding environment.

There is the potential for views up to the higher proposed elements of Height Area A, however, within a primary field of view (55 degrees overall / 25 degrees up from horizontal) these would be limited to lower floors.

Potential built form on the site's western boundary with the Precinct includes the vehicle / pedestrian connection with George Street, which starts at the same level as the road, rising up approximately 1m as it heads towards the centre of the Precinct. The main volume of potential height in the Precinct, as seen looking west from 39 George St, is a mid-rise volume set 6m back from the common boundary in Height Area B. (Refer pages 57 and 69 of the Drawing Set - Sections 1 and C).

- *Nature of effect:* Neutral-Positive. There are potential west facing views from the school to the Precinct to a new building in Height Area B. The facing façade of this building would likely be of a high design quality, as it

would be subject to a restricted discretionary assessment process against design based criteria, including the overall coherence of building design.

47 George Street

- *Existing view to Precinct:* The two storey office building on this site has a length of wall (no windows) forming a common boundary along the eastern side of the Precinct. The building also has a shallow planted setback from the boundary with the Precinct, midway along its length, with west facing windows looking towards the Precinct. Primary windows for the building are street and east facing.
- *Extent of visibility:* Partial.
- *Visual dominance:* Very low. A wall may be built within the Precinct directly on the boundary with the site (approximate height 3 storeys), forming a new element in the view for west facing windows within the building's setback. This wall would limit views up to potential higher floors. The potential view to a facing wall on the common boundary would not be uncharacteristic of built form in the wider environment. (Refer page 61 of the Drawing Set - Section 3).
- *Nature of effect:* Neutral.

18 and 20 Morgan Street

- *Existing view to Precinct:* These two sites have commercial buildings on them that look directly east, with full views across the road to the Precinct, where it extends to Morgan Street, in a part of the Precinct which is currently an at-grade carpark.
- *Extent of visibility:* Open.
- *Visual dominance:* Moderate. Development on that part of the Precinct which is currently an at-grade carpark would be a prominent new element within the viewing environment for 18 and 20 Morgan Street. Clear views to upper height elements would be moderated by the required setback (6m) above 27m height. Overall, the potential built form within this view would not be uncharacteristic of the wider environment. (Refer page 63 of the Drawing Set - Section 4).
- *Nature of effect:* Positive. The visual quality of views from 18 and 20 Morgan Street east to the Precinct would benefit from development of a new building, replacing the existing low visual amenity carpark on Morgan Street. Any new building in this part of the Precinct would be assessed through a restricted discretionary process for its design elements, including criteria which set an expectation for high design quality.

8 Clayton Street

- *Existing view to Precinct:* Upper floor units on the north side of the apartment building on 8 Clayton Street have clear views to the north over existing one to two storey buildings within the Precinct.
- *Extent of visibility:* Open.
- *Visual dominance:* Moderate. Development within the Precinct would enable a wall on the boundary up to second floor balcony height (the same approximate height of the boundary wall of the existing gym building in this part of the Precinct). There is then a required 4m set-back to any facing wall within the Precinct, increasing to 6m above 27m. Views from the apartment building upwards to higher levels of any new building in the adjoining part of the Precinct would be limited due to the close proximity of the facing wall / angle of view. The potential view to a facing wall would not be uncharacteristic of built form in the wider environment. (Refer page 67 of the Drawing Set - Section B).
- *Nature of effect:* Neutral.

2 Alma Street

- *Existing view to Precinct:* The two to three storey commercial/residential building at 2 Alma Street has windows facing out towards both its street frontages: Alma Street and Clayton Street. It also has first floor windows within its northern elevation wall, which is directly on the common boundary with the Precinct. (Refer photos 4 and 5 on page 22 of the Drawing Set).

The northern end of the site faces west across Clayton Street to that part of the Precinct occupied by an existing one storey gym.

- *Extent of visibility:* Open.
- *Visual dominance:* Moderate. The northern part of the existing building on 2 Alma Street has clear views west across Clayton Street to the southern part of the Precinct's Height Area C. This part of the Precinct allows development up to an approximate 3 storey height and then a required setback to a 63.6m height area (as measured from ground level – Refer page 63 of the Drawing Set - Section 4).

The narrowness of Clayton Street (12.3m approx.) would mean that westerly views from the northern part of the 2 Alma Street building out to the Precinct would be directed towards the potential three lower levels and not recessed upper levels.

A wall could be built within the Precinct, directly on 2 Alma Street's northern boundary with the Precinct. This would result in a loss of view from windows within the first floor northern elevation wall of the 2 Alma Street building, which is directly on the common boundary with the site.

However, a wall directly on a boundary is not uncharacteristic of the wider environment. (Refer page 69 of the Drawing Set - Section C).

- *Nature of effect:* Neutral – Positive. The gym use within the existing building in the Precinct opposite 2 Alma Street offers some (limited) activity to the street and an otherwise blank, windowless façade. A replacement building, constructed under the Precinct provisions, would be required to provide an active, glazed frontage to Clayton Street, and be of an overall high quality of design, improving the quality of view from 2 Alma Street.

33 Broadway

- *Existing view to Precinct:* The new Mercury office building on this site has its primary glazing and associated views to the south to Alma Street and to the east to Broadway. Along the site's northern common boundary with the Precinct, the Mercury Energy building has a modulated form/footprint, with some lengths of wall directly on the common boundary with the Precinct, erected to the full height of the building, and some recessed areas. The majority of boundary wall segments are blank (no glazing). However, the segment closest to Clayton Street has windows on each floor. The recessed portions have large areas of glazing. (Refer photos 3, 4 and 5 on page 22 of the Drawing Set). These windows/areas of glazing look north to an approximately 5m wide vehicle lane along the southern boundary of the Precinct, which serves 49 George Street, and then to/over existing one to two storey buildings within the Precinct.
- *Extent of visibility:* None – Open.
- *Visual dominance:* Low. Development within the Precinct would have no effect on existing views from the Mercury Energy Building's primary areas of glazing east to Broadway and south to Alma Street. Views north from the building's glazed recesses and boundary wall with windows would be lost at lower levels (likely four floors) by development within the Precinct. This is because while the easement over the lane (in favour of 49 George St) requires unimpeded vehicle access along it, the lane can be built over. As shown on Section C, this could be in the form of a wall directly on the boundary to a height of approximately 4 storeys.

Precinct provisions then require a 6m setback to upper potential floors (in the Precinct's Height Area A). Views from the upper floor north-facing glazing/windows in the Mercury Energy would be to these setback floors, likely to their lower portions, given the short viewing distance.

While there will be a loss of existing views north from the Mercury Energy Building's glazed recesses/boundary wall at lower levels, this is not

unexpected, as boundary walls are a common feature of the wider environment. (Refer page 69 of the Drawing Set - Section C).

- *Nature of effect:* Neutral.

2 Titoki Street

- *Existing view to Precinct:* The ACG Senior Collage building on this site presents its long side, with high amounts of glazing, west towards Titoki Street and the Auckland Domain. It presents a short elevation south to George Street. Windows in this elevation, which is also highly glazed, face south across George Street towards both 39 George Street (ACG's primary school) and then onto the eastern end of the Precinct, and to the north-western corner of the Precinct, which directly adjoins George Street.

The views to the south are clear views over existing one to two storey buildings on 39 George Street and within the Precinct to the Newmarket area south of Carlton Gore Road.

- *Extent of visibility:* Open.
- *Visual dominance:* Moderate. Potential views south-east from 2 Titoki Street towards the Precinct would be over the existing 2 storey building on 39 George Street to a potential tower building in the Precinct's Height Area A. The tower would be a prominent new built feature in this view, replacing existing views from 2 Titoki Street south towards Carlton Gore Road. The tower, however, would be seen within the wider viewing frame of a varied built form, including the tower building 'Parkwood Residences' at 27 George Street. The prominence of the potential building would also be reduced by its approximately 50m distance from 2 Titoki Street.

Views south-west from 2 Titoki Street towards the Precinct would be to a mid-rise building within Height Area B, setback from the street frontage behind a landscaped courtyard with a required activated ground floor fronting the street. This would replace the existing unremarkable two storey building, with its street frontage car parking, in this area. (Refer page 69 of the Drawing Set - Section C).

- *Nature of effect:* Neutral to Positive. A tower in Height A would be a prominent new feature in the view south from 2 Titoki Street. The layering of built form around it and its distance from 2 Titoki Street, together with its design assessment through a restricted discretionary process, would enable it to sit in a comfortable relationship with the existing built environment.

The introduction of a new mid-rise building adjoining George Street, in Height Area B, is overall positive, for the reasons described above.

Summary comments

Visual dominance effects on most directly adjoining sites from development up to the Plan Change envelope in the Precinct are of a very low level. This is due to:

- the oblique nature of views to the Precinct on these sites;
- the not unexpected nature in the surrounding context of elements such as boundary walls;
- the existing Business-Mixed Use zone envelope that enables buildings up to 27m height;
- the proximity of potential facing walls and the primary field of view reducing the likelihood of views up to areas of greater height; and
- mitigating factors, such as the requirement for restricted discretionary consent against design based criteria.

Visual dominance effects on neighbouring sites which have existing direct views to the Precinct from development up to the Plan Change envelope are of a moderate level. This is because of the scale of change, introducing a new prominent built element into the view. In my opinion, while the element would prominent, it would not be uncharacteristic or 'unexpected' in the wider area given the Business-Mixed Use zoning of the site, or sit in a visually uncomfortable relationship to its context.

The overall nature of change of views from most neighbouring sites is neutral. For some views, the change is positive. This is, for example, where a new building – of a likely high design quality due to design based assessment through a restricted discretionary process – would replace an existing feature of marginal or low amenity (such as the at-grade carpark on Morgan Street).

Potential visual dominance effects on neighbouring sites from the Plan Change envelope must also be seen in the context of those areas in which the Plan Change permits an envelope of a lesser bulk than the existing Business-Mixed Use zone envelope. In these areas, there will be an associated lesser degree of visual dominance on neighbouring sites than the existing planning framework otherwise enables.

- Proposed standard IX.6.8 'Setback from neighbouring sites' requires any building in Height Area A to be setback at least 6m from the boundary, where greater in height than 5m above the George Street Datum (RL70.7). This restricts bulk to sites adjoining Height Area A to substantially less than enabled in the Business-Mixed Use zone. **Refer** to Sections 2-4 and C in the Drawing Set, which show this difference.
- The same standard also requires a minimum 4m setback from the boundary with 8 Clayton Street for any part of a building greater in height

than 4m below the George Street datum (RL61.7). This compares to the Business-Mixed Use zone envelope, which enables bulk directly on the boundary up to 27m. The degree of visual dominance experienced by north facing apartment occupiers at 8 Clayton Street by the Plan Change envelope with the required 4m setback is notably less than the effect of a potential wall on the boundary up to 27m height.

- Proposed standard IX.6.6 Yards requires a minimum 4m setback for any building from the George Street boundary. This compares to the Business-Mixed Use zone envelope, which requires no setback to this boundary.

6.4.1.2 Privacy

The Precinct manages potential privacy effects to neighbouring sites by adoption of the Business-Mixed Use zone standard H13.6.9 Outlook space. This is the primary tool for managing privacy in the zone. The standard requires a 6m outlook space from the glazing of principal living rooms that must not extend over other sites.

In addition to this standard, there are various setback requirements from all boundaries, which will pull building bulk away from boundaries, reducing opportunities for direct overlooking:

- A minimum of 6m setback from the boundary from 5m above the George Street Datum for any building in Height Area A (standard IX.6.8(1)) – which reduces building bulk to the boundary of this Height Area below that enabled by the underlying zone; and
- A minimum of 6m setback from the boundary from 27m height for all other Height Areas (standard IX.6.8(3)).

Comment

I consider this adoption of the underlying zone's Outlook space standard, together with required setbacks from boundaries, as being appropriate tools to satisfactorily address privacy related effects of development within the Precinct on neighbouring sites.

6.4.1.3 Shading

The additional height proposed by the Precinct throws into focus the degree to which this might cause additional shading in the surrounding area. In order to understand potential shading effects, shadow studies of the wider area have been undertaken, which are included at pages 75-87 of the Drawing Set.

These studies compare the shadow³⁵ cast by the existing Business-Mixed Use zone envelope that applies to the Precinct as compared with any additional shadow cast by the Plan Change envelope.

The studies show shadow every hour on the Summer Solstice, Winter Solstice, and Spring Equinox. The diagrams are provided both in plan and 3D view – the latter enabling an understanding of the extent to which shadow is cast on building facades or buildings roofs.

- *On the Summer Solstice:*
 - Some marginal additional shadow is cast to the west and south of the Precinct.
 - After midday, shadow moves to the east, contained within the wider George Street/Broadway block.
 - At 7pm, shadow moves north of George Street, hitting the southern façade of the former Royal Foundation for the Blind building (Cavit & Co Furniture store).
- *On the Winter Solstice:*
 - At 9am, additional shadow hits the roofs of office buildings on the south side of Carlton Gore Road and an existing at-grade parking area in the University of Auckland Khyber Pass Road campus site, extending to the northern face of a commercial building at 401-417 Khyber Pass Road (corner with Melrose Street).
 - By midday, additional shadow has moved north-east to Carlton Gore Road east of Kingdon Street.
 - At 2pm, additional shadow hits the southern end of the Olympic Reserve, between Davis Crescent and Broadway.
 - After 3pm, this reserve is largely in shadow from existing development.
 - At 3pm, additional shadow extends east of Broadway, south of Railway Street, over commercial use / Metropolitan Centre zoned sites.
 - At 4pm, additional shadow extends further south-east, through to Mixed Housing Suburban zoned sites on the western side of Middleton Road and the street facing (western) sides of Single House zoned sites on the eastern side of Middleton Road, near the intersection with Basset Road.

³⁵ Being new shadow cast in areas not already shaded by existing buildings.

- *On the September Equinox:*
 - Additional shadow is contained within the George Street/Carlton Gore Road/Broadway block until 4pm moving from the south-west through to the east.
 - At 4pm, additional shadow touches a Business-Mixed Use zone property on the eastern side of Broadway.
 - At 5pm, additional shadow extends over part of the block east of Broadway between Sarawia Street and Railway Street, casting shadow on the roof of a THAB zoned multi-unit residential building at 6/5 Sarawia Street.
 - At 6pm, additional shadow moves north-east, to the block east of Broadway between Cowie Street and Sarawia Street, hitting the roofs of buildings in THAB zoned sites.

Summary comment on shading

- For much of the time throughout the year, additional shadow cast by the Plan Change envelope is limited to the George Street, Carlton Gore Road, Broadway block. At those times the shadow extends beyond this block, it generally hits Business zoned sites and moves quickly.
- Additional shadow is cast largely on the roofs of existing buildings, rather than building facades or site yards.
- The southern end of the Olympic Reserve will be affected by additional shadow on the Winter Solstice for around an hour, as will Residential zoned sites around Middleton Road (until sunset at 5.11pm).
- Additional shadow during all periods cast on the apartment block at 8 Clayton Street is largely limited to the roof of that building.
- No additional shadow is cast on the neighbourhood of residential apartments and terrace houses along the western end of George Street.
- The shadow diagrams do not show sites outside the Precinct with buildings extending up their zone enabled envelopes. I anticipate that as surrounding sites increase in scale and height within these enabled envelopes the comparative extent of additional shadow cast by the Plan Change envelope would markedly reduce, noting the low height of existing buildings relative to Unitary Plan limits.

Overall, I consider the degree of additional shadow cast on the wider area throughout the year to not be significant.

6.4.1.4 Concluding comments regarding managing adverse effects to neighbouring sites

The Precinct uses an approach of adopting some Business-Mixed Use zone standards to manage visual dominance, privacy and shading effects on adjacent sites, while introducing Precinct-specific provisions where Precinct boundaries are particularly sensitive to additional height. I consider this a well-balanced approach.

Overall, I consider that potential visual dominance and privacy effects to adjacent sites are appropriately managed and the extent of additional shadow cast by the Precinct development envelope – when assessed against the existing and planned future environments – is not significant.

7.0 CONCLUSION

The site offers the opportunity for development of a scale and intensity that capitalises on its proximity to public transport, public open space, and employment retail, commercial, educational, and health services in the Newmarket, Parnell and Grafton areas.

In my view, the proposed Plan Change provisions are well-tailored to achieve the Precinct purpose of a comprehensively designed, mixed use development with high quality, publicly accessible spaces that provide pedestrian connectivity and wayfinding between Newmarket and the Auckland Domain.

I consider that development undertaken in accordance with the Precinct provisions will be a valuable contribution to the wider Newmarket and Parnell areas:

- providing enhanced connectivity, giving Newmarket a frontage to the Auckland Domain, and providing a new community focal point;
- while appropriately managing potential adverse effects on neighbouring sites and positively integrating building massing into the surrounding area.

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