

## 2.6 Business building form and design - section 32 evaluation for the Proposed Auckland Unitary Plan

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## 1 Overview and Purpose

### 1.1 Subject Matter of this Section

This section considers how building design and form should be managed within Auckland's business zones, with a focus on centres. The role of centres is to provide focal points for business and community investment. To attract investment, centres need to attract people. Good building form and design can contribute to enhancing centres as vibrant and attractive places to live and work.

Building form and design includes:

- management of height to balance efficient use of space with the need to maintain amenity and significant views;
- site intensity limits to ensure the scale and form of development provides adequate light around buildings and, in the case of the city centre, wider community benefits through the use of floor area bonuses;
- adaptability of buildings to ensure they are sustainable and can continue to be used past the lifetime of the intended activity;
- design matters to enhance pedestrian amenity and connectivity to attract people to the areas; and general building design to assist in the creation of a safe and attractive environment.

Methods to achieve good building form and design may include development controls, assessment criteria or non-statutory methods including the Auckland Design Manual, Auckland Urban Design Panel and / or design guidelines.

The key development matters to be addressed within centres as part of the Unitary Plan are:

- whether to continue with the now commonly applied restricted discretionary control – either restricted to identified matters or completely unrestricted – for building development;
- what role, if any, bulk and location development controls might have in a regime involving control over the design and appearance of buildings; and
- whether there is a role for FAR and FAR bonuses within centres in a regime involving building development controls and building design assessment.

This report evaluates the proposed provisions relating to the above matters, and the alternatives considered.

### 1.2 Resource Management Issue to be Addressed

The proposed Unitary Plan sets out eight issues of regional significance in the Regional Policy Statement (RPS). The key issues relevant to building form and design in business areas are:

- *Issue #1 Enabling quality urban growth* - including managing growth in a way that:
  - enhances quality of life for individuals and communities;
  - optimises the efficient use of our existing urban area
  - optimises the efficient use of existing and new infrastructure, particularly significant infrastructure
  - maintains and enhances the quality of our environment, both natural and built
  - maintains Māori communities, culture and values.
- *Issue #2 Enabling economic wellbeing* – including providing for future growth of activities.

Managing building form and design is important to enable quality urban growth and economic wellbeing. There is currently well established national, regional and local policy

direction guidance highlighting the importance of high-quality urban design in the development of centres. Auckland Council has committed to a vision of becoming the world's most liveable city, and this is established through the strategic policy direction of the Auckland Plan. Good building design and form is an important contribution to enhancing liveability.

An additional resource management issue is the inconsistency of approaches throughout the Auckland legacy plans to managing quality urban growth. Currently, there is an inconsistent suite of objectives, policies and methods which set different goals and provisions to achieve quality urban growth within centres across Auckland. This leads to an inconsistent approach to, and outcomes for, development and also creates confusion for the development sector. An approach proposing a consistent set of goals and methods throughout Auckland based on the type of centre and supplemented by objectives, policies, rules and/or assessment criteria relating to particular precincts and overlays is considered to better achieve the purpose of the RMA compared to the existing legacy approach.

### **1.3 Significance of this Subject**

Good building form and design in Auckland's centres is a significant component in achieving the overall vision of becoming the world's most liveable city. Rather than designing a building in isolation from its surroundings, good building form and design considers the relationship between movement and the physical form of buildings, streets and neighbourhoods. There are many benefits to good design – economic, environmental and social – including public health benefits. These are further assessed throughout this report. Conversely, poor building design can detract from the amenity of spaces, discouraging pedestrian activity, building occupation and use, and generally creating poor living and working environments.

The risk of not providing a consistent approach to building form and design in Auckland's centres is a missed opportunity for creating vibrant, quality centres which attract people and investment. This risks undermining the overarching goal to intensify Auckland's centres if investment and people are not attracted to centres.

### **1.4 Auckland Plan**

The overall vision stated in the Auckland Plan is for Auckland to become the world's most liveable city. A key development strategy is to "create a stunning city centre, with well-connected quality towns, villages and neighbourhoods" (Strategic Direction 10). Chapter 10 of the Auckland Plan focuses on Urban Auckland, including how to achieve the development strategy. This chapter provides guidance by providing high level policy direction for managing building form and design in Auckland's centres.

The three stated priorities for Urban Auckland are to:

1. Realise quality compact urban environments
2. Demand good design in all development
3. Create enduring neighbourhoods, centres and business areas.

Priority 2 is particularly relevant to the consideration of building form and design in Auckland's centres. This priority seeks to ensure that no area should be compromised by poor design quality, and the Auckland Plan states that the best way to achieve this is through a design-led approach (paragraph 571). Good design principles are summarised in Box 10.1 which include the following:

- *Identity*: Acknowledges the contribution of design to establishing the context for Auckland's unique sense of place.
- *Diversity*: Seeks to enable flexibility and adaptability, to support variety, vibrancy, chance exchange, safety and choice in Auckland's urban areas.

- *Integration*: Development should contribute to a well-connected, integrated urban form, to facilitate well-being, movement and access.
- *Efficiency*: Good design should optimise the full potential of a site's intrinsic qualities, including site shape, relationship to the street, landform, outlook, and proximity to services, amenities and infrastructure.

Specific components of the benefits of good building form and design are also provided in Chapter 10 of the Auckland Plan. These include:

- Diverse, vibrant, beautiful cities are more likely to attract innovative, skilled people and investment, and benefit residents and visitors alike (420);
- Auckland's urban environment and its culture and heritage can be sustained, valued and leveraged. A distinctive brand can capitalise on these attributes and help to differentiate Auckland, and enhance its international reputation by providing a coherent value proposition to attract visitors, migrants, researchers, innovators, entrepreneurs, investors and events, and the associated benefits they bring (420)
- Enhancing Auckland's attractiveness to visitors will boost tourist numbers and will provide Aucklanders with more employment, and greater social amenity. This will draw skilled workers and business to Auckland (421)
- A successful centre has great amenity and choices for residents, workers and visitors, and attracts an increasing number of businesses, employees and households (599).

The Auckland Plan also acknowledges that Auckland is New Zealand's main commercial centre for the finance, insurance, transport and logistics and business service industries, and is the largest centre for manufacturing. Strong growth in office activity is intended to be encouraged in centres and areas identified for future business intensification, to make the best use of existing infrastructure. Overall, therefore, The Auckland Plan requires a balance to be made between enhancing the development potential of land within the areas, while ensuring good building form and design to maximise the benefits good design brings to centres.

In terms of methods to achieve this balance, it is important to note that The Auckland Plan also seeks to identify and alleviate constraints that hamper firms, which are essential for Auckland's economic performance. 'Business friendly' relates to the explicit attempts by governing bodies to reduce the regulatory and non-regulatory barriers, costs, risks and uncertainties of commercial activity to stimulate and support local business growth, local business retention and the attraction of new business to the local area (379). While reducing uncertainty is important to assist firms, inappropriate regulations and inflexible standards can impact negatively on good design. Just as an appropriate balance between maximising site potential and achieving good design is required, The Auckland Plan framework requires that an appropriate balance is required between providing certainty to developers through clear regulations, and enabling and encouraging flexibility.

## **1.5 Current Objectives, Policies, Rules and Methods**

### *Legacy policy direction*

Policy relating to achieving good building form and design in Auckland's centres is contained in the operative Auckland Regional Policy Statement (ARPS) and the legacy district plans.

Within the operative ARPS, urban design is specifically addressed by way of strategic policy 2.6.8 – Urban Design:

1. *The design of Future Urban Areas and the management and promotion of change in existing urban areas is to occur so that:*
  - (i) *There is a diversity of urban environments (including building types and densities) and living choices for individuals and communities;*

*(ii) Buildings, public spaces and road corridors contribute to a vibrant, liveable and attractive environment with a sense of place;*

*(iii) Buildings and places with heritage and cultural value are protected;*

*(iv) Urban environments have a logical permeable and safe structure of connected routes for all modes of transport, including walking and cycling;*

.....

*(xiv) Urban design acknowledges the importance of energy, water and materials efficiency and conservation to the sustainable management of natural and physical resources;*

*(xv) The health and well-being of communities is maintained, and where appropriate, enhanced.*

Methods specified in the ARPS to address this policy include:

*1. Strategic Policy: Urban Design shall be given effect through the provisions of any relevant regional plan, changes to the RPS, district plans, and the RLTS, and should be reflected in the LTCCP process and any relevant strategic planning process.*

*2. TAs shall identify in District Plans explicit urban design outcomes to be achieved. This could be achieved through rules and/or guidelines on urban design. ....*

*4. The ARC will encourage and support all councils to establish urban design panels.*

To give effect to this national and regional direction a number of design related objectives are listed in the legacy plans. Examples include:

Central Area Plan - Objective 3.5.1 – A Quality City

*To manage the use and development of the Central Area's natural, physical and cultural resources to protect heritage features and important viewshafts, maintain or enhance its built and streetscape character and to ensure an attractive, healthy, clean and safe environment.*

North Shore District Plan – Objective 15.3.5 – Business Amenity

- To provide a safe, pleasant, convenient and interesting environment for pedestrians, particularly in retail centres and other pedestrian orientated business areas.*
- To promote high-quality urban design in retail centres which reflects the specific location, topographic, heritage, open space and streetscape characteristics of the different retail centres.*

Rodney District Plan – Objective 9.3.1 - Business

*To maintain and enhance the amenity values of town centre business areas.*

Auckland Isthmus Plan - Plan Change 196 – Objective E1

*To create a built environment in Newmarket that retains character buildings and displays high-quality urban design.*

This established regional and local policy direction has already withstood scrutiny of the planning process and, in many cases, judicial contestation. As a result, Auckland Council believes the basis for this policy direction has already been demonstrated to promote sustainable management and otherwise achieve the purpose of the Act.

#### *Legacy methods*

The legacy plans set out a range of supporting methods to achieve the policy direction established above, including:

- permitted building development subject to compliance with basic development controls such as height, floor area ratio (FAR), height to boundary and yard setbacks (e.g. Auckland Isthmus Plan Business 2 zone)
- permitted building development subject compliance with development controls and voluntary design guidelines
- controlled activity status for building development supported by development controls requiring active frontages and other urban design outcomes (e.g. Manukau city centre – Business 1, 2, 3 and 4 zones)
- restricted discretionary activity status for building development supported by development controls requiring active frontages and other urban design outcomes (Auckland Central Area Plan, Auckland Isthmus Plan – Newmarket, Waitakere City District Plan – New Lynn, North Shore City Plan)

#### *Development controls*

Development controls, and more particularly rules dealing with the bulk and location of buildings and the provision of car parking, have been a long-standing feature of district plans. Typically, they prescribe matters such as overall building height, frontage height, extent of glazing at ground level, floor area, and massing of buildings within many of Auckland's centres. They also deal with provision of verandahs, control of wind effects, and car parking, loading, and access.

#### *Auckland City District Plan*

Before the recent introduction of urban design-based building criteria in the central area section of the former Auckland City District Plan, development controls were the sole regulatory means for controlling the effects of buildings on the quality of the environment. Floor area ratio (FAR) was introduced into the former Auckland City district scheme in the 1970s as the prime control of development scale and intensity. It adopted a US approach and replaced the previous building bulk and location control comprising a 110-foot height limit and a 65-degree angle from the centreline of the road.

In recognition of limitations of development controls in dealing with qualitative aspects of the built environment (illustrated above), Auckland Council introduced controls over the design and appearance of buildings. This involved a degree of discretion over building design and resembled a more discretionary British-style planning regime. This approach was first included in specific precincts such as Queen Street Valley in the 1997 Proposed District Plan. In 2005, principally in response to poor-quality outcomes in parts of the city centre such as Hobson and Nelson streets, building design and appearance controls were introduced throughout most of the central area via Plan Change 2 to the Operative District Plan. This approach, combined with key development controls, has since been applied to many of Auckland Council's metropolitan and town centres



Figure 1: Buildings within the city centre approved prior to the introduction of urban design controls

## 1.6 Information and Analysis

A variety of studies and reports have been reviewed in considering the costs and benefits of achieving good building form and design. Key documents which support the analysis in this section 32 report are summarised below.

### 1.6.1 Summary of the Value of Urban Design – Ministry for the Environment

In 2004, the Ministry for the Environment – together with the Wellington City Council and the Auckland Regional Council – commissioned a team to undertake a literature review of published research on the costs and benefits of good urban design. The purposes was to investigate the economic, social, cultural and environmental value added by urban design and determine what proof existed of the links between urban design and these various forms of value. The team undertook an extensive literature review, analysing over 300 studies over a wide range of international and local documentary sources. The summary report was intended to help both the public and private sectors. For the public sector, it was intended to help formulate policy that supports a better urban environment, and in meeting their obligations to deliver well designed public buildings and spaces.

Examples of how good design has been demonstrated to have value and contribute to sustainable management are provided in the table below.

Well-being	Identified value of urban design <sup>1</sup>
Economic	<ul style="list-style-type: none"> <li>• Viability of shops and facilities;</li> <li>• Assists the promotion and 'branding' of cities</li> <li>• Attracts highly skilled workers and new economy enterprises</li> <li>• Increases accessibility, thereby enhancing land value</li> <li>• Is associated with the concentration of</li> </ul>

<sup>1</sup> MfE, June 2005 – "Summary of the Value of Urban Design"

	<ul style="list-style-type: none"> <li>• Adaptability extends the useful economic life of a building and surrounding activities by delaying the loss of vitality and functionality</li> <li>• High quality public realm attracts people and activity, leading to enhanced economic performance</li> </ul>
Social and cultural	<ul style="list-style-type: none"> <li>• Reinforces a sense of identity</li> <li>• Enhances natural surveillance and security</li> <li>• Encourages walking and cycling and tends to promote health through encouraging greater physical activity</li> <li>• Can be associated with lower crime and greater safety</li> <li>• Enhances vitality</li> <li>• Increases use of public space</li> <li>• Offers choice among a wide range of distinct places and experiences.</li> </ul>
Environmental	<ul style="list-style-type: none"> <li>• Can support conservation of non-renewable resources</li> <li>• Reduce vehicle emissions through fewer non-work trips.</li> </ul>

The analysis provided in the MfE summary report is utilised in this section 32 report to assist in examining the costs and benefits of proposed urban design requirements in the business centres.

The summary report supported the implementation of the Ministry for the Environment's *New Zealand Urban Design Protocol* in March 2005.

### 1.6.2 The Value of Urban Design – The Commission for Architecture and the Built Environment, London

This is a similar report to the MfE report (summarised above) prepared on behalf of the Commission for Architecture and the Built Environment (CABE) in 2001 within the United Kingdom context. The report provides conclusions based on a detailed research programme including literature review and stakeholder surveys.

The literature review undertaken in preparation of this report revealed a small but growing body of international research concerned with the relationship between design and value. Significantly, this research consistently concluded that good urban design added economic value in the form of better value for money, higher asset exchange value and better lifecycle value. It suggested that good urban design could confer social and environmental value and provide long-term economic spin-offs in the wider economy from regenerative effects. The combined research also suggested that good urban design is not necessarily expensive or unaffordable and that on the balance of costs and benefits it makes economic sense to invest in good design.

One relevant example provided in the report is research commissioned by The Property Council of Australia (1999)<sup>2</sup> on the added value of good urban design. The concern was to

<sup>2</sup> Property Council of Australia (1999) *The Design Dividend*, Canberra, PCA National Office



analyse whether well-designed developments out-perform others from an investor's point of view. The study looked at a small number of cases and compared increases in capital values and rent returns against average local indexes for similar types of property. The findings suggest that well-designed developments have a superior financial performance compared to the average and do not necessarily cost more for the investors.

Broadly the empirical evidence suggests that good urban design does add economic value. All groups of stakeholders (including property developers) involved in the research process concurred with this conclusion although not all interviewees agreed on what constituted good urban design.

Based on the research evidence, it was concluded that:

- good urban design delivers economic value through returning high profits for owners and investors
- this is most clear and direct in those parts of the market where environmental quality is a major concern – the higher end of the market – although at the lower end good urban design can still deliver economic value
- because good urban design often occurs in pioneering development, enhanced profits can be delayed, leaving developers who sell out early under-compensated for their risk
- occupiers seem to benefit from productivity gains, increased prestige and a happier workforce
- area regeneration based on good urban design delivers a clear economic dividend to society

The report also concludes that the benefits are distributed amongst stakeholders as follows:

- **Investors** benefit through favourable returns on their investments and through satisfying occupier demand, although the full pay-off may not be immediate.
- **Developers** benefit by attracting investors and pre-lets more easily and hence from enhanced company image. If they retain a stake in their developments for long enough, they also benefit from good returns on their investments.
- **Designers** benefit because good urban design is crucially dependent on their input.
- **Occupiers** benefit from the better performance, loyalty, health and satisfaction of their employees and from the increased prestige that well-designed developments command with guests and clients.
- **Everyday users and society as a whole** benefit from the economic advantages of successful regeneration, including new and retained jobs, and also through access to a better quality environment and an enhanced range of amenities and facilities.
- **Public authorities** benefit by meeting their obligation to deliver a well-designed, economically and socially viable environment and often by ripple effects to adjoining areas.

The review suggested that good urban design should be promoted because of its capacity to add value. The research also makes a clear case that good urban design adds social value.

### 1.6.3 Legacy plans

The work previously done for the Auckland legacy councils to incorporate urban design policy and methods into the current district plans has been reviewed, in particular for Plan Change 2 to the Auckland Council District Plan: Central Area Section and Plan Change 18 to the Auckland Council District Plan: Waitakere Section. The section 32 analyses that supported those plan changes have previously been through the Resource Management Act 1991 (RMA) statutory process and therefore provide a basis for acceptance of the relative costs and benefits of managing building form and design in business areas.

Preparation of the proposed Unitary Plan has involved input from Auckland Council's regulatory planners who have provided feedback on the appropriateness, effectiveness and efficiency of existing urban design provisions in legacy plans.

#### **1.6.4 Unitary Plan preparation documents**

The following reports and assessment were undertaken in the development of the building form and design provisions for the Unitary Plan.

- *Managing Built Form in Centres and Corridors, 13 February 2012*: This memo prepared by an urban design consultant provides an assessment of the management of built form in centres and corridors, with a focus on building height, bulk, and mass, and the associated appearance of that building form. In addition to the appropriateness of rules to manage building mass, the memo also considers other methods including providing guidance on street design for Auckland Transport. The memo acknowledges that balance that needs to be achieved in the Unitary Plan between enabling intensification of development while maintaining amenity. Based on urban design assessment of alternatives, recommendations are made for provisions to be incorporated in the Unitary Plan relating to building height/bulk/mass in centres; visual design and appearance; and corridors.
- *Managing Active Frontage in Centres and Corridors – Objectives and Policies, 2 March 2012*: This memo prepared by an urban design consultant considers options for objectives and policies in relation to managing active frontages to achieve desirable urban design outcomes in centres and corridors. The memo reviews the approaches taken in legacy plans and concludes that they generally focus on what is not wanted, rather than what is wanted. Recommendations for objectives generally seek to maximise positive benefits of development, managing public amenity (including future amenity as well as existing amenity,) and pedestrian safety. Recommendations for policies include a focus on the street frontage typology approach and desired outcomes for each typology, with exemptions for supermarkets and department stores.
- *Managing Built Form in Centres and Corridors – Objectives and Policies, 2 March 2012*: This memo prepared by an urban design consultant considers options for objectives and policies in relation to building height, bulk, and mass, and the associated appearance of that building form. The memo reviews legacy approaches, and makes recommendations. In respect of objectives, an approach focussing on enabling development and explicitly identifying what amenities are expected is recommended. Recommendations for policies include being explicit about the high quality design outcomes sought and allowing flexibility where positive outcomes will be achieved. Reference to the Auckland Design Manual as a best-practice design guideline is also recommended for policies.
- *Rolling out the Waitakere City Council's urban design-based Plan Change 18 (Street Frontage Typology), 7 May 2012*: This memo prepared by an urban design consultant provides an assessment of the benefits of successful street frontages, with a focus on how to ensure that key positive effects can be maximised. The memo assesses the approach taken in Plan Change 18 to the legacy Waitakere District Plan, which included utilising street typology types as a basis for a framework of rules and assessment criteria, to tailor outcomes to the requirements of different types of streets in business areas (particularly town centres).
- *Unitary Plan – Managing Frontages and Pedestrian Amenity in the City Centre, 28 June 2012*: This report considers how the Unitary Plan could achieve the urban design principle set out in the Auckland Plan for a city with "A quality public realm,

- *Unitary Plan Research Paper: City Centre zone – Urban Form and Built Form Summary, August 2013* This report examines Auckland's city centre's urban form and the planning factors that shape it. This includes height, site intensity and urban design methods. The report reviews international approaches to managing urban form with metropolitan centres and includes various options to achieve better urban design outcomes within the city centre.
- *Legacy comparison:* Various spreadsheets were prepared to review how development controls and other provisions differed between centres under the legacy plans. Similar zones across the legacy plans were also compared to provide a baseline for assessment of appropriate provisions for standard zones through the Unitary Plan.

The urban design assessment of existing provisions throughout the legacy plans, and the expert consideration of alternative options for provisions for building form and design in business areas, has informed the development of the proposed Unitary Plan provisions. Where relevant, assessments from the above reports and memos have been incorporated into this section 32 assessment report.

### **1.6.5 Wellington City Council - central area (Plan Change 48)**

In September 2006, the council introduced Plan Change 48 comprising a comprehensive rewrite of the Wellington Central Area provisions, including objectives, policies, rules and an associated design code (which forms part of the district plan) to achieve better design and built form outcomes in the central area. This Plan Change was reviewed as a case study to support the consideration of different options for managing building form and design in the Auckland context.

Important components of Change 48 included:

- requiring new buildings and additions and alterations to existing buildings in the central area be the subject of a limited discretionary activity application, (previously controlled)
- objectives and policies relating to design matters were significantly more detailed, as the council saw them as important not only to fully support the subsequent rules and assessment criteria, but to ensure a strong policy basis for the assessment of applications, including non-complying activity applications
- development rules were also reviewed and many matters relating to design were addressed by an appropriate rule rather than through assessment criteria. Matters addressed by revised rules included noise, insulation, site access, views, sunlight protection, wind, verandas, ground floor frontage and external appearance. The design code relates specifically to the design and external appearance of buildings.

In discussion, council planners have stated that the amendments made to the District Plan through Plan Change 48, in conjunction with the development of a specific urban design team, are delivering improved design outcomes due to District Plan amendments. Council

planners also advised that developers and architects are increasingly seeking advice and discussion with the council's urban design team at an early stage.

### **1.7 Consultation Undertaken**

A summary of consultation undertaken for the Unitary Plan development is provided in Section 1.8 of Chapter 1 of this section 32 report. Relevant feedback received on the draft Unitary Plan has been reviewed in detail and alternative approaches assessed. Where appropriate, changes have been made to the proposed Unitary Plan.

Workshops around key issues relating to building form and design in business zones have been held with key stakeholders including The Property Council.

See Attachment 3.39.2 for the record of building form and design consultation.

### **1.8 Decision-Making**

A summary of the decision making process for developing the draft Unitary Plan is provided in Appendix 3.39.3 of this section 32 report.

Since the draft Unitary Plan feedback process, the following stages have been followed in making decisions

1. Review of informal feedback
2. Workshops, including with The Property Council (as summarised above)
3. Consideration of the costs and benefits of the draft provisions and any changes sought in feedback, including further reporting / analysis
4. Amending provisions
5. Political review and direction

### **1.9 Proposed Provisions**

#### *Overall approach*

The proposed Unitary Plan identifies 'Enabling quality urban growth' as an issue of regional significance in the Section 1.1 of the RPS:

#### *Issue 1 Enabling quality urban growth*

*Our growing population increases demand for housing, employment, business, infrastructure, and services. This means we must manage our growth in a way that:*

- *enhances quality of life for individuals and communities*
- *optimises the efficient use of our existing urban area*
- *optimises the efficient use of existing and new infrastructure, particularly significant infrastructure*
- *maintains and enhances the quality of our environment, both natural and built.*
- *maintains Māori communities, culture and values.*

This implements strategic policy direction 10 of the Auckland Plan (as discussed in Section 1.4 above).

In response to this issue, the Unitary Plan generally promotes a design-based approach to development hand-in-hand with providing for a greater intensity of development within city centres. This approach generally enables greater height and development opportunity provided buildings are of a quality design, provide a good level of internal and external amenity and positively respond to streets and public open spaces.

#### *Objectives and policies*

At a strategic level the RPS sets out a number of objectives and policies directing a design-based approach to development within centres. In particular, the objective and supporting policies in Section 2.2.2 of the RPS set the goal of development of a quality compact urban form and a quality and sustainable built environment.

### Section 2.2.2 of the RPA – “A quality built environment”

#### Objectives

*1. A quality built environment where development, including subdivision, across the site, street, block, neighbourhood and city scales:*

*a. recognises Auckland’s sense of place and enriches its landscape, character, heritage and legibility (identity)*

*b. provides for a rich mix of choice and opportunity for our communities and can adapt to changing needs (diversity)*

*c. considers and reinforces use, activity centres, energy systems and movement networks which are well connected and provide convenient and equal access for all (integration)*

*d. supports and optimises the full potential of a site’s intrinsic qualities, including its shape, landform, outlook and relationship to its surroundings (efficiency).*

#### Policies

*1. Require development to be designed to integrate all elements of a place, buildings or space into a coherently designed solution.*

*2. Design development to respond positively to the site, its context and the planned future character of the place, and to reinforce the role of the public realm as the primary place for public interaction.*

*3. Require development to contribute to the safety of the street and neighbourhood.*

*4. Encourage development which is designed for change of use through time.*

*5. Design development with a level of amenity that enables long term options for living and working.*

*6. Encourage development to be designed to have equal access for people of all ages and abilities.*

*7. Require a high standard of design in areas of residential and business intensification.*

*8. Enable the development of a range of built forms within neighbourhoods to support maximum choice and recognise different lifestyles.*

*9. Design streets and block patterns that maximise connectivity, provide for a range of travel options and have a high standard of amenity and safety for pedestrians and cyclists to promote walking and cycling.*

*10. Balance the place and movement functions of streets while emphasising their role as places for people over movement of vehicles in centres and areas of residential intensification.*

*11. Require large scale development, and encourage all other development, to minimise its environmental impact through best practice sustainable design which incorporates energy efficiency, renewable energy generation, waste minimisation and water sensitive design.*

These changes have been made to reflect the emphasis now placed on building design and urban form, particularly within centres, and to ensure that this is achieved consistently across urban areas. This is similar to the policy approach outlined in the operative ARPS outlined above.

At a district level (Chapter D of the proposed Unitary Plan), those parts of the proposed new zone objectives and policies proposed to give effect to this regional direction are:

Section 3.1 of the Business Zones - General objectives and policies for Centres, Mixed Use, General Business and Business Park zones ("General Business")

Objectives

1. *Development strengthens Auckland's network of centres as attractive environments with a mix of uses that provide employment, housing and goods and services at a variety of scales.*
2. *Development is of a form, scale and design quality so that centres are reinforced as focal points for the community.*
3. *Business activity is distributed in locations and is of a scale and form that:*
  - a. *provides for the community's economic needs*
  - b. *improves community access to goods, services, community facilities and opportunities for social interaction*
  - c. *manages adverse effects on the environment, including effects on strategic infrastructure and residential amenity.*

Policies

2. *Accommodate an increase in the density, diversity and quality of housing in the Centres and Mixed Use zones while managing the higher levels of ambient noise and reduced privacy it may be subject to.*
3. *Require development of a quality and design that positively contributes to the public realm and maximises pedestrian amenity, movement, safety and convenience for people of all ages and abilities.*
4. *Require a percentage of residential development and encourage all other development to provide equal physical access and use for people of all ages and abilities.*
5. *Require the design of buildings to contribute positively to the visual quality, pedestrian vitality, safety and interest of streets and public open spaces.*
6. *Require buildings to be adaptable to a range of uses to allow activities to change over time.*
7. *Require car parking to be located and designed in such a manner as to avoid adverse impact on pedestrian amenity and the streetscape.*
8. *Encourage the selection of materials, finishes and landscaping with consideration for long-term weathering, maintenance and durability.*

11. *Require development to avoid, remedy or mitigate adverse wind, glare and shading effects on public open spaces and streets.*

### Section 3.2 of the Business zones - City Centre zone objectives and policies

#### Objectives

1. *The city centre is a globally significant centre for business.*
2. *The city centre is an attractive place to live, work and visit with a 24-hour vibrant and vital business, entertainment and retail areas.*
3. *Development in the city centre is managed to accommodate growth and the greatest intensity of development in Auckland and New Zealand while respecting its valley and ridgeline form and waterfront setting.*
4. *The distinctive built form, scale, identified historic character and functions of particular areas within and adjoining the city centre are maintained and enhanced.*

#### Policies

##### **City form**

15. *Enable the tallest buildings and the greatest density of development to occur in the core central business district.*
16. *Manage adverse effects associated with building height by:*
  - a. *requiring building height and development densities to transition down to neighbourhoods adjoining the city centre and to the harbour edge*
  - b. *protecting sunlight to identified public open spaces and view shafts*
  - c. *requiring the height and form of new buildings to respect its valley and ridgeline form of the city centre and the existing established or proposed character of precincts.*
  - d. *Manage the scale and form of buildings to avoid adverse dominance and/or amenity effects on streets and public open spaces.*
17. *Maximise light and outlook around buildings.*
18. *Encourage public amenities to be provided within developments where possible, including publicly accessible open space, works of art and through-site links.*

##### **Public realm**

19. *Require building and development of the highest quality that contributes to the city centre's role as an international centre for business, learning, innovation, entertainment, culture and urban living.*
20. *Require building frontages along identified public open spaces and streets to be designed in a way that provides a sense of intimacy, character and enclosure at street level.*
22. *Protect identified sightlines along streets and public open spaces from the city centre to the harbour, Rangitoto, the North Shore and identified sightlines along roads and public open spaces within the city centre to natural features and landmarks.*
23. *Enable high quality public open spaces along the waterfront that are accessible and provide spaces for recreational opportunities, facilities and events.*

### Section 3.3 of the Business zones - Metropolitan Centre zone objectives and policies

#### Objectives

1. *A network of metropolitan centres are developed, that are second only to the city centre in diversity, scale, form and function, and which are a sub-regional focus for commercial, residential, community and civic activities.*
2. *Key retail streets are identified as the focal point of pedestrian activity, with identified general commercial streets supporting this role.*

#### Policies

1. *Enable significant change in metropolitan centres where the outcome can be shown to contribute to the function, amenity, and vitality of the centre and is an efficient use of a centre's infrastructure.*
2. *Provide for the greatest concentration, quality and scale of buildings within metropolitan centres, second only to the city centre.*
4. *Enable high intensity activities within metropolitan centres emphasising a wide range of commercial, leisure, tourist, cultural, community and civic services.*
5. *Enable residential development above street level.*
6. *Promote the comprehensive development and redevelopment of sites and / or activities within metropolitan centres.*
7. *Recognise the importance of particular streets identified on the Key Retail and General Commercial Frontage overlay as primary places for public interaction:*
  - a. *by requiring buildings with frontages to these streets to:*
    - i. *provide greater ground floor heights to maximise building adaptability to a range of uses*
    - ii. *avoid blank walls*
    - iii. *provide easily accessible pedestrian entrances.*
  - b. *and in addition, require building frontages subject to the Key Retail Frontage overlay to:*
    - i. *maximise glazing*
    - ii. *erect frontages of sufficient height to frame the street*
    - iii. *provide weather protection to pedestrians*
    - iv. *avoid new vehicle crossings.*
9. *Encourage supermarkets and department stores within metropolitan centres by recognising:*
  - a. *the positive contribution these activities make to centre viability and function, and*
  - b. *designs that positively contribute to the streetscape and character of their surroundings, having regard to the functional requirements of these activities.*

### Section 3.4 of the Business zones - Town Centre zone objectives and policies

#### Objectives

1. *A network of town centres that are the focus of commercial, residential, community and civic activities for the surrounding area.*
2. *The scale and intensity of development in town centres is increased while ensuring development is in keeping with the centre's planned future character.*



3. Key retail streets are identified and the focal point of pedestrian activity, with identified general commercial streets supporting this role.

#### Policies

1. Enable significant change in town centres where the outcome can be shown to contribute to the function, amenity, and vitality of the centre and is an efficient use of a centre's infrastructure.

3. Enable the intensification of commercial, residential and community activities in town centres, by:

- a. substantial scale, concentration and density of buildings
- b. the comprehensive development and redevelopment of sites.

4. Require development to achieve a high standard of design.

5. Recognise the importance of streets identified in the Key Retail and General Commercial Frontage overlay as primary places for public interaction:

- a. by requiring buildings with frontages to these streets to:
  - i. provide greater ground floor heights to maximise building adaptability to a range of uses
  - ii. avoid blank walls
  - iii. provide easily accessible pedestrian entrances.
- b. and in addition, require building frontages subject to the Key Retail Frontage overlay to:
  - i. maximise glazing
  - ii. erect frontages of sufficient height to frame the street
  - iii. provide weather protection to pedestrians.

6. Encourage supermarkets and department stores within town centres by recognising:

- a. the positive contribution these activities make to centre viability and function, and
- b. designs that positively contribute to the streetscape and character of their surroundings, having regard to the functional requirements of these activities.

#### Section 3.5 of the Business zones - Local Centre zone objectives and policies

##### Objectives

1. A network of local centres that enable commercial activity which services local convenience needs and provides residential living opportunities.

2. The scale and intensity of development within local centres respects the future planned character of the surrounding environment.

##### Policies

2. Require development to achieve a high standard of design.

#### Section 3.6 of the Business zones - Neighbourhood Centre zone objectives and policies

##### Objectives

2. Neighbourhood centres are developed to a scale and intensity that respects the future planned character of the surrounding environment.

##### Policies

2. *Require development to achieve a high standard of design.*

The link between issues of regional significance, regional objectives and policies and zone objectives and policies is summarised in the following table:

Regional policy strategic issue (Chapter B)	RPS objectives/policies (Chapter B)	District objectives/policies (Chapter D, Section 3 – Business zones)
Strategic Issue 1.1.1 Enabling quality urban growth	2.2.2 A quality built environment	<p>General objectives and policies for Centres, Mixed Use, General Business and Business Park zones – Objectives 1-3, policies 2-11</p> <p>City Centre zone – Objectives 1-4, policies 1-4, 15-18, 19-20, 22-23</p> <p>Metropolitan Centre zone - Objectives 1-2, policies 1-2, 4-7, 9</p> <p>Town Centre zone - Objectives 1-3, policies 1, 3-6</p> <p>Local Centre zone - Objectives 1-2, policy 2</p> <p>Neighbourhood Centre zone – Objective 2, policy 2</p>

### 1.10 Reference to other Evaluations

This section 32 report should be read in conjunction with the following evaluations:

- 2.1 Urban form and land supply
- 2.4 Business
- 2.5 Building heights
- 2.7 Design statements
- 2.8 Sustainable design
- 2.9 Accessory parking
- 2.15 Mana whenua cultural heritage
- 2.16 Maori development
- 2.18 Maori and natural resources
- 2.20 Conversion of dwellings
- 2.24 Urban stormwater
- 2.38 Non-accessory parking
- 2.39 Traffic in centres and ITA
- 2.40 Cycle parking
- 2.42 Crossings on arterial roads
- 2.46 City Centre precincts

The above reports provide further assessment of matters related to building form and design in business areas.

## 2 Objectives, Policies and Rules

This section provides an evaluation of the proposed Unitary Plan objectives, policies and methods relating to building form and design in business zones.

Section 2.1 assesses the high level strategic policy direction in the proposed Unitary Plan as proposed in the Regional Policy Statement (RPS) provisions. The strategic policy direction is assessed in the context of Part 2 of the Resource Management Act 1991 (RMA).

Section 2.2 assesses the proposed district level general objectives which seek to implement the strategic policy direction for quality design and form in business area. As required by section 74(1) of the RMA, consideration is given to Part 2 of the RMA. This section includes an evaluation of the high-level provisions in terms of achievability, efficiency and effectiveness.

Section 2.3 assess key policies, rules and methods that seek to implement the district level objectives with respect to building form and design in business zones. To assist the evaluation of the proposed provisions, the policies, rules and methods are summarised, grouped and assessed under the following five topics:

1. *Tall building form and upper level street interface* – the overall form of buildings over four stories in height and the height of buildings at the street interface depending upon the context of the surrounding environment
2. *Building general bulk and mass* – the bulk and mass of buildings on individual sites
3. *Adaptable and high amenity buildings* – the height of floors within buildings in relation to accommodating a range of activities at street level and providing light and amenity for occupants
4. *Maintaining and enhancing pedestrian amenity* – how the design of the building assists to activate streets and provide passive surveillance of the public realm
5. *Building design* – the design of buildings, particularly as viewed from streets and public spaces.

The evaluation of the provisions in each topic is structured as follows:

1. *Introduction* – provides the scope of the topic, and a summary of the approach taken in the proposed Unitary Plan.
2. *Policies* – an identification of the relevant policies, and the link between the proposed policies and the district level objectives
3. *Rules and methods* – summary of the proposed rules and methods for the topic
4. *Costs and benefits of proposed Policies and Rules* – an evaluation of the costs and benefits of the proposed provisions
5. *Information and risk of not acting* – an evaluation of the quality and robustness of the information available, and the risk of not acting to address the relevant issue
6. *Summary of evaluation* – a summary of the achievability, effectiveness and efficiency of the proposed provisions as relevant for the topic.

## **2.1 Strategic policy direction**

Auckland Council is responsible for ensuring the use and development of natural and physical resources are managed to achieve the overall objective of sustainable management. Section 59 of the RMA states that the purpose of a regional policy statement is to “achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region”.

Section 5 of the RMA establishes the purpose and principles of the Act, which is to “promote the sustainable management of natural and physical resources”. Sustainable management is defined as “managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being”.

Under s7(c) the RMA also directs council to have particular regard to “the maintenance and enhancement of amenity values”. ‘Amenity values’ is defined in the RMA as “Those natural or physical qualities and characteristics of an area that contribute to peoples appreciation of its pleasantness, aesthetic coherence, and cultural and recreation attributes”. In this respect, ‘physical resources’ includes roads, buildings and community facilities, street works, parks and open space.

Within this context, Part 2 of the RMA clearly anticipates that structures in built environments, which include commercial centres, must be managed sustainably to enable people and communities to provide for their social, economic and cultural well-being. The maintenance and enhancement of amenity values, including amenity within buildings, is an important consideration when managing the built environment.

As summarised in Section 1.6 of this report, the international research concludes that on balance, good urban design can enable economic and social wellbeing. Further, plan changes in Auckland and Wellington to enable quality building form and design in city centres have been through the RMA process and accepted as being consistent with Part 2 of the RMA.

Based on the demonstrated benefits of good urban design planning approach which sets a goal to achieve quality and sustainable built environment within Auckland’s centres gives effect to the overarching purpose of the RMA, by managing the development of physical resources in a way that enables people and communities to provide for their own social, economic and cultural well-being. Achieving a quality built form within centres is linked to the success of council’s wider strategic policy to create a quality compact city through intensification (Section 2.2 of the RPS). Recognising Auckland’s sense of place (Objective 1(a) of Section 2.2 of the RPS) is linked to reinforcing the physical qualities and characteristics of an area that contribute to peoples appreciation of its pleasantness while providing for a rich mix of choice and opportunity for communities (Objective 1(b) of Section 2.2 of the RPA) assists communities to provide for their social, economic and cultural wellbeing.

Overall, the objectives and policies in Section 2.2 of the RPS chapter in the proposed Unitary Plan, seek to ensure a quality built environment. This is therefore consistent with achieving the purpose of the RMA as established in Part 2.

## **2.2 District Plan general objectives**

### *Overview*

Section 74(1) of the RMA requires the council to give consideration to Part 2 of the RMA in relation to any change to the district plan. In terms of the definition of sustainable management, the RMA envisages that integrated management, through mechanisms such as district plans, is often necessary to achieve community enablement.

As discussed above, Council is required under the RMA to ensure the use and development of natural and physical resources are managed to achieve the overall objective of sustainable management. While managing the use and development of these resources particular regard shall be given to the maintenance and enhancement of amenity values. A balance is proposed in the proposed district plan objectives to enable development while ensuring amenity values are maintained or enhanced. This balance is consistent with the proposed RPS provisions seeking a quality built environment (Section 2.2), and enabling growth (Section 2.1).

Objectives 1-3 of the General objectives - Centres, Mixed Use, General Business and Business Park zones (hereafter referred to as the “General Business zones”) support and give effect to the regional policy direction by setting the goal for development to strengthen

Auckland's network of centres as attractive environments with a mix of uses that provide employment, housing and goods and services at a variety of scales. Furthermore, they set the goal to ensure the form, scale and design of development reinforce centres as the focal point for the community. This will help achieve intensification of centres and maximise sustainable use of finite land resource within those centres, giving effect to s. 7(b) of the RMA.

The supporting City Centre zone, Metropolitan Centre zone and Town Centre zone objectives further support the regional policy direction and the purpose of the RMA by highlighting the goal for the city centre to become an attractive place to live, work and visit and by identifying and promoting vital and vibrant retail streets as significant components of a successful centre.

#### *Effectiveness and Efficiency*

In the City Centre zone, proposed objectives 1 and 3 seek to enable growth and development. Objective 2 seeks to make the City Centre an attractive place to live, work and visit, and Objective 4 seeks to maintain and enhance the distinct built form, scale, character and functions of areas within and adjacent to the city centre. Considered holistically, the four objectives seek to achieve the purpose of the RMA by enabling development while managing building form and design (and activities, evaluated separately) to ensure amenity is maintained and enhanced.

Similarly, the objectives for the other centre zones are useful and reasonable as they enable new development in town centres while appropriately avoiding, remedying or mitigating the effects of building design on the character, amenities and particular built character qualities of the town centre itself, including its streetscape and public places.

The objectives and policies for the City Centre and other centre zones are also designed to be read in conjunction with objectives 1-3 of the General Business zones which set the useful and reasonable goals of strengthening centres as attractive environments and as focal points for the community.

Setting goals to strengthen centres and to achieve attractive and vibrant centre environments is not considered to be unreasonable, but rather considered to be essential to attracting residents, workers, visitors and investment within these significant areas of intensification. The economic and social benefits of attractive and vibrant centres are established through research, as summarised in Section 1.6 of this report.

As set out above, the usefulness and reasonableness of the principles of this approach have already been tested and found to meet the purpose of the act within the city centre and various other centres throughout the legacy Auckland councils, including through Plan Change 2 to the Auckland Council District Plan: Central Area section, and Plan Change 18 to the Auckland Council District Plan: Waitakere section.

#### *Achievability*

The council has the ability to implement the proposed objectives relating to quality building design and form in business areas, and is currently doing so in various centres under the legacy planning regime. This includes development controls to manage the built form aspects of buildings and design criteria to address more detailed design responses to particular environments within centres. The application of a more consistent range of objectives and policies will further help council to achieve a quality and sustainable built environment within Auckland's centres and the sustainable management purpose of the RMA.

The use of the Auckland Council Urban Design Panel and the Auckland Design Manual as non-statutory tools to encourage better urban design outcomes will also assist to achieve the objectives.

Detail about specific policies and methods to achieve the objectives is provided in the sections below.

### **2.3 Business zone policies and methods**

The following assessment evaluates whether the proposed Unitary Plan policies, methods and rules are the most appropriate for achieving the district level objectives, having regard to efficiency and effectiveness of the provisions. To assist with determining this, regard is also given to the costs and benefits associated with each provision. Due to the broad nature of the topic some of the policy content, policies and supporting methods have been grouped to related objectives. Unless otherwise specified, the evaluation follows a qualitative approach.

#### **2.3.1 Topic 1 – Tall building form & upper-level street interface**

##### **2.3.1.1 Introduction**

This topic includes provisions relating to building height, bulk, form and interface with the street. Tall buildings can enhance the efficient use of space by increasing floor area available for commercial and residential activities. Achieving a minimum building height along street frontages also has benefits in framing streets, creating a sense of intimacy, character and enclosure at street level. However, high, bulky buildings reduce sunlight access to other buildings and to the public realm, may dominate pedestrian environments and may obstruct key sightlines to natural and/or physical features which provide a sense of location and contribute to amenity. The policies, methods and rules in the proposed Unitary Plan seek to achieve a balance between enabling efficient use of land and space within centres while maintaining amenity, to implement RPS and district level objectives.

For the purpose of this analysis, tall buildings are considered within the context of their surrounding local environment. Within town centres with lower surrounding built form, tall buildings are considered to be those greater than four - six storeys, meaning local and neighbourhood centre policies, methods and rules are not directly relevant to the consideration of this topic.

The preferred option adopted in the proposed Unitary Plan for managing tall building form & upper level street interface is to set a maximum tower dimension and minimum setback from boundaries and streets above podium level. This will apply to tall buildings within zones, and in areas within zones, that allow tall buildings (City Centre, Metropolitan Centre and some Town Centre zones).

##### **2.3.1.2 Policies**

Policies are proposed in the business zones to implement the following objectives:

- Objectives 1 and 2 of the General Business zones relate to tall building form by setting the goals to achieve an attractive environment within centres and a form and scale of development which reinforces those centres as focal points for the community.
- City Centre zone objective 2 has a goal of an attractive place to live work and visit and enabling the greatest intensity of development in Auckland.
- Metropolitan Centre zone objective 1 promotes a scale and form of buildings second only to the city centre.

The following general, city centre and metropolitan centre policies deal with tall building form within centres:

General policies for centres

3. *Require development of a quality and design that positively contributes to the public realm and maximises pedestrian amenity, movement, safety and convenience for people of all ages and abilities.*
5. *Require the design of buildings to contribute positively to the visual quality, pedestrian vitality, safety and interest of streets and public open spaces.*

City Centre zone policies

City form

15. *Enable the tallest buildings and the greatest density of development to occur in the core central business district.*
16. *Manage adverse effects associated with building height by:*
  - a. *requiring building height and development densities to transition down to neighbourhoods adjoining the city centre and to the harbour edge*
  - b. *protecting sunlight to identified public open spaces and view shafts*
  - c. *requiring the height and form of new buildings to respect its valley and ridgeline form of the city centre and the existing established or proposed character of precincts*
  - d. *Manage the scale and form of buildings to avoid adverse dominance and/or amenity effects on streets and public open spaces.*
17. *Maximise light and outlook around buildings.*

Public realm

19. *Require building and development of the highest quality that contributes to the city centre's role as an international centre for business, learning, innovation, entertainment, culture and urban living.*
22. *Protect identified sightlines along streets and public open spaces from the city centre to the harbour, Rangitoto, the North Shore and identified sightlines along roads and public open spaces within the city centre to natural features and landmarks.*

Metropolitan Centre zone policies

1. *Enable significant change in metropolitan centres where the outcome can be shown to contribute to the function, amenity, and vitality of the centre and is an efficient use of a centre's infrastructure.*
2. *Provide for the greatest concentration, quality and scale of buildings within metropolitan centres, second only to the city centre.*

Town Centre zone policies

1. *Enable significant change in town centres where the outcome can be shown to contribute to the function, amenity, and vitality of the centre and is an efficient use of a centre's infrastructure.*
3. *Enable the intensification of commercial, residential and community activities in town centres, by:*
  - a. *substantial scale, concentration and density of buildings*
  - b. *the comprehensive development and redevelopment of sites.*
4. *Require development to achieve a high standard of design.*

Local Centre zone policies

2. *Require development to achieve a high standard of design.*

Neighbourhood Centre zone policies

2. *Require development to achieve a high standard of design.*

### 2.3.1.3 Rules and other methods

The proposed method introduces a rule requiring a maximum tower dimension of 50m and specifying a 6m setback from front, side and rear boundaries for towers above podium height in the areas that allow tall buildings.

The rule would be most relevant to large redevelopment sites, with dimensions greater than 50m. The building would comply with the rule on smaller sites with dimensions less than 50m.

The key supporting methods are:

#### *Building setback at upper floors*

Proposed clause 4.4 of the Business zones rules and clause 4.23 of the City Centre zone rules are proposed to control building setback at upper floors in accordance with the table below.

**Table 1: Building setback at upper floors**

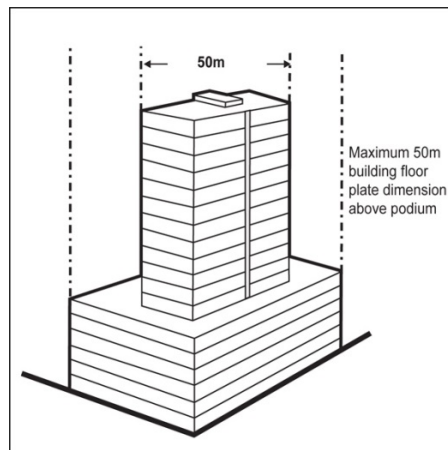
Zone	Area that the control applies to	Height/ Storeys after which the minimum setback applies	Minimum setback
City Centre	Special height area	28m	6m
Metropolitan Centre	entire zone	24.5m / 6 storeys	6m
Town Centre	entire zone	16.5m / 4 storeys	6m
Mixed Use	entire zone	16.5m/ 4 storeys	6m

#### *Maximum plan dimension*

Proposed clause 4.5 of the Business zones rules and clause 4.23 of the City Centre zone rules are proposed to control the maximum plan dimension at upper floors in accordance with the rules below.

#### Clause 4.5 of the Business zones rules

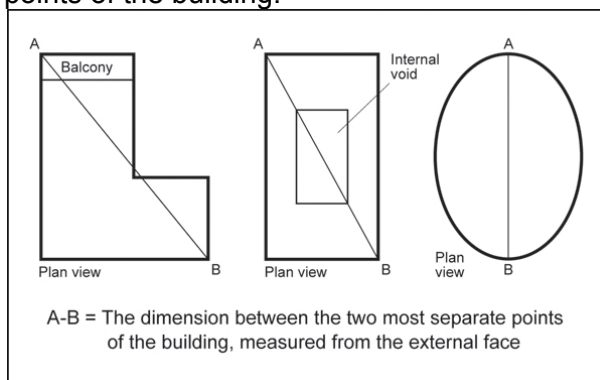
1. The following controls apply to buildings within the Metropolitan Centre, Town Centre and Mixed Use zones.
2. The maximum plan dimension of that part of the building above the required set back (as outlined in the above table) must not exceed 50m.



Proposed Unitary Plan Figure 12: Maximum tower height at setback

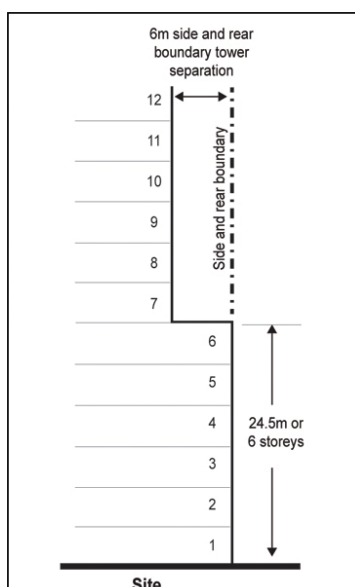


3. The maximum plan dimension is the horizontal dimension between the exterior faces of the two most separate points of the building.



Proposed Unitary Plan Figure 14: Maximum tower dimension

4. The part of a building above either 24.5m or six storeys must be located at least 6m from any side or rear boundary of the site.



Proposed Unitary Plan Figure 15: Minimum tower separation – metropolitan centre

#### Clause 4.23 of the City Centre zone rules

1a. On every site identified as special height area on map 3, the maximum plan dimension of that part of the building 28m above mean street level must not exceed 50m.

2. The maximum plan dimension is the horizontal dimension between exterior faces of the two most separate points of the building.

#### **2.3.1.4 Costs and Benefits of Proposed Policies and Rules**

##### *Costs*

Limiting the dimension of floor plates at the upper levels of buildings will require buildings to be taller to achieve the maximum floor space yield. This is likely to increase overall building costs. The actual additional costs incurred will depend on the size of the site and the floor area sought, and are therefore development specific.

As the provisions will encourage taller, more slender buildings, this approach will make buildings more prominent in the skyline. This could be perceived by some to be a visual cost to the wider community.

Restricting the size of floor plates at upper levels will also reduce flexibility for the developer to respond to market needs at the time and may result in development, particularly commercial development, locating within the fringe areas of the City Centre and Metropolitan Centre zones. It may also result in developers favouring a lower-scale (four-six storeys) form of development if a tower is not commercially viable.

A rule in the Unitary Plan is blunt in that it generally indicates that compliance with the rule will effectively manage the adverse effects of building bulk. Because of this, there may be some cases where compliance with the rule may not result in an optimum design outcome, although it is likely to in the majority of cases.

### *Benefits*

This approach will result in more slender tower forms which will give more sunlight access to streets and public open spaces, and help mitigate any adverse wind conditions at street level. This will also result in better outlook for occupants of buildings through the city and enable light around the building. These factors may increase the benefit/value occupants apply to floor space within a building and the rental/value that may be accrued from floor space which may assist to offset any increased development costs. Further, slender tower forms will create a more attractive skyline and will ensure towers are designed 'in the round', thereby creating more attractive centre environments.

If buildings are built to maximise the available floor space, buildings will be clustered within the 'unlimited height' area of the City Centre zone and within the smaller Metropolitan Centre and Town Centre zones. This approach encourages development to concentrate in areas with more generous height restrictions, which will result in agglomeration benefits associated with compact centres. The balance of enabling greater height while requiring setbacks will enable growth while also maintaining (or enhancing) amenity.

This approach also has the benefit of providing certainty to the developers, the community and regulatory planners as to a generally acceptable building envelope. This will achieve a consistency of taller building form along streets within centres. It will assist in reducing the matters of contention when resource consent is applied for, potentially resulting in a faster and less litigious planning process.

### *Summary*

In summary, while the rules would introduce an additional regulation on the design of tall buildings, the rule would allow for a realistic floor plate for commercial and residential development to be achieved and so limit the risk of curtailing development within the areas subject to the rule. The rules would also provide increased certainty to developers and the council about what an acceptable balance between enabling development and maintaining amenity at street level.

#### **2.3.1.5 Adequacy of information and risk of not acting**

A detailed quantitative analysis of the relative costs and benefits to developers in requiring taller more slender buildings to achieve the maximum floor area has not been undertaken as these would vary from building to building depending on particular site and tenant circumstances. The economic benefits of good urban design however are established through research (refer Section 1.6 of this report).

The risks of not acting in this case are that buildings may be constructed that will adversely affect the visual quality and environmental conditions of the city centre, metropolitan centre,

town centre and mixed use environments. In general terms, the lost opportunity to achieve the benefits of good urban design would also be a cost.

#### **2.3.1.6 Summary of assessment**

As the city intensifies, particularly within the main centres, it will become increasingly important to ensure a high amenity public realm. Buildings impact on the quality of the public realm and should be designed to respect the human scale and maintain and enhance environmental conditions. In this regard, it is considered that this approach will appropriately manage building form to achieve the quality built environment objectives of the Unitary Plan.

The proposed policy, methods and rules are considered effective as the approach will assist to achieve a built form that enhances the quality of the public realm and manages the adverse effects of buildings on adjacent sites.

This approach is efficient as the benefits on balance outweigh the costs identified, as assessed in Section 2.3.1.4 above.

Further analysis on the proposed building setback at upper floors control is provided in the report "Unitary Plan Research Paper: City Centre zone – Urban Form and Built Form Summary, August 2013".

### **2.3.2 Topic 2 – Building maximum floor area ratio**

#### **2.3.2.1 Introduction**

This topic addresses provisions which seek to control the overall intensity of development including building bulk and form. More intensive development may create large bulky buildings that adversely affect the amenity of business areas, including streets and adjacent sites. A maximum floor area ratio (FAR) for buildings in relation to site size is one means of controlling the intensity of development.

FAR is the relationship between building gross floor area and land area of the site, and is expressed by the formula:

$$\text{FAR} = \text{Gross floor area} / \text{Land area of the site}$$

Bonus regimes, which enable developers to achieve higher floor areas in return for providing wider public benefits, also enable floor area ratio rules to achieve other desirable outcomes. Maximum gross floor area (GFA) rules are also an option for controlling the intensity of development. Alternatively, reliance can be placed on general bulk and location development controls, and/or design-based assessment criteria for all buildings in business areas.

The legacy planning documents take different approaches to managing building bulk and mass within centres through maximum FAR controls. For example, within the city centre and other centres within the former Auckland city isthmus area, building mass and bulk on individual sites is primarily controlled through the application of a basic and maximum FAR control. Bonuses are also set out to achieve wider public benefits. However, within centres within the former Manukau City and Waitakere City areas there are no FAR controls.

The preferred option adopted in the proposed Unitary Plan is to retain maximum GFA controls only within the City Centre and Newmarket Metropolitan Centre zones and rely on building setback, maximum tower dimension, height in relation to boundary, and outlook development controls and supporting assessment criteria to control building bulk and intensity within other centres.

### **2.3.2.2 Policies**

Similar to the tall building form issue in Topic 1, objectives 1 and 2 of the General Business zones are relevant to building maximum FAR through reference to the form and scale of development within centres. Other relevant objectives include City Centre zone objectives 1-4, Metropolitan Centre zone objective 1 and Town Centre objective 2.

Specific policies relevant to the maximum floor area ratio are:

- City Centre zone – Policies 13 and 18 which encourage the retention and conservation of the City’s heritage and the establishment of public amenities through development incentives and policies 16 and 17 which require the adverse effects associated with building height to be managed and the maximisation of light and outlook around buildings.
- Metropolitan Centre zone – Policy 4 which seeks to enable high intensity activities
- Town Centre zone – Policy 3 which seeks to enable the intensification of activities through the substantial scale, concentration and density of buildings.

### **2.3.2.3 Rules and other methods**

The key supporting methods are retention of the basic and maximum GFA limitations within the City Centre and Newmarket Metropolitan Centre zones.

The building setback, maximum tower dimension, height in relation to boundary, and outlook development controls and supporting assessment criteria would be generally applied to centres across the city as the principal methods of managing building bulk and mass to achieve the relevant objectives. Within all centres, resource consent would be required for buildings with assessment against design based criteria.

While other development controls, such as building setbacks, will be applied to the other centres, these rules generally provide more flexibility in terms of managing the bulk and scale of development and certainty to developers and the council than the GFA and FAR approaches.

### **2.3.2.4 Costs and Benefits of Proposed Policies and Rules**

#### *FAR control*

Within the City Centre zone and Newmarket Metropolitan Centre zone, the basic FAR control, if considered in isolation, does not provide any real beneficial environmental outcome, particularly in relation to building design, apart from a very crude limitation on bulk. However, when considered in conjunction with the bonus FAR system, there is potential for council to secure additional light and outlook around buildings and significant public and environmental benefits without spending public funds, including securing the protection of heritage buildings and key pedestrian links through the city. A review of planning approaches within several Australian cities (Sydney, Melbourne, and Brisbane) and cities within the United States (New York, Minneapolis, Seattle, Arlington, Sunnyvale) shows this tool is commonly used in different forms and is successful in securing such benefits. Within the City Centre zone, where the highest level of development uplift is provided for and where there is a well-established heritage floor space bonus and transfer system, the retention of the FAR system is seen as an important tool in complementing ‘design-led’ planning, provided it is complemented by other design-driven development controls and assessment criteria.

As the FAR bonus system will be retained only within the city centre and Newmarket, opportunities for securing wider public benefits (such as the provision of through site links) through a bonus FAR system may be lost within centres outside these centres.

Within the city centre and Newmarket, the proposed maximum FAR controls would place an additional burden on landowners by imposing limits on the amount of floor area able to be

constructed on a per site basis in addition to building setback, maximum tower dimension, and outlook development controls.

The owners and developers of sites outside the city centre would benefit from more development flexibility through the removal of floor area controls.

#### *General bulk and location*

Within all centres, the proposed option would place an additional burden on landowners by imposing building set back, maximum tower dimension, height in relation to boundary, and outlook development controls on development.

However, this approach has the benefit of providing certainty to the developers, the community and regulatory planners as to the minimum separation distance between buildings and from road frontages through the application of building setback controls.

#### *Resource consent requirements for all buildings*

Within all centres, this option would place additional financial and time costs on landowners by requiring resource consent for buildings and assessment against design-based criteria.

However, this provides for flexibility in design which encourages developers to find innovative solutions that maximise development potential while minimising adverse effects from bulky buildings in business centres.

### **2.3.2.5 Adequacy of Information and Risk of Not Acting**

Auckland Council's regulatory team has provided feedback on the benefits of the FAR controls in the city centre and Newmarket. Planning approaches taken internationally have also been reviewed to determine the appropriateness of this control. A qualitative analysis has been undertaken to determine the proposed approach.

The risks associated with the removal of the basic and maximum FAR from the city centre outweigh the potential benefits due the potential loss of wider public benefits obtained from the current application of this control within the city centre.

The risks of not including general bulk and location controls and design-based assessment criteria are that the bulk and scale of buildings within centres will adversely affect the visual quality, amenity and environmental conditions of the centre which may in turn negatively impact on the success of council's wider strategic policy to create a quality compact city through intensification.

### **2.3.2.6 Summary of assessment**

In the absence of an effective FAR bonus regime outside the city centre and Newmarket, the application of building setback, outlook and maximum tower dimension controls accompanied by detailed design assessment is considered more appropriate in achieving the relevant objectives than the alternative or additional application of a maximum floor area control.

An approach where development controls form an envelope within which developers and the public have certainty that the prescribed bulk and scale of a building can be achieved more appropriately achieves the relevant objectives when supported by requirement for a design-based assessment of the building itself. This achieves an appropriate balance between providing certainty to a developer as to the general bulk and form of a building while providing scope for council to ensure that the building design appropriately and positively responds to centre.

This approach is considered effective as it will achieve a built form within centres that contributes to enhancing the quality of the public realm and manages the adverse effects of buildings on adjacent sites while continuing to secure wider community benefits through the application of the bonus FAR system within the city centre and Newmarket.

The proposed policies, methods and rules are efficient as the benefits described above, on balance outweigh the costs identified. While opportunities for securing wider public benefits, such as through-site links, through removal of the bonus FAR system from some centres may be lost, this is of limited value in securing such opportunities outside city centres.

Further discussion of the costs and benefits of retaining the FAR control within the city centre is provided in the report “Unitary Plan Research Paper: City Centre zone – Urban Form and Built Form Summary, August 2013”.

### **2.3.3 Topic 3 – Adaptable and high internal amenity buildings**

#### **2.3.3.1 Introduction**

This topic addresses provisions which seek to ensure buildings are adaptable to enable a change of use over time. The importance of residents and workers having quality internal living and working environments is also assessed.

The approach to managing floor heights to achieve adaptable and high internal amenity buildings varies across legacy planning documents. Some legacy planning documents rely on compliance only with the maximum building code to achieve adaptable and high amenity buildings while others rely on assessment criteria. Apart from some legacy plans which specify a minimum floor-to-floor height on specific retail frontages (i.e. Auckland central area district plan) no legacy plans include development controls specifying minimum floor-to-floor heights above ground level.

The proposed approach is to set a minimum floor to floor height for residential and commercial buildings.

#### **2.3.3.2 Policies**

In addition to the general business, city centre and metropolitan centre policies listed under section 1.9, Policies 1, 2 and 6 are of particular relevance to this topic:

*Policy 1 Reinforce the function of the city centre, metropolitan centres and town centres as the primary location for commercial activity.*

*Policy 2 Accommodate an increase in the density, diversity and quality of housing in the Centres and Mixed Use zones while managing the higher levels of ambient noise and reduced privacy it may be subject to.*

*Policy 6 Require buildings to be adaptable to a range of uses to allow activities to change over time.*

#### **2.3.3.3 Rules and other methods**

The key supporting methods are as follows:

##### Clause 4.29 of the City Centre zone rules

1. The ground floor of a new building must have a minimum finished floor-to-floor height of 4.5m for a minimum depth of 10m where it adjoins a street or public open space.

##### Clause 4.8 of the Business zones rules

1. The ground floor of a new building subject to a Key Retail Frontage or General Commercial Frontage overlay must have a minimum finished floor-to-floor height of 4.5m for a minimum depth of 10m.
2. The ground floor of a new building must have a minimum finished floor-to-floor height of 4m for a minimum depth of 6m where it adjoins streets or public open spaces in the following zones:
  - a. Local Centre
  - b. Neighbourhood Centre
  - c. Mixed Use
  - d. General Business
  - e. Business Park
  - f. those parts of Metropolitan and Town Centre zones that are not subject to the Key Retail Frontage and General Commercial Frontage overlay.
3. The finished floor-to-floor height of new buildings above ground floor must be at least 3.6m where those floors will accommodate non-residential activities.
4. The finished floor to finished ceiling height of new buildings above ground floor must be at least 2.55m where those floors will accommodate dwellings.

#### **2.3.3.4 Costs and Benefits of Proposed Policies and Rules**

##### *Costs*

Requiring greater floor-to-floor heights may increase building costs. It may also effectively decrease the floor area potential of buildings where height limits are the same as the operative district plans, as fewer floors will be possible within the allowable building height.

##### *Benefits*

In general terms, good urban design that addresses the adaptability of buildings can:

- Extend the useful economic life and value of buildings and public spaces
- Increase the diversity of uses and users in a public space, and the length of time it is used for
- Encourage the conservation of non-renewable resources by avoiding the cost of changing buildings to suit new uses, technology or fashions which can be high, particularly when they have not been designed with change in mind<sup>3</sup>.

For commercial development, setting minimum floor-to-floor heights at ground level will ensure the street interface level is adaptable to a range of uses over time, particularly where retail may extend to wider parts of the zones in which it applies. Increasing the minimum floor-to-floor height from the 4m minimum currently applied within some centres may increase cost but has the benefit of allowing 0.5m of space for ceiling and ducting, thereby assisting to achieve a 4m floor to ceiling height at street level. A 6m depth is considered to be the minimum adequate to achieve a viable retail tenancy at ground level. A 10m depth is considered to be preferable along key activity frontages and within the City Centre zone to encourage deeper / more active tenancies to establish. Detailed analysis of the options for applying this control is contained at Appendix 2 of the report titled *Unitary Plan – Managing Frontages and Pedestrian Amenity in the City Centre*.

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<sup>3</sup> MfE, June 2005 – “Summary of the Value of Urban Design”

The minimum floor-to-floor heights for commercial activities above ground will also enable adequate sunlight/daylight penetration into the building with associated amenity and environmental benefits and provide adequate space for services between floors. Although this may add costs to development, the benefits of the minimum 3.6m requirement are considered to outweigh any additional building costs. In this respect, it is also noted that increased floor-to-floor height may increase the value of floor space.

For residential development in business zones, achieving a reasonable floor-to-ceiling height will, depending on the location and extent of windows, enable greater sunlight/daylight penetration and good ventilation within apartments. This has environmental and amenity benefits. It also contributes to achieving a sense of spaciousness which may compensate for smaller apartments. This is considered particularly important given the changes to the minimum apartment size requirements, which generally provide more flexibility to develop smaller apartments, and the goal to intensify centres and encourage people to live within those centres.

A rule provides certainty to developers, the community and council as to an acceptable floor-to-floor height. The minimum floor to finished ceiling height of 2.55m has been selected after consultation with development industry representatives, including the New Zealand Property Council.

Applications can be made as a restricted discretionary (non-notified) if particular circumstances apply which warrant a reduction in the minimum floor-to-floor heights.

#### *Summary*

The requirement for minimum floor-to-floor heights may have initial costs for developers in terms of buildings costs. Where legacy height limits are being retained, there may also be a reduction in the floor area potential. However, these costs are considered to be outweighed by the long term potential economic viability of buildings through enabling adaptive reuse and an increased level of internal amenity. In addition, the improved amenity will have wider benefits as established through urban design research (see Section 1.6.1 and 1.6.2 of this report).

#### **2.3.3.5 Adequacy of Information and Risk of Not Acting**

In addition to the information and analysis summarised in Section 1.6 of this report, information has been obtained through feedback and workshops with key stakeholders including The New Zealand Property Council. In particular, the minimum floor to floor height has been reduced from the draft Unitary Plan in response to concerns about the practicality and costs of achieving the minimum heights based on standard gib board dimensions.

Not acting on this approach may result in lower quality residential and commercial development that does not maximise the environmental and amenity benefits from greater stud heights. This may, in turn, detract from the strategic goal to intensify centres as centres may be seen as unattractive places to work, visit and reside.

#### **2.3.3.6 Summary of evaluation**

Achieving intensification within the centres will require residential and commercial development to be high-quality and provide for the needs of a wide range of people. Setting minimum floor-to-floor heights, as part of a wider range of rules and design-based policies and assessment criteria will contribute to achieving this objective. While there may be additional building costs associated with the approach, the rules are clear and unambiguous. Relatively efficient applications (non-notified) can also be made if particular circumstances apply justifying a reduction in minimum floor-to-floor heights. For these reasons, this approach is considered to be the most appropriate means to give effect to the built environment objectives of the Unitary Plan.



This approach is considered to be effective as it sets clear minimum thresholds for acceptable floor-to-floor heights that will contribute to achieving a quality compact and liveable city. While the building costs may increase if this alternative is progressed, the benefits to the wider community in terms of achieving higher quality residential and commercial development outweigh them.

## **2.3.4 Topic 4 – Maintaining and enhancing pedestrian amenity**

### **2.3.4.1 Introduction**

This topic addresses provisions which seek to maintain and enhance pedestrian amenity, through managing the design and use of buildings.

Legacy planning documents contain a number of differing approaches to maintaining and enhancing pedestrian amenity through building design. These include non-statutory guidance, assessment as part of resource consent applications for new buildings, identifying particular frontage typologies where different levels of glazing and treatment are required and identifying one special retail frontage where glazing and a minimum floor-to-floor height is required.

The proposed approach is to introduce a range of controls to manage the design and use of buildings at ground floor adjoining streets and public open spaces in the City Centre zone and in other business zones. These include minimum glazing requirement controls on frontages within centres, a ground floor at street frontage level control, requirements to provide verandahs, a requirement for buildings to adjoin streets and assessment criteria addressing the design of building facades. The minimum glazing requirement control, residential at ground floor and ground floor at street frontage level control are considered to be the most significant change to the built form methods and the focus of this assessment.

Further analysis on the proposed controls relating to maintaining and enhancing pedestrian amenity within the City Centre zone is also provided in the report “Unitary Plan – Managing Frontages and Pedestrian Amenity in the City Centre” (see Appendix 3 of this report).

### **2.3.4.2 Policies**

In addition to objectives 1 and 2 of the General Business zones, other relevant objectives which address the maintenance and enhancement of pedestrian amenity include City Centre zone objective 2 which sets the goal to provide an attractive place to live, work and visit. Metropolitan Centre zone objective 2, Town Centre zone objective 3 and Mixed Use zone objective 4 also specifically set the goal of identifying key retail streets as the focal point of pedestrian activity, with identified commercial streets supporting this role. Business Park zone objective 3 is also of relevance which sets the goal for development to be of high amenity value.

In addition to the policies listed at section 1.9 above, the following mixed use zone, general business zone and business park zone policies are proposed to achieve the relevant objectives under this topic:

#### Mixed Use zone - policies

4. *Require development to achieve a high standard of design.*
5. *Recognise the importance of particular streets identified on the Key Retail and General Commercial Frontage overlay as primary places for public interaction:*
  - a. *by requiring buildings with frontages to these streets to:*
    - i. *provide greater ground floor heights to maximise building adaptability to a range of uses*

#### General Business zone - policies

7. *Require a good standard of design given the location of the zone close to centres and along growth corridors.*

#### Business Park zone - policies

4. *Require a plan change for a new business park to:  
e. demonstrate that a comprehensively planned development and a high standard of visual, landscaped and pedestrian amenity will be achieved*

#### **2.3.4.3 Rules and other methods**

This approach involves introducing the following key rules to achieve active frontages at ground level. As set out above, the minimum glazing requirement, residential at ground floor and ground floor at street frontage level control are considered to be the most significant change to the built form methods and are the focus of this assessment.

#### Minimum Glazing Requirement

##### Clause 4.26 of the City Centre zone rules - Glazing

1. On every frontage identified as 50 per cent, on map 6, the ground floor of a building must have clear glazing for at least 50 per cent of its width and 75 per cent of its height.
2. On every frontage identified as 75 per cent, on map 6, the ground floor of a building must have clear glazing for at least 75 per cent of its width and 75 per cent of its height.
3. Vehicle and pedestrian access is excluded when calculating the glazing requirement above.

##### Clause 4.9 of the Business zones rules - Glazing

1. The ground floor of a building subject to a Key Retail Frontage overlay must have clear glazing for at least 75 per cent of its width and 75 per cent of its height.
2. The ground floor of a building must have clear glazing for:
  - a. at least 50 per cent of its width and 50 per cent of its height where it fronts a street or public open space
  - b. at least 30 per cent of its width and 75 per cent of its height where it fronts a public open space which is on the side or rear boundary in the following zones:
    - i. General commercial frontage overlay
    - ii. Local Centre
    - iii. Neighbourhood Centre
    - iv. Mixed Use
    - v. Business Park

- vi. General Business
- vii. those areas in the Metropolitan Centre and Town Centre zones not subject to a Key Retail Frontage overlay.

3. Where a publicly accessible through-site link is provided through a site or block as part of a development, the ground floor of those buildings with facades facing the through-site link must have clear glazing for at least 30 per cent of the length of the ground floor building facade that faces the through-site link and 75 per cent of its height.

#### Residential at Ground Floor

##### Clause 4.27 of the City Centre zone rules – Ground floor activities

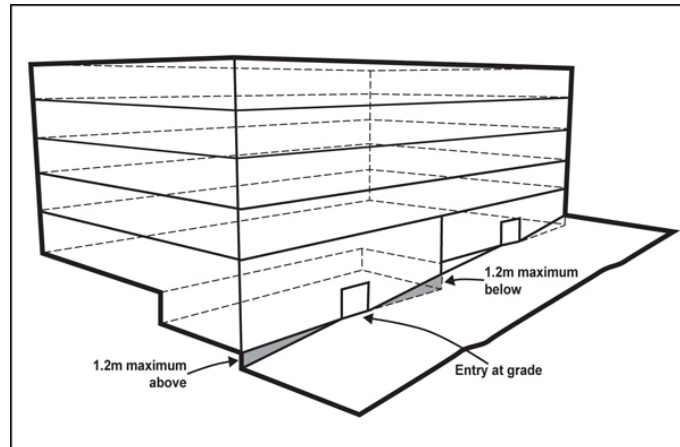
1. On every frontage identified as 100 per cent on map 7, either retail (excluding show homes, trade suppliers, service stations and motor vehicle sales), commercial services (excluding all nested definitions) or entertainment facilities must occupy 100 per cent of the ground floor of the building for a depth of at least 10m.
2. On every frontage identified as 70 per cent on map 7, either retail (excluding show homes, trade suppliers, service stations and motor vehicle sales) and commercial services (excluding all nested definitions) or entertainment facilities must occupy at least 70 per cent of the ground floor of the building for a depth of at least 10m.
3. On every frontage identified on map 7, the total width of pedestrian entrances or lobbies along the frontage must not exceed 10m.

##### Clause 4.11 of the Business zones rules – Residential at ground floor

Dwellings in the Metropolitan Centre, Town Centre, Local Centre and Neighbourhood Centre zone must not locate on the ground floor of a building adjoining public open spaces and streets.

##### Clause 4.12 of the Business zone rules and Clause 4.25 of the City Centre zone rules

1. Entrances to the ground floor of a building must be at grade with the adjoining street.
2. The ground floor of a new building must be at the same level of the adjoining street for a minimum depth of 6m. Except where the adjoining street slopes along the site frontage, the ground floor must be no more than 1.2m above or below the level of the site frontage.
3. The level of the site frontage must be measured at every point along that boundary.



Proposed Unitary Plan Figure 18: Required ground floor level of building frontages

#### 2.3.4.4 Costs and Benefits of Proposed Policies and Rules

In general terms, urban design and activity that enhances pedestrian amenity can:

- Attract people and activity, leading to enhanced economic performance and increased vitality
- Increase participation in community and cultural activities which generates social and cultural benefits
- Give a greater sense of personal safety
- Attract social engagement, pride and commitment to further achievements<sup>4</sup>.

Specific costs and benefits for the proposed approach are assessed below.

##### *Requiring differing levels of glazing at ground level*

Requiring glazing at street level may increase building costs. It may also effectively preclude or discourage viable activities which may not require or want visibility from the street frontage (i.e. residential or office activity). This is particularly relevant to non-key retail frontage streets within Metropolitan and Town Centres and streets within the General Business zone where retail activity may not be viable. A minimum of 50 per cent glazing is required on all non-key retail frontage areas within centres (except the City Centre where either a 75 per cent or 50 per cent glazing requirement will apply), Mixed Use and business zoned areas.

Overall however, this approach will achieve a greater level of glazing across streets within centres and business areas. The rules recognise that different levels of glazing are required across streets within centres and business areas.

The rules are clear and avoid uncertainty as to what is the appropriate level of glazing required in each particular circumstance. Notwithstanding that, applications are able to made on a non-notified basis to infringe the glazing controls if particular site circumstances apply.

##### *Residential at Ground Floor*

Appendix 5 of the Unitary Plan - Managing Frontages and Pedestrian Amenity in the City Centre report addresses the urban design related costs and benefits of managing residential activity at ground level adjoining streets or public open spaces. This is directly aligned with development which positively contributes to the public realm and maximises pedestrian

<sup>4</sup> MfE, June 2005 – “Summary of the Value of Urban Design”

amenity and movement (Policy 3 of the General Business zones). This also relates to Policy 2 of the General Business zones which sets out to increase the quality of housing in centres and mixed use zones.

This method may result in costs of reducing flexibility for the use of ground floor areas adjoining streets. However resource consent is required for a new building or alterations as a restricted discretionary activity, meaning a resource consent application is required regardless of the infringement, and appropriate assessment criteria for infringing the development control can be drafted to provide clear guidance on acceptable alternatives.

The benefits of managing residential at ground floor including avoiding adverse effects on the public realm where the desired level of activity is high. Other adverse effects which will be avoided include reduced flexibility for reuse of ground floor areas due to the specific design requirements of residential units and reduced amenity for the occupants of residential units near busy and noisy streets.

*Requiring ground floor plate of the building to be generally at street level*

Appendix 3 of the Unitary Plan - Managing Frontages and Pedestrian

Amenity in the City Centre report addresses the alternatives to encouraging active street frontages by ensuring that the maximum height (or depth) of any portion of a ground floor plate above (or below) the adjacent portion of footpath is proximate to the footpath. This is directly aligned with development which positively contributes to the public realm and maximises pedestrian amenity and movement (Policy 3 of the General Business zones).

Figures 2 and 3 below show how this rule would be applied to sites with steeper frontages. In the first example, two ground level floor plates would be created and in the second example four floor plates would be created.

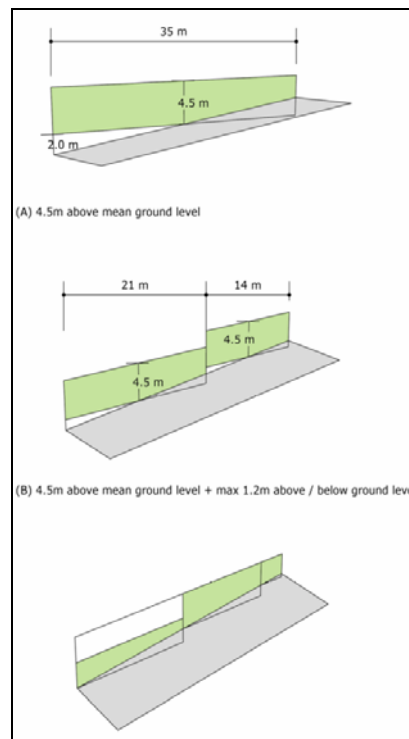


Figure 2: 500 Queen Street

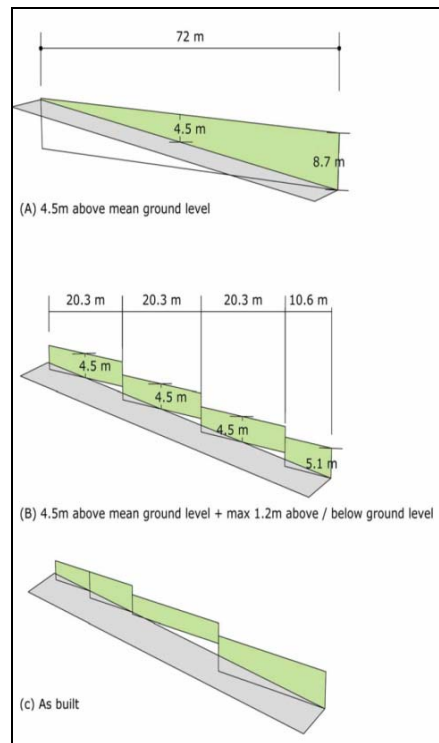


Figure 3: 151 Queen Street

This demonstrates that a cost on steeper sites is that compliance with the rule may create unusable floor plates/tenancies. In these cases, resource consent is required for a new building as a restricted discretionary activity for a new building, meaning a resource consent application is required regardless of the infringement, and appropriate assessment criteria for infringing the development control can be drafted to provide clear guidance on acceptable alternatives. The Unitary Plan - Managing Frontages and Pedestrian Amenity in the City Centre report however demonstrates that overall the rule will achieve ground floor frontages that relate better to the street and provide direct and convenient access for pedestrians. This will result in more attractive and vibrant streetscapes, contributing to the overall quality of the public realm.

The rule is unambiguous and clearly sets the minimum requirements. The assessment criteria provide clear guidance on the circumstances in which infringing the development control would be acceptable, i.e. on particularly steep sites.

The rule is applied to those parts of the city with high numbers of pedestrians and/or a concentration of retail activities, therefore the rule is targeted to those parts of the city where the highest levels of pedestrian amenity is expected. Other streets within other business areas would rely on assessment criteria to achieve attractive and where possible, active edges.

### Summary

The requirement for glazing, residential at ground floor and the building street level control may increase building costs and development flexibility. The extent of costs will depend on the development and are unknown. However, the additional upfront development costs are considered to be outweighed by the benefits of improving connection between building occupants and the public realm to enhance pedestrian amenity. Increasing pedestrian amenity attracts people and activity, which has been demonstrated to enhance economic performance, increase safety, and provide wider social and cultural benefits.

#### **2.3.4.5 Adequacy of Information and Risk of Not Acting**

Specific additional building costs associated with implementing the rule are unknown. However, the risk of not acting is that new development on sloping sites will have large expanses of blank walls and that glazing may not be provided within parts of centres and business zoned areas failing to maintain and enhance pedestrian amenity.

#### **2.3.4.6 Summary of assessment**

The proposed approach would achieve the built form objectives of the Unitary Plan by requiring building frontages in key parts of the city to contribute positively to the public realm. The approach is therefore considered to be appropriate.

This approach is effective in achieving the objectives of the Unitary Plan regarding a high-quality public realm in a manner that is clear and unambiguous.

The benefits associated with achieving active and engaging street frontages is considered to outweigh the costs associated with the alternative, particularly where acceptable design outcomes are clearly explained for sites that are unable to meet the control.

### **2.3.5 Topic 5 – Building design**

#### **2.3.5.1 Overview**

This topic addresses provisions which seek to maintain and enhance amenity and the quality of built environments in business areas, through generally managing the design and use of buildings.

Legacy planning documents contain a number of differing approaches to general building design issues. These range from non-statutory guidance to assessment as a controlled activity or restricted discretionary activity. Some legacy planning documents (i.e. North Shore and Waitakere) contain provisions specifying design criteria for supermarkets, department stores, large format retail and drive-throughs within centres while others take a remain silent on these development forms.

The preferred option is to require a restricted discretionary activity resource consent application for buildings within all centre zones. The proposed design assessment criteria are consistently applied across all metropolitan, town and local centres, with specific design criteria within the City Centre zone. Specific design criteria are also proposed for integrated shopping malls, supermarkets, department stores, large format retail, trade suppliers and drive-through facilities within centres, except the City Centre.

#### **2.3.5.2 Policies**

Objectives 1 and 2 of the General Business zones are relevant to building design by setting the goals to achieve attractive environments and design quality.

In addition to the general business, city centre and metropolitan centre policies listed under Topic 1, the following policies are proposed to achieve the relevant objectives under this topic:

##### General Business zone - policies

*3. Require development of a quality and design that positively contributes to the public realm and maximises pedestrian amenity, movement, safety and convenience for people of all ages and abilities.*

*5. Require the design of buildings to contribute positively to the visual quality, pedestrian vitality, safety and interest of streets and public open spaces.*

*8. Encourage the selection of materials, finishes and landscaping with consideration for long-term weathering, maintenance and durability.*

#### City Centre Zone - policies

*19. Require building and development of the highest quality that contributes to the city centre's role as an international centre for business, learning, innovation, entertainment, culture and urban living.*

#### Metropolitan Centre zone - policies

*2. Provide for the greatest concentration, quality and scale of buildings within metropolitan centres, second only to the city centre.*

*9. Encourage supermarkets and department stores within metropolitan centres by recognising:*

- a. the positive contribution these activities make to centre viability and function, and*
- b. designs that positively contribute to the streetscape and character of their surroundings, having regard to the functional requirements of these activities.*

#### Town Centre zone - policies

*4. Require development to achieve a high standard of design*

*6. Encourage supermarkets and department stores within metropolitan centres by recognising:*

- a. the positive contribution these activities make to centre viability and function, and*
- b. designs that positively contribute to the streetscape and character of their surroundings, having regard to the functional requirements of these activities.*

#### **2.3.5.3 Rules and other methods**

The key supporting methods are as follows:

- Classifying new buildings and building alterations as a restricted discretionary activity, subject to assessment against design-based criteria.
- Specific assessment criteria applying to integrated shopping malls, supermarkets, department stores, large format retail, trade suppliers and drive-through facilities within centres, mixed use and General Business zones.

The proposed provisions would allow specific design exemptions for the assessment of integrated shopping malls, supermarkets, department stores, large format retail, trade suppliers and drive-through facilities in all centres (except city centre) Mixed Use and General Business zones.

This approach would provide for design-based assessment of these activities during the resource consent process to take into consideration the specific functional design requirements of these development models.

#### **2.3.5.4 Costs and Benefits of Proposed Policies and Rules**

The general benefits of good building design are assessed elsewhere in this report (including in Sections 1.6.1 and 1.6.2).

The proposed approach uses consistent criteria to provide consistent results aimed at improving the public realm, functionality and amenity of centres. It enables the design-based assessment to seek individual site specific solutions to achieve the best outcome possible. It forces developers to push the boundaries of the design to achieve the desired urban design outcome rather than retain historic operational-led design solutions.

There would be economic costs for applicants because the restricted discretionary status will provide less certainty of gaining consent, as the council can decline a proposal detrimental to the public environment. There will also be additional costs for applicants who may need to obtain specialist design advice to ensure their development will achieve the desired design outcomes.



There will be economic costs for the community associated with employing and/or training staff in relation to urban design issues.

#### *Neighbourhood centres*

The draft Unitary Plan included a permitted activity rule in Neighbourhood Centres allowing buildings to be developed with no assessment of the design and appearance of the building. This has been assessed as potentially resulting in unforeseen outcomes detrimental to the environment and leading to inappropriate development quality. There would be no control over the detailed design of buildings which could result in bland, poorly design buildings which do not positively contribute to streets or public open spaces. Building design may not respond to, nor fit with the character of an existing neighbourhood centre. Further, the community could incur the costs of poor quality development due to the design quality failing to reinforce the quality of the centres as a focal point for the community. This could leave to lower community appreciation for their neighbourhood centre.

The proposed Unitary Plan follows a consistent approach for all centres by requiring buildings in Neighbourhood Centres to also be assessed as a restricted discretionary activity. This will avoid the potential costs outlined above, and will assist in achieving quality, attractive neighbourhood centres.

#### *Specific retail formats*

Specific retail formats, such as integrated shopping malls, supermarkets, department stores, large format retail, trade suppliers and drive-through facilities, have specific design and operational requirements including more parking, extensive facades, and specific servicing and access requirements.

They do not easily fit with the standard design criteria. Applying the general design criteria would encourage development with function-specific design/operational requirements to locate in areas outside centres where the requirements are less demanding, which in turn draws vitality away from centres. The proposed approach of providing specific criteria appropriate for these retail formats, rather than the general criteria, will encourage these activities to locate in centres. The approach will ensure these activities will not contribute from the amenity of centres, whilst providing for their function-specific design requirements.

Inconsistency of the assessment of integrated shopping malls, supermarkets, department stores, large format retail, trade suppliers and drive-through facilities in relation to other activities and development would result in additional cost requirements for developments without function-specific design.

Potentially inconsistent urban design outcomes could lead to an overall failure to encourage and/or require high-quality design outcomes on other nearby sites and consequential poor quality urban environments within centres.

Potentially, this approach may miss other existing or new specific-format retail outlets.

#### **2.3.5.5 Adequacy of Information and Risk of Not Acting**

The general costs and benefits of good building design in business centres are well established. A restricted discretionary (non-notified) design assessment approach is now a well-established and proven approach which achieves a balance between enabling meaningful council input into proposals while providing certainty to the applicant that applications will not be notified and subject to a lengthy litigation process.

There are aspects of developments where design exemptions result in poor urban design, impacting on amenity, pedestrian links and the functioning of centres.

### **2.3.5.6 Summary of assessment**

In summary the costs the wider community could incur as the result of poor quality development due to the design quality failing to reinforce the quality of the centres and business areas as a focal point for the community are considered to outweigh the economic costs for applicants.

This alternative to apply criteria to specific retail formats is considered an appropriate option as the planning process for integrated shopping malls, supermarkets, department stores, large format retail, trade suppliers and drive-through facilities developers would take into account the functional requirements of the model of these developments and align with policy 9 of the Metropolitan Centre zone and policy 6 of the Town Centre zone which seek to recognise the function and role these activities have in the viability of centres. This option would likely facilitate a greater likelihood of achieving the locating of these facilities within the centres and thereby achieving appropriate functionality of the centres as a focal point for the community while maintaining a quality built environment in accordance with Objectives 1 and 2 of the General Business zones.

This alternative is considered to be effective in that it takes into account the specific design requirements of these types of development, ensuring the planning process is not needlessly protracted. It would help prevent locating these types of development outside centres, ensuring centres are reinforced as the primary location for commercial activity and the community in accordance with Objective 2 of the General Business zones.

The benefits of setting out specific exceptions for integrated shopping malls, supermarkets, department stores, large format retail, trade suppliers and drive-through facilities within centres outweigh the potential costs. The design exemptions would lead to more simplified and less costly planning process. The implications of having these developments located within rather than outside the centres outweigh the potential costs on urban design outcomes.

## **3 Alternatives**

The proposed preferred alternatives are discussed in 2.0 above. The status quo alternative is outlined in broad terms in 1.5 above.

Alternative approaches are assessed by topic in the tables below.

### 3.1 Topic 1: Tall buildings

Six key policy and method alternatives have been identified to address the relevant objectives. They are assessed under the following headings:

1. No controls or policies/assessment criteria directing the separation and form of tall buildings
2. Set a maximum tower dimension and minimum setback from boundaries and streets above podium level for tall buildings within zones and areas within zones that allow tall buildings (City Centre, Metropolitan Centre and Town Centre zones<sup>5</sup>)
3. Set only a maximum tower dimension with no set back from boundaries or streets.
4. Set only a minimum setback from boundaries and streets above podium level for tall buildings.
5. Manage the form of tall buildings through design policies and/or assessment criteria.
6. Manage the form of tall buildings through non-regulatory methods

	<b>Status Quo Alternative - no controls or policies/assessment criteria directing the separation and form of tall buildings</b>	<b>Alternative 1 - Preferred option – set a maximum tower dimension and minimum setback from boundaries and streets above podium level for tall buildings within zones and areas within zones that allow tall buildings (City Centre and Metropolitan Centre zones)</b>	<b>Alternative 2 - Set only a maximum tower dimension with no setbacks from boundaries or streets</b>	<b>Alternative 3 - Set only a minimum setback from boundaries and streets above podium level for tall buildings</b>	<b>Alternative 4 - Manage the form of tall buildings through design based policies and/or assessment criteria</b>	<b>Alternative 5 - manage the form of tall buildings through non-regulatory methods</b>
<b>Description</b>	<p>In this option, the approach to managing the form of tall buildings in the operative district plans would be retained, meaning there would be no specific rules, criteria or policies directing the desired form of tall buildings.</p> <p>Under the operative district plans (with the exception of the central area district plan and some site specific provisions) there are limited or no controls on the form of tall towers. An appropriate building envelope is left largely to the market to decide. This currently within the context of lower height limits within some metropolitan and town centres in comparison to the height limits proposed under the Unitary Plan.</p> <p>Under the operative central area district plan a light and outlook bonus applies to sites where tall buildings are allowed. The bonus encourages a 'tower and podium' building typology by providing additional floor area for a smaller floor plate above podium level on a proportional</p>	<p>This alternative introduces a maximum tower dimension of 50m and specifying a 6m setback from front, side and rear boundaries for towers above podium height in the areas that allow tall buildings with unlimited height in the City Centre and tall buildings in the Metropolitan Centre and Town Centre zones.</p> <p>The rule would be most relevant to large redevelopment sites, with dimensions greater than 50m. The building would comply with the rule on smaller sites with dimensions less than 50m.</p>	<p>This alternative would involve setting a maximum tower dimension of 50m with no required setbacks from boundaries or the street frontage.</p>	<p>This alternative would involve setting maximum setbacks from boundaries and street above podium level for tall buildings. These setbacks would be in the range of 3-6m.</p>	<p>This alternative would manage the form of tall buildings through detailed policies and assessment criteria to achieve the objectives outlined in section 2.3.1.2 above. No rules would apply other than maximum height and FAR (in the city centre and Newmarket) and building setbacks (in metropolitan centres).</p> <p>In this respect, it is noted that development design assessment criterion in clause 6.2.5(c) of the Business zones requires <i>'Buildings should be designed to avoid long, unrelieved frontages and excessive bulk and scale when viewed from streets and public open spaces. Building mass should be visually broken up into distinct elements to reflect a human scale and the typical pattern of development in the area. Techniques include the use of recesses, variation in building height and roof form, horizontal and vertical rhythms and facade modulation and articulation.'</i></p>	<p>This alternative would involve managing the form of tall buildings using methods outside the Unitary Plan. These would include:</p> <ul style="list-style-type: none"> <li>• design panels</li> <li>• competitive design policy</li> <li>• non-statutory design guidelines.</li> </ul> <p>Auckland Council has established an urban design panel comprised of architectural, planning and property professionals who provide independent urban design advice on development proposals. The panel's recommendations are used to assist developers and the urban design assessment of the development once a resource consent application is lodged.</p> <p>A competitive design policy would require or encourage use of design competitions (open or invited) for large-scale or high value developments and/or developments in high profile or sensitive locations. While such initiatives could be voluntary, they could also be made mandatory. Sydney has a mandatory competitive design policy that requires developments of a certain height or capital value or</p>

<sup>5</sup>Note: town centres have been included in this option due to the wording of the draft Unitary Plan, despite development being restricted to eight storeys or less.

	<b>Status Quo Alternative - no controls or policies/assessment criteria directing the separation and form of tall buildings</b>	<b>Alternative 1 - Preferred option – set a maximum tower dimension and minimum setback from boundaries and streets above podium level for tall buildings within zones and areas within zones that allow tall buildings (City Centre and Metropolitan Centre zones)</b>	<b>Alternative 2 - Set only a maximum tower dimension with no setbacks from boundaries or streets</b>	<b>Alternative 3 - Set only a minimum setback from boundaries and streets above podium level for tall buildings</b>	<b>Alternative 4 - Manage the form of tall buildings through design based policies and/or assessment criteria</b>	<b>Alternative 5 - manage the form of tall buildings through non-regulatory methods</b>
	basis.					<p>in certain locations, to demonstrate they are the result of a competitive design process (either an architectural design competition or a prescribed competitive design alternatives process). This includes all buildings over 55m in height within central Sydney (and 25 metres outside the centre), as well as any development with a value of more than AUD\$100 million.</p> <p>Auckland Council is currently preparing non-statutory design guidelines in the form of a design manual which will provide detailed guidance on how particular design outcomes are specified in the Unitary Plan. Most former city councils within Auckland prepared a range of non-statutory design guidelines to provide the community, developers and council officers with greater explanation/examples of how to achieve quality design.</p>
Appropriateness	This alternative is not considered appropriate as it does not support the objective of achieving a quality built environment that promotes a sense of place and reinforces the amenity and safety of the public realm. Over-scaled towers have the potential to visually dominate the public realm and cause adverse environmental conditions e.g. shading and wind.	As the city intensifies, particularly within the main centres, it will become increasingly important to ensure a high amenity public realm. Buildings impact on the quality of the public realm and should be designed to respect the human scale and maintain and enhance environmental conditions. In this regard, it is considered that this alternative will appropriately manage building form to achieve the quality built environment objectives of the Unitary Plan.	The alternative may partially achieve the built form objectives of the Unitary Plan but would not address other important amenity and environmental effects of tall buildings. For this reason, the alternative is not the most appropriate means to give effect to the objectives of the Unitary Plan.	This alternative gives effect to the built environment objectives of the Unitary Plan for medium-rise development is considered to be appropriate. However, the alternative will not achieve the built environment objectives of the Unitary Plan for high-rise development with respect to maintaining and enhancing the amenity of the city centre and metropolitan centres.	This alternative may achieve the built form objectives of the Unitary Plan if the policies/assessment criteria were drafted in a clear and specific way. However, the more specific the policies/criteria are the less flexible the assessment process becomes. This option would neither provide the certainty of development controls, nor the flexibility of general assessment criteria. For this reason, this alternative is not the most appropriate way to achieve the built form objectives of the Unitary Plan.	In combination with complementary regulatory methods, this alternative is considered to be an appropriate means of giving effect to the built environment objectives of the Unitary Plan.
Effectiveness	This alternative is unlikely to be effective in achieving the	This alternative is considered effective as it will achieve a	While this option would be effective in reducing	This alternative is not considered effective for buildings greater than eight storeys as it would	The objectives of the Unitary Plan seek significant	On their own, non-regulatory methods are not considered to be

	<b>Status Quo Alternative - no controls or policies/assessment criteria directing the separation and form of tall buildings</b>	<b>Alternative 1 - Preferred option – set a maximum tower dimension and minimum setback from boundaries and streets above podium level for tall buildings within zones and areas within zones that allow tall buildings (City Centre and Metropolitan Centre zones)</b>	<b>Alternative 2 - Set only a maximum tower dimension with no setbacks from boundaries or streets</b>	<b>Alternative 3 - Set only a minimum setback from boundaries and streets above podium level for tall buildings</b>	<b>Alternative 4 - Manage the form of tall buildings through design based policies and/or assessment criteria</b>	<b>Alternative 5 - manage the form of tall buildings through non-regulatory methods</b>
	<p>relevant objectives which are generally aimed at enabling built form which contribute positively to the visual quality, pedestrian vitality, safety and interest of streets and public open spaces. The alternative of no controls will not prevent development dominating streets and significantly impacting on daylight and sunlight received by other buildings and public spaces, and may not improve the visual quality of the city centre and metropolitan centres.</p> <p>While the FAR light and outlook bonuses encourage tower forms within the city centre, it has potential to lead to large-scale and wide towers on large or amalgamated sites.</p>	<p>built form that enhances the quality of the public realm and manages the adverse effects of buildings on adjacent sites. The rule enables a realistic floor plate to be achieved for residential and commercial development so limit the risk of curtailing development within the areas subject to the rule.</p>	<p>the horizontal bulk of tall buildings, it would not address the other adverse effects associated with tall buildings, including loss of sunlight to streets and neighbouring sites, outlook and building dominance. For this reason, this option is not considered to be as effective as alternative two.</p>	<p>not effectively reduce the bulk of tall towers on large sites. However, the site is considered to be effective for towers on smaller sites and to medium-rise buildings less than eight storeys.</p>	<p>intensification within centres. A balance needs to be struck between enabling development to occur as efficiently as possible by having clear and unambiguous regulations while achieving a context-response and high-quality built environment through a qualitative design assessment.</p> <p>This option is not considered to be as effective as Option 2 as it would not provide certainty regarding the allowable building envelope for a site within the city centre and metropolitan centres and may make development within these areas less attractive.</p>	<p>the most effective means of achieving a quality built environment. Design guidelines in particular are unlikely to achieve a quality built environment without supporting statutory policies, rules and/or criteria (refer Plan Change 48 to the Wellington City District Plan).</p> <p>It is considered that non-statutory methods should be implemented in conjunction with statutory policies, rules and criteria to maximise their effectiveness.</p>
Efficiency	<p>This alternative is not efficient insofar as its costs in terms of the adverse effects on the public realm are not outweighed by the commercial benefits received by the developer.</p>	<p>This alternative is efficient as the benefits described above, on balance outweigh the costs identified. While the rule would introduce an additional regulation on the design of tall buildings, the rule would allow for a realistic floor plate for commercial and residential development to be achieved and provide certainty to developers and the council.</p>	<p>The benefits of this alternative, including flexibility over the tower location, are not outweighed by the costs, including the potential adverse environmental and amenity effects. The alternative would introduce an additional rule to the Unitary Plan that may not actually achieve the built form objectives of the plan. In the absence of supporting controls, the alternative would unnecessarily regulate building form and impose unjustified costs on developers. For these reasons, the alternative is not considered to be efficient.</p>	<p>This alternative is considered to be efficient for medium-rise development as the environmental and amenity objectives of the Unitary Plan can be achieved with a clear and unambiguous rule that enables design flexibility. The alternative is not efficient for high-rise development on large sites as the rule may result in over-scaled buildings that shade streets and public open spaces.</p>	<p>The benefits of this alternative do not outweigh the costs. Providing some certainty regarding a generally acceptable building envelope is a critical factor in ensuring development within the city centre and metropolitan centres is viable when compared with other business areas of the city.</p>	<p>In combination with regulatory methods, non-regulatory tools such as design guides, design panels and design competitions are an efficient means of improving the quality of the built environment.</p>

	<b>Status Quo Alternative - no controls or policies/assessment criteria directing the separation and form of tall buildings</b>	<b>Alternative 1 - Preferred option – set a maximum tower dimension and minimum setback from boundaries and streets above podium level for tall buildings within zones and areas within zones that allow tall buildings (City Centre and Metropolitan Centre zones)</b>	<b>Alternative 2 - Set only a maximum tower dimension with no setbacks from boundaries or streets</b>	<b>Alternative 3 - Set only a minimum setback from boundaries and streets above podium level for tall buildings</b>	<b>Alternative 4 - Manage the form of tall buildings through design based policies and/or assessment criteria</b>	<b>Alternative 5 - manage the form of tall buildings through non-regulatory methods</b>
Costs	<p>The status quo approach allows the development of large-scale or wide towers which may result in poor outlook for occupants of the building as well as loss of day-lighting and sunlight to adjacent buildings and streets/ public open spaces. Depending on the orientation of the site and tower, wide towers can significantly shade streets and neighbouring public open spaces where sunlight admission to those spaces is not protected.</p> <p>Overly bulky tall buildings can visually dominate the skyline, street and neighbouring lower-scale buildings and result in a built environment that does not achieve a human scale at street level. A predominance of large-scale towers will also reduce opportunities for views through the city.</p> <p>Large-scale towers with wide flat planes can adversely affect wind conditions on neighbouring sites and at street level.</p> <p>The status quo approach can also result in a 'first in first served' development outcome where the first development could adversely impact on the ability of the adjacent land to develop due to adverse light, privacy and wind effects on adjacent properties.</p>	<p>Limiting the dimension of floor plates at the upper levels of buildings will require buildings to be taller to achieve the maximum floor space yield. This is likely to increase overall building costs. It will make buildings more prominent in the skyline. However, if built to maximise the available floor space, buildings will be clustered within the 'unlimited height' area of the City Centre zone and within the smaller Metropolitan Centre zone.</p> <p>Restricting the size of floor plates at upper levels will also reduce flexibility for the developer to respond to market needs at the time and may result in development, particularly commercial development, locating within the fringe areas of the City Centre and Metropolitan Centre zones. It may also result in developers favouring a lower-scale (four-six storeys) form of development if a tower is not commercially viable. A rule in the Unitary Plan is blunt in that it generally indicates that compliance with the rule will effectively manage the adverse effects of building bulk. Because of this, there may be some cases where compliance with the rule may not result in an optimum design outcome, although it is likely to in the majority of cases.</p>	<p>This alternative would not manage the location of a tower above podium level, meaning it could be located on, or close to, neighbouring boundaries or the street frontage. This could result in limiting daylight and outlook to streets and neighbouring sites. Towers located on or very close to the street frontage may generate adverse wind conditions and create a dominating effect at street level.</p> <p>As with alternative two, limiting the size of the floor plate will restrict developers' flexibility to respond the changing market needs. This alternative, as with alternative one, may also result in a first in-first served development outcome where the first development could adversely impact on the ability of the adjacent land to develop i.e. by placing the tower on or close to a neighbouring boundary.</p>	<p>This alternative would not achieve a slender tower form on large sites, particularly where large-scale site amalgamation occurs. On these sites, the building's mass would be centred within the site and could be bulky in appearance. Depending on the orientation of the site, the bulk of the building could significantly shade and dominate adjacent sites and public open spaces.</p>	<p>While the policies and/or assessment criteria such as that listed above could address outcomes sought for the form of tall buildings, they provide less certainty than rules in setting the building envelope for a particular development site.</p> <p>Any ambiguity in the policies/assessment criteria will mean that the provisions could be unevenly and unfairly interpreted depending on the knowledge and experience of both the developer (and any agents acting on their behalf) and the council.</p>	<p>The council cannot require a developer to comply with non-statutory processes and guidelines. This is likely to lead to variability in the quality of the built environment as compliance with processes/guidelines will depend on the willingness of the developer to meet them.</p> <p>There is a financial and time cost associated with the establishment of design panels and competitive design panels to the council and developers. Design competitions, particularly if implemented in the manner adopted by Sydney, will likely add to time required to obtain resource consent for a development. It is unlikely that a mandatory design competition process could be undertaken within the 20-working day timeframe in which a resource consent must be processed.</p>
Benefits	Developers have maximum design flexibility to respond to	This alternative will result in more slender tower forms	The 50m tower dimension will ensure	This alternative gives developers more flexibility to respond to market requirements.	Design-based policies and assessment criteria are more	A report prepared by Boffa Miskell in 2009 ( <i>Urban design quality</i> )

	Status Quo Alternative - no controls or policies/assessment criteria directing the separation and form of tall buildings	Alternative 1 - Preferred option – set a maximum tower dimension and minimum setback from boundaries and streets above podium level for tall buildings within zones and areas within zones that allow tall buildings (City Centre and Metropolitan Centre zones)	Alternative 2 - Set only a maximum tower dimension with no setbacks from boundaries or streets	Alternative 3 - Set only a minimum setback from boundaries and streets above podium level for tall buildings	Alternative 4 - Manage the form of tall buildings through design based policies and/or assessment criteria	Alternative 5 - manage the form of tall buildings through non-regulatory methods
	<p>changes in market demand, particularly where larger floor plates may be required for reasons specific to the proposed land use.</p> <p>Maximising the size of floor plates will also reduce the overall building cost.</p>	<p>which will give more sunlight access to streets and public open spaces, and help mitigate any adverse wind conditions at street level. This will also result in better outlook for occupants of buildings through the city and enable light around the building.</p> <p>The diagrams below show the tower forms possible under the status quo alternative and those possible under this alternative.</p> <div data-bbox="777 1012 1000 1264" data-label="Image"> </div> <p data-bbox="777 1266 872 1293">Figure 1</p> <div data-bbox="777 1318 970 1564" data-label="Image"> </div> <p data-bbox="777 1566 872 1593">Figure 2</p> <div data-bbox="777 1648 976 1890" data-label="Image"> </div>	<p>towers are slender in appearance. However, without a setback/tower separation control, ensuring adequate spacing between towers will be variable.</p> <p>Developers will have the flexibility to locate the tower according to the orientation of the site, i.e. maximise views.</p>	<p>It is also more appropriately applies to smaller sites where an appropriate built form would be achieved by only applying setbacks from neighbouring and street boundaries because the floorplate would have a dimension of less than 50m.</p> <p>This alternative is also appropriate to medium rise development i.e. less than eight storeys. These buildings can achieve a human scale, and provide adequate sunlight to streets and open spaces with setbacks only. Figure 4 below demonstrates this at a high-level.</p> <div data-bbox="1457 982 1872 1297" data-label="Image"> </div> <p data-bbox="1457 1299 1849 1354">Figure 4: showing four – five storey development.</p>	<p>responsive to the particular context of the development site. On some sites, better outcomes could be achieved by not complying with the development control. Relying on policies/assessment criteria, depending on the manner in which they are drafted, would enable better outcomes to be achieved on these specific sites.</p>	<p><i>research – opportunities for improvement of urban design outcomes through the regulatory process</i>) concluded that the urban design panel of the former Auckland City Council was contributing to an improvement in the quality of building design in Auckland. The report found that the expertise of the panel members could assist in improving particular aspects of a development proposal, even though it often depended on the willingness of the developer to implement the changes.</p> <p>Design guidance can be more detailed and more flexible than design policies and criteria contained in a statutory plan as they are not subject to RMA processes. The guidance can be updated more easily than statutory plans as trends and technology change.</p> <p>Design competitions provide a range of options for the redevelopment of strategic sites. This may lead to a better designed development proposal being selected for the site.</p>

	Status Quo Alternative - no controls or policies/assessment criteria directing the separation and form of tall buildings	Alternative 1 - Preferred option – set a maximum tower dimension and minimum setback from boundaries and streets above podium level for tall buildings within zones and areas within zones that allow tall buildings (City Centre and Metropolitan Centre zones)	Alternative 2 - Set only a maximum tower dimension with no setbacks from boundaries or streets	Alternative 3 - Set only a minimum setback from boundaries and streets above podium level for tall buildings	Alternative 4 - Manage the form of tall buildings through design based policies and/or assessment criteria	Alternative 5 - manage the form of tall buildings through non-regulatory methods
		<p>Figure 3</p> <p>Figure 1 shows a tower floorplate available under the status quo alternative. Figure 2 shows a residential tower with a floor plate of 700m<sup>2</sup> complying with rules in this alternative. Figure 3 shows a commercial tower with a floor plate of 1000m<sup>2</sup> complying with the rules in this alternative. The development expressed in Figures 2 and 3 will deliver the benefits described above. Further, slender tower forms will create a more attractive skyline and will ensure towers are designed 'in the round'.</p> <p>This alternative also has the benefit of providing certainty to the developers, the community and regulatory planners as to a generally acceptable building envelope. This will assist in reducing the matters of contention when resource consent is applied for, resulting in a faster and less litigious planning process.</p>				
Risks	The risks of pursuing this alternative are that tall buildings may be constructed that degrade the visual quality and amenity of the city centre and metropolitan centres.	The risks of not acting in this case are that buildings may be constructed that will adversely affect the visual quality and environmental conditions of the city centre and metropolitan centres.	The risk of acting in this case is that a rule will be introduced to the Unitary Plan that may not achieve the amenity and environmental objectives of the Unitary Plan relating to built form in centres.	The risks of acting on this alternative for all development is that the rules would not be appropriately tailored to the type of development occurring in different parts of the city and will result in over-scaled buildings within areas where high-rise buildings are allowed.	There may be uneven implementation of the policies/assessment criteria resulting in buildings that may or may not achieve the objectives for the design of tall buildings. There is a risk that the potential uncertainty created by the policies/assessment criteria will discourage investment and development within the city centre and metropolitan centres.	The risks of acting on this alternative alone are that developers will not give effect to the outcomes in the design guides/recommendations of the design panel because they are not required to in statutory terms. This may lead to inconsistency in the quality of development across the city.



### 3.2 Topic 2: Building maximum floor area ratio

Four key policy and method alternatives are assessed under the following headings:

1. Remove all maximum GFA controls and manage the general bulk and mass of buildings through non-regulatory methods.
2. Retain maximum GFA controls within many existing centres and apply maximum GFA controls to other centres with supporting design assessment criteria.
3. Retain maximum GFA controls within the City Centre and Newmarket Metropolitan Centre zone and rely on building set back, maximum tower dimension, height in relation to boundary, and outlook development controls and supporting assessment criteria within other centres.
4. Remove all maximum GFA area controls and manage the bulk and mass of buildings through design policies and/or assessment criteria

	<b>Status Quo Alternative -</b>	<b>Alternative 1 - Remove all maximum GFA controls and manage the general bulk and mass of buildings through non-regulatory methods.</b>	<b>Alternative 2 - Retain maximum GFA control within many existing centres and apply maximum GFA controls to other centres with supporting design assessment criteria.</b>	<b>Alternative 3 - Preferred option – Retain maximum GFA controls within the City Centre and Newmarket Metropolitan Centre zones and rely on building setback, maximum tower dimension, height in relation to boundary, and outlook development controls and supporting assessment criteria within other centres (except local centres)</b>	<b>Alternative 4 - Remove all maximum GFA controls and manage the bulk and mass of buildings through design policies and/or assessment criteria</b>
<b>Description</b>	This option would involve retaining the current provisions for gross floor area and floor area ratio controls in business zones, which vary throughout the region.	<p>In this option, there would be no regulatory control on the bulk and mass of buildings using development controls or assessment criteria. Council would be reliant on non-statutory guidance to achieve the relevant objectives including promoting appropriate bulk and mass of buildings with centres.</p> <p>As outlined under Topic 1 – Alternative Six, this alternative would involve managing the bulk and mass of buildings using methods outside the Unitary Plan. These would include:</p> <ul style="list-style-type: none"> <li>• design panels such as the Auckland Council Design Panel</li> <li>• competitive design policy which would encourage use of design competitions (open or invited) for large-scale or high value developments and/or developments in high profile or sensitive locations.</li> </ul> <p>Non-statutory design guidelines such as the Auckland Design Manual currently being prepared by Auckland Council.</p>	<p>Under this alternative, minimum and maximum FAR controls would be retained within city centre and the former Auckland City Council isthmus centres and would be applied to other centres across the city.</p> <p>Council would therefore rely on compliance with the FAR controls to control overall building bulk and mass. Assessment criteria would be used to assess the detailed design of buildings through a resource consent process.</p>	<p>Under this alternative, minimum and maximum FAR controls would be retained only within city centre zone. The building setback, maximum tower dimension, height in relation to boundary, and outlook development controls and supporting assessment criteria would be generally applied to centres across the city as the principle methods of managing building bulk and mass to achieve the relevant objectives. Within all centres, except neighbourhood centres, resource consent would be required for buildings with assessment against design based criteria.</p>	<p>Under this alternative all maximum floor area controls would be removed and the bulk and mass of buildings would be subject to resource consent and assessment criteria to manage the bulk and mass of buildings.</p>
<b>Appropriateness</b>	This alternative is not appropriate as it would result in an inconsistent approach throughout the region. This is not consistent with the overall aims of the Unitary Plan.	This alternative does not support the objective of achieving a quality built environment (objective 2.2.2). Over-scaled buildings have the potential to visually dominate the public realm and cause adverse environmental conditions.	<p>Outside the city centre this alternative is not considered to be the most appropriate method of achieving the relevant objectives to ensure buildings are of a quality and design that positively contributes to the public realm and maximises pedestrian amenity.</p> <p>Within the city centre, retaining the basic and maximum FAR regime is considered to be the most appropriate method to achieve the objectives due to the benefits achieved through the FAR bonus system as outlined</p>	In the absence of an effective FAR bonus regime outside the city centre, the application of building setback, outlook and maximum tower dimension controls accompanied by detailed design assessment is considered more appropriate in achieving the relevant objectives than the alternative or additional application of a maximum floor area control. The application of the maximum FAR to Newmarket is likely to achieve the relevant objectives less efficiently and effectively unless Newmarket is integrated into the central area floor area	Based the assessed costs and benefits, taking into account the efficiency and effectiveness of each approach, this alternative does not support the objective of achieving a quality built environment (objective 2.2.2) that promotes a sense of place and reinforces the amenity and safety of the public realm.

	<b>Status Quo Alternative -</b>	<b>Alternative 1 - Remove all maximum GFA controls and manage the general bulk and mass of buildings through non-regulatory methods.</b>	<b>Alternative 2 - Retain maximum GFA control within many existing centres and apply maximum GFA controls to other centres with supporting design assessment criteria.</b>	<b>Alternative 3 - Preferred option – Retain maximum GFA controls within the City Centre and Newmarket Metropolitan Centre zones and rely on building setback, maximum tower dimension, height in relation to boundary, and outlook development controls and supporting assessment criteria within other centres (except local centres)</b>	<b>Alternative 4 - Remove all maximum GFA controls and manage the bulk and mass of buildings through design policies and/or assessment criteria</b>
			above.  It is recommended that maximum floor area control should not be applied to any centre outside the central city.	bonus system.  An approach where development controls form an envelope within which developers and the public have certainty that the prescribed bulk and scale of a building can be achieved more appropriately achieves the relevant objectives when supported by requirement for a design-based assessment of the building itself. This achieves an appropriate balance between providing certainty to a developer as to the general bulk and form of a building while providing scope for council to ensure that the building design appropriately and positively responds to centre.	
Effectiveness	The status quo is effective in some areas but not in others. It would not be an effective approach for achieving consistent standards of amenity in centres throughout the region.	This alternative is unlikely to be effective in achieving the relevant objectives which are generally aimed at enabling built form which contribute positively to the visual quality, pedestrian vitality, safety and interest of streets and public open spaces. The alternative of no controls and the use of methods outside the Unitary Plan will not prevent development of excessive bulk and scale dominating streets and potentially detracting from the character and amenity of centres. Access to daylight and sunlight may also be impaired on adjacent sites and public areas and this approach is likely to be less effective in improving the visual quality of the city centre and metropolitan centres.  The effectiveness of achieving heritage related objectives within areas such as the city centre which have an established heritage floor area bonus regime, is likely to be reduced.	This alternative is likely to be less effective in achieving the relevant objectives which are generally aimed at enabling built form which contribute positively to the visual quality, pedestrian vitality, safety and interest of streets and public open spaces.  The application of basic and maximum FAR controls to centres outside the city centre has been relatively ineffective in securing positive design outcomes and wider public benefits.	This alternative is considered effective as it will achieve a built form within centres that contributes to enhancing the quality of the public realm and manages the adverse effects of buildings on adjacent sites while continuing to secure wider community benefits through the application of the bonus FAR system within the city centre.  The application of the maximum FAR to Newmarket is unlikely to be effective in securing benefits which outweigh the costs unless Newmarket is integrated into the central area floor area bonus system.	This approach is likely to be less effective in achieving the relevant objectives due to a lack of guidance within the plan on the minimum bottom line standards required to achieve appropriate scale and mass of buildings within centres. Reliance only on criteria to manage the bulk and mass of buildings as part of the assessment of other building design-related matters may mean the importance of these matters is diluted as part of the overall building assessment.
Efficiency	Having inconsistent provisions is not an efficient means of achieving objectives for centres.	This alternative is not efficient as its costs in terms of the adverse effects on the public realm are not outweighed by the commercial benefits received by the developer.	Outside the city centre, this alternative is not efficient as the potential cost to developers through limitations on floor space is not outweighed by the environmental benefits received by the developer or the public benefits in achieving appropriately scaled built form or wider environmental outcomes.  Within the city centre, the FAR bonus system is working efficiently to manage and encourage slender building form (light and	This alternative is efficient as the benefits described above, on balance outweigh the costs identified. While opportunities for securing wider public benefits, such as through-site links, through removal of the bonus FAR system from some centres may be lost, this is of limited value in securing such opportunities outside city centres.  While other development controls, such as building setbacks, will be applied to centres these rules generally provide more flexibility	A lack of firm guidance through development controls will result in inefficiencies as an assessment and determination regarding the appropriate bulk and mass of building will have to be part of every application. This approach would be less efficient in achieving the relevant objectives.

	<b>Status Quo Alternative -</b>	<b>Alternative 1 - Remove all maximum GFA controls and manage the general bulk and mass of buildings through non-regulatory methods.</b>	<b>Alternative 2 - Retain maximum GFA control within many existing centres and apply maximum GFA controls to other centres with supporting design assessment criteria.</b>	<b>Alternative 3 - Preferred option – Retain maximum GFA controls within the City Centre and Newmarket Metropolitan Centre zones and rely on building setback, maximum tower dimension, height in relation to boundary, and outlook development controls and supporting assessment criteria within other centres (except local centres)</b>	<b>Alternative 4 - Remove all maximum GFA controls and manage the bulk and mass of buildings through design policies and/or assessment criteria</b>
			outlook bonus), the protection of heritage buildings (heritage bonus) and other public benefits (i.e. art and through-site link bonuses).	in terms of managing the bulk and scale of development and certainty to developers and the council.	
Costs	The costs are dependent on the existing approach in each legacy plan.	<p>Reliance on non-regulatory measure potentially enables the development of large buildings covering 100 per cent of sites which may result in poor outlook for occupants of the building as well as loss of daylight and sunlight to adjacent buildings and streets/public open spaces.</p> <p>Overly bulky and unarticulated buildings can visually dominate a locality and detract from its character and amenity as a result of unrelieved frontages and excessive bulk when viewed from public areas.</p> <p>This form of development can also result in a lack of open space within a site for the amenity of residents, workers or visitors placing greater reliance on streets and public spaces within the locality.</p> <p>The opportunity to achieve wider public benefits through the use of FAR bonuses is lost with this approach. Examples of these benefits include bonus incentives to protect and restore heritage buildings and bonus incentives to provide through site lanes/links through large blocks</p>	<p>This option would place an additional burden on landowners by imposing limits on the amount of floor area able to be constructed on a per site basis. The basic FAR control, if considered in isolation, also does not provide any real beneficial environmental outcome, apart from a very crude limitation on the bulk of buildings. However, when considered in conjunction with the bonus FAR system, there is potential for council to secure significant public and environmental benefits without spending public funds, including securing the protection of heritage buildings and key pedestrian links through the city.</p> <p>Outside the central area, the successful use of the bonus system to secure such public benefits has been limited. There is no established heritage floor space transfer bonus system established within centres outside the central area so this option would not secure any heritage protection benefits.</p>	<p>Within the city centre and Newmarket, this option would place an additional burden on landowners by imposing limits on the amount of floor area able to be constructed on a per site basis in addition to building setback, maximum tower dimension, and outlook development controls. Within Newmarket, history has shown there is likely to be little opportunity to secure public benefits through the floor area bonus system. Within all centres, this option would place an additional burden on landowners by imposing building set back, maximum tower dimension, height in relation to boundary, and outlook development controls on development. Within all centres, except neighbourhood centres, this option would place additional financial and time costs on landowners by requiring resource consent for buildings and assessment against design-based criteria. Opportunities for securing wider public benefits (such as the provision of through site links) through a bonus FAR system may be lost within centres outside the city centre.</p>	<p>This alternative would result in significant uncertainty for landowners, developers and the community as the bulk and mass of development opportunity on any site would be based on a subjective assessment. It may also result in an inconsistent approach to the bulk and scale of development on different sites resulting in a loss of confidence in the council and ultimately a cost to the community through a loss of development confidence.</p>
Benefits	The benefits are dependent on the existing approach in each legacy plan.	<p>Developers have maximum design flexibility to respond to changes in market demand, particularly where larger floor plates may be required for reasons specific to the proposed land use.</p> <p>Maximising the coverage and floor area of buildings within a site will also assist to increase the financial return from the development.</p>	<p>The application of basic and maximum FAR controls to all centres would provide certainty to the development community regarding the amount of floor space which could be established on sites. This would also provide a basic limitation on the mass and scale of buildings within centres</p>	<p>Within the City Centre zone, the basic FAR control, if considered in isolation, does not provide any real beneficial environmental outcome, particularly in relation to building design, apart from a very crude limitation on bulk. However, when considered in conjunction with the bonus FAR system, there is potential for council to secure significant public and environmental benefits without spending public funds, including securing the protection of heritage buildings and key pedestrian links through the city. A review of planning approaches within several Australian cities (Sydney, Melbourne, and Brisbane) and cities within the United States (New York, Minneapolis, Seattle, Arlington, Sunnyvale) shows this tool is commonly used in different forms and is successful in securing such benefits. Within the City</p>	<p>A purely design-focussed approach with little or no development control has potential benefit in providing flexibility to ensure appropriate urban design outcomes on a site-by-site basis.</p>

	<b>Status Quo Alternative -</b>	<b>Alternative 1 - Remove all maximum GFA controls and manage the general bulk and mass of buildings through non-regulatory methods.</b>	<b>Alternative 2 - Retain maximum GFA control within many existing centres and apply maximum GFA controls to other centres with supporting design assessment criteria.</b>	<b>Alternative 3 - Preferred option – Retain maximum GFA controls within the City Centre and Newmarket Metropolitan Centre zones and rely on building setback, maximum tower dimension, height in relation to boundary, and outlook development controls and supporting assessment criteria within other centres (except local centres)</b>	<b>Alternative 4 - Remove all maximum GFA controls and manage the bulk and mass of buildings through design policies and/or assessment criteria</b>
				<p>Centre zone, where the highest level of development uplift is provided for and where there is a well-established heritage floor space bonus and transfer system, the retention of the FAR system is seen as an important tool in complementing 'design-led' planning, provided it is complemented by other design-driven development controls and assessment criteria.</p> <p>The owners and developers of sites outside the city centre would benefit from more development flexibility through the removal of floor area controls.</p> <p>This alternative also has the benefit of providing certainty to the developers, the community and regulatory planners as to the minimum separation distance between buildings and from road frontages through the application of building setback controls.</p>	
Risks	The risk of retaining the status quo is the lost opportunity to provide a consistent, high standard of amenity in all Auckland's centres.	The risks of pursuing this alternative is construction of buildings that may degrade the visual quality and amenity of the city centre and metropolitan centres. There is an increased risk that wider public benefits such as the protection of heritage buildings may not be realised.	The risk of applying a maximum floor area limitation to development within centres outside the city centre is that development potential may be unnecessarily restricted, compromising the opportunity to intensify centres.	<p>The risks of not acting in this case are that the bulk and scale of buildings within centres will adversely affect the visual quality, amenity and environmental conditions of the centre which may in turn negatively impact on the success of council's wider strategic policy to create a quality compact city through intensification.</p> <p>The risks associated with the removal of the basic and maximum FAR from the city centre outweigh the potential benefits due the potential loss of wider public benefits obtained from the current application of this control within the city centre.</p>	

### 3.3 Topic 3: Adaptable and high internal amenity buildings

Three key policy and method alternatives are assessed under the following headings:

1. No controls on the minimum floor heights of buildings– rely on the building code, non regulatory measures and assessment criteria.
2. Set a minimum floor-to-floor/ceiling height for residential and commercial buildings.
3. Set a standard floor-to-floor height for all new buildings regardless of function.

	<b>Status Quo Alternative -</b>	<b>Alternative 1 - No controls on the minimum floor heights of buildings – rely on the building code, non regulatory measures and assessment criteria</b>	<b>Alternative 2 - Preferred option – Set a minimum floor to floor height for residential and commercial buildings</b>	<b>Alternative 3 - Set a standard floor to floor height for all new buildings regardless of function</b>
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	Status Quo Alternative -	Alternative 1 - No controls on the minimum floor heights of buildings – rely on the building code, non regulatory measures and assessment criteria	Alternative 2 - Preferred option – Set a minimum floor to floor height for residential and commercial buildings	Alternative 3 - Set a standard floor to floor height for all new buildings regardless of function
<b>Description</b>	<p>This option would involve retaining the current provisions for minimum floor heights of buildings in business areas, which vary throughout the centres.</p>	<p>This alternative would not introduce any rules to the Unitary Plan requiring new buildings to achieve minimum floor-to-floor heights and would rely on the building code to dictate appropriate minimum heights. This option would also involve other non-regulatory methods including advocating to central government for a change to the building code to specify a minimum floor-to- floor/ceiling height.</p> <p>Under the status quo alternative, some assessment criteria would continue to be used to encourage new buildings to achieve a minimum floor-to-floor height.</p> <p>Many of the operative district plans contain assessment criteria encouraging new buildings to be designed so they are adaptable to a range of uses over time. For example, in the operative Central Area District Plan the following assessment criteria applies when assessing an application for a new building:</p> <p><i>‘Buildings should be designed to be highly adaptable to a variety of uses. For example, open structural frames and more than minimum floor to floor heights should be considered.’</i></p> <p>Plan Change 30 to the operative North Shore District Plan introduced the following assessment criteria:</p> <p><i>‘New buildings should be designed to be adaptable for a range of activities, by the inclusion of the following features:</i></p> <ul style="list-style-type: none"> <li>• <i>higher than minimum floor-to-ceiling heights particularly on the ground and first floors, i.e. approximately 4 metres at ground level, 3.2-3.6 metres for first level</i></li> <li>• <i>open structural frames</i></li> <li>• <i>separate entrances to ground and upper floors</i></li> <li>• <i>a minimum building depth of between 10 - 14 metres</i></li> <li>• <i>regular and modular internal room layouts, and</i></li> <li>• <i>adequate natural light and ventilation to all habitable rooms.’</i> </li></ul>	<p>This alternative would involve setting minimum floor-to-floor heights for residential and commercial buildings as follows:</p> <ul style="list-style-type: none"> <li>• Ground floor for a minimum depth of 6m within areas not subject to key retail and general commercial frontages and general commercial frontage – 4.5m minimum height</li> <li>• Ground floor for a minimum depth of 10m within the City Centre zone, and within centres key retail and general commercial frontages and general commercial frontage – 4.5m minimum height</li> <li>• Ground floor for a minimum depth of 6m within the centres zones and the General Business and Business Park zones – 4m minimum height</li> <li>• Above ground floor in all the zones listed above – commercial – 3.6m minimum height</li> <li>• Above ground floor in all the zones listed above – residential – 2.55m minimum height</li> </ul> <p>A 4.5m floor-to-floor height is applied to the ground floor of buildings within the City Centre zone and to key retail and general commercial frontages in this alternative as this is where the most significant concentration of retail activity is expected and where the highest degree of pedestrian amenity and building quality is expected.</p> <p>A 4m floor-to-floor height is applied to the ground floor of buildings within the other zones noted above as, while building adaptability and quality is required, it will not be to the same degree as key retail areas and streets across the region.</p> <p>A 3.6m floor-to-floor height was specified for commercial uses above ground level. A greater floor-to-floor height is required for commercial buildings because their generally larger floor plates need greater floor-to-ceiling heights to allow adequate daylight. More services such as air-conditioning etc will require a larger servicing area between floor levels.</p> <p>A 3m floor-to-floor height is specified in this alternative for dwellings above ground level. A 3m floor-to-floor height would generally achieve an effective floor-to-ceiling height of 2.55m, enabling adequate daylight/sunlight penetration, good ventilation and amenity.</p>	<p>This alternative involves setting a standard minimum floor-to-floor height for both residential and commercial buildings i.e. 4m at ground level and 3.6m above ground level.</p>
<b>Appropriateness</b>	<p>This alternative is not appropriate as it would result in an inconsistent approach throughout the region. This is not consistent with the overall aims of the Unitary Plan.</p>	<p>This alternative supports the outcomes sought by the proposed objectives in those areas where assessment criteria applies, but it has been ineffective in achieving the objective.</p>	<p>Achieving intensification within the centres will require residential and commercial development to be high-quality and provide for the needs of a wide range of people. Setting minimum floor-to-floor heights, as part of a wider range of rules and design-based policies and assessment criteria will contribute to achieving this objective. While there may be additional building costs associated with the approach, the rules are clear and unambiguous. Relatively efficient applications (non-notified) can also be made if particular circumstances apply justifying a reduction in minimum floor-to-floor heights. For these reasons, this approach is considered to be the most appropriate means to give effect</p>	<p>It is considered that this alternative is not the most appropriate means in which to achieve the built environment objectives of the Unitary Plan for the reasons outlined above.</p>

	<b>Status Quo Alternative -</b>	<b>Alternative 1 - No controls on the minimum floor heights of buildings – rely on the building code, non regulatory measures and assessment criteria</b>	<b>Alternative 2 - Preferred option – Set a minimum floor to floor height for residential and commercial buildings</b>	<b>Alternative 3 - Set a standard floor to floor height for all new buildings regardless of function</b>
			to the built environment objectives of the Unitary Plan.	
Effectiveness	The status quo is effective in some areas but not in others. It would not be an effective approach for achieving consistent standards of amenity in centres throughout the region.	<p>The building code specifies a minimum floor-to-floor height of 2.1m only for pedestrian access routes within buildings. While the council could advocate to central government for a change to the building code, the adverse amenity effects associated with low floor-to-ceiling heights is a resource management issue that can be appropriately managed through the Unitary Plan.</p> <p>The general thrust of the assessment criteria in the operative district plan is to encourage, rather than require, minimum floor-to-floor heights in new buildings in varying degrees of detail. In effect, this relies on the applicant to incorporate the outcomes into the design of the building, which the council can then support at resource consent stage.</p> <p>In practice, the effectiveness of using ‘encouraging’ assessment criteria to achieve the objectives has been variable and not particularly effective.</p>	This alternative is considered to be effective as it sets clear minimum thresholds for acceptable floor-to-floor heights that will contribute to achieving a quality compact and liveable city.	<p>This alternative, while achieving the overall built form objectives, would impose unnecessary costs on residential development given that a greater floor-to-floor height would be more than what is required to achieve quality residential development. There are clear reasons why a different floor-to-floor height should be specified for commercial and residential buildings as outlined in alternative two.</p> <p>For this reason, this alternative is not considered to be as effective as option two.</p>
Efficiency	Having inconsistent provisions is not an efficient means of achieving objectives for centres.	The benefits of this alternative do not outweigh the costs, given that the greater degree of flexibility afforded to developers and the council is less likely to achieve the overall objective.	While the building costs may increase if this alternative is progressed, the benefits to the wider community in terms of achieving higher quality residential and commercial development outweigh them.	The financial costs associated with this alternative will be unreasonable and will not be outweighed by the benefits derived from a consistent rule for all new buildings.
Costs	The costs are dependent on the existing approach in each legacy plan.	<p>The assessment criteria contained in some of the operative district plans do not provide certainty to developers, the council or the community about when it is appropriate to require some or all of the features listed in the assessment criteria.</p> <p>Greater floor-to-floor heights may add to building costs and could reduce the number of floors that could be constructed within the allowable building height, reducing overall development capacity.</p>	Requiring greater floor-to-floor heights may increase building costs. It may also effectively down-zone areas where height limits are the same as the operative district plans, as fewer floors will be possible within the allowable building height.	<p>This alternative may increase building costs, particularly for residential development where greater floor-to-floor heights would apply above that required and expected by residents.</p> <p>As with alternative two, this alternative may effectively down-zone areas where the building height in the Unitary Plan is the same as the operative district plans as fewer floors would be able to be accommodated within the maximum height limit.</p>
Benefits	The benefits are dependent on the existing approach in each legacy plan.	<p>The District Plan recognises the importance of achieving minimum floor-to-floor heights to achieve adaptable and high-quality buildings.</p> <p>The assessment criteria provide greater flexibility to developers and the council to determine which of the criteria is relevant to the particular building that is being assessed.</p> <p>Reliance on the building code provides a consistent nationwide approach.</p>	<p>For residential development, achieving a reasonable floor-to-ceiling height will, depending on the location and extent of windows, enable greater sunlight/daylight penetration and good ventilation within apartments. This has environmental and amenity benefits. They also contribute to achieving a sense of spaciousness which may compensate for smaller apartments. This is considered particularly important given the changes to the minimum apartment size requirements, which generally provide more flexibility to develop smaller apartments, and the goal to intensify centres and encourage people to live within those centres.</p> <p>For commercial development, setting minimum floor-to-floor heights at ground level will ensure these levels are adaptable to a range of uses over time, particularly where retail may extend to wider parts of the zones in which it applies. The minimum floor-to-floor heights for commercial activities above ground will also enable adequate sunlight/daylight</p>	<p>The rule in the alternative would be simple and straightforward to implement.</p> <p>The benefits outlined in alternative two would also apply in this alternative</p>

	<b>Status Quo Alternative -</b>	<b>Alternative 1 - No controls on the minimum floor heights of buildings – rely on the building code, non regulatory measures and assessment criteria</b>	<b>Alternative 2 - Preferred option – Set a minimum floor to floor height for residential and commercial buildings</b>	<b>Alternative 3 - Set a standard floor to floor height for all new buildings regardless of function</b>
			<p>penetration into the building with associated amenity and environmental benefits and provide adequate space for services between floors.</p> <p>A rule provides certainty to developers, the community and council as to an acceptable floor-to-floor height. Applications can be made as a restricted discretionary (non-notified) if particular circumstances apply which warrant a reduction in the minimum floor-to-floor heights.</p>	
Risks	The risk of retaining the status quo is the lost opportunity to provide a consistent, high standard of amenity in all Auckland's centres.	The risk of acting in this case is that the amenity objectives would not be achieved.	Not acting on this alternative may result in lower quality residential and commercial development that does maximise the environmental and amenity benefits from greater stud heights. This may, in turn, detract from the strategic goal to intensify centres as centres may be seen as unattractive places to work, visit and reside.	The risks of acting in this case relate to imposing additional building costs on developers that are unnecessary.

### 3.4 Topic 4: Maintaining and enhancing pedestrian amenity

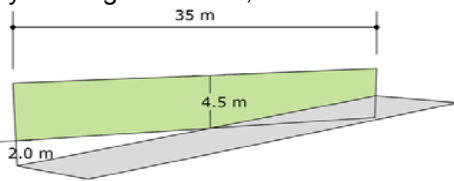
To achieve the relevant objectives under this topic a number of key policy and method alternatives are assessed under the following headings:

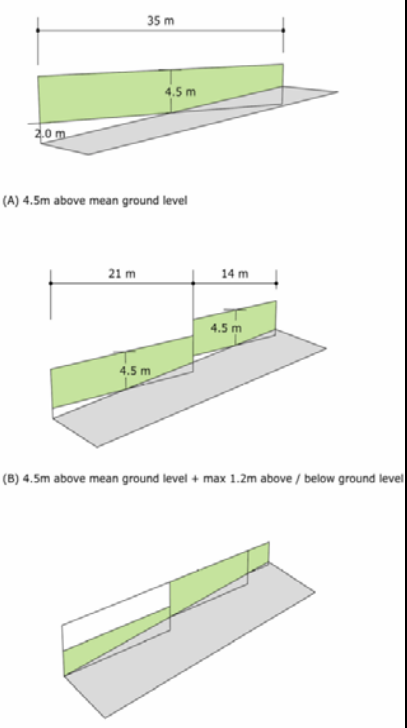
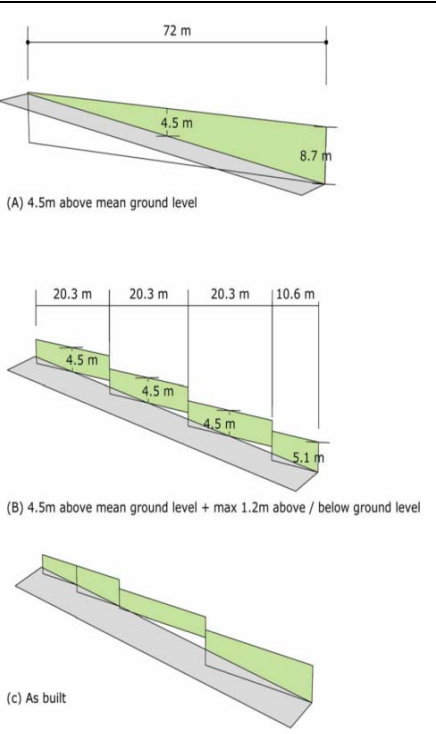
1. No development controls regarding the glazing or design of buildings at street level
2. Avoid blank walls at the ground floor by rules only requiring glazing and active uses with supporting design-based policies/assessment criteria with no rules specifying ground floor at frontage levels.
3. Introduce a range of controls to manage the design and use of buildings at ground floor adjoining streets and public open spaces in the City Centre zone and in other business zones, specifically:
  - a. requiring the ground floor plate of the building to be generally at street level
  - b. restricting dwellings at the ground floor
  - c. require glazing at ground level.
4. Introduce a rule restricting blank walls at ground level within the areas specified above.
5. Manage the design of buildings at ground floor through design policies and/or assessment criteria.

	<b>Status Quo Alternative -</b>	<b>Alternative 1 - No development controls regarding the glazing or design of buildings at street level.</b>	<b>Alternative 2 - Avoid blank walls at the ground floor by rules only requiring glazing and active uses with supporting design-based policies/assessment criteria with no rules specifying ground floor at frontage levels.</b>	<b>Alternative 3 - Preferred option – Introduce a range of controls to manage the design and use of buildings at ground floor adjoining streets and public open spaces in the City Centre zone and in other business zones</b>	<b>Alternative 4 - Introduce a rule restricting blank walls at ground level</b>
<b>Description</b>	This option would involve retaining the current provisions for maintaining and enhancing pedestrian amenity, which vary throughout the centres.	<p>This alternative would not introduce any rules to the Unitary Plan requiring new buildings to achieve a minimum level of glazing at street level, an appropriately designed ground floor level to avoid blank walls, or restricting residential activity at street level.</p> <p>This option would involve the use of assessment criteria and other non-regulatory methods such as the Auckland Design Manual to encourage building design to maintain or enhance pedestrian amenity</p> <p>Many of the operative district plans contain assessment criteria</p>	This alternative involves avoiding blank walls at ground level with glazing and active use requirements and design-based policies and assessment criteria	This alternative involves introducing the following range of rules to achieve active frontages at ground level: <ol style="list-style-type: none"> <li>a. requiring the ground floor plate of the building to be generally at street level</li> <li>b. restricting dwellings at the ground floor</li> <li>c. requiring differing levels of glazing at ground level.</li> </ol>	<p>This alternative involves introducing a rule to the Unitary Plan restricting the length of blank wall within the City Centre zone and the key retail and general commercial frontages.</p> <p>The rule would set a maximum length of blank walls (e.g. between 4-10m). A blank wall would be a defined term.</p> <p>To achieve compliance with this type of rule on a sloping site, the ground floor plate would need to be separated into smaller units and/or glazed/articulated.</p>

	Status Quo Alternative -	Alternative 1 - No development controls regarding the glazing or design of buildings at street level.	Alternative 2 - Avoid blank walls at the ground floor by rules only requiring glazing and active uses with supporting design-based policies/assessment criteria with no rules specifying ground floor at frontage levels.	Alternative 3 - Preferred option – Introduce a range of controls to manage the design and use of buildings at ground floor adjoining streets and public open spaces in the City Centre zone and in other business zones	Alternative 4 - Introduce a rule restricting blank walls at ground level
		<p>encouraging new buildings to be designed to respond positively to the pedestrian environment. For example, in the operative Central Area District Plan the following assessment criteria applies when assessing an application for a new building on street which are not specifically identified as special character frontages:</p> <p><i>Building frontages at street level must contribute to pedestrian vitality, interest and public safety. This includes a variety of architectural detail and maximising doors, window openings and balconies fronting streets and other public open spaces.</i></p> <p><i>Building entrances should be visible and easily identifiable from the street and directly accessible from street level.'</i></p>			
Appropriateness	This alternative is not appropriate as it would result in an inconsistent approach throughout the region. This is not consistent with the overall aims of the Unitary Plan.	This alternative supports the outcomes sought by the objectives in those areas where assessment criteria applies, but is less efficient in achieving in comparison to a clearly defined and measurable rule. As discussed in option ... below the use of assessment criteria and non-statutory measures to encourage glazing may be more appropriately applied on commercial streets taking into account the efficiency and effectiveness of this approach.	This alternative may achieve the quality built environment objectives but may not do so on a consistent basis. For this reason, it is considered that this alternative is not the most appropriate means to give effect to the objectives of the Unitary Plan.	The proposed rule would achieve the built form outcomes of the Unitary Plan by requiring building frontages in key parts of the city to contribute positively to the public realm and is therefore considered to be appropriate.	This alternative is not the most appropriate means to give effect to the built environment objectives of the Unitary Plan. A restriction on the length of blank walls is better addressed as an assessment criteria to support the glazing rule.
Effectiveness	The status quo is effective in some areas but not in others. It would not be an effective approach for achieving consistent standards of amenity in centres throughout the region.	The general thrust of the assessment criteria in the some of the operative district plans is to encourage, rather than require, glazing and directly accessible entrances from the street in buildings. This in effect relies on the applicant to incorporate the outcomes into the design of the building, which the council can then support at resource consent	This alternative is not considered to be effective given that it is unlikely to achieve active frontages on sloping sites.	This alternative is effective in achieving the objectives of the Unitary Plan regarding a high-quality public realm in a manner that is clear and unambiguous.	Including a rule limiting the length of blank walls would not be particularly effective on sloping sites where glazing could be provided to an inactive use. Further problems with defining a blank wall may mean walls that are in effect 'blank' comply with the rule. This type of provision



	Status Quo Alternative -	Alternative 1 - No development controls regarding the glazing or design of buildings at street level.	Alternative 2 - Avoid blank walls at the ground floor by rules only requiring glazing and active uses with supporting design-based policies/assessment criteria with no rules specifying ground floor at frontage levels.	Alternative 3 - Preferred option – Introduce a range of controls to manage the design and use of buildings at ground floor adjoining streets and public open spaces in the City Centre zone and in other business zones	Alternative 4 - Introduce a rule restricting blank walls at ground level
		stage.  In practice, the effectiveness of using 'encouraging' assessment criteria to achieve the objectives has been variable and not particularly effective.			
Efficiency	Having inconsistent provisions is not an efficient means of achieving objectives for centres.	The benefits of this alternative do not outweigh the costs, given the greater degree of flexibility afforded to developers and the council is less likely to achieve the overall objective.	The benefits of retaining design flexibility are outweighed by the costs associated with not achieving active frontages on key retail streets. A policy/assessment criteria approach may not be sufficient to consistently achieve an active frontage.	The benefits associated with achieving active and engaging street frontages is considered to outweigh the costs associated with the alternative, particularly where acceptable design outcomes are clearly explained for sites that are unable to meet the control.	The benefits of the alternative do not outweigh the costs as it is unlikely that the rule will achieve active frontages on sloping sites.
Costs	The costs are dependent on the existing approach in each legacy plan.	<p>The assessment criteria such as that listed above contained in some of the legacy plans do not provide certainty to developers, the council or the community about when it would be appropriate to require some or all of the features listed in the assessment criteria.</p> <p>Assessment criteria and non-statutory measures encouraging glazing and frontages at the same level as adjacent streets could add to building costs and reduce the number of floors possible within the allowable building height, reducing overall development capacity.</p> <p>Buildings could be developed with insufficient glazing, blank walls and residential development at street level, detracting from pedestrian amenity.</p>	<p>On sloping sites, the glazing and active use requirements would not avoid blank walls at ground level as the rules apply to the ground floor, which could be raised.</p>  <p>Design-based policies and assessment criteria, depending on how they are drafted, may not provide certainty to the developer, community and the council of an acceptable design outcome and may result in varying degrees of active frontages on key retail streets.</p> <p>The costs associated with glazing will be the same as set out in Alternative Three below.</p>	<p><i>Requiring ground floor plate of the building to be generally at street level</i></p> <p>The rule in this alternative will be difficult to comply with on particularly steep frontages. Figures 2 and 3 below show some of the scenarios that were tested. In the first example, two ground level floor plates would be created and in the second example four floor plates would be created.</p>	<p>The rule may not achieve the outcome of active street frontages if for example basement car parking is provided in the new building. For example, a single ground floor plate may be provided with glazing to the basement car parks/servicing area in the area typically enclosed with a blank wall, but this would not achieve an active street edge.</p> <p>This alternative could add to building costs if it meant additional glazing and/or façade articulation is required.</p> <p>It would be difficult to clearly define a blank wall. Depending on the particularities of the site and the design, a wall may not be defined as a 'blank wall' but have the same effect.</p>

	Status Quo Alternative -	Alternative 1 - No development controls regarding the glazing or design of buildings at street level.	Alternative 2 - Avoid blank walls at the ground floor by rules only requiring glazing and active uses with supporting design-based policies/assessment criteria with no rules specifying ground floor at frontage levels.	Alternative 3 - Preferred option – Introduce a range of controls to manage the design and use of buildings at ground floor adjoining streets and public open spaces in the City Centre zone and in other business zones	Alternative 4 - Introduce a rule restricting blank walls at ground level
				 <p>(A) 4.5m above mean ground level</p> <p>(B) 4.5m above mean ground level + max 1.2m above / below ground level</p> <p>Figure 2: 500 Queen Street</p>  <p>(A) 4.5m above mean ground level</p> <p>(B) 4.5m above mean ground level + max 1.2m above / below ground level</p> <p>(c) As built</p> <p>Figure 3: 151 Queen Street</p>	

	Status Quo Alternative -	Alternative 1 - No development controls regarding the glazing or design of buildings at street level.	Alternative 2 - Avoid blank walls at the ground floor by rules only requiring glazing and active uses with supporting design-based policies/assessment criteria with no rules specifying ground floor at frontage levels.	Alternative 3 - Preferred option – Introduce a range of controls to manage the design and use of buildings at ground floor adjoining streets and public open spaces in the City Centre zone and in other business zones	Alternative 4 - Introduce a rule restricting blank walls at ground level
				<p>On steeper sites, compliance with the rule may create unusable floor plates/tenancies. In these cases, resource consent is required for a new building as a restricted discretionary activity for a new building, meaning a resource consent application is required regardless of the infringement, and appropriate assessment criteria for infringing the development control can be drafted to provide clear guidance on acceptable alternatives.</p> <p>The rule will result in smaller ground floor plates for a specified depth and may add to building costs. It also reduces design flexibility and may not accord with the design requirements of the market at any given time.</p> <p><i>Requiring differing levels of glazing at ground level</i> Requiring glazing at street level may increase building costs. It may also effectively preclude or discourage viable activities which may not require or want visibility from the street frontage (i.e. residential or office activity). This is particular relevant to non-key retail frontage streets within Metropolitan and Town Centres and streets within the General Business zone where retail activity may not be viable. A minimum of 50 per cent glazing is required on all non-key retail frontage areas within centres (except the City Centre where either a 75 per cent or 50 per cent glazing requirement will apply), Mixed Use and business zoned areas.</p>	
Benefits	The benefits are dependent on the existing approach in each legacy plan.	<p>The District Plan recognises the importance of retail streets becoming the focal point of pedestrian activity, with identified general commercial streets supporting this role.</p> <p>The assessment criteria provide greater flexibility to developers and the council to determine which of the criteria is relevant to the particular building that is being assessed.</p>	<p>Developers have the flexibility to design the ground floor according to market demands.</p> <p>The costs associated with the design and construction of ground floor space is likely to be less than a stepped approach on sloping sites.</p>	<p><i>Requiring ground floor plate of the building to be generally at street level</i> As shown in Figures 2 and 3 above, the rule will achieve ground floor frontages that relate better to the street and provide direct and convenient access for pedestrians. This will result in more attractive and vibrant streetscapes, contributing to the overall quality of the public realm.</p> <p>The rule is unambiguous and clearly sets the minimum requirements. The assessment criteria provide clear guidance on the circumstances in which infringing the development control would be acceptable, i.e. on particularly steep sites.</p> <p>The rule is applied to those parts of the city with high numbers of pedestrians and/or a concentration of retail activities, therefore the rule is targeted to those parts of the city where the highest levels of pedestrian amenity is expected. Other streets within other business areas would rely on assessment criteria to achieve attractive and where possible, active edges.</p> <p><i>Requiring differing levels of glazing at ground level</i></p>	<p>This rule would ensure that glazing is not agglomerated at one end of the frontage for buildings on flat sites with wide frontages.</p> <p>The rule is clear in terms of the dimension of blank wall that is permissible on the site frontage.</p>

	<b>Status Quo Alternative -</b>	<b>Alternative 1 - No development controls regarding the glazing or design of buildings at street level.</b>	<b>Alternative 2 - Avoid blank walls at the ground floor by rules only requiring glazing and active uses with supporting design-based policies/assessment criteria with no rules specifying ground floor at frontage levels.</b>	<b>Alternative 3 - Preferred option – Introduce a range of controls to manage the design and use of buildings at ground floor adjoining streets and public open spaces in the City Centre zone and in other business zones</b>	<b>Alternative 4 - Introduce a rule restricting blank walls at ground level</b>
				<p>This alternative will achieve a greater level of glazing across streets within centres and business areas. The rules recognise that different levels of glazing are required across streets within centres and business areas.</p> <p>The rules are clear and avoid uncertainty as to what is the appropriate level of glazing required in each particular circumstance. Notwithstanding that, applications are able to made on a non-notified basis to infringe the glazing controls is particular site circumstances apply.</p>	
<b>Risks</b>	The risk of retaining the status quo is the lost opportunity to provide a consistent, high standard of amenity in all Auckland's centres.	The risk of acting in this case is that the objective to identify and reinforce retail streets as the focal points of pedestrian activity, would not be achieved. Furthermore, building entrances on sloping sites may be stepped resulting in blank walls when viewed from footpaths	The risk with this option is that new development will have lengths of blank wall where the ground floor plates rises above the adjacent footpath.	The risk of acting in this case are that specific additional building costs associated with implementing the rule are unknown. However, the risk of not acting is that new development on sloping sites will have large expanses of blank walls and that glazing may not be provided within parts of centres and business zoned areas failing to maintain and enhance pedestrian amenity.	The risks of acting on this alternative are that active frontages on key pedestrian/retail streets will not be achieved.

### 3.5 Topic 5: Building design

To achieve the relevant objectives under this topic four key policy and method alternatives are assessed under the following headings:

1. No controls or policies/assessment criteria controlling the design of buildings within centres, with reliance on non-regulatory measures.
2. Controlled activity status with supporting assessment criteria with non-regulatory measures.
3. Restricted discretionary status design assessment within all centre zones, excluding the neighbourhood centre zone where development is classified as a permitted activity. Application of a consistent suite of assessment criteria applied across all metropolitan, town, and local centres and specific design criteria within the City Centre zone.
4. Alternative three with specific design criteria integrated shopping malls, supermarkets, department stores, large format retail, trade suppliers and drive-through facilities within centres, except the City Centre.

	<b>Status Quo Alternative -</b>	<b>Alternative 1 – No controls or policies/assessment criteria controlling the design of buildings within centres, with reliance on non-regulatory measures.</b>	<b>Alternative 2 - Controlled activity status with supporting assessment criteria with non-regulatory measures</b>	<b>Alternative 3 – Restricted discretionary status design assessment within all centre zones. Application of a consistent suite of assessment criteria applied across all metropolitan, town, and local centres and specific design criteria within the City Centre zone</b>	<b>Alternative 4 – Preferred option - Alternative three with specific design criteria for integrated shopping malls, supermarkets, department stores, large format retail, trade suppliers and drive-through facilities within centres, except the City Centre</b>
<b>Description</b>	This option would involve retaining the current provisions for building design in business areas, which vary throughout the centres.	In this option, there would be no regulatory control on the bulk and mass of buildings using development controls or assessment criteria.  Council would, therefore, be	In this option, buildings would be classified as a controlled activity and subject to design-based assessment criteria.  Council would, therefore, have no ability to decline an application and could only impose conditions which did not compromise the	In this alternative, alterations to old and new buildings would be classified a restricted discretionary activity (non-notified) and subject to a consistent suite of design criteria within all centre and business zones.  The Unitary Plan would not provide for design exemptions to specific development types, such as	In this alternative, the Unitary Plan would include clause 8.1 of the General Business zones rules which would allow specific design exemptions for the assessment of integrated shopping malls, supermarkets, department stores,

	Status Quo Alternative -	Alternative 1 – No controls or policies/assessment criteria controlling the design of buildings within centres, with reliance on non-regulatory measures.	Alternative 2 - Controlled activity status with supporting assessment criteria with non-regulatory measures	Alternative 3 – Restricted discretionary status design assessment within all centre zones. Application of a consistent suite of assessment criteria applied across all metropolitan, town, and local centres and specific design criteria within the City Centre zone	Alternative 4 – Preferred option - Alternative three with specific design criteria for integrated shopping malls, supermarkets, department stores, large format retail, trade suppliers and drive-through facilities within centres, except the City Centre
		<p>reliant on non-statutory guidance to achieve the relevant objectives regarding the design of buildings within centres and business areas. These would include:</p> <ul style="list-style-type: none"> <li>design panels such as the Auckland Council Design Panel</li> <li>competitive design policy which would encourage use of design competitions (open or invited) for large-scale or high value developments and/or developments in high profile or sensitive locations</li> <li>non-statutory design guidelines such as the Auckland Design Manual currently being prepared by Auckland Council.</li> </ul>	intent of the consent sought.	integrated shopping malls, supermarkets, department stores, large format retail, trade suppliers and drive-through facilities.	<p>large format retail, trade suppliers and drive-through facilities in all centres (except city centre) Mixed Use and General Business zones.</p> <p>This approach would provide for design-based assessment of these activities during the resource consent process to take into consideration the specific functional design requirements of these development models.</p>
Appropriateness	This alternative is not appropriate as it would result in an inconsistent approach throughout the region. This is not consistent with the overall aims of the Unitary Plan.	This alternative does not support the objective of achieving a quality built environment (objective 2.2.2) that promotes a sense of place and reinforces the amenity and safety of the public realm.	This alternative does not support the objective of achieving a quality built environment (objective 2.2.2) that promotes a sense of place and reinforces the amenity and safety of the public realm.	<p>With the exception of specific retail formats discussed below, this alternative is considered to be most appropriate in achieving the relevant objectives.</p> <p><i>Neighbourhood Centres</i> The draft Unitary Plan proposed allowing buildings in Neighbourhood Centres as a permitted activity. On balance, permitting development within neighbourhood centres which may potentially degrade local visual quality and amenity and is not the most appropriate approach to achieve the relevant objectives.</p> <p>The inclusion of a rule in the Unitary Plan making the development of buildings in neighbourhood centres a restricted discretionary activity more appropriately achieves the relevant objectives as it would result in a design-based assessment. This would ensure an appropriate quality of development that reliance on a suite of development controls would not achieve. A design-based assessment can pick up particulars of a development, such as façade design, that would otherwise be missed by development controls alone, resulting in more appropriate outcomes and achievement of objective 2 of the General Business zones. The restricted discretionary activity status method would more appropriately align with policy 3 of the General Business zones which requires the design</p>	This alternative is considered an appropriate option as the planning process for integrated shopping malls, supermarkets, department stores, large format retail, trade suppliers and drive-through facilities developers would take into account the functional requirements of the model of these developments and align with policy 9 of the Metropolitan Centre zone and policy 6 of the Town Centre zone which seek to recognise the function and role these activities have in the viability of centres. This option would likely facilitate a greater likelihood of achieving the locating of these facilities within the centres and thereby achieving appropriate functionality of the centres as a focal point for the community while maintaining a quality built environment in accordance with Objective 2 of the General Business zone.

	Status Quo Alternative -	Alternative 1 – No controls or policies/assessment criteria controlling the design of buildings within centres, with reliance on non-regulatory measures.	Alternative 2 - Controlled activity status with supporting assessment criteria with non-regulatory measures	Alternative 3 – Restricted discretionary status design assessment within all centre zones. Application of a consistent suite of assessment criteria applied across all metropolitan, town, and local centres and specific design criteria within the City Centre zone	Alternative 4 – Preferred option - Alternative three with specific design criteria for integrated shopping malls, supermarkets, department stores, large format retail, trade suppliers and drive-through facilities within centres, except the City Centre
				of buildings to <i>positively contribute to the public realm and maximise pedestrian amenity, movements, safety and convenience for people of all ages and abilities.</i>  <i>Specific retail formats</i> The assessment of integrated shopping malls, supermarkets, department stores, large format retail, trade suppliers and drive-through facilities like other developments would risk not achieving the most appropriate solutions for centres and would fail to align with policy 9 of the Metropolitan Centre zone and policy 6 of the Town Centre zone which seek to recognise the function and role these activities have in the viability of Centres.	
Effectiveness	The status quo is effective in some areas but not in others. It would not be an effective approach for achieving consistent standards of amenity in centres throughout the region.	This alternative is unlikely to be effective in achieving the relevant objectives which are generally aimed at enabling built form which contribute positively to the visual quality, pedestrian vitality, safety and interest of streets and public open spaces. The alternative of requirement for a design-based assessment resource consent and the use of methods outside the Unitary Plan will not prevent development potentially detracting from the character and amenity of centres.	This alternative is unlikely to be effective in achieving the relevant objectives which are generally aimed at enabling built form which contribute positively to the visual quality, pedestrian vitality, safety and interest of streets and public open spaces. The use of controlled activity status will not prevent development potentially detracting from the character and amenity of centres.	With the exception of neighbourhood centres and specific retail formats discussed below, this alternative is effective in achieving the objectives of the Unitary Plan which set the goal for development to contribute positively to the visual quality, pedestrian vitality, safety and interest of streets and public open spaces.  <i>Neighbourhood centres</i> Permitted development within neighbourhood centres with no design assessment would be less effective in achieving objective 2 of the General Business zones which sets the goal of achieving design quality so that centres are reinforced as focal points for the community. This approach will potentially enable development on a site which is of a poor design quality, contrary to objective 2.  <i>Specific retail formats</i> For integrated shopping malls, supermarkets, department stores, large format retail, trade suppliers and drive-through facilities, this alternative is likely to be less effective in achieving the relevant objectives and reinforcing centres as focal points for the community. They all use a well-developed historical model with function- specific design requirements. The lack of exemptions and/or specific recognition within the assessment criteria for these activities would result in protracted development processes and delayed development outcomes, and/or the potential location outside centres, contrary to the objectives to intensify centres.	This alternative is considered to be effective in that it takes into account the specific design requirements of these types of development, ensuring the planning process in not needlessly protracted. It would help prevent locating these types of development outside centres, ensuring centres are reinforced as the primary location for commercial activity and the community in accordance with Objective 2 of the General Business zones.
Efficiency	Having inconsistent provisions is not an efficient means of achieving objectives for centres.	This alternative is not efficient as its costs in terms of the adverse effects on the public realm are	This alternative is not efficient insofar as its costs in terms of the adverse effects on the public realm are not outweighed by the	With the exception of neighbourhood centres and specific retail formats discussed below, the benefits to the wider community in terms of achieving higher quality	The benefits of setting out specific exceptions for integrated shopping malls, supermarkets,

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		<p>not outweighed by the commercial benefits received by the developer.</p> <p>In particular, the proactive stance taken by the present council towards achieving quality design by providing specialist urban design staff and independent advice to applicants through the Urban Design Panel will potentially be ignored.</p>	commercial benefits received by the developer.	<p>development outweigh economic costs to developers or the general community.</p> <p><i>Neighbourhood centres</i> Although the imposition of the requirement for resource consent would result in additional costs for developers, the benefits to the quality of the environment in ensuring design outcomes would outweigh the economic costs. The restricted discretionary activity status can be processed non-notified, therefore limiting time and cost implications to developers.</p> <p><i>Specific retail formats</i> For integrated shopping malls, supermarkets, department stores, large format retail, trade suppliers and drive-through facilities, the lack of design exemptions and/or specific recognition within the assessment criteria would lead to prolonged planning processes and additional costs and would be unlikely to achieve the desired outcomes in terms of urban design, as sites may be left undeveloped long-term.</p>	department stores, large format retail, trade suppliers and drive-through facilities within centres outweigh the potential costs The design exemptions would lead to more simplified and less costly planning process. The implications of having these developments located within rather than outside the centres outweigh the costs on urban design outcomes.
Costs	The costs are dependent on the existing approach in each legacy plan.	<p>While existing development controls limit the height and scale of buildings and help mitigate the effects of building bulk, the form and appearance of buildings also requires consideration and, where necessary, control to achieve a high standard of amenity and urban design. Under this alternative, there is no certainty that buildings will contribute positively to the visual quality, pedestrian vitality, safety and interest of streets and public open spaces</p> <p>As set out above, Auckland Council previously had a permitted approach to development within the central city which resulted in poor-quality outcomes in parts of the city centre such as Hobson and Nelson Streets. There are also many other areas of the city</p>	<p>Council's inability to decline inappropriate development applications or to recommend significant changes to a proposal by way of conditions to improve the relationship of the proposed building with the surrounding area, will fail to help council carry out its function to encourage and promote high-quality urban design outcomes, both in the assessment of actual development proposals, and the provision of advice early in the process. This is likely to result in lost opportunities to address urban design issues in town centres in association with new development, including building design, pedestrian safety and amenity and streetscape cohesion, resulting in social and environmental costs.</p> <p>This fails to use a proven and effective planning instrument – the restricted discretionary activity approach - for addressing urban design issues within centres and business areas.</p> <p>Potentially, there would be little or no</p>	<p>There would be economic costs for applicants because the limited discretionary status will provide less certainty of gaining consent, as the council can decline a proposal detrimental to the public environment.</p> <p>There will be additional costs for applicants who may need to obtain specialist design advise to ensure their development will achieve the desired design outcomes.</p> <p>There will be economic costs for the community associated with employing and/or training staff in relation to urban design issues.</p> <p><i>Neighbourhood centres</i> This allows buildings to be developed with no assessment of the design and appearance of the building, potentially resulting in unforeseen outcomes detrimental to the environment and leading to inappropriate development quality.</p> <p>There would be no control over the detailed design of buildings which could result in bland, poorly design buildings which do not positively contribute to streets or public open spaces.</p>	<p>Inconsistency of the assessment of supermarkets, department stores, large format retail and drive-throughs in relation to other activities and development would result in additional cost requirements for developments without function-specific design.</p> <p>Potentially inconsistent urban design outcomes could lead to an overall failure to encourage and/or require high-quality design outcomes on other nearby sites and consequential poor quality urban environments within centres.</p> <p>Potentially, this misses other existing or new specific-format retail outlets.</p>

<sup>6</sup> WCC Proposed Plan Change 48

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		where this approach has resulted in building form which negatively impacts on the quality of the urban environment.	improvement in the standard of amenity in town centres.  As set out above, Wellington City adopted a controlled activity status approach-based on assessment against design-based criteria. This did not achieve the quality urban design outcomes expected and Wellington City has sought to rectify this issue through the reclassification of building development to a restricted discretionary activity status. <sup>6</sup> This same experience also applies within North Shore City where Plan Change 30 was implemented to resolve similar issues with the controlled activity status of building development.	Building design may not respond to nor fit with the character of an existing neighbourhood centre.  The community could incur the costs of poor quality development due to the design quality failing to reinforce the quality of the centres as a focal point for the community. This could leave to lower community appreciation for their neighbourhood centre.  <i>Specific retail formats</i> Specific retail formats, such as integrated shopping malls, supermarkets, department stores, large format retail, trade suppliers and drive-through facilities, have specific design and operational requirements including more parking, extensive facades, and specific servicing and access requirements.  They do not easily fit with the standard design criteria and face costly requirements to justify the design assessment shortcomings of their function-specific designs.  The planning requirements for such developments cause sites to remain undeveloped, resulting in economic costs to the wider community through missed job opportunities and underdevelopment of town centres.  It encourages development with function-specific design/operational requirements to locate in areas outside centres where the requirements are less demanding, which in turn draws vitality away from centres.	
Benefits	The benefits are dependent on the existing approach in each legacy plan.	Applicants have certainty that resource consent will not be required where a development proposal complies with all relevant rules.  The council's requirement for specialist urban design staff to advise applicants, report on developments, etc will be reduced with consequent time and cost savings.	Applicants have a high degree of certainty that a development proposal will be approved given that as a controlled activity, the council is unable to decline an application for consent.  The council's requirement for specialist urban design staff to advise applicants, report on developments etc, will be reduced with consequent time and cost savings.	Restricted discretionary (non-notified) design assessment is now a well-established and proven approach which achieves a balance between enabling meaningful council input into proposals while providing certainty to the applicant that applications will not be notified and subject to a lengthy litigation process.  It applies a consistent approach to urban design throughout all the city's main centres and business areas.  Potentially, it can result significantly improved design outcomes centres.  <i>Specific retail formats</i> This option utilises consistent criteria in the assessment of all developments providing consistent results aimed at	This approach uses consistent criteria in assessing all developments, providing consistent results aimed at improving the public realm, functionality and amenity of centres.  It enables the design-based assessment to seek individual site specific solutions to achieve the best outcome possible.  It forces developers to push the boundaries of the design to achieve the desired urban design outcome rather than retain



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				<p>improving the public realm, functionality and amenity of centres.</p> <p>Enables the design-based assessment to seek individual site specific solutions to achieve the best outcome possible.</p> <p>Forces developers to push the boundaries of the design to try to achieve the desired urban design outcome, rather than retain historic operational lead design solutions.</p>	historic operational-lead design solutions.
Risks	The risk of retaining the status quo is the lost opportunity to provide a consistent, high standard of amenity in all Auckland's centres.	The risks of pursuing this alternative are that buildings may be constructed that degrade the visual quality and amenity of the centres and business areas.	<p>Applicants have a high degree of certainty that a development proposal will be approved given that as a controlled activity, the council is unable to decline an application for consent.</p> <p>The council's requirement for specialist urban design staff to advise applicants, report on developments etc, will be reduced with consequent time and cost savings.</p>	<p>With the exception of specific retail formats discussed below, the risk of acting in this case is that specific additional costs will be imposed on developers and the community in general. However, the risk of not acting is that development within centres and business areas will not positively contribute to the amenity and success of those areas and centres will become less attractive places to work, live and visit.</p> <p><i>Specific retail formats</i> This risk is that integrated shopping malls, supermarkets, department stores, large format retail, trade suppliers and drive-through facilities locate in areas outside centres, impacting on land use availability in these areas and drawing away from the vitality of centres.</p>	There are aspects of developments where design exemptions result in poor urban design, impacting on amenity, pedestrian links and the functioning of centres.

## 4 Conclusion

Good building form and design can contribute to enhancing centres as vibrant and attractive places to live and work. An MfE literature review in 2005 concluded that there was solid research demonstrating the economic, social, cultural and environmental value added by good urban design. Part 2 of the RMA anticipates that structures in built environments, which include commercial centres, must be managed sustainably to enable people and communities to provide for their social, economic and cultural well-being. The maintenance and enhancement of amenity values, including for within buildings, is an important consideration when managing the built environment. The Auckland Plan sets a strategic policy direction which seeks good building design in all development to contribute to the overall goal of becoming the world's most liveable city. There is therefore documented evidence, statutory requirements, and strategic policy direction which all supports the Unitary Plan provisions seeking to achieve good building form and design in business areas.

This report has evaluated various options for achieving good building form and design in business areas. In summary, the approach generally sets development controls to set a standard in building bulk, design and location, and also requires buildings obtain a resource consent which is assessed against consistent design-based criteria. As evaluated in this report, this approach balances the costs and benefits of achieving good urban design. Development controls provide some certainty to developers about what is acceptable. The development controls have been prepared to provide a balance between enabling growth and development in centres whilst also achieving wider benefits from achieving attractive centres. Where development controls may not be appropriate for specific sites, criteria are provided to provide clear guidance about where infringements may be acceptable. In addition to development controls, the restricted discretionary activity approach enables flexibility in design while ensuring good outcomes are achieved. This route enables Council to decline badly design developments, but provides certainty in the process for developers by avoiding the potential for notification.

Overall, the proposed provisions provide an appropriate balance between enabling growth and development, while seeking to ensure the benefits of good building form and design are achieved in Auckland's centres.

## 5 Record of Development of Provisions

### 5.1 Information and Analysis

A number of key reports have been referred to and referenced including:

- City Centre Issues Paper, *Unitary Plan*, June 2012 (Appendix 3.6.1)
- Managing Frontages and Pedestrian Amenity in the City Centre, *Unitary Plan*, June 2012 (Appendix 3.6.2)
- City Centre Options Paper – Technical Report, *Unitary Plan*, 2012 (Appendix 3.6.3)
- Unitary Plan Research Paper: City Centre Zone – Urban Form, Height and Scale, *Unitary Plan*, March 2013 (Appendix 3.6.4)
- Summary of the Value of Urban Design, *Ministry for the Environment*, June 2005 (Appendix 3.6.5)

### 5.2 Consultation Undertaken

See Appendix 3.39.2 for a record of all consultation of building form and design.

### **5.3 Decision-Making**

A summary of the decision making process for building form and design in business zones is provide din Appendix 3.39.3.