

AUCKLAND UNITARY PLAN

Report To: Unitary Plan Political Working Party

Report Name: Built Environment Workstream: Issues and Approaches

1.0 EXECUTIVE SUMMARY

The Built Environment workstream primarily focuses on housing and business uses as well as urban design provisions that influence the functioning and appearance of the built environment. It includes the following topics;

- Growth
- Housing
- Rural and coastal settlements (outside the rural urban boundary)
- Subdivision
- Business
- Urban Design
- Financial contributions and development contributions
- Advertising Signs

This report identifies:

- the priority issues which need to be addressed in the Unitary Plan for each of these topics; and
- possible approaches for addressing the identified issues.

The supporting analysis to this executive summary is available on request.

Growth

The priority issue for growth is summarised as follows;

1. The Auckland region is projected to grow by up to 1 million people in the next 30 years. This growth needs to be accommodated in a sustainable way that preserves Aucklanders' quality of life.

An approach for addressing the growth issue is summarised as follows;

- a. Give effect to the growth model adopted by the Auckland plan;
 - define the rural urban boundary (RUB) and any greenfield areas to be developed.
 - include objectives, policies and controls which provide for a quality compact urban form.
 - confirm growth areas based on infrastructural capacity analysis.

Housing

The priority issues for housing are summarised as follows:

1. Population growth will place further pressure on the availability of housing in the region.
2. Medium and high density development is the most sustainable way of accommodating population growth, but it has not always been successful in the Auckland region. Many people prefer to live in detached housing in suburban locations rather than apartments around centres and corridors.
3. An increasing proportion of Auckland's population is unable to afford to purchase or rent adequate housing. The trade-off associated with increased costs can have a significant effect on the location, suitability and quality of housing choice.
4. Intensification that accommodates growth has the potential to change the character of existing residential neighbourhoods.
5. Amenity standards in legacy district plans are sometimes unclear in terms of the outcomes they seek to achieve. In some instances, this has produced housing with low on-site amenity and reduced the amenity of adjoining properties.
6. Urban intensification brings uses closer together, which means that preserving amenity will become increasingly important as urban areas consolidate.
7. In some cases, amenity standards in legacy district plans do not allow a range of housing types and sizes to meet housing preferences and needs.

The approaches for addressing the housing issues are summarised as follows;

- a. Give effect to the Auckland Plan's residential land supply proposals with strategic objectives, policies, area plans and precinct plans that;
 - guide where projected population growth will be accommodated around centres and corridors and if appropriate, in suburban areas and in rural satellite centres.
 - give clear direction on the long term supply and timing for release of future residential land in both greenfield and brownfield locations.
 - protect areas where it is not appropriate to increase residential intensity because of the unique or distinctive character of local neighbourhoods, or environmental or infrastructural constraints.
- b. Ensure that the Unitary Plan facilitates housing choice that meets the needs and preferences of all households.
- c. Encourage the provision of high quality medium and high density residential development by;
 - introducing provisions in the Unitary Plan that will improve the quality and appearance of buildings and achieve high quality urban design outcomes.
 - ensuring that land is appropriately zoned with development controls that are designed to support and encourage the outcomes being sought.
 - supporting the private sector in the assembly of land for comprehensive housing developments.

- d. Establish planning processes and investigate the use of incentives that will encourage high quality medium or high density housing in appropriate locations whilst ensuring the local communities have a clear expectation about the strategic intent of the plan.
- e. Include clear housing provisions that will deliver more affordable housing outcomes and ensure that residential development is:
 - integrated with public transport
 - where possible is connected to a safe and convenient cyclist network that will encourage commuting to places of high employment
 - sustainable and maximises energy efficiency in design
 - suitable for the needs of Auckland households.
- f. Develop objectives and policies to ensure that residential development respects and enhances the character of existing areas, and establishes a preferred future character for newly developing areas, including areas targeted for greater intensification.
- g. Investigate how to improve amenity outcomes and ensure there is a clear link between the objectives and policies in the Plan and the intended outcome of individual development controls.
- h. Introduce design led controls that consider the site context and surrounding area and encourage the housing market to better respond to housing needs and preferences.
- i. Develop outcome-focused provisions to ensure they achieve:
 - the desired outcomes, through rigorous testing of provisions
 - a high level of amenity with standards that do not conflict with each other
 - greater housing choice including a variety of housing types and sizes, is encouraged and enabled.

Rural and coastal settlements

The priority issues for coastal and rural settlements are summarised as follows;

1. Uncoordinated growth in rural and coastal settlements consumes productive rural land and undermines urban consolidation, the efficient provision of infrastructure and can degrade the quality of the environment.
2. Growth in rural and coastal settlements can substantially change the existing character of the settlement and surrounding area.
3. Limited employment and economic opportunities in some settlements can fail to support the social and economic wellbeing of the community.

Approaches for addressing the coastal and rural settlements issues are summarised as follows;

- a. Give effect to the Auckland Plan by identifying where, how and when to provide for rural and coastal settlements outside the RUB.

- b. Provide provisions to protect the quality of the environment and to direct appropriate and efficient provision of infrastructure to support managed growth.
- c. Enable a range of economic and employment opportunities in settlements (appropriate to the scale, function and environment of the settlement), while managing incompatible activities and the interface between different activities.

Subdivision

The priority issue for subdivision is summarised as follows;

- 1. Poor quality development outcomes often occur when the design (including infrastructure) of the development is not taken into account during the subdivision process.
- 2. There is an opportunity to encourage energy efficient and sustainable design outcomes through the subdivision process.

An approach for addressing the subdivision issues is summarised as follows;

- a. Integrate the subdivision and development processes to ensure that amenity and design outcomes are considered when land is subdivided.
- b. Identify opportunities for energy efficient and sustainable subdivision design

Business

The priority issues for businesses and business areas are summarised as follows;

- 1. Demand for business land is increasing. Maintaining an adequate supply of business land is critical to Auckland's economic wellbeing.
- 2. Town centres are a critical component of the overall urban form. There is a need protect their potential to accommodate retail and employment growth to serve the needs of their respective catchments.
- 3. Business land use intensity is too low and is therefore not being used efficiently.
- 4. Retail and commercial uses often locate in areas that were not intended for these uses. When this happens the activities which were going to locate on that land are displaced and the viability of existing centres can be diminished.
- 5. Residential development often locates in areas zoned for business. In mixed use areas this is appropriate but in others it can displace business activities and reduce the supply of business land.
- 6. Locating residential uses adjacent to inappropriate business uses can lead to lower quality living environments and limit the flexibility of businesses to operate to their full potential.
- 7. An adequate supply of on-site or off-site parking, or good public transport access, is critical to the success of a business.

8. Business use and development can have an adverse effect on both the natural environment and adjacent use and development.

Approaches for addressing the business issues are summarised as follows;

- a. Give effect to Auckland Plan provisions about categorisation of centres and future growth areas. Define and justify these areas with capacity analysis to ensure they are appropriately classified.
- b. Rezone appropriate areas in and adjacent to town centres and business areas to promote further development and intensification. Where capacity of services is insufficient, investigate further investment in infrastructure upgrades.
- c. Establish strong objectives and policies that guide when development may locate in certain locations, which;
 - requires retail and commercial development to locate in centres
 - protects industrial land supply by allowing only industrial uses and ancillary activities to locate in these areas
 - provides for mixed use areas in appropriate locations near town centres and along corridors.
- d. Assist the private sector in assembling land and developing key sites in preferred locations.
- e. Implement strategic approaches to parking. Such approaches include maximum parking standards and parking management plans that address public and private sector parking issues in an integrated way.

Urban Design

The priority issues for urban design are summarised as follows;

1. High quality design outcomes are necessary to deliver a quality compact urban form.
2. Development in Auckland does not always respond to or enhance local character. Poor design outcomes often lead to unattractive and unimaginative development.
3. Despite an increased awareness of the importance of good urban design, some recent developments in Auckland do not relate positively to the street and therefore compromise the vitality of town centres and public spaces.
4. As global emissions and energy costs increase, development in Auckland could do more to embrace sustainable design, including:
 - energy and water efficiency.
 - health and amenity of the occupants.
 - integration with public transport and pedestrian/cycle networks.

5. Buildings and spaces do not always consider the safety and ease of access for their users.
6. The use of Design Guidelines in the Operative District Plans is inconsistent (they can be both statutory and non-statutory documents) and they are not always effective in achieving their intended outcomes.

Approaches for addressing the urban design issues are summarised as follows;

- a. Ensure that the Unitary Plan contains outcome focused provisions that require high quality urban design and built form character, supported by tools such as design guides, urban design panels and character studies.
- b. Urban Design principles should permeate through the entire Unitary Plan, from high level objectives and policies to specific rules, to ensure a design led approach which delivers high quality design outcomes.
- c. Require development to consider the character and function of public spaces. Provide a focus on the relationship between buildings and the street as well as access and safety of all users of public spaces, particularly cyclists and pedestrians.
- d. Encourage, or where appropriate require, the use of sustainable design elements such as integration with public transport, appropriate lot and building orientation for maximum solar gain, rain water tanks, and solar panels.
- e. Both statutory and non-statutory design guidelines are key tools to improve urban design and built form outcomes and should be used within and outside the Unitary Plan.

Financial contributions and development contributions

The priority issues for financial and development contributions are summarised as follows;

1. Financial and development contributions are key tools available to the council to fund the costs of growth and development. A key issue for the council is whether the unitary plan should contain financial contributions to complement the use of development contributions.
2. Financial or development contribution policies and provisions sometimes do not align with strategic directions such as the compact city or environmental sustainability.

An approach for addressing the financial and development contributions issue is summarised as follows;

- a. Investigate options for the targeted use of financial contributions to support the council's development contributions policy.
- b. Where appropriate, use financial contributions or development contributions to complement the strategic directions of the Auckland Plan.

Advertisement Signs

The priority issue for signs is summarised as follows;

1. The cumulative effects of poor design and inappropriate location of advertising signs can compromise the character of local areas.
2. There is currently a lack of consistency in the approach to sign controls. They are either managed by bylaws or district plans or a combination of the two.

An approach for addressing the signs issue is summarised as follows;

- a. An effective management approach using a bylaw or the Unitary Plan will need to be determined for each type of sign (temporary signs, billboards, illuminated signs etc). This will need to consider the strategic direction of the plan and the ease of administration, enforcement and monitoring.

General approaches to built environment issues

Some approaches apply to many of the preceding topic areas and are mentioned here to save repetition;

- a. Investigate the use of incentives to encourage appropriate outcomes. These may include;
 - the use of Resource Management Act tools such as non-notification
 - preferential activity statuses or increased development rights for preferred development outcomes
- b. Council could take a pro-active, facilitative role in identifying development land, and encourage, invest and develop key sites in brownfield areas and other areas that will accommodate population and business growth. Techniques to achieve this include the following:
 - facilitate land assembly, as the inability to assemble key parcels is a constraint to redevelopment.
 - use the Auckland Property CCO or other development agency to acquire and develop key sites, including in joint ventures with the private sector invest in the necessary infrastructure to enable intensification.

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2.0 GROWTH

Issue

- In 2006 Auckland's population was 1.37 million. By 2040 the population is expected to grow by up to 1 million people¹. To give effect to the Auckland Plan, the Unitary Plan will need to determine where and how to accommodate this growth for both residential and business purposes as well as supporting infrastructure and services.

Discussion

Auckland Regional Policy Statement

The current approach to growth in Auckland is set out in Change 6 to the Auckland Regional Policy Statement. Change 6 was introduced following the Local Government Auckland Amendment Act (LGAAA) which required all district councils in the region to integrate their transport and land use provisions and to make sure that they are in line with the Auckland Regional Growth Strategy and the associated Growth Concept.

Figure 1. Map showing the urban areas of Auckland (2009)



¹ Draft Auckland Plan, Auckland Council, 2011

The Auckland Regional Growth Strategy provides a vision for what Auckland could look like in the future with a population of 2 million. This vision encapsulates the diversity and well-being of people and communities living in the region and through the growth strategy this will continue to prosper in a sustainable way².

The Auckland Regional Policy Statement identifies the Metropolitan Urban Limit (MUL) as a key tool to manage the regions growth. The MUL is used to define the limit of urban areas of the region. Outside the MUL is rural land and rural/coastal settlements (for further discussion on coastal and rural settlements, please refer to section 4.0 of this paper). Growth or intensification is encouraged within the MUL in existing urbanised areas, particularly around centres and corridors. The aim of this approach was to establish a compact urban form and restrict sprawl into rural areas.³

The Auckland Plan

Rural Urban Boundary

The Unitary Plan will give effect to the Auckland Plan which will determine the approach to managing growth in the region. Four different growth models were proposed in the Auckland Plan Discussion Document⁴. In line with the current approach the draft Auckland Plan has proposed a quality compact urban form, which it is assumed will be formally adopted in the final draft of the Auckland Plan.

The draft Auckland Plan has identified a Rural Urban Boundary (RUB) which will define the limits to long term growth for the next 30 years. The Auckland Plan States that:-

“No urban development will be allowed outside this RUB, whereas the MUL has been subject to incremental change and uncertainty”

To accommodate the projected population growth, the Auckland Plan has identified areas of greenfield development which lie outside the existing MUL, but within the new RUB. This comprises approximately 6,000 hectares that have been identified at a broad level for further investigation as to their suitability for growth. Those parts that are suitable for development will be released in stages as further capacity is required.

Development Areas

The Auckland Plan has also identified Development Areas as a method for accommodating future growth around town centres and corridors. In addition it identifies suburban areas adjacent to these centres and corridors that have good transport access and street layout which is suited to intensification. Intensification of these areas is encouraged subject to infrastructure provision and detailed design and planning being undertaken with local communities.

Hierarchies

² Auckland Regional Growth Strategy, Auckland Regional Council

³ Auckland Regional Policy Statement, Auckland Regional Council

⁴ Draft Auckland Plan, Auckland Council, 2011

The Auckland Plan continues with a centres hierarchy, which will be based on size and their future role in the growth of Auckland. This includes:

- City Centre – e.g. Auckland CBD
- Metropolitan Centres – e.g. Manukau, New Lynn etc
- Town Centres – e.g. Northcote, Onehunga etc
- Local Centres – e.g. Beach Haven, Swanson etc

Growth in these centres is seen as key to the quality compact model, as well providing an important role as a focus for the community. They have been identified to provide a focus for residential, office and retail growth to stimulate urban consolidation. A quality design led approach has also been identified as key to development. The Implementation Framework which the Auckland Plan has proposed sets a focus for how the plan will be implemented. It sets out five key areas below, with a focus on infrastructure, funding and public private partnerships:

1. Building enduring implementation partnerships
2. Internal alignment of Council to help implement the Auckland Plan
3. Developing a long-term, sustainable funding strategy for Council.
4. Council's role in supporting integrated re/development and infrastructure provision.
5. Clear communication of implementation and monitoring

The Auckland Plan focuses on the importance of delivering a quality compact urban form to accommodate 75% of Auckland's growth within the RUB.

Role of the Unitary Plan

The draft Auckland Plan has outlined the RUB. The Unitary Plan will be giving effect to this and define the exact location of the growth limit in line with the adopted growth model. It will also need to accommodate the staging that has been proposed in the Auckland Plan, to ensure that land is released for development in a way that:-

- Meets growth demand as existing areas are fully developed
- Each stage is fully master-planned.
- Aligns with infrastructure provision and capacity.

Not only will the Unitary Plan have to give effect to RUB, it will need to define its location by cadastral boundary. Therefore there will be significant landowner concerns and public interest if the proposed boundary is different to the existing MUL. The Unitary Plan will need to carefully manage this process and most likely build on consultation of growth issues carried out by the Auckland Plan. It is crucial that the Unitary Plan has a strong evidence base to the support the RUB.

To give effect to the growth model, the Unitary Plan will also need to establish objectives, policies and controls for either side of the limit. Within the urban areas, inside the growth limit, the plan must achieve a quality compact urban form, ensuring that development uses land efficiently, is well serviced by necessary infrastructure including transport and respects and enhances the surrounding character. This will be achieved through appropriate outcome focused objectives and policies, given effect through rules, zoning and overlays.

The Unitary Plan will need to encourage and enable development which meets the guiding principles of the quality compact growth model. Conversely, the objectives and policies must be worded in such a way that effectively discourages development which does not conform to the quality compact model.

The implications of the adopted growth model are important for the provision of housing to meet the needs of the growing population and the availability of land for business activity to ensure the economy continues to prosper. Services and infrastructure will need to align with areas of growth and intensification.

The primary issues relating to the growth of Auckland will be discussed in more detail within the business, residential and settlements sections of this paper.

Broad Approaches

Give effect to the growth model adopted by the Auckland Plan by:

- Defining the RUB
 - Investigate the Greenfield areas identified in the Auckland Plan and establish whether they are suitable for development
 - Define areas for growth and the RUB at a cadastral level.
 - Provide staged growth, establish how and when the areas will be sequentially released.
 - Develop area plans and precinct plans that guide the development of these when they are released for development
- Including objectives, policies and controls which enable a quality compact urban form, including a focus on Development Areas, Centres and Corridors.
- Establish a strong evidence base for the defined growth limit.

3.0 RESIDENTIAL

3.1 Land Supply

Issue

Land supply is limited and population growth will place further pressure on the availability of housing in the region.

Discussion

Auckland is expected to grow between 700,000 and a million people by 2040 creating a demand for an additional 330,000 and 470,000 additional dwellings. If current settlement patterns continue, this could consume an additional 32,000 hectares of new land.

Allowing unmanaged growth or sprawl allows people to make unrestrained decisions about housing development and where they choose to live. However it also consumes vast quantities of rural land; it increases travel times; and prevents the efficient planning and development of infrastructure.

A report monitoring of land supply for the Auckland Regional Council⁵ concluded there is a significant mismatch between anticipated growth and the composition of residential supply capacity given current zoning. This study shows that under a 'base scenario', land for conventional residential housing will be exhausted by 2023. In Auckland City, North Shore and Manukau, supply is projected to be exhausted between 2015 and 2016. These figures include residential capacity on rural land, suggesting that capacity would be even further reduced if this form of development is restricted.

The draft Auckland Plan proposes to identify a minimum 20 – 30 year supply of residential land to ensure minimise inflationary pressures on land costs and signal to the development industry and infrastructure providers where council expects future growth to occur.

Regular monitoring of the supply of greenfield land and capacity of brownfield land suitable for intensification will be critical to determining the rate at which land needs to be rezoned and released onto the market. Long term planning and infrastructure provision need to be synchronised to ensure that ongoing plan changes will enable the release of residentially zoned land ahead of the rate at which supply is being exhausted.

The Auckland confirms there should also be a minimum five years supply of unconstrained land that is zoned and available for immediate subdivision and development. This recognises the time involved in negotiating the planning process.

The draft Auckland Plan proposes that 75% of future growth to the year 2040 will be located within the RUB and 25% outside. It is expected that this boundary will include a greater area of land identified for future urban growth compared to that provided for by

⁵ Market Economics & Harrison and Grierson, 2008

the current MUL. This will include a mixture of both greenfield and brownfield development.

Land supply in greenfield locations

The draft Auckland Plan estimates there is a current capacity for approximately 25,000 additional dwellings within existing greenfield locations and this will be developed before additional greenfield locations are released.

Approximately 5000 to 6000 hectares of area of additional developable land have been identified within the RUB subject to future investigation. These will be managed to allow for a staged release of land over a 20 year period and will include a five year supply of unconstrained development capacity.

The 25% of growth outside the RUB will occur in rural satellite centres and new greenfield areas currently classified as rural.

Land supply in brownfield locations

The growth strategy relies on promoting the compact city model and will require a significant intensification of development with the RUB. The Auckland Plan is proposing that this will occur around centres, along growth corridors and where appropriate, in existing suburban areas that are contiguous to centres or in highly accessible locations close to public transport and community facilities and services.

A number of district plans have already identified brownfield sites considered suitable for intensifying residential growth and whilst it is beyond the scope of this paper to identify the number and location of these sites, these have not achieved anticipated growth targets or the levels of intensification anticipated. This is attributed to wide range of factors including;

- the effects of the global financial crisis on the housing market
- the capacity of the housing construction industry
- the capacity to assemble land in a timely manner
- delays in augmenting supply through the rezoning process
- a reluctance of the market to develop medium or high rise apartments around centres and corridors in the wider Auckland area.

The Auckland Plan anticipates that approximately two thirds of all new dwellings to the year 2040 will be attached dwellings and low, medium and high rise apartments. This suggests that existing issues associated with brownfield development will need to be resolved and, as noted in the Auckland Plan, a proactive approach will need to be taken, particularly by improving urban design outcomes.

There is also an opportunity outside the scope of the Unitary Plan for Council to become involved in augmenting the supply of land suitable for medium or high density brownfield regeneration. For example it could

- assist the private sector to assemble sites in separate ownership by buying or selling of private land (possibly using the Auckland Property CCO), or using compulsory acquisition to acquire key sites
- establish a program to identify under utilised Council and Crown owned land that may be suitable for urban intensification, and

- use structure planning and devote resources to working with the development industry to ensure that these sites are developed in a way that will achieve the outcomes envisaged in the Auckland Plan.

Broad Approaches

Give effect to the Auckland Plan's residential land supply proposals with strategic objectives and policies that

- guide where projected population growth will be accommodated
- give clear direction on the long term supply and timing for release of future residential land in both greenfield and brownfield locations
- protect areas where it is not appropriate to increase residential intensity because of the unique or distinctive character of local neighbourhoods; or where there are infrastructure and environmental constraints.

Council could take a pro-active, facilitative role in identifying development land, and encourage, invest and develop key sites in brownfield areas and other areas that will accommodate population growth. Techniques to achieve this include the following;

- facilitate land assembly, as the inability to assemble key parcels is a constraint to redevelopment
- use the Auckland Property CCO or other development agency to acquire and develop key sites
- joint ventures with the private sector including Council or Crown owned sites that may be suitable for urban intensification
- invest in the necessary infrastructure to enable intensification.

3.2 Intensification and Housing Choice

Issues

- **Medium and high density development is the most sustainable way of accommodating population growth, but it has not always been successful in the Auckland region. There is a need to find solutions to achieving a more compact urban form around centres and corridors that are highly accessible to public transport and higher order community facilities and services.**
- **Providing for housing growth in centres and corridors will not in itself resolve the shortage in housing supply as many people prefer to live in detached housing in suburban locations rather than apartments around centres and corridors.**
- **The planning process does not always encourage good medium or high density housing outcomes.**

Discussion

Medium and high density development is the most sustainable way of accommodating population growth, but it has not always been successful in the Auckland region.

The legacy approach to accommodating growth in the Auckland Region has promoted the use of centres and corridors for housing intensification, however this there has been a resistance to this type of development by the housing market. The Auckland Plan identifies areas adjacent to targeted centres and corridors as and it is anticipated that much of the intensification will be terraces or apartment dwellings, and as shown in Figure 2 below, the proportion of detached dwellings is projected to decrease over time.

Changes in the proportion of Auckland dwelling types over time		
	2006	2040
Population (medium-high scenario)	1.3 million (medium)	2.2-2.5 million
Total Dwellings (2011 update of 2006) – approx.	507,000	910,000
Detached	76% 385,320	58% 527,800
Low Rise Attached (2-3 storeys)	22% 111,540	31% 282,100
Mid to High Rise (4-10+ storeys)	2% 10,140	11% 100,100

Figure 2. Table showing changes in the proportion of Auckland dwelling types over time

These targets require a very high percentage of new development to be low rise attached or apartments. For a number of reasons however, to date these types of development in the Auckland region have not been particularly successful.

As the following section notes, there is a high preference for detached housing and the take up of medium and high density housing has not been helped by the generally poor quality of development that has occurred in the past. Apartment living requires people to live in close proximity to each other and this has the potential to reduce amenity standards compared to detached housing. Legacy district plans have not always dealt with this issue adequately and the leaky building crisis is another factor that has contributed to the poor reputation of apartment living.

One reason that intensification has not occurred is because local communities see this type of development as compromising the character and amenity of their local area. This issue is discussed in separate section later in this report.

Another reason is that legacy plans have not always applied appropriate zones and provisions that encourage this type of development. For example, in the North Shore District Plan, the Residential 6 zone facilitates intensification by allowing higher densities (1:150m²) on larger sites (greater than 1,500m²) but this opportunity has not been taken up. The reasons for this may be that:

- land ownership is fragmented and it is difficult to assemble sites to the minimum size required
- there are easier infill options elsewhere

- redevelopment may still not be feasible in the location, particularly if it requires costly car parking solutions.

Urban intensification is a key tool to achieve population growth targets within the existing urban areas of the Auckland. It allows the efficient use of existing urban infrastructure and services and is the most sustainable way of planning for urban growth. It also has the capacity to reduce housing costs by increasing housing yield per hectare of land, and by implication, the capacity to improve housing affordability.

Urban intensification around centre and corridors is a key priority in the Auckland Plan and there a need to find solutions to achieving a more compact urban form in areas that are highly accessible to public transport and higher order community facilities and services.

Improving the standard of intensification

The above discussion suggests that new approaches are required. The following examples are suggested.

- Improve the quality and appearance of buildings and change the standards of development that affect living amenities. Good urban design is seen as a critical consideration in attracting people to apartment living.
- Ensuring that land is appropriately zoned with development controls that are designed to support and encourage the outcomes being sought. Removing density controls and replacing them with maximum building heights and minimum amenity standards would provide developers with less constraints and greater design flexibility.
- In areas selected for intensification, ensuring that objectives and policies establish a preferred future character for the area with clearly defined housing outcomes.
- Informally consult with local communities in the early planning stages of a development. If development proposals align with community expectations, this will smooth the way for future plan changes and reduce uncertainties in the development application process. Community consultation is also likely to result in better quality development.
- Support the private sector in assembling land for comprehensive housing developments.

Providing for housing growth in centres and corridors will not in itself resolve the shortage in housing supply as the housing market also demands housing with other attributes.

Recent research includes a study carried out for the Centre for Housing Research Aotearoa New Zealand (CHRANZ)⁶. This study assesses housing preferences, urban intensification and ways to improve the design, quality and affordability of housing in New Zealand that will make residential intensification a more attractive option. Findings include;

⁶ Improving the Design, Quality and Affordability of Residential Intensification in New Zealand, CityScope Consultants, June 2011

- the market for higher density housing is limited, due to poor quality urban design, a cultural preference for suburban detached housing and resistance against three storey walk ups (ie without lifts).
- younger people and people with transitory lifestyles favour central city locations, whereas family households favour suburbs and town centres
- older households tend to remain in their established neighbourhood
- baby boomers represent the fastest growing demographic and will dominate the housing market. It is likely that this group will favour familiar suburban locations rather than city centre locations
- single women are a high driver of medium density housing.

The study reaches a number of conclusions about the prospects for residential intensification;

- the current pressure for residential intensification is driven by commitment to the compact city as an urban form rather than housing demand. Planning guidelines tend to be based on professional ideals and abstract notions of sustainability rather than housing preferences and what the market demands. Urban development strategy needs to balance the needs of the housing market with costs and benefits of different styles of urban form.
- the baby boomers will be a key driver of the housing market and there is a need to better understand the future housing needs of this group and their potential to be accommodated in medium density housing
- a growing proportion of renters and first home buyers are family groups looking for suburban locations close to families and friends
- there is a need to examine the potential for recycling the family housing currently occupied by baby boomers.

These conclusions suggest that simply providing for housing in high density enclaves around centres and corridors may not in itself meet the objectives in the Auckland Plan to increase housing choice to meet preferences and needs. It also raises the question of how to reconcile the conflicting demands of consumer choice as well as achieving sustainable urban growth through urban intensification.

The Auckland Plan identifies further scope for higher intensity housing by enabling redevelopment in suburban areas that are contiguous to centres and corridors. One of the constraints to achieving this outcome, is that most legacy district plans contain minimum lot sizes in suburban areas that limit opportunities to create smaller houses on smaller lots. In many cases minimise densities or lot size controls have resulted from a desire to protect the character and amenity of suburban locations rather than a specific physical or environmental constraint. There will be a continuing need for more restrictive or prescriptive controls to protect areas that have a unique or distinctive character, however there is also the potential to replace minimum lot sizes with design lead controls that will allow the creation of smaller houses on smaller lots, whilst still protecting the amenity and character of conventional residential neighbourhoods. This would open up opportunities for small scale low rise developments in suburban areas contiguous to centres (including detached houses or town houses) that will allow preferences for this type of housing to be met.

Removing minimum lots sizes would facilitate the construction of smaller lots and smaller, more intense detached housing that would

- meet the needs of smaller households and free up larger houses for extended families and shared housing
- increase the capacity to intensify development in areas close to public transport nodes (eg bus stops) and high usage community facilities and services
- increase housing yields per hectare
- accommodate housing preferences and choice by facilitating smaller detached houses for older people who wish to remain in their existing neighbourhood, and
- reduce the cost of housing (thereby improving housing affordability).
- Increase opportunities for small investors into the housing market

Another approach is retain minimum lot sizes, but provide an opportunity to develop second dwellings on lots that are of sufficient size to meet all the amenity controls relating to building height, boundary setbacks, minimum private open space, provision for car parking, protection of privacy, appropriate solar access and so on. The Manukau and Waitakere District Plans provide for outcomes of this nature by requiring any subdivision application below the minimum designated size to be accompanied by a design response that shows how the future dwelling will be accommodated on the lot.

The planning process does not always encourage good medium or high density housing outcomes.

Provisions in some existing district plans are creating barriers to urban intensification as a result of delays and the costs associated with obtaining resource consents. The threat of notification is also seen as creating a significant disincentive to investing in innovative design outcomes.

An applicant will typically try to avoid notification if at all possible. It increases uncertainty both in terms of time and costs of a project, particularly if a hearing is required.

Whilst residential development projects are usually less contentious, there is tendency for developers to scale down or sub-optimize the development potential of the site, or alternatively projects are designed to meet the minimum standards prescribed rather than push the boundaries and increase the potential for it to be notified. The problem with this approach is that it encourages the “lowest common denominator” in design innovation.

This problem is of increasing importance due to the growth pressures facing the Auckland region. As population grows, it is likely that multi unit housing will become more prevalent in the Auckland region and it will be important that this housing meets high standards of urban design. Multi-unit housing proposals are generally complex and are more likely to be notified than a smaller scale development and this makes them more difficult and costly to build.

Arguably, a better process is needed to enable the type of development that is expected in the future.

One response to this issue is to increase to make greater use of ‘non notification’ provisions in the plan;

- This removes discretion by the consenting planner and reduces the chance of the development being appealed by a third party

- It removes the argument that potential notification is a deterrent to developing good design solutions
- It can be used as an incentive to achieve better design outcomes. For example, more subjective provisions can be included in the plan that will allow better design outcomes to be negotiated.

On the other hand 'non notification' is not a panacea for encouraging greater intensification and better urban design outcomes and there are other considerations that need to be taken into account;

- There are no guarantees that this will improve the quality of design as there will be no accountability to the community and it will rely on the knowledge, competence and willingness of the consenting planners to negotiate an acceptable outcome (based on subjective design standards).
- It reduces public participation in the planning process, when it is known that only 2% of applications are currently notified
- It does not consider the potential to change existing planning processes and 'cultural' practices. For example informal consultation and negotiation processes could be undertaken prior to a reporting planner preparing and making a recommendation on notification.

The Auckland Plan notes that planning regulations and consenting procedures need to be streamlined to increase certainty around cost and timing, and to incentivise development in new growth areas. This tool is one method that could assist in doing this, however this needs to be considered in terms of how better urban design standards are implemented.

Broad Approaches

- Ensure that the Unitary Plan facilitates housing choice that meets the needs and preferences of all households
- Encourage the development of high quality medium and high density housing by
 - introducing provisions in the Unitary Plan that will improve the quality and appearance of buildings and achieve high quality urban design outcomes
 - ensuring that land is appropriately zoned with development controls that are designed to support and encourage the outcomes sought
 - supporting the private sector to assemble land for comprehensive housing developments.
- Provide an opportunity for small detached houses that will meet the housing preferences of older persons and small households who wish to remain in their existing neighbourhood; and that are located on sites close to public transport (bus stops) and community facilities and services
- Establish planning processes and investigate the use of incentives that will encourage high quality medium or high density housing whilst ensuring the local communities have a clear expectation about the strategic intent of the plan.
- Establish a program to identify under utilised Council and Crown owned land that may be suitable for urban intensification.

- Work with the development industry to ensure that brownfield sites are developed in a way that will achieve high quality urban design in medium to high rise developments.
- Include objectives and policies that encourage the development of higher density housing around centres and corridors for households who rely on public transport and high accessibility to urban services and facilities.
- Include objectives and policies that encourage the creation of smaller lots to meet the needs of single parent and two person households in newly developing/greenfield locations.
- Include objectives and policies to ensure that opportunities are provided in existing suburban areas to accommodate smaller households and older people who wish to remain in or near their existing place of residence.
- In order to accommodate these needs, review existing subdivision/minimum lot size controls to allow some intensification of housing in existing residential areas that are close to public transport stops and local community facilities and services.
- Ensure that residential development controls will protect the amenity and character of existing residential areas and establish a preferred character for newly developing areas.

3.3 Housing Affordability

Issues

- **An increasing proportion of Auckland's population is unable to afford to purchase or rent adequate housing.**
- **The trade-off associated with increased costs can have a significant effect on the location, suitability and quality of housing choice.**
- **Housing in Auckland is not always affordable in terms of living costs associated with transport, heating and maintenance.**
- **The complexity of factors which influence housing and living costs make it a difficult issue for the Unitary Plan to address.**

Discussion

Recent decades have seen the cost of purchasing a new dwelling escalate beyond the capacity of traditional home purchasers whilst rental housing costs have increased proportionally as a percentage of household incomes.

Research suggests that in New Zealand, as with many other countries, house prices are affected by a great many factors, which are complex and interlinked.

- consumer preferences
- interest rates
- earnings

- availability of bank loans or credit
- rates and cost of construction/materials
- availability and supply of land
- net migration

The cost of purchasing a dwelling is inextricably related to the cost of renting a dwelling because of the complex interrelationship between supply and demand on the housing market.

What is Affordable Housing?

Affordable housing has been defined and measured in a number of ways but definitions typically focus on the relationship between household income and expenditure on housing. Underlying the concept of affordability is that households should be able to rent or buy in a reasonably accessible location, meet ongoing housing costs and have sufficient discretionary income to achieve an acceptable standard of living.

A commonly used measure of affordability for people on low incomes is that households should not pay more than 30% of their household income on housing costs.⁷ Using this methodology, studies of affordability in Auckland have found that:

- in 2009, 40% of all renter households were spending 30% or more of household income on housing costs.⁸
- between 1996 and 2004 the proportion of owner occupier households in Auckland spending more than 30% of household income on housing costs increased from 18% to 21% of home owners.⁹

Affordable Living

Affordability based on purchase and rental costs alone, ignores the cumulative costs of living. Costs such as transport, heating and maintenance are also important factors in household expenditure and therefore the affordability of a house. For example, the cost of commuting to work from a relatively remote residential area to the city centre will be greater in terms of time and money, than a commute from a residential development in close proximity to an employment centre with good public transport connections. Similarly, buildings with a high standard of thermal insulation are less costly to run and therefore more affordable in terms of the cost of heating.

Although this cost is less obvious than the upfront cost of purchasing a new dwelling, over the lifespan of that house, transport and heating costs can be considerable. The Unitary Plan can contribute to improving housing affordability problem by encouraging sustainable design standards ranging from orientation of lots at the time of subdivision to the site of dwelling to maximise solar access to habitable room windows and private open space. This issue is addressed in the discussion on urban design standards.

Auckland Plan

⁷ DTZ Research, (2004), Housing costs and affordability in New Zealand, Centre for Housing Research, Aotearoa New Zealand.

⁸ CHRANZ (2006) Fact Sheet: Affordable Housing in New Zealand, prepared for the National Summit – Affordable Housing, Wellington

⁹ Leggatt-Cook, C. (2007), Housing demand, supply and affordability in the Auckland Region, a review of current trends and drivers, Auckland Regional Council.

The Auckland Plan has identified housing affordability and affordable living as a key housing issue. In particular it states that housing must be:

- **Affordable** – households should be able to purchase, either by buying or renting, housing which does not immediately place the household in a situation of housing stress. Housing costs should not account for more than 30% of household income
- **Well located and accessible** – housing should be located so as to enable people to easily access employment and educational opportunities, community and social facilities and services and leisure and recreational opportunities. Affordable housing should be located across the region and be integrated into existing neighbourhoods and new developments.
- **High quality and safe** – Housing should be well designed and of a quality which ensures that it is not detrimental to the safety, health and or well being of families and households. Housing should provide a reasonable level of privacy, both visual and acoustic, and should be well integrated into the neighbourhood.
- **Suitable** – housing stock across Auckland should meet the needs of Auckland’s increasing diverse, households, families and communities, catering for the needs of different, age, health, cultural groups and for families of different sizes and structure. The mix of housing in a neighbourhood or community should be such that as people go through different lifestyle phases they can choose to move to a suitable dwelling within the same community.¹⁰

The impacts of unaffordable housing

Home ownership is the single biggest investment for most NZ households, and housing affordability is a matter of high importance both to central government and Auckland Council. Clearly these increasing costs mean that Aucklanders' are finding it increasingly difficult to afford to buy and rent in the region. The impacts of the rise in housing costs are summarised below:-

- Financial hardship resulting from unaffordable housing has a greater impact on low income households and can have a negative effect on health, education and employment and community cohesion.¹¹
- Lack of affordable housing can create social deprivation, overcrowding and substandard living. This can result in a spatial concentration of poor quality housing which can undermine social cohesion and increase crime and anti-social behaviour¹²
- High housing costs and a shortage of affordable housing can impact negatively on the economy by restricting the ability to attract and retain employees and reducing the amount of investment in other sectors of the economy due to the proportion taken up by mortgage or rent payments.¹³

¹⁰ Auckland Plan Technical Paper: Housing.

¹¹ Leggatt-Cook, C. (2007), Housing demand, supply and affordability in the Auckland Region, a review of current trends and drivers, Auckland Regional Council.

¹² Leggatt-Cook, C. (2007), *Housing demand, supply and affordability in the Auckland Region, a review of current trends and drivers*, Auckland Regional Council.

¹³ Gabriel, M., Jacobs, K., Arthurson, K., Burke, T., and Yates, J. (2005) *Conceptualising and measuring the housing affordability problem*, National Research Venture 3: Housing affordability for lower income Australians, Research Paper 1, AHURI.

- There is a growing gap between incomes and expectations of size and quality of housing. As housing becomes increasingly unaffordable people start to make tradeoffs around their housing preferences affecting demand for different locations and types of housing¹⁴.

Ultimately a lack of affordability forces people to make housing tradeoffs which can have a negative impact on their wellbeing. Trade offs can be grouped into three main categories:-

- Location: Cheaper houses located at a greater distance from service or employment centres. This results in greater transport costs, increased traffic and time costs.
- Building Standards: Cheaper house may be of a poor standard for example, damp and cold. This leads to increased cost in heating and detrimental impacts on health.
- Suitability: Cheaper housing may be unsuitable for a households needs. A large low income family may be forced to buy a small house because it is cheaper and a larger house which is better suited to their needs. Affordable housing must represent a variety of housing types, from one bedroom apartments to large family homes.

Where ever possible the Unitary Plan needs to acknowledge and facilitate an adequate supply of affordable housing that is well located, well designed, healthy and appropriate to the needs of all households.

The Role of the Unitary Plan

Greater affordability will require supply and demand side responses, and will need to involve, central and local government, the community and private sector.

Affordable Living

The Unitary Plan could contribute to solving housing affordability problems by:

- Ensuring that new development is located close or next to public transport routes or nodes.
- Ensuring that residential development is well serviced by cycle and pedestrian infrastructure. These modes of transport are practically free, they promote healthy living and can dramatically reduce transport costs and reliance on the motor vehicle.
- Ensuring that the subdivisions are designed to maximise the number of allotments on a north south or east west orientation so that dwellings can be designed to maximise solar access to private open space and habitable room windows.
- Encouraging the development of sustainable building to reduce the costs of energy use and water consumption.
- Ensuring that residential development achieves an acceptable standard of residential amenity for new houses as well as protecting amenity standards of existing development on adjacent sites.

¹⁴ DTZ Research, (2004), *Housing costs and affordability in New Zealand*, Centre for Housing Research, Aotearoa New Zealand.

House Prices

At a broad level the Unitary Plan can influence house prices by encouraging the development of housing that minimises land costs, which are a major contributor to housing costs. For example land costs can be minimised;

- By encouraging an intensification of housing around centres and corridors. Whilst construction costs are higher for apartment style housing (particularly if high quality built form standards are required), these can be offset by the significantly lower land costs combined with a planning processes that will streamline development approvals.
- By allowing a gradual intensification of housing in conventional residential areas by way of sensitive infill development on sites close to public transport nodes
- By facilitating the creation of smaller lots for smaller houses in new greenfield subdivisions. Whilst newly developing areas will create a range of lot sizes, the Unitary Plan could encourage a range of smaller lots that are designed to accommodate smaller households and households that are unable to afford large dwellings.

Provided amenity standards are maintained and there are overlay controls to protect and enhance neighbourhoods that have a unique or distinctive character, then small housing developments would provide an opportunity to construct smaller more affordable houses in locations of people's choice.

Further research should also be undertaken to identify other ways that the Unitary Plan could contribute to improving housing affordability. One example could be reducing car parking expenses in the construction of apartment developments. Another example is to include provisions in the Plan that provide incentives if an affordable housing component in large scale developments is included.

A more interventionist approach is to require an affordable housing component in large developments. This could be accompanied by incentives or trade offs in development standards. Such an approach is common in the UK and is now being introduced to Victoria. Where an affordable housing issue has been identified the local planning authority can, through a policy document, require that a certain proportion or a certain number of units are provided at an affordable purchase price or rent cost.^{15, 16} In New Zealand, the Queenstown Lakes District Council has introduced an Affordable Housing Plan Change that takes a similar approach. Subsequent Environment Court proceedings confirmed that this is a valid approach under the RMA^{17 18 19}.

In any event, it will be important that the Unitary Plan provide clear directions on how housing affordability can be improved. This will require the drafting of

¹⁵ Communities and Local Government: 2011 – 15 Affordable Homes Programme _ Framework, United Kingdom

¹⁶ Planning Policy Statement 3: Housing, United Kingdom 2006

¹⁷ Infinity Investments Group Holdings Limited And Ors V Queenstown Lake District Council HC INV CIV 2010-425-000365 [14 February 2011]

¹⁸ Queenstown Lakes Affordable Housing Strategy June 2005

¹⁹ Queenstown Lakes District Council, Plan Change 24: Affordable and Community Housing October 2007

objectives, policies and rules focussed on achieving positive outcomes to encourage a supply of affordable housing.

A non-statutory approach

Due to the complexity of the issues relating to housing costs and affordable living, there are many non-regulatory approaches that can be explored. Many of these are highlighted in the draft Auckland Plan. The Unitary Plan must complement these measures where possible and with a clear strategic direction, be supportive of development which promotes housing affordability.

Other broad non-statutory approaches include:-

- Continue to advocate with central government on the issue of housing affordability to influence housing and economic policy directions.
- Continue to advocate with central government on the issue of sustainable housing which is of a high standard, healthy and affordable to live in.
- Continue to improve and streamline the resource consenting process, particularly for apartment developments. This could include greater certainty on in relation to notification.
- Greater collaboration with the development industry to reduce compliance costs in the construction process.
- Continue to promote public transport and advocate for increased funding for routes that connect residential areas and centres.
- Establish an Auckland wide strategy to create a network of cyclist paths around the region that are safe, convenient and located to encourage commuting to high employment areas.
- Council partnerships with the private sector to develop affordable housing.

Broad Approaches

The Unitary Plan can assist in improving housing affordability by:

- Including clear housing provisions that will deliver more affordable housing outcomes. This should include the promotion of a range of housing typologies and densities, including apartments and terraced housing in appropriate locations.
- Ensuring that residential development is integrated with public transport infrastructure, is sustainable in its design and construction and is suitable to the needs of Auckland households.
- Investigating the adoption of an affordable housing strategy, which among other measures may require, where appropriate, the provision of affordable housing in developments of a certain size.
- Ensuring that the Unitary Plan supports any non-regulatory approaches to increase the affordability of housing in Auckland.

- Establishing non-statutory processes that will reduce the uncertainties and risks associated with the notification process for development that will contribute to the affordable housing and lifestyles in Auckland.

3.4 Neighbourhood Character

Issues

- **Greater intensification of housing has the potential to change the character of existing residential neighbourhoods.**
- **The Unitary Plan is seeking to introduce greater consistency in residential development controls across the region, but this will require additional measures to ensure that the unique character of local areas is protected.**

Discussion

Neighbourhood character is the combined features that contribute to the look and feel of a residential area. The features can include, but are not limited to, the following:

- Height, bulk and density of buildings.
- Lot size.
- Architectural style, materials and colours of buildings,
- Age and state of condition of buildings.
- Presence of vegetation, such as native trees.
- Road design.
- Topography.

Intensification

The capacity to protect neighbourhood character will become increasingly important at a time when there are increasing pressures to intensify housing. In particular the introduction of larger housing forms, such as apartments, has the potential to detract from the character of more traditional neighbourhoods.

The Auckland Plan identifies extensive areas for intensification and as these are developed their character will change. Future character may be quite different from the existing character and it will be important to establish character objectives for areas targeted for intensification as well as encouraging enhancement of existing areas that are currently perceived as lacking in character.

Consistency

The Unitary Plan will be investigating residential development controls to establish a consistent set of standards for similar activities (an issue that is discussed in a later section of this paper). There will be a need for local variations to protect and enhance the character of unique neighbourhoods that display distinctive characteristics. This will

require an understanding of the key features that contribute to the character of an area and whether they need additional protection.²⁰

Protecting and Enhancing Character

The capacity to protect neighbourhood character will become increasingly important at a time when there are increasing pressures for high density housing, smaller lots and infill development in established residential areas. The Unitary Plan will need to include objectives and policies that are designed to respect the character of existing neighbourhoods when applications are received for infill development. It will also need objectives and policies to create a preferred character for new housing in greenfield locations.

There are a number of approaches which the Unitary Plan can use to protect and enhance residential character:-

- A design led approach to development that includes provisions that will protect and enhance local character.
- The use of overlays that can apply more restrictive or additional controls that will protect the character of areas that are distinctly different from conventional residential areas. This might protect the vegetated character or landscape values of an area, or they might apply additional controls to protect heritage buildings or some other feature that is unique to a local area.
- A recognition of the character of an area at the time of lodging applications for a resource consent. Proposals for subdivision and development should be accompanied by a “site analysis and design response” that shows how the proposed development has responded to the site analysis and considered the character of the surrounding area and how it will contribute to the future character of that area.
- The use of design guidelines for certain types of development or for certain residential areas where character is to be protected and enhanced. This is discussed in the Urban Design section of this paper.

Broad Approaches

- The Unitary Plan should adopt a design led approach to establishing residential development provisions so the context and surrounding of local neighbourhoods are properly considered and incorporated into the design. This could be implemented by requiring a site or context analysis and design response to be submitted with applications for resource consents to demonstrate how the proposed development has considered and responded to existing or future character of a neighbourhood.
- The Unitary Plan will also need to include provisions designed to protect and enhance the character of existing residential neighbourhoods, and establish a

²⁰ Regional consistency and local variations, Unitary Plan Direction Setting Paper 2011

future 'preferred' character for newly developing areas in greenfield locations and for areas that have been targeted for intensification.

- The character of neighbourhoods that are unique or distinctly different from conventional residential areas may need additional protection by applying techniques such as overlay controls that protect the special features that contribute to that character.
- The use of tools such as design guides and pre-application meetings will be needed to ensure that neighbourhood character is properly considered and to support resource consent planners in the decision making process.

3.5 Amenity Standards

Issues

- **Amenity standards in legacy district plans are sometimes unclear in terms of the outcome they are seeking to achieve. In some instances, this has produced housing with low onsite amenity and has reduced the amenity of adjoining properties.**
- **Urban intensification creates a more compact urban form and can impact on residential amenity when buildings are located closer to each other. This means that objectives, policies and associated amenity standards will become increasingly important as urban areas consolidate.**
- **Amenity standards influence the size, siting and relationship of buildings to each other, and these together with accompanying objectives and policies can be an important tool in influencing housing outcomes.**

Discussion

Introduction

The RMA defines amenity as *“those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes”*.

Some residential development standards have a direct impact on the amenity, comfort and enjoyment of an individual property. These include daylight to windows, sunshine to private open space and habitable room windows, privacy from overlooking, the amount of private open space (in back yards and balconies), the dominance of an adjoining property and so on.

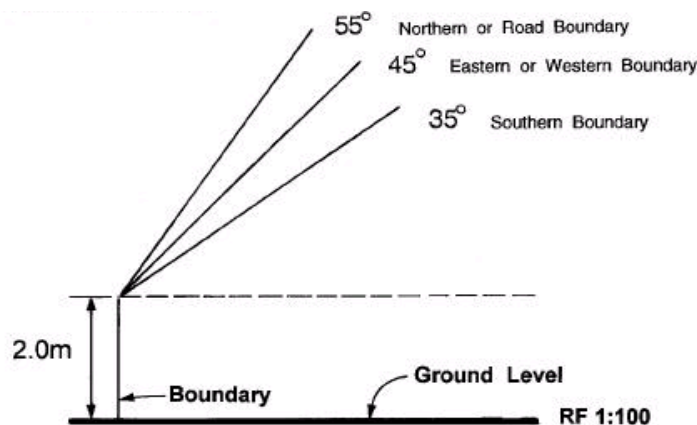
One of the four priorities in the draft Auckland Plan is to improve the quality of existing and new housing and the Unitary Plan will play a key role in achieving this outcome which includes standards of amenity.

Amenity standards in legacy district plans are sometimes unclear in terms of the outcome they are seeking to achieve. In some instances, this has produced housing with low onsite amenity and reduced the amenity of adjoining properties.

Amenity standards (in the form of rules) dictate location of a building on a site and its relationship to adjoining buildings. However some rules in legacy district plans may not achieve the outcomes intended in the associated objectives and policies and often lack linkages back to the policy framework.

The 'height in relation to boundary' rule is a good example of this. The rule is intended to control access to sunlight (including overshadowing of adjacent properties), the bulk or dominance of a building and the spacing of buildings in a streetscape. It is also used to control privacy and daylight although there is no clear nexus between the rule and intended outcomes in this case. Figure 5 is an example of a typical height in relation to boundary control.

Figure 3: Height in relation to boundary control



In many cases this control has little or no affect on amenity outcomes. For example:

- An adjacent property on the north side of the site cannot be overshadowed irrespective of where a building is located on this site, and in this instance the site could be used more efficient if a wall or part of a wall was able to be located on the boundary itself.
- A wall that has no windows or door openings at first floor level cannot overlook the windows or private open space of an adjacent dwelling
- Overshadowing of private open space on an adjacent property will depend where that open space is located.
- The control cannot prevent a window or deck from overlooking a window or the private open space of an adjacent dwelling.

Development controls in existing legacy plans are generally prescriptive and inflexible, and do not respond to the opportunities and constraints of a site, such as topography, aspect, location of existing buildings/ structures and vegetation.

It is preferential that residential development controls are “design led” ie they are drafted to achieve a particular design outcome or objective. For example if the objective

is to minimise overshadowing the private open space of an adjacent property, then the control should be worded to achieve that outcome rather than simply control the setback and height of a wall in relation to an adjoining boundary.

The “Res Code” provisions in Victoria have a performance objective:

“To ensure that buildings do not unreasonably overshadow existing private open space”.

The accompanying development control says:

“Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent or 40 square metres, with a minimum dimension of 3 metres whichever is the lesser area of the secluded private open space, should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

“If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.”

This example can be used in a number of other typical residential development controls in existing legacy plans. What is important is the need for a clear nexus between the outcome envisaged by the objective or policy and the actual control that is deemed to comply with that objective.

Urban intensification creates a more compact urban form and can impact on residential amenity when buildings are located closer to each other. This means that amenity standards will become increasingly important as urban areas consolidate.

Urban intensification will increase the importance of amenity standards as dwellings become closer together, both vertically and horizontally.

Achieving an adequate level of private open space, privacy and noise attenuation will require a more innovative design response. The Unitary Plan will play a key role in ensuring that there are adequate provisions to safeguard residential amenity including noise protection, access to sunlight, privacy, safety, landscape and private open space. Most legacy district plans already include provisions to protect residential amenity using, for example, internal noise limits and private open space requirements. However, as noted above these do not always achieve their intended outcome and the Unitary Plan provides an opportunity to develop outcome-focussed or design led provisions that respond to the site and surrounding area.

Amenity standards influence the size, siting and relationship of buildings to each other, and can be an important tool in influencing housing outcomes.

One of the four housing priorities in the draft Auckland Plan is to increase housing choice to meet needs and preferences of all household sizes and types. Housing choice includes housing typologies, (single dwellings, terraces, low, medium and high-rise apartments), and the size of housing (the number of bedrooms).

At the same time, research has shown that the number of persons per household is reducing whilst the size of new dwellings is increasing. This is happening at the time when housing affordability is becoming a key problem and the cost of land is having a major consideration in this regard.

This suggests an opportunity to introduce residential development controls that will encourage the construction of smaller dwellings. One way to do this is tie the size of the

site to the size of the dwelling that can be constructed. If a large lot is created then an applicant can construct a large house. Conversely, if a small lot is created, then the applicant must construct a small house.

This could be achieved by removing minimum lot size and applying controls that limit the size of the three dimensional building envelope. These controls together with a requirement to provide a minimum amount of private open space, parking and access requirements, maximum site coverage and hard surface etc, would effectively result in a dwelling that is designed to relate to the size of the lot.

The type of housing that is constructed is usually the result of a specific policy intervention, however the three dimensional building envelope and associated amenity standards could be used to create smaller detached houses in appropriate locations without compromising the amenity of adjacent properties or the character of the neighbourhood generally.

Further investigation is required to determine how the Unitary Plan can promote a greater range of housing types and sizes to meet preference and need. The replacement of minimum lot sizes is just one example of providing greater flexibility in design and more outcome focussed responses to housing needs.

Broad Approaches

There is an opportunity to review existing amenity standards to provide a more outcome focussed approach to regulating development as well as facilitating greater innovation, more flexible design responses and a greater choice and diversity of housing. The following broad approaches are suggested:

- Investigate how to improve amenity outcomes by providing a clear nexus between the objectives and policies and the intended outcome of individual development controls.
- Introduce design led controls that will encourage the housing market to better respond to housing needs and preferences.

3.6 A Consistent Approach to Developing Residential Standards

Issues

- **There are a number of different standards of amenity and built form controls across residential areas of the region.**

Discussion

More standardised residential provisions will reduce repetition in the Unitary Plan. In the legacy district plans each residential zone has its own set of objectives, policies and rules, when the intended outcomes are often the same. These provisions could be 'harmonised' and consolidated into one residential standard that is used to assess all

applications for residential development irrespective of the zone. This standard would become a baseline set of the residential amenity standards that the community would come to know and expect.

There may be need for several development codes (sets of standards) to promote housing choice. For example, if a set of standards are produced for more than two storeys, it is expected that the rules would be more sophisticated.

Local variations can be achieved with the use of 'overlay' controls. For example a "design and built form overlay" could be applied over a residential zone to impose a larger minimum lot size in a low density residential area. Conversely, a higher building height control could be included in an overlay where the Unitary Plan is encouraging the development of high-density apartments. The key issue would be providing strategic justification for local variations, to ensure that these are reflected in the relevant objectives and policies relating to that overlay.

Another approach is to follow the English planning system where there are no rules, and housing developments are assessed on the basis on policies only. This would ensure that the development proposals were outcome focussed although it requires a resource consent for all applications and may not be acceptable in the New Zealand system. However, the approach could be modified to reduce the cost and burden of obtaining a consent for straight forward applications, by establishing permitted activities and rules that are 'deemed to comply' with objectives and policies.

Broad Approaches

- Develop consistent region-wide amenity standards for residential development. This may include the development of several standards to respond to different housing typologies such as single dwellings, terraces, low, medium and high-rise apartments. This standard will require testing to ensure that it achieves a high level of amenity and enables housing choice.
- Develop overlays to protect the character of unique or distinctive neighbourhoods. A justification for the overlays would be contained in the relevant objectives and policies relating to that overlay.
- Consider introducing a policy driven approach to assessing applications for resource consents with permitted activities and rules that are 'deemed to comply' with the objectives and policies where is appropriate to establish permitted activities.

3.7 Non-Residential Activities in Residential Zones

Issues

- **Non-residential activities can generate adverse effects on more sensitive residential uses.**

Discussion

Non-residential activities in residential zones range from activities associated with self-employment in the home, to a wide range of activities, including community facilities and commercial activities. Due to the different types of non-residential activities, three classes of non-residential activities are generally used in district plans. These include:

- Home occupations - a non-residential activity that is carried out by the occupant in their dwelling. This may include employment for up to 1-2 persons. Home occupations are generally permitted in district plans subject to meeting rules for noise, traffic intensity, parking etc.
- Community facilities - activities that meet the needs of the community, which usually have little or no residential component. These activities are complementary or support residential activities (e.g. preschools, churches and medical practices).
- Other non-residential activities, typically include motels, café bars, larger medical facilities, specialised recreation facilities, offices and service stations, are generally discouraged in residential zones.

Benefits of non-residential uses include:

- Reduces start-up costs for new businesses, particularly where these are initially small scale home occupations,
- Provides access to a wider range of local services and community activities, and
- Reduces the need to travel to employment or community facilities.

Non-residential activities can generate adverse effects on more sensitive residential uses

Non-residential activities within residential zones can generate adverse effects on more sensitive uses e.g. residential activities. In legacy district plans, different residential zones have various ways of managing adverse effects associated with non-residential activities. Most legacy district plans use a combination of activity based rules (activity lists) and effects-based rules (where the activity may not be stated but standards are applied to the effects of an activity e.g. noise) and assessment criteria.

Numerous definitions for non-residential activities make rules difficult to interpret and administer

Complicated definitions can lead to challenges through the permitted baseline test. This test can be applied (at the Council's discretion) to assess the effects of an activity against

the types of activities that are permitted under the district plan. This means that if Council applies the permitted baseline test any effects permitted in the district plan will not be considered in the Council's decision to grant or refuse a resource consent.

The development of the Unitary Plan provides an opportunity to simplify provisions relating to non-residential activities. A clear policy framework will give guidance to users about what non-residential outcomes are sought in each residential zone.

Exemptions for site-specific non-residential activities create complex and lengthy rules

Most legacy district plans include exclusions for non-residential activities on specific sites within residential zones, or allow them to have a lower activity status. These exclusions provide certainty to owners/occupiers that they can continue to operate. Exclusions to rules in district plans eventuate through public submissions process and decisions on district plans. However, exclusions can lead to lengthy rules and can open the floodgates to multiple exclusions in rules.

Section 10 of the RMA provides for existing use rights of activities. It allows activities to continue even if the activity does not meet rules in a district plan, if the following is met:

- The activity was lawfully established before the rules became operative or the proposed plan was notified; and
- The effects of the use are the same or similar in character, intensity, and scale to those which existed before the rule became operative or the proposed plan was notified.

Further investigation on exclusions for non-residential activities in residential zones is required to determine how these will be managed in the Unitary Plan. Legal advice is also required to confirm a recommended approach to site-specific exclusions in the Unitary Plan in regards to Section 10 of the RMA.

Where non-residential activities are clustered together over several adjacent sites within a residential zone it may be appropriate to rezone an area. This would allow activities to be managed more effectively.

It is anticipated that the local area plans and precinct plans will assist with the identification of existing non-residential activities in residential zones. These plans will also assist in identifying whether changes to zoning are required to meet the outcomes/aspirations of the community.

Broad Approaches

- Develop concise definitions (including nested diagrams), for non-residential activities, by simplifying and consolidating legacy district plan definitions.
- Develop a clear policy framework with objectives and policies, rules and outcomes, to identify what non-residential outcomes are sought for each residential zone.

4.0 COASTAL AND RURAL SETTLEMENTS

Issues

- **Uncoordinated growth in rural and coastal settlements consumes productive rural land and undermines urban consolidation and the efficient provision of infrastructure.**
- **Uncoordinated growth and inadequate infrastructure can degrade the quality of the environment.**
- **Reduced employment and economic opportunities in some settlements fails to support the social and economic wellbeing of the community.**
- **Growth in rural and coastal settlements can substantially change the existing character of the settlement and surrounding area.**

Introduction

Rural and coastal settlements are satellites towns, towns and villages outside the Rural Urban Boundary (RUB). There are over 150 settlements in Auckland. The number of houses in these settlements can vary from over 5000 to just a few. Auckland's rural population over the last two census periods increased at a rate of 7,500 people per year. This growth contributed to 27% of Auckland's 28,000 annual population increase²¹. The draft *Auckland Plan* proposes a classification for rural centres as follows:

1. Satellite centres
2. Rural and coastal settlements - mixed service, and larger residential focus,
3. Rural and coastal villages - mixed rural and community service and bach, residential and dormitory villages²².

The *draft Auckland Plan* proposes that the focus for future growth will be in satellite centres, with some growth in rural and coastal settlements and limited growth in villages.

Two key priorities are identified in the *draft Auckland Plan*, for rural Auckland. These priorities are as follows:

1. Create a sustainable balance between environmental protection, rural production and activities connected to the rural environment, and
2. Support rural settlements, living and communities.

The rural environment and rural production is discussed in the Rural and Coastal Issues Paper. This Paper focuses on settlements outside the Rural Urban Boundary.

²¹ Draft Auckland Plan Auckland Council, Auckland Plan 2011

Discussion

Un-coordinated growth in rural and coastal settlements can consume productive rural land and undermine urban consolidation and the efficient provision of infrastructure.

Some settlements are under significant pressure for development, but are unsuitable for future growth for a number of reasons. Private plan changes to create or extend these types of settlements can create unrealistic expectations that these areas will be fully serviced. Providing infrastructure in some settlements is impractical due to environmental conditions (soil or geotechnical constraints), proximity to existing infrastructure, and high costs of providing infrastructure relative to the population. Growth of existing settlements and the development of new settlements can result in urban sprawl, and the inefficient provision of infrastructure.

The *Capacity for Growth Study* (ARC, 2010) assesses the capacity for growth against the *Regional Growth Strategy*. The *Capacity for Growth Study* notes that the former Rodney and Franklin council areas have the most capacity for growth, and suggests the number of occupied dwellings in these districts could double. The majority of capacity in Rodney is new areas identified in structure plans. While in Franklin capacity is identified through infill and refill (redevelopment of a site to its full potential as provided for in the district plan).

Thirty-three settlements were examined in the *Capacity for Growth Study* and were identified based on the following criteria:

- Included in the 1996 capacity study and defined as ‘Regional Significance’,
- Have significant growth potential,
- Subject to potential growth pressure (i.e. located within commuting distance of Auckland’s metropolitan area),
- Located on an existing (or proposed) significant transport route (i.e. State Highway or rail),
- Identified and requested by territorial authorities, and
- Included in the Capacities Review report prepared by Urbanista Ltd (August 2005).

These settlements are identified in Figure 6 and listed in Table 1 below.

Figure 6: Capacity for growth²³

²³ ARC (2010) Capacity for growth Study 2006

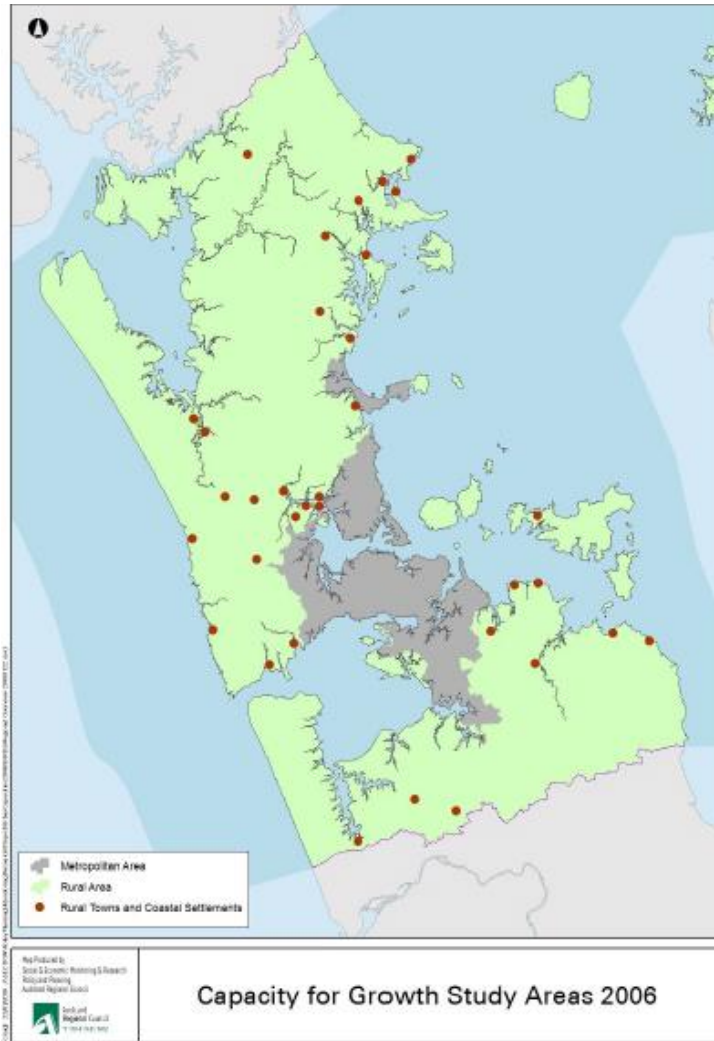


Table 1 shows the settlements identified in this Study by former District Council boundaries. It is noted that the *Capacity for Growth Study* does not consider more recent plan changes or variations that provide for new settlements, or growth to existing settlements.

Table 1: Capacity for Growth Study areas

Rodney	Waitakere	Auckland City	Manukau	Franklin	
Wellsford	Herald Island	Waiheke Island	Beachlands/ Maraetai	Pukekohe	
Warkworth	Huia		Clevedon	Waiuku	
Leigh	Parau		Kawakawa Bay	Patumahoe	
Omaha	Piha		Orere Beach	Tuakau ²⁴	
Point Wells	Waitakere Village		Whitford		
Matakana	Whenuapai coastal				
Snells/Algies	Whenuapai village				
Puhoi					
Waiwera					
Stillwater					
Hellensville					
Parakai					
Muiwai					

²⁴ Outside the Auckland region but included in the study for transport planning purposes.

Waiamaku				
Kumeu/Huapai				
Riverhead				

To create a quality and compact city the *draft Auckland Plan* proposes that no growth is to occur outside the RUB. It states that a similar approach to the RUB will be applied when planning for future growth in satellite centres in rural areas. This means that the Unitary Plan will need to define the boundary of these centres within the Regional Policy Statement section of the Unitary Plan.

The *draft Auckland Plan* identifies six satellites centres (e.g. Warkworth), 12 Rural and Coastal Settlements (e.g. Riverhead) and 46 Rural and Coastal Villages (e.g. Piha). Satellites are identified as the focus for growth with some growth in rural and coastal settlements and limited growth in rural and coastal villages. The *draft Auckland Plan* also includes Rural Activity Categories and identifies future outcomes for these categories.

The New Zealand Coastal Policy Statement (2010) requires that council undertake strategic planning of the coastal environment in preparing their policy statements and plans. This means that council will need to consider where, how and when to provide for settlements in the coastal environment. It also requires that council identify areas where particular activities and forms of subdivision, use and development in the coastal environment are:

- Inappropriate and
- May be inappropriate without a resource consent.

It is envisaged that the Auckland Plan, Local Area Plans, Precinct Plans and Marine Spatial Plans will identify the desired outcomes for the coastal environment. The Unitary Plan will give effect to these Plans and will define what is “inappropriate” or “may be appropriate” in the coastal environment.

Each former district council has growth strategies to manage the effects of growth. The legacy district plans manage growth in a number of ways. Rodney District Council uses Structure Plans and a Future Urban Zone to manage growth of settlements. This Plan manages growth through deferred zoning. The Rodney District Plan provides for areas to be rezoned from Future Urban when an applicant, or the council (if Council initiates the Structure Plan) shows the infrastructure is staged and effects on the environment are managed. Franklin and Papakura also use structure plans to manage growth.

The approach in the draft Regional Policy Statement (RPS) is to contain the urban area with limited growth in identified settlements. It gives priority to growth locating in existing settlements over establishing new settlements. The draft RPS provides for new settlements only where a criterion can be met and sets out where new settlements or extensions to settlements would not be appropriate. A brief summary of the draft RPS is contained in Appendix 1.

The Unitary Plan will give effect to the Auckland Plan by developing provisions that:

- Give effect to the NZCPS 2010;
- Provide a robust criteria for assessing how, when and where new settlements and extensions to existing settlements are appropriate or inappropriate;
- Provide clear direction on settlements that are under significant pressure for development, but may be unsuitable for future growth, such as un-serviced areas.

- Clearly define the boundaries of rural and coastal settlements.
- Work closely with Watercare, Auckland Transport and other infrastructure providers to ensure that settlements have adequate infrastructure.

Un-coordinated growth and inadequate infrastructure can degrade the quality of the environment.

Lack of, or insufficient infrastructure in settlements can produce poor environmental outcomes. For example, poorly designed, or maintained wastewater storage and treatment devices can result in discharges of sewage to groundwater, waterways, and the coastal environment. The *Auckland Regional Plan: Air Land and Water* and district plans control wastewater disposal. Further investigation is required to identify ways to improve environmental outcomes in settlements. This could include the use of environmental monitoring to inform subdivision standards, and other methods such as, bylaws, and rates to maintain wastewater storage and treatment devices for un-serviced settlements.

The Auckland Plan, Local Area Plans and Precinct Plans, Marine Spatial Plans and Master Plans will inform the type, scale and timing of infrastructure provision in settlements to protect the quality of the environment. The Unitary Plan will give effect to these Plans and will have provisions to improve environmental outcomes in settlements.

Growth in rural and coastal settlements can substantially change the existing character of the settlement and surrounding area.

The built form of development can affect the character of rural and coastal settlements. Neighbourhood character and amenity standards are addressed in detail in the Housing and Residential section of this paper. This section discusses character in the context of rural and coastal settlements. Effects of subdivision and development on the character of coastal and rural settlements include:

- Loss of openness associated with the presence of buildings or lack of space between and around buildings, high or solid fencing;
- Privatisation of coastal or rural environment through gated developments;
- Increase in dominance of buildings due to larger and/or taller buildings than existing that are closer to the beach;
- Loss of remoteness through more dense subdivision pattern;
- Changes to the character through placement of buildings, style of architecture, building materials, and use of colours;
- Increase formalized areas and hard impervious surfaces (e.g. roofs, pathways, carparking areas).
- Loss of access to and along the coast due to the privatization of space – no esplanade reserve;
- Loss of naturalness due to the removal of vegetation associated with building and subdivision; and
- Increased clutter associated with private use e.g. stairs, ramps, retaining walls in the coastal environment.

The form of infrastructure built within a settlement can also have adverse effects on the character of settlements. In satellite towns, towns or villages a different type of infrastructure may be appropriate. For example, in villages where gravel roads and grass

berms contribute to the character, it may not be appropriate to construct kerb and channel and paved footpaths. In larger towns where there is a higher vehicle use a different form of infrastructure would be appropriate. Overall, infrastructure should be tailored to the scale, function and character of the settlement and balanced against protecting the quality of the environment.

Some legacy district plans recognise that the built form of rural and coastal settlements requires a different zone and rules from rural (e.g. Rural Zones) or urban areas inside the RUB (Residential or Living Zones). Built form rules in settlements can be more restrictive than residential/living zones. For example, the Waitakere District Plan has more restrictive development controls on built form in the Coastal and Rural Village Zones than the Living Zones in relation to height, building location – decks, building coverage, and density. Alternatively, the Rodney District Plan uses a Residential Zone for some settlements. For example, parts of Leigh is zoned Residential M (Township Policy Area).

Some of the effects of development in settlements on character will be managed through zones. However, where a local variation exists and the use of an Overlay is justified to enhance the character of a settlement, additional rules may be required.

Reduced employment and economic opportunities in some settlements fail to support the social and economic wellbeing of the community

Some legacy operative district plans may not adequately enable economic and employment opportunities in larger settlements. This fails to support social and economic wellbeing of the community, and increases reliance on private vehicle use contributing to road congestion and air pollution.

The compatibility of uses within a settlement can be problematic where land use activities generate adverse effects on each other. For example, a small business café/bar locates next to a residential activity and the occupants are adversely affected by noise, traffic from the café/bar activity.

The type and scale of activities that are provided for in settlements needs to be tailored to the scale, function of the settlement and balanced against the character and environmental values associated with that settlement.

Economic and employment opportunities in settlements vary according to the scale and character of the settlement. For example, in the Waitakere District Plan in the Coastal Villages Zone, non-residential activities are generally limited to small scale home occupation (and filming in a Coastal Village). Plan Change 35 sought to introduce more non-residential activities by limiting the type of retail activities and reducing the activity status for these activities²⁵. In larger settlements, more flexible rules on range of activities may be required. The Countryside Living Town Zone in the Rodney District Plan provides for small scale childcare facilities, farm stays, home stays, farming, home occupations, small greenhouses, sale of primary produce from the property (provided that road access requirements can be met). Alternatively, separate zones manage employment-generating activities in larger settlements such as Wellsford. The Mixed Business Zone in Wellsford provides for a range of activities including retail, education facilities, health and welfare services, industry²⁶ and offices.

²⁵ This Plan Change is still under appeal

²⁶ Except industry activities with air discharges specified in the District Plan.

Buffer areas between zones or tailored rules prevent or minimise effects of incompatible activities. Another technique is to impose covenants on certificates of title during the subdivision process, to prevent new landowners from complaining about the effects of an existing neighbouring activity. Zones can also manage the effects of activities by grouping like activities together. Where there is uncertainty about if an activity can achieve outcomes or aspirations of the community for that settlement a resource consent may be required.

It is envisaged that the Auckland Plan, Local Areas Plans, Precinct Plans and Marine Spatial Plans will assist with the preparation of, and the ongoing development of the Unitary Plan by identifying the community's outcomes and aspirations for settlements. The Unitary Plan will give effect to these plans by enabling economic and employment opportunities appropriate to the character, scale and function of the settlement.

Broad Approaches

- Give effect to the NZCPS 2010 including defining what is meant by “inappropriate” and “appropriate” use and development in coastal settlements;
- Give effect to the Auckland Plan, provide robust criteria for assessing how, when and where new and extensions to existing settlements are appropriate or inappropriate; particularly those settlements that are under significant pressure for development, but may be unsuitable for growth.
- Clearly define the boundaries of settlements.
- Work closely with Watercare, Auckland Transport and other infrastructure providers to ensure that settlements are supported by adequate infrastructure.
- Develop overlays and a design guideline that respond to, and maintain the character of settlements²⁷.
- Investigate ways to improve environmental outcomes in settlements and develop provisions in the Unitary Plan to achieve these outcomes.
- Enable a range of economic and employment opportunities in settlements (appropriate to the scale, function and environment of the settlement), while managing incompatible activities and zone interfaces.

Appendix 1: Summary of Policy from RPS Chapter 5 Urban Environment

²⁷ Overlays will need to have clear cross references to other sections of the Plan including Outstanding Natural Landscapes and Outstanding Natural Feature, Natural Hazards, Tangata Whenua, Heritage, and the Coastal Environment and land zoning will need to take these matters into account.

The Draft Auckland Regional Policy Statement Review (2010) sets out a policy framework for managing urban growth in rural and coastal settlements. The key policy directives are to:

- Contain urban development of rural and coastal settlements, except as provided for in Policy 5.8.4²⁸.
- Increase existing identified rural and coastal settlements for future growth, rather than developing new areas.
- Maintain the existing physical and natural character of coastal and rural settlements not identified for future growth.
- Develop new coastal and rural settlements only where it can be shown that it is required to meet the region's population growth requirements, and uses existing rural lots, or provides a self-sufficient centre (through infrastructure, transport and services).
- Identifies where new settlements or extensions to existing settlements are not appropriate e.g. in natural hazard areas, highly valued land agricultural land.

²⁸ Policy 5.8.4: Managing extensions to existing settlements identified for potential growth

5.0 SUBDIVISION

Issue

- **The RMA allows resource consents for subdivision to be granted without reference to the future development that may occur on the land. Poor quality outcomes have occurred where there has been a lack of connection between the subdivision process and the design of the development.**
- **Many of the existing district plans do not encourage energy efficient and sustainable design outcomes.**

Discussion

The RMA requires resource consents for subdivision and provides a mechanism to create parcels of land without necessary reference to the future development that may occur on the land. On the other hand the RMA is permissive for land use and as a consequence many houses are built without requiring a resource consent where they comply with a plan's development standards.

Where subdivision is carried out independent of future development the decision of what development looks like and how it relates to its environment is largely left to the new owner. The owner is only required to build a house that addresses matters such as height, overshadowing and parking without necessary regard to character or amenity. If the proposed house complies with plan development standards only building consent is required. Where section sizes are larger a lack of good design can be buffered due to separation distances between buildings giving visual and aural privacy or opportunity for landscaping. On smaller sites however, the lack of an adequate design response to the site and its surrounding can have a significant impact on the success of the development, resulting in poor design and amenity outcomes.

In this way, being able to lodge a subdivision application without a corresponding land use consent can limit the ability for sites to be developed to their best potential. Examples of poor development that have occurred in part because of a disconnection between subdivision and development can be found in Flatbush and Dannemora. While subdivision produced serviced sites and set the layout of the area, in a number of instances the development that followed was characterised by houses that were built to maximise the potential afforded under the District Plan. In a number of areas there are two storey houses that overlook each other with minimum separation providing little privacy (see Figure 7). Many have poor connection to the street with double garages forward of the house dominating street character. Much of the built form development has been undertaken as permitted development.

A subdivision should consider sustainable design outcomes. For example if streets are oriented north south and east west (as far as practicable) this allows lots to be similarly oriented which in turn provides opportunities to maximise solar access into key areas such as habitable room windows and private open space. An example is encourage water sensitive urban design in the way that stormwater is managed in larger developments. These issues are consider in greater depth in the urban design section of this paper.

Figure 7 Photo from the Flatbush Development



To address this issue, various District Plans have a range of intervention for subdivision. Most of the low density residential zones in the legacy District Plans require a minimum lot size, shape and dimension factors when a vacant site is created. A minimum lot size is required to ensure that a site has sufficient area to ensure that a reasonable sized house will meet permitted development standards. In the Franklin residential zone, there is no minimum lot size for a subdivision application, but the application must include a design that fits with plan requirements.

Assessing subdivision and development at the same time achieves good design and development outcomes. Most large scale greenfields development in the region's urban area is being developed on an integrated basis. Examples are at Long Bay, Hobsonville, Flatbush and Takanini. The respective District Plans have developed a structure plan or comprehensive development plan such as the Hobsonville CDP, which provides a statutory context to shape development holistically. This integrated development process is undertaken on an outcomes led approach with regard to road layout and hierarchy, services, community spaces and connectivity. There is also control as to the location of houses on their own site as well as the relationship with adjoining houses and the street. Comprehensive subdivision and development has allowed an intensification of development while achieving good amenity and character outcomes. The Addison subdivision at Takanini is a good example of integrated development (see Figure 9). This subdivision is being developed under Plan Change 12, Papakura District Plan.

Figure 9. Photo from the Addison development



The principle of combining the subdivision and development process is also relevant for small scale development. Irregular lot shapes and long driveways can create awkward development footprints, meaning that an appropriate design response is important for good design and amenity outcomes.

Broad Options

Ensure that the Unitary Plan integrates subdivision and development to ensure that high quality amenity and design outcomes are achieved by;

- Objectives and policies focusing on the outcomes for subdivision.
- Requiring large scale development to be processed on an integrated basis through the use of a structure plan or comprehensive development plan.
- Small sites should include a site analysis and design response
- Subdivisions should place greater focus on energy efficient and sustainable design outcomes.
- Design panels could be used to ensure that subdivisions are achieving sustainable design outcomes
- Design guidelines could be used as a non statutory technique to show case good subdivision

6.0 BUSINESS

6.1 Introduction

Business is vitally important to the Auckland region and to New Zealand. This part of the built environment issues paper discusses issues that affect business activities in the region. There are many such issues and not all of them are discussed here. Emphasis is given to the issues that may have the most impact on council's ability to sustainably manage the region's resources and give effect to the strategic direction in the Auckland Plan.

The paper discusses the following issues and identifies broad approaches that may assist with their resolution.

1. Growth
2. Supply of business land
3. Location of business uses
4. Intensity of business land use
5. Residential development in business areas
6. Parking
7. Reverse sensitivity
8. Buffer areas

Other business issues are discussed in other Unitary Plan work-streams and projects. These include;

- business heritage issues. These are dealt with in more detail in the Heritage, Cultural and Community issues paper.
- the effects of business activities on the natural environment. These issues are addressed in the Natural Environment issues paper.

Statutory framework

Business uses are not specifically recognised in the RMA. However they are a very important part of economic wellbeing, which is one of the fundamental pillars on which the RMA rests²⁹ (subject to limiting adverse effects on the environment).

To enable economic wellbeing, the RMA is essentially permissive with respect to land use. This means that land owners may do anything with their land provided that they do not contravene a rule that applies to that land. Regional and district objectives, policies and rules are used to guide how land may be used, according to the purpose of the Act.

There are no national policy statements or national environmental standards that apply specifically to business uses.

Business types

Different businesses have different needs, which affect where they prefer to locate. The Auckland Regional Policy Statement classified business activities into two broad types. This paper uses these classifications when discussing business issues.

²⁹ Section 5 of the RMA

Group 1 land

Group 1 land is industrial land. It includes industrial activities such as manufacturing, transport and storage, construction and wholesale trade. Such activities typically use a lot of land (they are 'land extensive'). They have a low employment rate per hectare and seek large, relatively cheap land, away from centres, with good access to transport networks. To alleviate reverse sensitivity issues, location away from residential areas is also important.

Industrial activity is largely centred in traditional locations such as Penrose to Otahuhu and pockets of west and south Auckland. A number of new areas have developed recently, in East Tamaki, Wiri, Airport Oaks and through the development of the North Harbour area.

There are different classes of industrial land. Industrial land is often thought of as potentially noxious and polluting, and some industrial uses certainly have these characteristics. There are also industrial uses that do not have significant effects on the amenity of neighbouring areas however. These are uses that are more suitable for location adjacent to residential areas or within mixed use areas.

Manufacturing is a very important part of the Auckland region's economy. In 2008 it contributed 13.5% of gross regional product (GRP) and is the region's largest employer³⁰. It is also important for New Zealand's economy. In 2008 it accounted for 36.3% of total manufacturing gross domestic product (GDP) and 33.7% of manufacturing employment³¹. This indicates that employee productivity in the Auckland region is higher than the average elsewhere in New Zealand. In other words, the value added during the production process per manufacturing worker in Auckland is higher than the value added per worker elsewhere.

Group 2 land

Commercial and retail land is classed as Group 2 land. It includes activities such as retail, café/restaurants, finance and insurance, communication services, property and business services, education, government administration and other similar sectors. These activities typically prefer to be located in or close to town centres, with ready access to a customer base and good road and public transport access. It is generally more feasible for these activities to locate on higher priced land than it is for industrial activities.

Retail activities make a significant contribution to the Auckland economy. The retail sector contributes 6% of gross regional product and 9.9% of its jobs³². As many types of retail use are very location sensitive and dependent on foot traffic, they prefer to locate in centres. The health of town centres is underpinned by the vitality that such retail activity provides. They generate a large amount of trips per square meter of floor space and in some cases can be quite employment intensive.

Large format retail (retail which involves the sale of a wide array of goods on one site) often does not share these characteristics. It is land extensive and does not typically like to locate in centres. Overseas, there has been growth in self contained shopping malls on the edge of centres or in out of centre locations. Bulk retail parks on the urban fringe are also

³⁰ 'Planning for industrial activities in Auckland', Sapere Research Group, January 2011, Appendix 1

³¹ Industry Snapshot for the Auckland Region – The Manufacturing Sector', Auckland Regional Council 2009, p 10

³² 'Employment in the Auckland Region' ARC, 2006 p 24

common. These trends are already apparent in New Zealand. Large format retail has resulted in considerable decentralisation over the last two decades, with a rise in large retail areas outside of centres, such as Westgate and Botany Downs.

Broadly, there are two forms of large format retail;

- large format retail – this type of retail involves the sale of a wide array of goods on one site. Most customers are expected to access the store by car.
- bulky goods retailing – this type of retailing is large format because it involves storage and sale of large, bulky goods (examples are hardware, furniture retailers and hire equipment etc).

Office based employment tends to centre around the central business district and sub regional centres. Since the 1990's there has been decentralisation towards new office parks, including in Ellerslie, Smales Farm and the CBD fringe. There is also a trend towards business parks with a mix of office and industrial activity, such as Albany and Interplex on the North Shore.

There are also other uses in the Group 2 classification that may, at first glance, seem industrial. These include mechanics and panelbeaters. They are not included in the Group 1 classification as they can fit on smaller sized sites. In this respect, they are not 'land extensive'.

Growth

In 2006 Auckland's population was 1.37 million. By 2040 the population is expected to reach 2.1 million³³. Business growth needs to complement this. An important issue for the region concerns where and how to accommodate this business growth.

The current approach is set out in Change 6 to the Auckland Regional Policy Statement. Legacy district councils were required to give effect to this change. The theme of Change 6 is;

- A centres first approach, achieved by focusing commercial growth and other Group 2 business activities into a network of high density centres and corridors.
- Providing for Group 1 industrial activities in specific business areas outside high density centres and corridors, and in new greenfield areas within the MUL.

This approach primarily focuses commercial activity in centres. Such activity in centres contributes to vibrant public spaces, reduces the need for car travel (through proximity and facilitating multi-purpose trips), supports improved public transport, and reduces pressures on land elsewhere in the city that is more suitable for other uses.

Corridors offer an important supporting role to centres. They can help to optimise the viability of public transport services and offer additional choice for business location.

The Auckland Plan will be the guiding document that determines the approach to accommodating expected growth in the Auckland region. The draft plan identifies future brownfield and greenfield business areas. Brownfield areas are identified as part of

³³ Draft The Auckland Plan, Auckland Council, 2011

‘development areas’, which are areas inside the RUB which will accommodate future growth around centres and corridors. Brownfield business growth will be contained in these areas. The ‘development areas’ also include suburban areas adjacent to these centres and corridors. These are areas additional to those identified by the current centres and corridors strategy. It is expected that intensification in these areas will be for residential purposes.

The Auckland Plan also identifies approximately 6000 hectares of new greenfield land for future residential, business and employment development. This land lies outside the existing MUL, but within the new RUB. At this stage, the land has been identified only at a broad level and requires further investigation as to its suitability for growth. Those parts that are suitable for development will be released in stages as further capacity is required.

Three primary issues stem from this approach;

- Supply of business land
- Location of business uses
- Intensity of business land use.

These are discussed in turn below.

6.2 Supply of business land

Issues

- **There is a limited supply of commercial and retail land within the current MUL.**
- **There is a limited supply of industrial land and it is often not available in the sizes required.**

Discussion

General discussion

Auckland’s growth places pressure on the supply of business land. Business land is a scarce resource and its limited availability limits the ability of Aucklanders' to do business in an efficient and effective way. A shortage could seriously hamper future economic development and growth.

In 2006, it was estimated that the district plans provide 6,814 hectares of business zoned land within the MUL³⁴. Of this land, just over half was available for Group 1 activities (53% or 3,585ha), 35% was available for Group 2 Activities (2,405ha) and 10% was available for a mix of Group 1 and Group 2 (680ha)³⁵.

Of the total business land, 2,162 hectares was identified as having capacity for further development (eg it is vacant, has vacant potential or it is brownfield land). Due to the constraints over some of this land however, it was estimated that only 1,709 hectares was re-developable in the short term. At an average rate of uptake of 113 hectares, this would

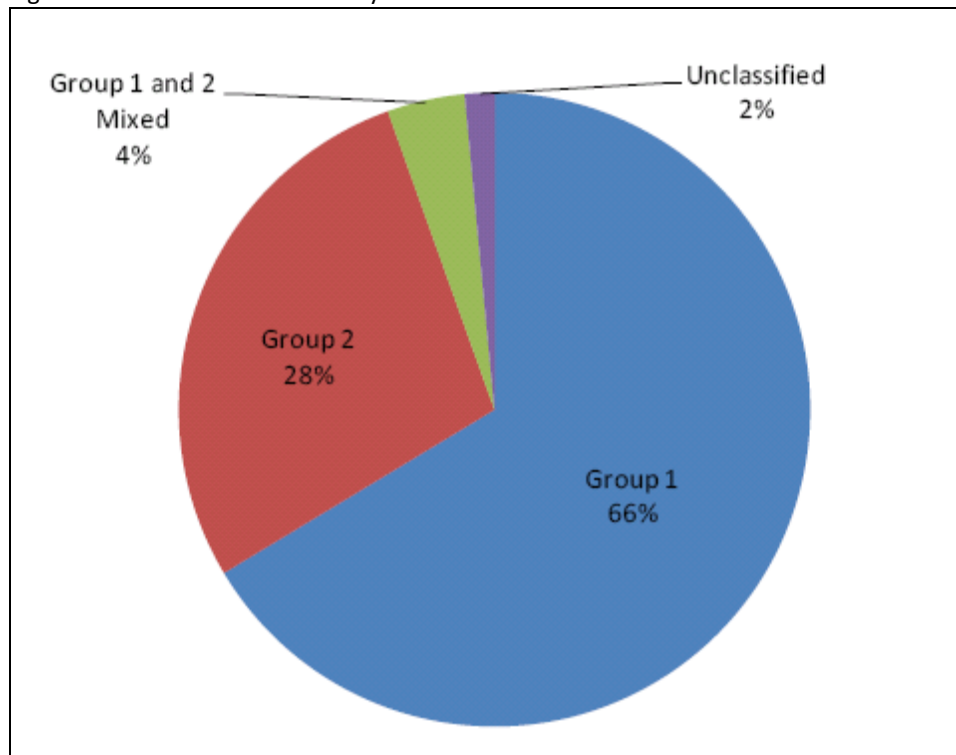
³⁴ ‘Capacity for Growth Study 2006’ Auckland Regional Council, March 2010, TR2010/014

³⁵ The report noted that one hundred and forty four hectares was not classifiable.

provide 15 years of capacity. This means that at the current rate of uptake, it will be 15 years before the supply of business land runs out. It is not considered advisable for spare capacity to fall below 15 years, due to the time it takes for new capacity to negotiate the planning process.

The available land is broken up into the following classifications.

Figure 9 – Vacant business land by classification³⁶



There is significantly more Group 1 vacant land available than Group 2. However, Group 2 land is likely to find further intensification easier than Group 1 land, as the latter tends to be land extensive. The ARC study also showed that potential for further land intensification does exist. Measured by floor space, Group 1 activities could potentially intensify by 97%, and Group 2 could intensify by 144%³⁷.

There is a limited supply of commercial and retail land within the current MUL.

If commercial and retail uses cannot find land that suits their needs, economic development is hindered.

There are two aspects to the commercial and retail land supply issue. One is that both the existing and new supply of available land for these uses is limited. The Auckland Plan provides for brownfield development around centres and corridors and it is anticipated that Auckland’s network of centres will remain the focus for commercial and retail growth. The plan has also identified potential new greenfield areas for future development. If investigation reveals that they are suitable for development, these greenfield areas will be released for development using a staged approach, as demand requires.

³⁶ ibid p 61
³⁷ ibid p 66

The second aspect is that the intensity at which land is used has an impact on the supply of land. If land is used more intensely, the growth pressure on the remaining supply of land is alleviated. For a fuller discussion of the intensity of land use, see 6.4 'Intensity of business land use' below.

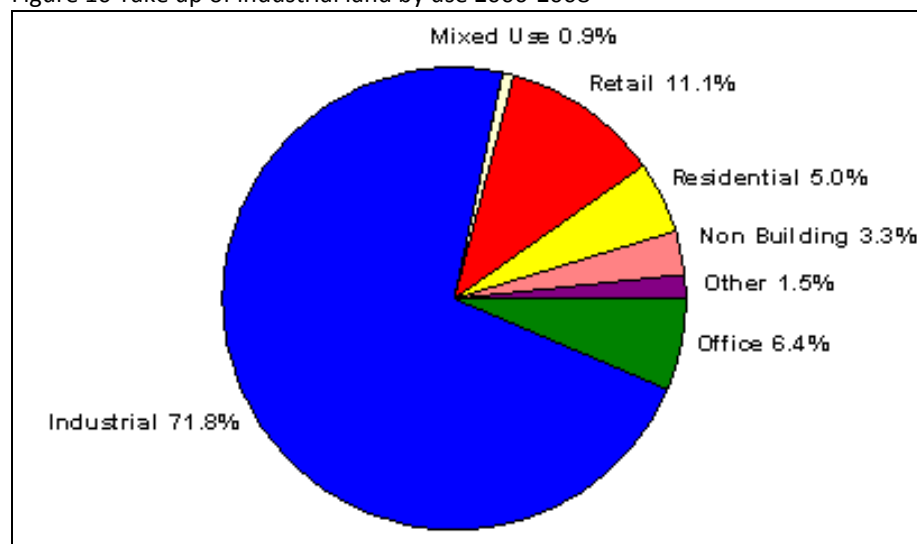
There is a limited supply of industrial land and it is often not available in the sizes required.

For industrial land, CBRE has more recent information than the ARC's 2006 Capacity for Growth study. CBRE's surveys indicate that there is approx 930 hectares of vacant industrial zoned land left in the region³⁸. Most of the remaining industrial land is in the south, with the shortage being greater in the west and the north. It estimated that by 2031 the Auckland region will require additional greenfield industrial land of between 680-720 hectares³⁹.

Industrial land is generally cheaper land that is located away from major centres and corridors. This makes it attractive to other uses seeking to minimise costs, including residential uses and Group 2 uses. This not only squeezes out the industrial use but weakens the viability of centres and corridors (that rely on Group 2 uses), reduces the opportunities for quality land use and transport integration, and creates conflict between the different uses. Nearly one third of industrial land has been used for non-industrial purposes over the past decade, principally for retail, office and residential use.⁴⁰

It is recognised, however, that the Group 1 land-extensive business sectors are unlikely to be able to locate and operate efficiently in isolation. Ancillary business activities, such as lunch bars, small-scale retail activities and offices should be able to co-locate alongside the predominant industrial activities.

Figure 10 Take up of industrial land by use 2006-2008⁴¹



³⁸ MarketView – Auckland Office, Retail, Industrial: First Quarter 2011. CB Richard Ellis, 2011

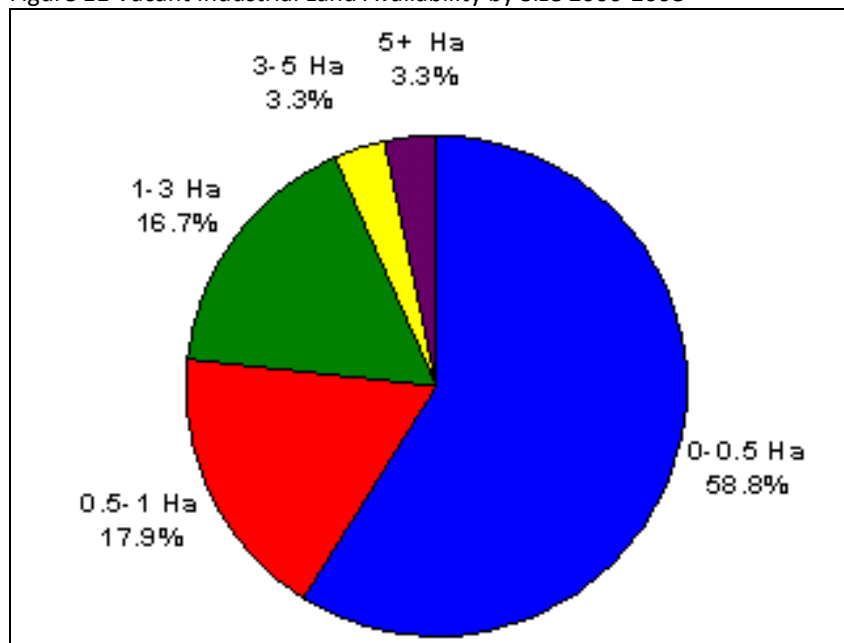
³⁹ 'Group 1 Additional Greenfield Land Requirements, 2001 – 2031', Market Economics May 2007

⁴⁰ Draft Auckland Plan Version 2.7 p 64

⁴¹ Source – CBRE 2010

Industrial land tends to require larger land holdings, but a significant proportion of vacant land is less than 0.5 hectares. There is a limited supply of large land parcels remaining. As shown below, of 754 sites identified, 58.8% are under 0.5 hectares.

Figure 11 Vacant Industrial Land Availability by Size 2006-2008⁴²



The Auckland Plan notes the importance of maintaining a future supply of business land, particularly Group 1 industrial uses. This equates to managing development in such a way that there will be staged release of 20 years future supply of industrial land capacity. 5 years of this should be ready for immediate take-up. If some of the future greenfield areas identified by the Auckland Plan are suitable for industrial development, master-planning of the areas may ensure a less constrained supply of large industrial sites on the market.

Broad approaches

- There are a number of options that may help resolve the problems associated with the limited supply of commercial and industrial land. These are similar to those available to resolve the issue discussed below about the location of business land. See the broad approaches under 'Location of business uses' below.

6.3 Location of business uses

Issues

- Many types of business are locating away from preferred centres and corridors
- Industrial land is vulnerable to take-up by other uses

⁴² Source – CBRE 2010

- **The re-categorisation of town centres developed by the Auckland Plan needs to be given effect to**

Discussion

Businesses have certain preferences when considering location. The requirements differ for each activity, but general requirements include the following.⁴³

Access to;

- transportation facilities such as motorways, airports and ports
- infrastructure such as utility services and information technology
- a suitable workforce and other associated social services
- clients, customers and the market.

Space, including suitable;

- land for (re)development including parking
- buildings for the business.

A quality environment, including;

- the physical, social and cultural environment
- the amenity and safety of an area
- recreational opportunities for the workforce.

The right market environment, including;

- other business in the catchment to facilitate networking, clustering or agglomeration
- rental and land costs
- good visibility and proximity factors to attract clients.

Although the centres and corridors strategy may theoretically provide more sustainable growth, history has shown that it is not an easy option to implement. In prioritising some of the locational requirements outlined above, businesses may prefer to locate in areas that do not align with the strategy.

This is a problem particularly with retail and office activities (with respect to retail, this problem is commonly referred to as 'out of centre retailing'). Industrial activities, particularly medium or heavy industry, are typically not suitable for location in centres. They are land extensive and have a low employment ratio per hectare. They can also have adverse effects on surrounding areas, which means that they are best located away from more sensitive uses.

Monitoring of the regional growth strategy shows that an increasing amount of retail and office activities have been locating outside of growth centres. By becoming more dispersed and less centres-based, these developments are not supportive of growth in centres, and dilute the land use and transport integration that Council is trying to promote. They also consume business land intended for industrial development, which has contributed to the shortage of industrial land in Auckland.

⁴³ Auckland Regional Council (2003) – 'Auckland Region Employment, Business and Centres Location - a discussion paper on patterns, trends, requirements and policy implications for the Growth Strategy Update 2004/5'

There are a variety of reasons contributing to the increasing proliferation of business activities outside of centres. These include:

- Higher cost of land in centres
- Difficulties in assembling sites of sufficient size
- Insufficient commercial land zoned in centres, and costs and delays in seeking consent or rezoning
- Businesses obtaining consent for out of centre locations. Weak objectives and policies in district plans are partially to blame for the success of such applications
- Competitive advantage from locating separately, away from competitors, and also being able to provide ample car-parking

Many types of business are locating away from preferred centres and corridors

Retail uses can be divided up into specialist retail (which is eminently suitable for town centres) and large format retail. Broadly, there are two forms of large format retail;

- large format retail – this type of retail involves the sale of a wide array of goods on one site. Most customers are expected to access the store by car.
- bulky goods retailing – this type of retailing is large format because it involves storage and sale of large, bulky goods (examples are hardware, furniture retailers and hire equipment etc).

The standard large format business model is a land extensive operation. Consequently, there is pressure to allow these uses to locate in out of centre locations. When large format retail is permitted to locate in out of centre locations however, it can have a number of adverse effects. These include;

- using land that would be better used for other uses. This may include industrial land that would not be suitable for a centre location due to the adverse effects it can have on neighbouring sites.
- land use and transport integration is reduced.
- draining economic activity from town centres.
- reduced flow-on economic activity. Research conducted in Auckland and Perth shows that traditional town centres support up to five times the number of non retail jobs per retail job, when compared with malls⁴⁴.

While large format retail activities may prefer to locate in out of centre malls and hypermarkets, clearly there are adverse effects in doing so. In addition, it is feasible for most forms of large format retail to locate in town centres. In the UK, strong policy directs retail growth to town centres and avoids development elsewhere⁴⁵. This requires large format retail to adapt its preferred style of development to one that is suitable for town centres. While this was not well received by large format retail stakeholders, the evidence shows that large format retail has been able to successfully adapt its template to town centre locations.

⁴⁴ "Liveable Neighbourhoods – a Western Australian Government sustainable cities initiative", January 2009 Update 2 - http://www.planning.wa.gov.au/dop_pub_pdf/LN_Text_update_02.pdf

⁴⁵ Planning Policy Statement 6 seeks to direct retail growth to town centres and avoid out of centre development. This includes all social infrastructure (education, justice, social services and health facilities) as well as retail and office development.

Therefore, requiring large format retailers to adapt their preferred model has strong precedents internationally. In Auckland, some large format retail stores have also pursued stores with greater intensity of use and co-located with specialist retail uses. Examples are Foodtown in the 277 mall and the Warehouse, both in Newmarket.

The draft Auckland Plan notes that Auckland's centres will remain the focus for commercial and business growth in the region. It is less feasible however for bulky goods retailers to locate in centres, due to the products they sell. Edge of centre or corridor locations could be more suitable for these uses.

Location of office uses

Internationally, the trend with office development is to locate office parks in out of centre locations, and science and technology parks close to learning institutions. Examples of the former include Smales Farm and Highbrook. Like most retail uses however, most forms of office use are suitable for location in centres.

Allowing out of centre retail or office developments reduces the viability of centres and undermines the (normally industrial) business use which was intended for the land that the development occupies. An example of this is Rosedale, where offices have been able to develop in industrial areas.

Industrial land is vulnerable to take-up by other uses

Industrial activities are typically land extensive with a low employment rate per hectare. Because of the amount of land that such uses require, they typically seek large, relatively cheap land located out of centres. This is also due in part to their adverse effects, which may impact on adjacent uses.

As the cost of land in these locations is often lower than in centres or corridors, other uses often seek to locate on this cheaper land. These uses are typically 'higher value uses' in that it is easier for them than for industrial uses to locate on higher value land (in centres and corridors). Typically this is because they can use land more intensely. If they do locate on land intended for industry, the industrial use is squeezed out. It cannot easily move to higher value land as it will not be financially viable to do so. If the industrial use cannot find a suitable location it will either not develop or it will move to a location outside of the Auckland region. Neither of these situations is desirable.

Two primary examples of uses which take up industrial land include;

- large format retail and office development. See the discussion above under 'Business location'.
- residential housing. Residential development in industrial areas has been a problem in the past.

The re-categorisation of town centres developed by the Auckland Plan needs to be given effect to

Change 6 to the Auckland Regional Policy Statement classifies town centres based on their function, for example the city centre, sub-regional centre, a principal centre or a local centre. The Auckland Plan Discussion Document discusses the re-categorisation of town

centres⁴⁶. It points out that while the Auckland Regional Policy Statement categorisation is helpful, the categories do not identify the nature of actions required to ensure that appropriate growth outcomes happen within centres.

The Auckland Plan builds on this and proposes to re-categorise centres, based on what actions are required to enable each centre to reach its potential. Different categories of centres have different characteristics that require different actions and interventions by local government, central government and the private sector, to achieve the anticipated level of growth. For example, a 'market attractive centre' will require limited intervention due to the market potential that exists in that centre, whereas 'regeneration centres' will require greater intervention to assist market forces in achieving growth.

What centres fall into which category have not yet been identified. This is planned to be done with input from the special consultative procedure that will assist the development of the draft Auckland Plan.

It is expected that the Unitary Plan will give effect to the centres categorisation identified in the Auckland Plan. In doing so it will be important to establish a comprehensive region-wide assessment of current business capacity and expected future demand. This includes establishing the capacity within current centres (particularly large centres) and also in corridors and new centres identified for development. This will provide an evidential base to the categorisation of centres and will also provide greater understanding of whether it is feasible to intensify uses within centres and corridors and on key sites. This will be fine grained planning work and could be done as part of precinct plans. If capacity for the type of centre envisaged by the Auckland Plan is not available, or the community resists change, it will be difficult to give effect to the categorisation.

A similar capacity analysis will also be required for industrial land. This will underpin a policy response to the supply problem.

Broad approaches

Categorisation of centres

Give effect to the centres categorisation developed by the Auckland Plan. This includes;

- design, heritage and character assessment to assess the capacity of the centre and the local community's expectation of appropriate development in the area. This could be done as part of the fine grained planning work necessary to develop precinct plans
- approaches (such as infrastructural investment) that complement any planning interventions contemplated by central and local government
- provisions that support the categorisation of individual centres and prevent cannibalisation of centres by surrounding centres or out of centre activities. Attention should also be given to existing out of centre business areas and whether they should or could form part of a new neighbourhood or local centre or corridor.

Retail and commercial development

Establish a set of criteria to guide when future development may locate in certain locations. For example;

⁴⁶ Auckland Unleashed – the Auckland Plan Discussion Document p 138.

- introduce strong outcome focused objectives and policies, and associated rules, to encourage new retail or commercial development to firstly locate in centres, then edge-of-centre, thirdly in intensification corridors and finally other locations
- require applicants that wish to locate out of centre to demonstrate that they;
 - do not compromise the integrity of the hierarchy of centres
 - deliver a net environmental benefit to the community in which they are located. The concept of net environmental benefit takes a more outcome focused approach than has been adopted in the past
- allow a more relaxed approach for bulky goods retailing, in that it may be permitted to locate in edge of centre locations
- deliberately restrict activities that apply to locate out of centre. Strong objectives, policies and rules will be required and will need to be supported by a strong evidential base
- be consistent with the centres categorisation.

Industrial land supply

- Develop a managed approach to identification, sequencing and release of new land for development.

Protect industrial land

Protect industrial land from commercial and residential encroachment;

- introduce objectives and policies that provide for the land to be used only for industrial and ancillary uses (for example, the recent private plan change to release land in Drury outside the MUL for industrial activities, makes retail activities greater than 500m² a prohibited activity)
- ensure adequate separation from sensitive activities
- provide locations for other uses, closer to centres and corridors or other areas of change
- define the scope of the ancillary uses that should be permitted in industrial areas
- for industrial uses that are located within town centres but are unsuitable for those sites, consult with owners to consider options to relocate to alternative locations.

Area plans and precinct plans

- Prepare area plans and precinct plans that both implement the criteria above and recognise capacity, market demand, development opportunities and constraints.

Incentives

Encourage retail and commercial development in appropriate centres and corridors and discourage its location out of centre;

- use RMA process to incentivise the desired outcomes. This includes methods such as guaranteed non-notification or more favourable activity statuses. It could also include a rule in the plan that requires public notification for activities that do not locate in appropriate places
- increase development rights for uses that locate in the appropriate areas. Examples include;
 - more flexible parking ratios and excluding required car parking from floor area ratio controls (where the area within a development dedicated to parking would not count as floor area)
 - relax height limits and floor area ratio control
 - allow site-specific bonus provisions

- allow development contribution remissions for uses that locate in the appropriate areas, or increase development contributions for activities that locate in inappropriate places. For example, when a retail or office activity locates out of centre, this may reflect the transport subsidy that ratepayers will have to provide to enable the activity to locate in that 'unsustainable' location.

Business strategy

Develop a comprehensive Business Strategy, ensuring all stakeholders are consulted and well-informed about the issues, choices, and outcomes sought.

Key sites

Council could take a pro-active, facilitative role in identifying development land, and encourage, invest and develop key sites in centres, corridors and industrial areas. A lesson of the past ten years is that plan writing and zoning changes in centres are not sufficient to stimulate desired investment and development in centres. Techniques to achieve this include the following;

- use the Auckland Property CCO or other development agency to acquire and develop key sites
- joint ventures with the private sector
- facilitate land assembly, as the inability to assemble key parcels is a constraint to redevelopment
- investing in the necessary infrastructure.

Attractiveness of centres

Complement planning development and implementation by improving the attractiveness of centres through initiatives such as;

- Business Improvement Districts (BID) programmes, town centre upgrades, and improved transit services. BIDs are an effective bottom-up tool in building vibrant centres. BID members represent a strong and knowledgeable group of local constituents. Council support for BIDs facilitates this important local input
- prioritise public infrastructure investment in business land areas
- invest in amenity improvements in high quality design particularly in priority centres and corridors. This will encourage private investment and better quality design in these areas.

6.4 Intensity of business land use

Issue

- **Business land use intensity is too low**

Discussion

If land can be used more intensely, less of it will be required to meet the region's needs, and less greenfield land will be required to be developed. It also results in resource conservation, energy efficiency, fewer car trips and arguably, more interesting and rewarding places to live and work.

Understanding the factors that contribute to successful land intensification and the current rate of business land intensification will enable better planning of available resources. There are a number of catalysts and barriers to land intensification.⁴⁷ Intensification catalysts include;

- good linkages to both public and private transport options
- the availability of larger land parcels for modern, high quality developments
- the proximity to a large customer base and a large skilled labour pool
- the proximity of the owner's residence (owners of business will try to locate their business near to their place of residence)
- critical mass. Where 'critical mass' is achieved, the balance is tipped in favour of further intensification
- clear policy mandate for business land intensification in established centres. This reduces developers' risk
- low reverse sensitivity levels
- the availability of convenient on site parking.

Barriers to intensification include the reverse of the matters above and also include;

- development of bulk retail centres in or near town centres can block potentially more employment intensive development
- existing residential land prevents optimisation or expansion of a town centre
- low intensity use of land near transit infrastructure
- surrounding population density is too low to warrant intense business land development.

Generally, uses with greater intensity should be encouraged. It is recognised however that the nature of some business uses is to have low employment density and that these uses are critical to the region. For example, industrial uses tend to have lower employment densities than office or retail uses, but industrial uses are still an extremely important part of the business network.

Industrial land is typically more difficult to intensify as it is land extensive and has potential adverse effects (for example, noise, vibration, odour and general effects on amenity etc). Consequently, the following has more relevance to commercial and retail uses. Having said this, as discussed under 'Business types' in the introduction, increase in revenue from the higher value added manufacturing sector indicates a higher than average productivity rate for manufacturing than exists nationally. This may be partially driven by investment in plant and capital that leads to greater intensity in land use, so the discussion is still relevant to industrial land.

Increased employment density is related to increased economic output and employment density is often taken as a proxy of business land intensification. However, increased investment in plant and capital can also increase intensity of land use. More sophisticated tools could be developed to measure business land use intensification. Better measurement of overall energy efficiency and resource conservation will also help to establish the true public and private cost of business land use intensification relative to new greenfield development.

⁴⁷ See 'Business land Intensification in Eleven Auckland Centres', 2007, Jones Lang Lasalle for Auckland Regional Council

In a similar way to the centres categorisation, it will also be necessary to measure business capacity and expected future demand, based on the development economics of each area. This will determine whether it is feasible to make land use more intense, or whether infrastructural improvements or upgrades are required to increase the intensity of land use. It will also determine when new business land should be released for development. Having an excess supply of business land at any one time is not necessarily desirable, as it fails to encourage development of optimum intensity on the land that is available.

Broad approaches

Encourage business land intensification

- introduce objectives and policies that encourage more intense land use where appropriate.
- provide incentives to use land more intensely;
 - allow or require extra height or floor area ratio
 - use RMA process to incentivise the desired outcomes (eg amalgamation of sites). This includes methods such as guaranteed non-notification or more favourable activity statuses
 - use development contributions. Development contributions are collected when new development creates demand for new capital expenditure. Evidence suggests that more intense uses of land may generate less relative demand for capital expenditure, and consequently development contributions could be reduced.
- encourage a mix of complementary land uses. To increase land use intensity it may be necessary to have more than one business activity on sites in appropriate locations. Co-location with residential uses may also be appropriate in mixed use precincts. Suitable locations for these complementary uses could be identified by the precinct planning process.
- rezone appropriate areas in and adjacent to established business centres or town centres to promote further development and intensification, where capacity exceeds current zoning limits. For example, transit capacity or other infrastructural capacity may not be reflected in the surrounding zoning or any growth targets identified by the Auckland Plan. These areas could be rezoned to business use, or more intense business use, to build critical mass in an existing centre. This is advantageous as it is less expensive to align zoning with current infrastructure than to expand infrastructure to service greenfield growth areas.
- invest in infrastructure that supports business land use intensification

6.5 Mixed use and residential development in business areas

Issues

- **Residential development in business areas can consume scarce business land.**
- **Mixed use that is not located in town centres or corridors fails to support compact urban form, urban intensification, public transport and existing services.**
- **Some mixed use developments do not have a mix of uses that creates vibrant streets and communities.**
- **Mixed use developments are not always designed to be adaptable to changes in use.**
- **Mixed use is often not well defined in legacy district plans.**

Discussion

Introduction

Most legacy district plans have specific zones for mixed use including Auckland City, North Shore, Manukau, Papakura and Rodney. Mixed use may be dominated by a particular activity. For example:

- Mixed use: commercial emphasis – commercial in nature at the ground and lower floors with possible residential use above,
- Mixed use: residential emphasis – predominantly residential with compatible other uses e.g. ground floor office or short term accommodation with residential above, and
- Mixed use: flexible use - mix of uses on a site.

The main benefit of mixed use is to reduce urban sprawl and increase the efficient use of land and infrastructure to achieve sustainable urban outcomes for the region. It enables the market to meet increased demand for accommodation close to town centres, amenities and services. Other benefits of mixed use include:

- Supports urban intensification,
- Support for walking, cycling, and a reduction in vehicle use,
- Support for public transport infrastructure by bringing a range of uses closer together,
- Vibrant streets by bringing a mix of uses together,
- Support for businesses through the co-location of complementary activities,
- Safer streets by having a range of activities occur at different times in the day.

Residential development in business areas can consume scarce business land

There is a significant demand for residential housing in the Auckland region. This demand drives up the price of residentially zoned land. In response to this, the market

seeks cheaper land on which to develop residential housing. Industrial and commercial land is often less expensive and consequently it becomes a target.

This consumption of scarce business land by residential uses has been a problem across many of the legacy district councils. In some cases the rules are relaxed enough for residential development to locate in industrial and commercial areas as of right. In others the residential development may be a non complying activity. In these cases the objectives and policies of the relevant district plan are often not strong enough to resist the application.

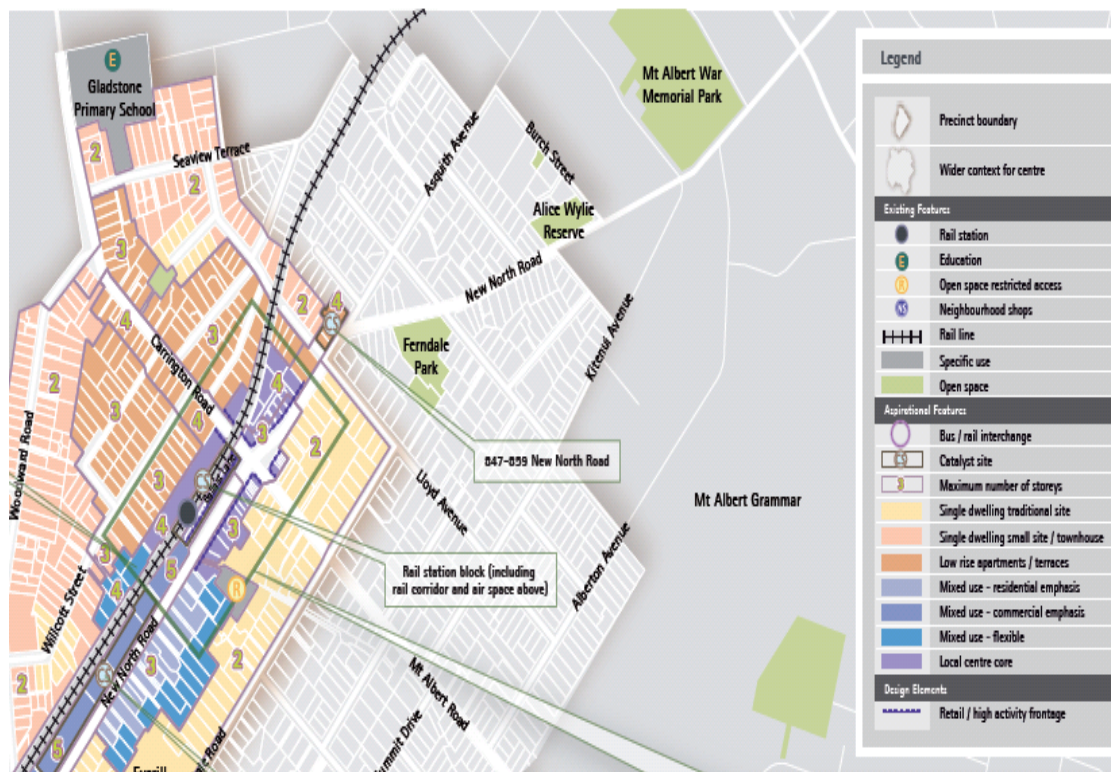
Residential development is often appropriate in mixed use areas close to town centres, where the diversity in uses leverage off each other to create an intense and vibrant environment. In this situation however it is easy to displace uses such as panelbeaters and mechanics from the periphery of town centres. Having these uses within easy access of local residents maximises local employment opportunities reduces commuting and traffic congestion and is more convenient for residents of the area. These industry types can also serve as a buffer between heavier industrial areas and more sensitive areas. As mixed use development becomes more prevalent, some of these types of industries are being bought out, or having their operations curtailed due to conflicts between the different uses.

Mixed use that is not located in centres or corridors fails to support compact urban form, urban intensification, public transport and existing services.

Mixed use development in town centres and corridors supports urban intensification and compact urban form. Encouraging mixed use in these locations is a more efficient use of land and infrastructure, such as public transport. It also enables greater use of existing services such as banks, parking, schools and health care facilities.

One of the *draft Auckland Plan* directives is to design and centres to enable mixed use environments with adaptable building forms, that are connected by corridors developed in accordance with urban design principles. Local Area and Precinct Plans will also inform the location of mixed use areas at an area or street level. For example, the former Auckland City Council Mt Albert Precinct Plan identifies areas for three types of mixed use development along New North Road (shown in Figure 12).

Figure 12: Mt Albert Precinct Plan 2050 Base Outcomes Map



Legacy district plans direct the location of mixed use through zones and include objectives and policies to encourage mixed use in town centres and around public transport networks. Similarly, the Unitary Plan will need to have strategic objectives and policies that direct mixed use to centres and corridors.

Public transport and other key social infrastructure should be in place or staged to support mixed use development. The Auckland Plan, local area and precinct plans and the Unitary Plan, as well as the amalgamated council structure provide an opportunity to undertake strategic regional planning for transport and other key infrastructure provision.

Area and precinct plans will identify through their key outcomes and goals (short to long-term) capital works required for their respective area or precinct. The co-ordination of Council Controlled Organisations and other stakeholders such as network utility operators will be essential to ensure the outcomes and goals are achieved.

Some mixed use developments do not have a mix of uses that create vibrant streets and communities

Achieving the right mix of activities within a mixed use development can be problematic. The legacy district plans often permit a range of activities within a mixed use zone which means that often mixed use developments end up in a single type of use e.g. residential. This means that in terms of a mix of uses, the area is not achieving its potential.

The zoning for mixed use could direct the type of activities that are encouraged within a zone. For example, in Figure 13 the Mt Albert Precinct Plan shows three mixed use outcomes, mixed use commercial emphasis, mixed use residential emphasis and mixed

use flexible use. When comparing the precinct plan to the Auckland City District Plan: Isthmus Section maps, the business zone has been changed to three mixed use outcome areas. Also, the mixed use residential emphasis could be a residential zone rather than a business zone. Further investigation is required to determine if tailored mixed use zones are required to achieve the right mix of activities to achieve the outcomes of the community.

If incompatible activities are located in close proximity within a mixed use development the activities can generate adverse effects on each other. For example, a residential activity within a mixed use business area may require a bar/restaurant to reduce hours of operation due to adverse noise effects on residents.

Adverse effects associated with incompatible activities can be avoided or reduced by requiring a higher standard of design to be met so that the building is suitable for a number of uses. The current approach in legacy district plans is that more sensitive activities (residential) are required to meet higher standards than other activities (business). For example, a building or part of a building used for a residential activity would be required to meet internal noise limits. This means that sound insulation would need to be installed such as party walls and/or high specification flooring to reduce the level of noise within the residential building. The cost and benefits of requiring a higher standard of design for a whole building or development versus providing for more restrictive standards for more sensitive uses (e.g. residential) will be tested through the Section 32 reporting process which is required to support the development of the Unitary Plan. Adverse effects of activities locating within a mixed use zone is also considered through the resource consent process.

Mixed use developments are not always designed to be adaptable to changes in use

The potential for a diverse range in activities centres and corridors is reduced where buildings are designed for only one purpose, which also affects the potential for changes in use of the building over time. A building in a mixed use area needs to be adaptable to change.

Mixed use development should be designed to a high standard, and to promote flexibility and future changes in use of the building. For example, the *North Shore District Plan* Business 12 Zone integrates design principles from the Good Solutions Guide for Mixed Use Development in Town Centres into rules to ensure a sufficient floor to ceiling height on the ground floor of mixed use buildings. This enables the ground floor to be used both as a business use and a residential use. If the floor to ceiling height is too low, the opportunity to use that space as a business use is limited.

Mixed use is often not well defined in legacy district plans

Mixed use is a common term, but is not often defined in legacy district plans. Waitakere District Plan is the only legacy district plan that includes a definition of mixed use. Definitions of mixed use can also be found in design guidelines such as the North Shore City Council: Good Solutions Guide for Mixed use Development in Town Centres

Mixed use generally contains residential and non-residential uses and can be at a variety of scales, from a single building to a block, precinct or area. Mixed use can occur vertically within a building e.g. commercial on the ground floor and residential above, or

horizontally e.g. office and residential buildings that are adjacent. Ideally, mixed use is generally situated in town centres, on the fringe of town centres and around transport nodes and corridors.

The Unitary Plan will need to have a clear definition of mixed use to differentiate areas where mixed use outcomes are sought (in contrast to single use outcomes).

Broad Approaches

- Strengthen objectives and policies so that residential uses in industrial areas are actively discouraged.
- Give effect to the Auckland Plan by identifying areas where mixed use will support urban intensification and will not unduly displace industrial and commercial uses. This could include the replacement of assessment criteria with assessment against objectives/outcomes which will provide greater flexibility and simplify the Unitary Plan.
- Investigate how the Unitary Plan could provide for staged mixed use so that an appropriate level of infrastructure is provided.
- Develop mixed use zone(s) that have a mix of uses, with effective controls to protect the amenity of occupiers within mixed use developments.
- Review design guidelines and create a single design guideline for mixed use that promotes high quality design and the flexible use of buildings for a range of uses. The design guideline will need to be consistent with the rules and outcomes of the Unitary Plan.
- Develop additional specific rules or objectives/outcomes for each precinct or local area plan (where identified through local area or precinct plans).
- Develop a definition in the Unitary Plan to increase general understanding of mixed use.

6.6 Parking

Issue

- **In business areas, an 'adequate' supply of parking is required**

Discussion

Parking issues will be discussed more fully in the transport issues paper. This discussion is brief and is confined to a few comments specifically relevant to business areas.

The provision of 'adequate' parking in business areas is a complex issue. This is particularly true in centres. There are a number of elements that affect what an 'adequate' parking rate may be.

- expectations of the community – many people expect to be able to park outside the front door of their destination

- access to alternative modes of transport – can users get to the destination by other means? (public transport, walking, cycling etc)
- value of land – the higher the land value, the more it costs to provide parking. It is land or floor space that cannot be used for other, possibly more productive, uses. In this way, attempts to intensify the use of land are inhibited. Conversely, if land is very valuable, it may be cost effective to provide basement parking.
- site design and viability – parking’s placement on the site affects the way users relate to the site. Long term use and redevelopment may be affected. Furthermore, excessive parking requirements are often cited as a reason why some developments do not proceed.
- adequacy of offsite parking – inadequate onsite parking may result in a spillover of cars to adjacent streets and sites. Parking buildings in the vicinity of a development may enable reduced parking on-site.
- consistency of parking requirements between centres, and between centres and out of centre locations – if requirements are not consistent some locations may have a perceived advantage over others. As a result, uses which are suited to centres may locate in out of centre locations.

In 2009 the ARC published the Auckland Regional Parking Strategy. This recommended a number of directions which parking provision should take. Of particular importance to business areas are;

- introduce maximum parking standards in designated centres and corridors
- prepare comprehensive parking management plans for town centres
- ensure parking supports good urban design
- give priority to short stay parking

Council will have to decide if it should follow these (and other) principles. Their implementation will be challenging. It is also necessary to recognise that some uses will require dedicated parking. Supermarkets are one example of this type of use.

Broad approaches

These refer specifically to business locations. They are a mixture of;

- review minimum parking provisions that apply to most town centres. Decide whether to amend these rules to introduce alternate parking provision requirements. For example, Waitakere’s recent Plan Change 15 has introduced maximum parking requirements. Possible unintended effects of such a policy also need to be considered, as these provisions may encourage business uses to locate out of centres where parking is less constrained
- facilitate greater sharing of parking spaces (for example, between daytime and night-time users)
- prepare comprehensive management plans for parking in each centre
- build / facilitate public parking structures in centres (this type of off-site parking provides opportunity for ‘adequate’ parking but does not compromise individual site development).

6.7 Reverse sensitivity

Issue

- **If they locate in inappropriate places, new and sensitive uses have the potential to adversely affect the ability of established uses to carry on their business**

Discussion

Reverse sensitivity arises where a new activity is introduced into an environment with existing, incompatible, activities. For example, a new residential area may develop adjacent to an established business area. If the established business area has unavoidable adverse effects that spread beyond property boundaries, there is potential for the new residential area to be adversely affected by this. Objections may arise from occupants of the new residences, which could hinder the businesses from carrying on their ordinary activities. In the future, it may also prevent a business from being able to increase the scale or change the character of the business.

Auckland's growth has resulted in many instances of established industrial areas (the existing use) being adversely affected by the growth of adjacent new residential areas (the sensitive use).

Reverse sensitivity is also a problem with the location of sensitive uses close to infrastructure. This will be discussed in the Infrastructure issues paper. The concept is also relevant to other discussions in this paper concerning residential development in business areas, and buffer areas.

Broad approaches

- Identify business areas, residential areas and mixed use areas. These may be able to be 'rolled over' from legacy plans in the short term. In the longer term they may be better identified using fine grained area plans and precinct plans.
- Strengthen objectives and policies so that sensitive uses are actively discouraged from locating adjacent to an existing use that may have adverse effects on the sensitive use.
- Ensure that rules do not allow sensitive uses to locate adjacent to an existing use that may have adverse effects on the sensitive use. Allow for suitable buffers between sensitive and unsympathetic uses.

6.8 Buffer areas

Issue

- **Business uses and development can have an adverse effect on adjacent use and development**

Discussion

Business areas often have a greater level of adverse effect than other areas. They may have higher buildings, more paved areas and generate more vehicle trips. Industrial areas in particular have greater potential noise and odour effects.

Problems arise where different character areas (for example, business and residential areas) abut each other and the character of one area will have adverse effects on the character of the other.

In this situation, legacy district plans commonly provide a 'buffer' between the two areas. In the buffer, district plans typically attempt to reduce the adverse effects of the business area on the adjacent area. In the North Shore district plan for example, within 30 metres of the adjacent zone, heights of buildings must be reduced and the landscaping requirements are generally more comprehensive.

Rules of this nature apply particularly to those parts of business areas adjacent to residential and open space areas. The nature of the buffer area will depend on the difference in character between the two areas. For example, heavy or noxious industries will require a more comprehensive buffer when adjacent to a residential area, than will light or service industries (such as panelbeaters or mechanics). These latter uses have less significant adverse effects. The light or service industries can themselves form part of the buffer area between the heavy industry and more sensitive areas.

Local business areas (for example, a dairy or corner takeaway within a residential area) are generally not subject to these controls. In this case the difference in character is not big enough to justify the buffer area.

Broad approaches

- Implement the most appropriate buffer area technique from legacy district plans
- Become more prescriptive as to land uses that may locate adjacent to each other.

6.9 Built environment

The built environment in a town centre plays a very important part in how the centre functions. The relationship between the private and public spaces is of particular importance in contributing to the success of a centre. For example, a shop that has a glazed street frontage and that is built on or near to the front yard boundary, engages passers by and will help create an inviting, vibrant and adaptable commercial environment. In contrast, malls typically have blank walls onto the street which is intimidating for pedestrians and detracts from the atmosphere of the street environment. Built environment issues are more fully discussed in the Urban Design section of this issues paper.

7.0 URBAN DESIGN

Introduction

This section will cover matters relation to urban design including issues associated with built form character, public realm and streetscape, sustainable design with the strategic directions contained in the Auckland Plan. The Auckland Plan is committed to:

- High quality built form
- Sustainable development and design
- Encouraging intensification whilst maintaining and enhancing character.
- A safe and universally accessible urban environment.

It has identified quality design outcomes as a key driver for delivering a successful quality compact urban form. In this regard, the Auckland Plan document indentifies the following key urban design principles⁴⁸:

A quality public realm , including a focus on quality landscaping, place making and quality streetscape;
Continuity to ensure individual elements function together efficiently;
Appreciate and respect local context (the character, heritage and setting of an area);
Ease of movement , in particular an accessible environment, walkable local streets, and good access to public transport;
Legibility through design that provides for accessible layouts and coherent street patterns (urban grain);
Diversity of urban activities, uses and forms to provide vibrancy; and
Adaptability to provide flexibility and change.

The Unitary Plan will implement the strategic directions in the Auckland Plan and in particular will identify strategic urban design objectives. The Auckland Plan has recognised the importance of the Unitary Plan in delivering high quality urban design outcomes

⁴⁸ The Auckland Plan Draft, Auckland Council 2011

7.1 Urban Design and Built Form

Issues

- **The current planning framework does not adequately address built form and urban design, leading to poor outcomes. High quality design outcomes are necessary to deliver a quality compact urban form.**
- **Many attempts to deliver higher intensity development have created poorly designed buildings and spaces.**
- **Local areas are being compromised by poor quality buildings that take no account of the site context and do not enhance the character of the surrounding area.**

Discussion

Urban design is a key tool to achieve growth and to deliver a quality built environment. Urban design is concerned with how places function and how they look. It covers the connections between people and places, movement and urban form, nature and the built fabric and the processes for ensuring successful places are delivered.⁴⁹

“If Auckland is to prosper and become one of the world’s most desirable places to live and work, any structure for Auckland’s governance must encourage and make possible quality urban design.”⁵⁰

The design of buildings is a key to the look, feel and function of an area or neighbourhood. High quality built form creates a sense of place and can contribute to character. Conversely poor design quality can significantly compromise the character and appearance of a neighbourhood.

Central Government

The Government’s document: *Building competitive cities Reform of the urban and infrastructure planning system*, set outs the possible future of urban design in the next review phase of the RMA and acknowledges that the current framework is not working well in the built environment.⁵¹ Due to largely effects based plans and the RMA, arguably, urban design principles are not currently being used to their full potential resulting in poor outcomes. The New Zealand Urban Design Protocol, which has a vision

⁴⁹ Urban Design Compendium, Home and Communities Agency, United Kingdom

⁵⁰ The New Zealand Institute of Architects Auckland Branch and Urban Issues Group in the Royal Commission on Auckland’s Governance 2009 Report

⁵¹ Building competitive cities Reform of the urban and infrastructure planning system - A discussion document, Ministry of the Environment.

of 'Making New Zealand towns and cities more successful through quality urban design' is part of the Government's Sustainable Development Programme of Action.⁵²

The Government's position on design and likely future reforms of RMA, including a possible National Policy Statement on Urban Design supports the Unitary Plan in embracing urban design, although it is acknowledged that there is a degree of uncertainty in the outcome of the RMA reforms.

Auckland Plan

The Auckland has recognised the value and need of quality urban design in relation to delivering a quality compact city which has a strong and identifiable urban character. Auckland is facing an urban transformation with up to 1 million new inhabitants to accommodate over the next 30 years, 75% which is to be accommodated within the RUB.⁵³ The Auckland Plan proposes a compact urban form to ensure that this growth follows sustainable principles and is contained within the proposed RUB. Urban design principles have a pivotal role in achieving this intensification whilst enabling quality design and securing character amenity outcomes. The Auckland Plan states:-

"As Auckland grows and opportunities for more intensive development are realised, a renewed focus on design will be vital to ensuring our built environment is successful, contributes to sense of place and to the overall liveability of Auckland. New development particularly in areas identified for intensification should take a design led" approach to ensure quality outcomes for Auckland that encapsulate the key aspects of design outlined."

A key design tool identified by the Auckland Plan is an Auckland Urban Design Compendium, modelled on the United Kingdom Urban Design Compendium. An outcome focused tool to ensure quality development outcomes. The Unitary Plan and any associated design guides will need to ensure alignment with the content of the Design Compendium. However, at this stage it is unknown what legal weight the urban design compendium will have or whether the Unitary Plan will formally need to give effect to this document.

⁵² New Zealand Urban Design Protocol, Ministry for the Environment

⁵³ Draft Auckland Plan, 2011



Figure 13. Auckland City, Viaduct

The Unitary Plan is one of the main tools the Council has to influence development outcomes. A significant opportunity presents itself for the Plan to take a lead on urban design issues. There is a significant challenge for the Unitary Plan to help create higher density compact neighbourhoods while maintaining and enhancing how they look and function.⁵⁴

High Quality Built Form and Character

As the urban areas of Auckland intensify their character will inevitably change. The introduction of poorly designed development that does not relate to context, the street or its users will result in poor outcomes that will be of significant detriment to the quality of Auckland's built environment.

Many examples can be seen in Auckland where development, particularly intensification has resulted in poor outcomes. This has not only harmed the appearance of an area but also has effected the success of the development in terms of its desirability. If apartments, townhouses are to be encouraged as the predominant house type in a compact city, then the quality of their design should be improved.

The Auckland Plan states:

*"Auckland has a stunningly beautiful natural environment. By contrast, with notable exceptions the built environment is a "mixed bag". There are many examples of poor quality architecture and urban design: poor living spaces, poor building design, bland streetscapes, lack of green spaces and poor design of public spaces"*⁵⁵

⁵⁴ Future Planning Framework, Auckland City Council

⁵⁵ Draft Auckland Plan, Auckland Council 2011

This is true for large development and cumulatively for small development. In areas where the Auckland Plan has identified growth and intensification will occur, it is important that the Unitary Plan is clear on its expected design outcomes and ensures that any new development accords with the general design principles associated with delivering a quality compact urban form.

Design outcomes for new development can result in neighbourhoods which lack an identifiable or unique character. The exception to this is where a design led approach has been adopted. Examples such as Hobsonville Point show that through processes like a Comprehensive Development Plan, the built form outcomes can be of high quality which responds to its surroundings. This holistic approach to development and design outcomes has become increasingly popular in more recent plan changes.

In considering urban design outcomes, it is important to recognise that the character of an area should not just be protected but should be enhanced. Maintaining the status quo is not always the best approach, particularly when the existing character is not valuable or contributing to the success of an area. Where an area does not have a valuable character it should therefore be improved when new development occurs.

Poor outcomes have generally arisen where there is:

- no clear urban design policies or objectives against which a development can be assessed.
- a lack of vision or direction or the vision has not been clearly articulated.
- Urban Design principles are not fully considered or only addressed in the later stages of planning.
- a disconnect between subdivision and the end use of a site.
- little consideration given to the relationship between the development and its surroundings and wider context.
- poor communication between developers and council.
- ineffective policy framework and controls to address poor design.

Quality of design is difficult to quantify and its assessment can be subjective sometimes needing high levels of discretion. The existing District Plans do address urban design, for example Plan Change 18 from the Waitakere City District Plan. However, there is often a disconnect between the controls and the policies and objectives. Furthermore, sometimes the policies are not effective in dealing with urban design, built form and character issues, leading to difficulty in the decision making process.

Key Aspects of Design ⁵⁶
Places for People - to be loved places must be safe, comfortable, varied and attractive. They also need to be distinctive, offer variety, choice and fun. Vibrant places provide opportunities both to socialise and to watch the world go by.
Enrich the Existing - places should enrich the qualities of existing urban places. Whatever the scales new developments should respond to and complement their settings.
Make Connections - places must be easy to get to and well integrated both physically and visually with their surroundings so people can move around without effort.

⁵⁶ Urban Design Compendium, Homes and Communities Agency (UK) (2007-2009)

Work with the Landscape - places should use the site's intrinsic resources – climate, landform, landscape and ecology - to minimize energy use.
Mix Use and Forms - stimulating, enjoyable and convenient places meet a variety of demands from the widest possible ranges of users, amenities and social groups.
Manage the Investment - for places to be successful they must be economically viable, well managed and maintained.
Design for Change - places must be flexible enough to respond to future changes in use, lifestyle and demography.

There are many factors that contribute to the successful design of a development, as illustrated by the table above. The Unitary Plan has obvious and important role to play, but this must be set within a wider context of Council initiatives to improve design outcomes.

Focus on Urban Design

A key direction that has been identified in the Auckland Plan is that of design led approach to development. The Unitary Plan must ensure, along with other council processes such as, pre-application discussion, urban design panels etc, that best practice urban design principles are considered at the very start of the development process and are carried through to its completion.

This approach has implications for process like subdivision, where there is sometimes a disconnect between the subdivision process and the end design and use of the development. This can limit the ability for sites to be developed to their best potential, such as accommodating low impact urban design solutions.

To enable a design led approach, the Unitary Plan should include urban design principles in its high level policy framework. This allows urban design to permeate through their hierarchy of policies, starting at the highest level, ultimately being reflected in the methods. This results in consistency and appropriate weight is given to design issues in the decision making process.

Methods and Decision Making Process

There are many approaches the Unitary Plan can take to ensure quality urban design outcomes. Below is a summary:

- Instead of requiring a specific solution in respect of building design, controls should require measurable outcomes that can be quantifiably assessed but which allow for a range of solutions to achieve the desired outcomes. Work undertaken by Auckland City Council has identified the use of performance standards as one of the possible options. Performance standards define the outcome that is being sought but provide flexibility and innovation in how that outcome is achieved.⁵⁷
- The Unitary Plan will need to establish a framework to assist in the decision making process on urban design issues giving clear guidance to consent officers and certainty to applicants.

^{9, 57} Future Planning Framework, Auckland City Council

- Recognise the importance of enhancing character not just maintaining it. In areas which have a poor quality character, ensure that new development improves character.
- Decision making can also be assisted through the use of expert input, for example Urban Design Panels. Queenstown Lakes District Council and Auckland Council have set up Urban Design Panels. These panels are made up of independent design and architectural consultants who provide independent advice to applicants and Council to improve the standard of the built environment.⁵⁸ This process should be supported, but with a greater emphasis on smaller scale development, which can still have a significant impact on the quality of the built environment. To encourage proposals to go through this process, the panels for these applications should be:
 - Informal.
 - locally based.
 - linked with or form part of pre-application discussions.
 - Incentivised where appropriate.
- Along with Urban Design Panels, the Unitary Plan can play a role in continuing to encourage pre-lodgement or pre-application discussion between council and the applicant. The use of design guides can help to facilitate such discussions.
- Larger, more high profile development may also benefit from a design competition process as a way of scrutinising design, including architectural detail before consent can be granted.
- The Unitary Plan may require certain information to be submitted with applications. An approach already used for significant development is a 'site and context analysis' which requires an applicant to consider the context of the development. Unitary Plan could identify certain information requirements to encourage the consideration of urban design principles. This could be applicable for areas identified for intensification to make sure the quality compact design principles have been incorporated into the proposed development.
- Incentives can also be used to encourage quality urban design and planning outcomes. At a basic level incentives would reward quality design outcomes and fall into the following categories:-
 - Financial – Monetary reward or discount (for example a reduced processing fee)
 - Development Rights – Increased development rights (for example; allowance for greater density).
 - Processing – Streamlined processing (for example, non-notification).

In achieving quality design outcomes, the Unitary Plan must also recognise the role of non-statutory measures, including funding and council investment as well as Council programmes such as the Urban Design strategy and the Auckland Urban Design

⁵⁸ Queenstown Lakes District Council: Urban Design Strategy

Compendium. The Unitary Plan should align with and support these approaches when viewing urban design outcomes holistically.

Broad Approaches

- Ensure that the Unitary Plan contains objectives and policies that require high quality urban design and built form character at both a regional and local level.
- Include outcome focussed rules and design principles that will give effect to the objectives and policies.
- Ensure there is a design led approach to development, driven by the key urban design principles. Ensure that urban design outcomes are considered through all stages of a development, from the initial design through to consenting process.
- Ensure that development in areas identified for intensification support the urban design principles of a quality compact city. If a development does not support these principles then the policy framework should actively discourage it.
- Ensure that all development proposals should be designed to have regard to the context of its setting, responding to and enhance the local character.
- Support and where appropriate give effect to the Auckland Urban Design Compendium.
- Greater use of consent requirements to ensure that development proposals respect and enhance the character of the streetscape or neighbourhood and to assist in the decision making process.
- Greater use could be made of urban design or architectural review panels both in the pre-application and post application stages of a consent application.
- To improve the quality of urban design across Auckland, Council could provide more free urban design advice, particularly for small proposals that have not been referred to a formal urban design panel.
- Consideration could be given to establishing annual urban design awards for excellence in project that have been approved by Council though the year.
- Consider the use of incentives to improve urban design outcomes.
- Consider preparing character studies that that identify the features that characterise sensitive areas.

7.2 Public Spaces and Streetscapes

Issues

- **Buildings in Auckland do not always consider their relationship with streets and public places resulting in unattractive places that have poor amenity and design outcomes.**
- **District Plans are not always effective in encouraging high quality integrated built form that considers public spaces.**
- **There has been a proliferation of development (such as shopping malls) that lack active frontages to the street and compromise the vitality of town centres and public spaces.**
- **Buildings and public spaces do not always consider the safety and ease of access for its users.**

Discussion

Relationship between private and public spaces

For public spaces to be vibrant, accessible and attractive it must be well design and consider the needs of its users. Also the character and amenity of streetscapes and public spaces is affected by the quality of adjoining development.

Development in Auckland has in the past tended to ignore the important relationship between the private development and public spaces, such as streets, parks, squares etc. Buildings which do not relate to public spaces can:

- appear detached
- harm the vitality or character
- make a public space feel unsafe and unwelcoming.

In retail and mixed use centres Malls and large retail units generally do not address the street, for example by creating blank walls fronting on to pavements or footpaths. Studies carried out by Urbacity in Australia have identified that building design, including active frontages is important to the economic success town centres by creating an inviting, vibrant and adaptable commercial environment. The Gungahlin Town Centre Planning Study, highlighted active frontages as a key element to a successful town centre. The report recommends:-

To facilitate a safe pedestrian environment for shoppers, residents and workers within the town centre, it is vital to provide a framework that has the ability to provide for active shopfronts. Three levels of active frontages are proposed that recognise the town centre is in a new growth area. There are mandatory active frontages, adaptable built form and opportunities for active frontages. This is designed to ensure that the built form which is constructed in the short term, can adapt in the future to allow for active uses if and when more pedestrian activity is experienced along a particular street.⁵⁹

In Auckland, North Shore City, through Plan Change 33 and the associated Urban Design Code, has incorporated urban design provisions for its business areas which give a level of prescription in terms of built form to encourage a better relationship between private

⁵⁹ Gungahlin Town Centre Planning Study, ACT planning and Land Authority 2008

development and public spaces. For example: a requirement for verandas of for building form to adjoin the street edge.

Design guidance from the UK, Australia and Canada promote the use of active frontages to improve the quality of public spaces. In the UK for example, policies outline that active frontages are a key component for new retail development in town centres.⁶⁰ The Unitary Plan will need to include policies and objectives as well as provision which will encourage or require active frontages in town centres as well as other built form considerations.



Figure 14. Pedestrianised Retail Street, Sheffield, United Kingdom

The relationship between public and private spaces is also a consideration for the character and streetscape of residential areas. One of the defining features of a residential street is the arrangement of lots and buildings facing or fronting onto public spaces and defining distinct areas of public and private space. The UK publication *Manual for Streets* stresses the importance that the elements making up the street should work as an integrated whole. The public space should be shared extension of the adjoining development but should also create boundaries which clearly define street space.⁶¹

Function of Streets

The *Manual for Streets* states that:

“increased consideration should be given to the ‘place’ function of streets. Streets should no longer be designed by assuming ‘place’ to be automatically subservient to ‘movement’. Both should be considered in combination, with their relative importance depending on the street’s function within a network.”⁶²

⁶⁰ *Urban Design Compendium*, English Partnerships, United Kingdom

⁶¹ *Manual for Streets*, Department for Transport, United Kingdom 2007

⁶² *Manual for Streets*, Department for Transport, United Kingdom 2007

If design of streets favours the movement of the private vehicle over that of the pedestrians and cyclists then the street will lose its importance as a place of interaction, character and vitality is ignored.

The function of a street depends on its position within a hierarchy. This should not be based simply on the level of traffic flow but the position and role of the street within the street pattern, the buildings and activities either side of the street space and the importance of the street to the local community.

The Unitary Plan should set out clear expectations for street design, which will ensure new streets contribute to the character of the area and are appropriate in terms of function and the variety of users. The objective and policies should ensure that the character of new streets are not uniform but should vary as part of a hierarchy, depending on their location in order to integrate development into the locality, to retain local distinctiveness and character.

Accessibility

For Auckland to become a liveable and a vibrant place, it must be safe for visitors and residents and it must be easy to access and navigate. The Auckland Plan has identified the need to create vibrant and safe communities and places which can be accessed by the whole population.⁶³ The Unitary Plan will need to ensure that its provision encourage accessibility and identify key areas where accessibility and safety is important, such as town centres.

Safety

The Auckland Plan has identified safety as a key issue. In making Auckland a world class tourist destination, the safety of visitors is a key consideration alongside the safety of residents and other users of the urban environment. Development in Auckland does not always incorporate Crime Prevention Through Environment Design (CPTED) principles. Such development therefore does not improve or enhance the safety of an area and in some cases it makes an area feel less safe.

The Unitary Plan should include CPTED principles it is policies and objectives. For larger scale development a CPTED review process would also ensure design outcomes properly consider safety.

Clutter and Maintenance

Public spaces are also affected by the amount of visual clutter and ongoing maintenance. Too much clutter can significantly detract from the character of an area. It can also create obstacles which reduce the accessibility of a space. Poor maintenance, regardless of quality design, will harm its visual appeal and make uninviting to potential users.

The responsibility for maintaining public spaces lies with Council. Therefore a non-regulatory approach is required which may involve a public space improvement program aligned with the growth strategy of the Auckland Plan.

⁶³ Draft Auckland Plan, Auckland Council 2011

Clutter can be reduced through effective sign management which is discussed in the Signs section of this issues paper. Effective controls and monitoring will help remove unsightly clutter from Auckland's streets and help to ensure the design of signage reflects the character of an area.

Overlaps with other workstreams

The quality of public spaces is strongly influenced by roading infrastructure. Therefore there will be overlaps with the infrastructure workstream. It is also important to consider the high level objectives of Auckland Transport policies, to reduce car dependency and parking demands. The inclusion and planning of public transport is also an important way to enhance streetscape character

Broad Approaches

- Include objectives, policies and provisions that require development to consider the character and function of the public realm and the relationship that buildings have with the street.
- Ensure that developments and public spaces provide a focus on pedestrians and cyclists.
- The Unitary Plan could require buildings and individual tenancies to have active frontage to streets and public spaces.
- The Unitary Plan should encourage CPTED principles in all new development.
- Ensures, as far as possible, that the built form is accessible to all residents and tourists including the elderly and those with disabilities.
- Support initiatives such as shared space projects, public art and public realm improvements.

7.3 Sustainable Design and Development

Issues

- **At a time when global emissions and energy costs are rapidly increasing, development in Auckland has largely failed to embrace sustainable design, including energy and water efficiency. Resulting development is therefore inefficient and unsustainable.**
- **The lack of sustainability and efficiency in building design has resulted in homes that are inefficient to run, contribute to poor health of the occupants and contribute to global warming.**

- **Existing District Plan provision are largely ineffective in delivering sustainable development and in some cases create barriers to sustainable design.**
- **Development is not always fully integrated in to public transport, cycling or pedestrian networks.**

Discussion

Good urban design should be sustainable design. To deliver places that will be successful and sustainable in the long term requires an integrated approach at the design stage.⁶⁴ Sustainable design considers the construction, location and design as well as the use of the development. For example, the use of roof and cavity wall insulation in a buildings design will reduce the need for heating during the winter and therefore will reduce energy consumption.⁶⁵ It relates to the use of energy, through more efficient design and location. It also relates to sustainable water use and management through recycling water and low impact design measures.

Government Legislation

Sustainability remains the pillar of the Resource Management Act⁶⁶ and a key element of the Local Government Act⁶⁷. Existing legislation and the expected direction set by the Auckland Plan gives the Unitary Plan a clear mandate to pursue sustainable outcomes within the built environment. Therefore it is considered that the Unitary Plan gives the Council an important opportunity to re-enforce these principles and encourage and enable sustainable outcomes within a framework of existing and proposed projects and plans.

Auckland Plan

The importance of sustainability is emphasised in the Auckland Plan. It states that sustainable development and eco-city principles are key to achieving the Councils and the Mayors goal of making Auckland the worlds most liveable city. The Auckland Plan is underpinned by strategic targets of a 40% reduction in Auckland's carbon emissions by 2031, based on 1990 levels.⁶⁸ The Auckland Plan will feed into a number of council plans and projects but has identified that the built environment (the construction of new and retro fitting of existing buildings) is key to achieving the target reduction.

The Auckland Plan has identified the following sustainable design principles:

- **Site design:** Buildings to address local conditions of topography, views and climate and opportunities for passive solar heating or gain
- **Energy and Heating Efficiency:** consider the use of recycled, reused and recyclable materials
- **Insulation and Energy Use:** consider high levels of thermal insulation

⁶⁴ Urban Design Compendium, Homes and Communities Agency, United Kingdom

⁶⁵ Code for Sustainable Homes, Department of Communities and Local Government, United Kingdom

⁶⁶ Resource Management Act s. 5 Purpose

⁶⁷ Local Government Act s 3 Purpose, s 10 Purpose of Local Government, s 14 Principles Relating to Local Authorities

⁶⁸ The Draft Auckland Plan, Auckland Council 2011

- **Stormwater disposal:** low impact design including green roofs, swales, soakage pits and use of vegetation to manage stormwater run off
- **Water conservation:** the storage of water and water recycling
- **Design for flexibility and innovation:** encourage designs which can be easily altered and extended

A method of reducing carbon emissions is to address the inefficiencies of design. It is expected that policies within the Auckland Plan will provide a mandate for the Unitary Plan to encourage and enable more sustainable outcomes in the built environment.

Benefits of Sustainable Development



Figure 15. Benefits of Sustainable Buildings

The use of sustainable design can make a development, such as a housing development more efficient and therefore more affordable to run.⁶⁹ Measures such as lot orientation and subsequent building orientation for maximum solar gain can significantly reduce power consumption for heating.

Houses in New Zealand, both old and new, are generally damp and cold. Damp and cold homes have been linked to an increase in respiratory conditions such as asthma. The incorporation of sustainable design principles can make buildings, and houses in particular, healthier and more comfortable places to live in.⁷⁰

The design of, and the activities contained within, industrial and commercial development mean that they have the potential to consume a lot of energy and water. More sustainable commercial and industrial development can reduce the use of power and water therefore cheaper to operate, helping to increase the profitability of a

⁶⁹ Beacon Homes: Policy options for Sustainable Homes – A Resource Manual for Local Government

⁷⁰ M Clark's 2007 report: National Value Case for Sustainable Housing Innovations,

business.⁷¹ The proximity of employment and retail centers near public transport reduces the need to use private vehicles. Vehicle use can also be reduced through provision of high quality cycle and pedestrian linkages and facilities such as showers and bike storage at the destination.

A holistic view to development should incorporate the main sustainable principles:-

- Location of the development to be close to public transport and destinations such as retail and employment centres.
- Incorporation of low impact design to reduce the effects associated with stormwater.
- Water and energy efficient design to reduce consumption.
- Integrated design, to ensure a development is also of high quality appearance and responds to local character.
- Relationship to wider Council goals of reducing energy use, reducing greenhouse gas emissions, improving the quality and efficiency of buildings and the improving the health and wellbeing of the community.

Maori and Sustainable development

The integration of Maori values with approaches to sustainable development supports a holistic view of the issues. Tangata Whenua principles which relate to the value of ecosystems as integral to human life are key to sustainability.

The Auckland Sustainability Framework and the Mana Whenua Framework (*Te Kohao o te Ngira*) acknowledge the value of the Mana Whenua in relation to the sustainability of the region.

The knowledge of traditional concepts such as papakianga building design, if applied at a broader level, can contribute to the wider sustainability of the built form. Manaaki Whenua (Landcare Research) has worked on a number of collaborative research programmes involving significant components of mātauranga Māori including programmes relating to Māori values for sustainable development. This holistic view offers a valuable broad approach to addressing sustainable design and development in Unitary Plan.⁷² It is recommended that the high level policies and objectives of the Unitary Plan incorporate these principles. This is discussed further in the Treaty of Waitangi Issue Paper.

Examples of sustainable design and development provisions

In New Zealand there are some notable examples of sustainable building provision which are outlined below

⁷¹ New Zealand Green Building Council (NZGBC)

⁷² Manaaki Whenua - Landcare Research

Plan Change 75 introduced by Kapiti Coast District Council requires all new dwelling to harvest rainwater and/or grey water for garden irrigation and toilet flushing. This reduces the demand on existing water infrastructure and makes houses more water efficient.⁷³ North Shore City Councils Plan Change 22 introduces similar measure in certain areas. New development, such as Hobsonville includes provisions for rainwater tanks.

Tararua District Council has introduced policies promoting subdivision that take into account passive solar gain principles, for example by orienting the long axis of sections east/west.⁷⁴ The location and orientation of a building on a site directly relates to its efficiency in terms of heating and warm private outdoor spaces. To encourage passive solar gain, the Unitary Plan could use rules to ensure optimal solar orientation for the outdoor space and also for adjacent living rooms.⁷⁵

Wellington City Council, through its District Plan, has been engaging in a sustainable house design policy as well as Plan Change 46 which includes sustainable subdivision design.

Other Councils in New Zealand have adopted some of the following approaches which may be appropriate for the Unitary Plan:-

- Permitted earthworks within the building platform encouraging slab-on ground (thermal mass)
- Orientation of private open space and habitable room windows to the north
- Policy framework recognising energy efficiency
- Eaves allowance within bulk and location controls assisting with solar gain
- Rules allowing solar panels/heaters to infringe height restrictions

It is worth noting that a common approaches to sustainable development and design up to this point have been non-regulatory. Councils have used community based projects, financial incentives and educational programmes to promote sustainable homes and sustainable living.⁷⁶

Sustainable communities

⁷³ Kapiti Coast District Council: Plan Change 75 Supporting Documents

⁷⁴ Tararua District Council website

⁷⁵ Beacon Homes: Policy options for Sustainable Homes – A Resource Manual for Local Government

⁷⁶ Beacon Homes: Policy options for Sustainable Homes – A Resource Manual for Local Government

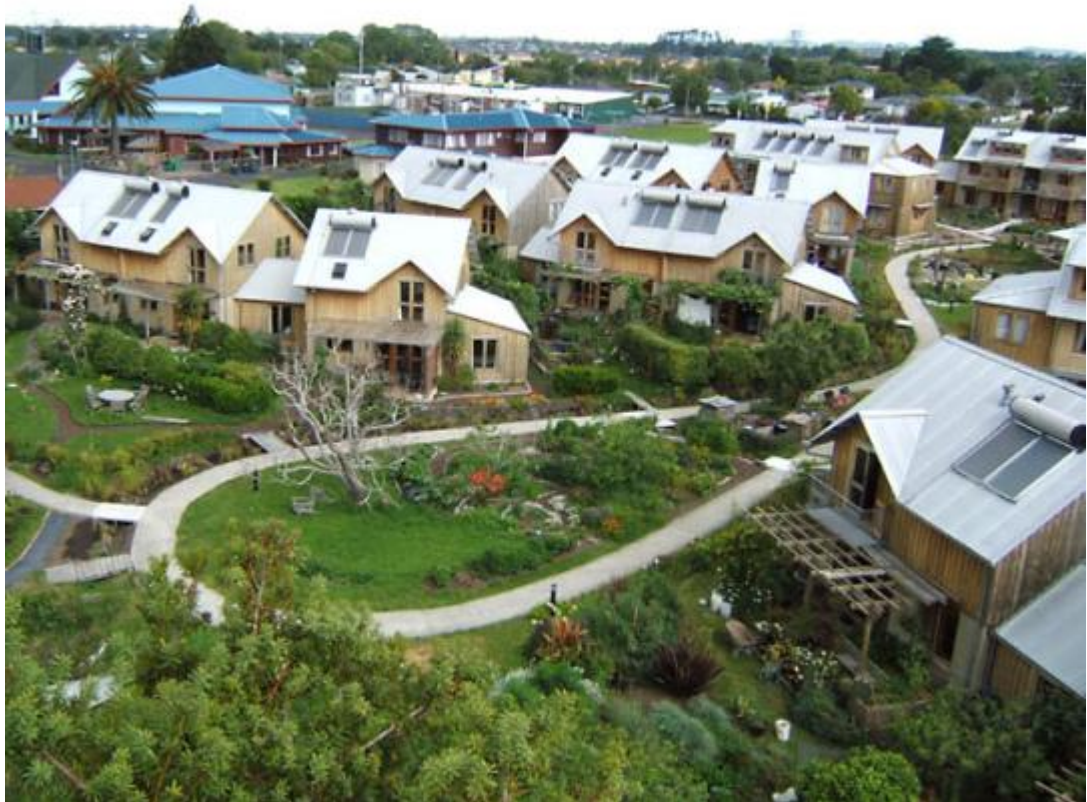


Figure 16. Earthsong Eco-Neighbourhood, Waitakere

Sustainable design and development must be viewed holistically. In large subdivisions for example, sustainable design should be considered at the beginning to ensure measures such as Low Impact Urban Design and Development (LIUDD) are incorporated into the plans. Many developments in Auckland have neglected sustainable design at an early stage resulting in development which have inefficient homes (in terms of design and orientation), are located away from public transport or commercial centres and do not manage stormwater sustainably.

The Unitary Plan should encourage large developments to include sustainable design in their master planning. Notable examples such as Flat Bush or Hobsonville have incorporated elements such as LIUDD into their design. The urban design review panels discussed earlier in this paper could also be a mechanism by which sustainability of a development is encouraged.

Other sustainable matters which should be encouraged are pedestrian and cycle networks. In Auckland, although there are cycle paths, the networks are not always well connected or of a poor standard in terms of safety. Furthermore, many destinations do not include facilities such as bicycle storage or showers for cyclists. This discourages cycling. Networks should also complement areas of growth and connect residential areas with retail and employment centres. These could be particularly effective in promoting modes of transport other than the car.

The design of the development should also encourage sustainable living. For example, the provision of adequate communal outdoor space which could be used for growing fruit and vegetables. Communal space which is not dominated by the car is important for community interaction and provides a focal point. For example the Wilsher Village

retirement complex in Henderson included communal vegetable gardens for the occupants.

Truly sustainable communities have many elements and must be viewed holistically. Therefore, further work is required to identify options which the Unitary Plan can use to encourage more sustainable development including other non-regulatory measures such as Council funding scheme for insulation, Eco design advisors, waste minimisation etc. With such a variety of measures at its disposal, the Council could form a Sustainability Team or Group to co-ordinate these approaches and ensure consistency.



Figure 17. BedZed Eco development, United Kingdom

Low Impact Urban Design and Development

Low Impact Urban Design and Development (LIUDD) provides alternative way to manage the interaction between the built and natural environments including accommodating urban growth, develop land, and provide and manage infrastructure. It provides an integrated management for site and catchment-based design that recognises the value of natural processes and the role they can play in urban development.⁷⁷ As noted above, District Plans in New Zealand have adopted the LIUDD approach at a variety of scales.

Collaborative work will be needed with the Natural Environments and Infrastructure workstreams to ensure the objectives, policies and provision within the Unitary Plan enable and encourage a LIUDD approach.

Removing Existing Barriers

An evaluation of the District Plans has identified some development controls, which apply to new dwellings and to renovations, which posed as barriers to more sustainable buildings, particularly the installation of features such as rainwater tanks, solar hot water

⁷⁷ Low Impact Urban Design and Development: the big picture, Landcare Research Science Series No. 37, 2009

and small scale energy generation. The installation of these feature may infringe controls such as height, meaning that a consent is required. This is considered as disincentive to use of such measures. The Unitary Plan offers an opportunity to address these and other barriers to more sustainable design outcomes.⁷⁸

Sustainable Building Design Standards

Internationally there has been a more comprehensive approach to sustainable design and development. In the UK, the Code for Sustainable Homes is an environmental assessment method for rating and certifying the performance of new homes. It is a Government national standard intended to encourage continuous improvement in sustainable building.).⁷⁹ In New Zealand there are a number of voluntary standards such as the New Zealand Green Building Council's Homestar Residential Ratings Tool.⁸⁰

Considering the value of standards, it suggests that the adoption of a standard would be an effective means of encouraging sustainable building design. The Unitary Plan could include provisions that require buildings to meet a certain standard which is then assessed when the associated building consent is lodged. This could align with an existing voluntary standard such as the Homestar tool.

However such an approach does raise potential conflicts with the Building Act and Building Code, if the Unitary Plan was to introduce more restrictive controls. Legal opinion⁸¹ and recent plan changes discussed previously have demonstrate that more restrictive controls can be introduced if justified against the purpose of the RMA. The Code and Act are to be reviewed by Parliament and it is likely that any subsequent amendments will incorporate provisions to increase building efficiency. It is recommend that Auckland Council advocate for greater emphasis on sustainable design within the Building Act.

Broad Approaches

- Ensure that sustainable design objectives, policies and provisions permeate all parts of the Unitary Plan.
- Encourage the provision of rain water tanks and water saving devices to allow water recycling and reduce stormwater discharges.
- Encourage the provision of energy efficiency such as lot and building design for maximum solar gain.
- Ensure development is planned holistically to include sustainable design outcomes. For example low impact urban design, cycle and pedestrian connections and sustainable building design.

⁷⁸ Trenouth C and Mead D (2007) District Plan Barriers and Incentives to Sustainable Residential Building. Report for Beacon Pathway

⁷⁹ Code for Sustainable Homes

⁸⁰ New Zealand Green Building Council (NZGBC)

⁸¹ Review of HGI section of the District Plan – Regulating sustainable design through the RMA, Simpson Grierson, 24 March 2006.

- Advocate for changes in the Building Act and Code to include more sustainable building standards. Investigate the use of sustainable building standards within the Unitary Plan.
- Continued support for non-regulatory initiative such as the Eco-Design Advisors, Council grants or schemes to promote more sustainable living.
- Incorporate Maori principles of sustainable design and ensure these principles permeate throughout the plan.

7.4 Design Guides

Issues

- **The use of Design Guidelines is inconsistent and they are not always effective in achieving their intended outcomes.**
- **There is uncertainty as to whether design guides/documents are more effective when they are non-statutory opposed to statutory.**

Discussion

What are design guides

Design guidelines or guides are documents that which are used to achieve a certain outcome. Guidelines can be statutory documents which have weight in the decision making process or they can be non-statutory and provide more of an informal role in the planning and decision making process. They can be used to convey a level of detail which may not be needed within the plan itself.

Currently within the Auckland Region there are numerous design guides. These documents provide information on various types of development at different scales. This is consistent with the recognition that in many resource management areas, effects based planning techniques are, on their own, insufficient to achieve good quality outcomes.⁸²

Statutory or non-statutory

If design guides are to be used, they can be located in or outside of the plan. On one end of the spectrum would be for the documents to be guidance only and have very little weight associated with them, it is suggested that this is principle reason why many existing guidelines appear so ineffective. The other would be to incorporate them into the Plan so that they have legal weight as a decision making tool under the RMA.

Below are some pro's and con's of both statutory and non-statutory documents

Statutory

⁸² Unitary Plan Issues Paper: Innovative Tools and Techniques

Pros	Cons
Has legal weight and therefore can be used effectively in the decision making process.	If the content needed to be changed, it would need a plan change. Potential lengthy and costly process therefore there maybe a reluctance to update and the design guides would become outdated
Has more weight to influence the design of development before it is submitted to Council	Can be seen as too prescriptive in their content and therefore rigid and inflexible.
As a decision making tool it can incorporate more detail than policies or assessment criteria	Detailed guidelines can be seen as being overly interventionist.
Potentially rules can be incorporated into the design guide – may be useful for specific sites which warrant special controls	
Public accountability through the notification process	

Non Statutory

Pros	Cons
Very flexible. They can be changed without the need to notify.	The lack of any legal basis means that they can be ineffective in the decision making process.
They can easily be updated to incorporate the latest design thinking and it keeps them relevant.	Due to their lack of influence in the decision making process, developers tend to ignore them in the plan development stage.
Although they have little legal weight they can build upon the themes established by policies and objectives in the Unitary Plan	
Due to their lack of legal weight they are seen as less interventionist.	

The statutory weight of the design guide was discussed as part of the Wellington City Council Central Area Review where it was decided that the Central Area Urban Design Guide should form part of the Plan. Those in favour of locating design guides in the District Plan felt that they would be more useful in the decision making process and would be less open to legal challenge if they were included.⁸³

Although there can be a tendency for prescriptive guides, those that allow for innovation but still have a clear outcomes are considered best practice. The Wellington City Council Central Area Urban Design Guide recommends a number of approaches it attempts to address the notion of inflexibility by acknowledging the following:-

‘Sometimes, a design objective may be best achieved by means not anticipated in these guidelines. In this situation, it is justifiable to depart from a guideline if it can be demonstrated that the alternative design solution better satisfies the associated design objective.’⁸⁴

⁸³ Quality Planning website

⁸⁴ Wellington City Council Central Area Review

Design guidelines that are incorporated within the plan typically have different functions to those that are not incorporated.⁸⁵ The non statutory documents can be useful for educational purposes. Documents contained in the plan are more useful as decision making tools due to their statutory weight.

Therefore the legal weight of a design guide will largely depend on its purpose. For Unitary Plan to use design guides as effective decision making tools, evidence so far suggests that they should have legal weight. Non-statutory documents have a role in supporting policies and objectives in the plan.

The purpose of a design guide

The effectiveness of design guides not only relates to their statutory weight but also the clarity of their purpose. Both nationally and internationally, design guides and guidance documents in general remain a very popular tool to communicate technical or specialised information. However the purpose of design guides varies. Some are geographically based, others relate to a certain activity or development. The clarity of purpose is crucial for the reader to understand what the guide is trying to achieve. Uncertainty in this regard can make a guide ineffective.

The Auckland Plan has identified the development of an Urban Design Compendium for Auckland which will be modelled on the UK document. This provides an opportunity for any design guides adopted by the Unitary Plan to reflect the content of the Urban Design Compendium.

Within New Zealand it is notable that most authorities with large urban areas have a 'Central Area' or 'City Centre' design guide. Wellington City Councils Central Area Urban Design Guide is a notable example.

Guidance can be given on specific activities, such as a residential apartment design guide or a office development design guide. They include guidance which is specific to a particular activity that built upon broader design principles.

Research from the United Kingdom and North America acknowledges that design guides can also be very useful for master planning or establishing design briefs for specific sites or geographical areas. Such design briefs give potential applicants more certainty about what is expected for the development of site.⁸⁶ Outcomes are clearly defined and should relate back to core strategic direction of the local planning document.⁸⁷

There is a basic three tier model which the Unitary Plan could adopt for Design Guides to ensure they remain focused on the outcomes they are seeking to achieve:

1. Generic design guidance which contains broad principles and outcomes. This could result in one or two guides such as an Auckland Urban Design Guide or Auckland Sustainable Design Guide.
2. Development or activity specific documents such as a guide for retail frontages, residential apartments. This would apply to the activity regardless of its location.

⁸⁵ Unitary Plan Issues Paper: Innovative Tools and Techniques

⁸⁶ CABE (Commission for Architecture and the Built Environment)

⁸⁷ San Francisco Planning Department, San Francisco, USA

3. Area specific guides which would apply to specific areas which have a unique character is potentially threatened or where areas where the character is in need of improvement. For example a Devonport Design Guide. These guides would also need to relate to the outcomes of Local Area Spatial Plans.

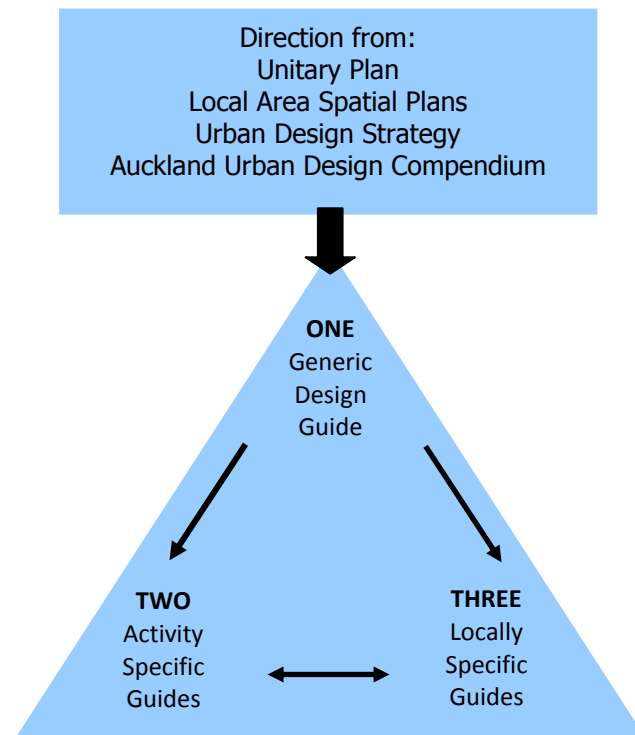


Figure 18. Possible options for design guides.

Contents of a Design Guide

Alongside statutory weight and clarity of purpose, a design guide must also be well written and have content that is relevant to its purpose. It noted that some guidelines are overly complex and contain jargon which can make the document difficult to read. Other guidelines are unclear as to the purpose or the objectives which they are try to achieve and do not relate to the policies and objectives of the District Plan.

Best practice is to have the purpose of the guide reflected in its contents. Below is a summary of what a generic guide should include:

- Decide what guides are needed to achieve the desired outcomes
- Easy to read and user friendly.
- Be clear on the purpose and the outcomes that guide is trying to achieve.
- Flexibility to ensure there is scope for innovation in design solution.
- Incorporate high level design guidelines into the policies and objectives.
- Ensure consistency between each guide and with the contents of the Unitary Plan, including objective, policies and provisions.
- Use plain language and a clear structure
- Use graphics or photographs to illustrate ideas.

Overlaps with other workstreams

Guidance documents could potentially be used for all areas of the plan. Therefore there will potentially be crossover with all workstreams.

Broad Approaches

- Design guidelines are key to facilitate improved urban design and built form outcomes and should continue to be used in the Unitary Plan. The Unitary Plan will need to identify outcome areas or types of development which can be supported by a design guide.
- Statutory and Non statutory guidelines are both valuable tools.
- Guidelines should be written to communicate clear outcomes and allow innovative design outcomes by focussing on design elements or principles
- Guidelines should complement and reflect the content of the proposed Auckland Urban Design Compendium.

8.0 ADVERTISING SIGNS

Introduction

This section will cover matters relation to signs including issues associated with how they are managed and their impact on character, public realm and streetscape. At the time of preparing this paper, the Auckland Plan was still being completed. However it is understood that Council is committed to:

- High quality built form
- Maintaining and enhancing character.

8.1 Sign Management

Issues

- **There is currently a lack of consistency in the approach to sign controls. They are either managed by bylaws or they are contained in district plans or a combination of the two.**
- **There has been an increasing proliferation of advertising signs in Auckland. These are often poorly designed and compromise the character of local areas.**

Discussion

Proliferation and design

Signs form a prominent element within the built environment. They also allow for the advertisement of business, services and events. They can be of a variety of sizes, design and situated in a manner of locations.

Sensitively designed and located signs can form an integral part of an environments character. Signs which are not sympathetic to their surrounds can significantly harm amenity and character and dominate the built form. This is true for large signs or a great number of small signs. Poor outcomes are greater in sensitive areas, such as heritage areas, where the design and location of signs detracts from an areas character.

Management of signs

Signs are an important part of the built environment. In Auckland they are currently managed in three different ways:-

- through bylaw
- through the district plan
- through a combination of bylaw and district plan

The Unitary Plan needs to determine the most effective way of managing signs, whether it is through the Plan or through bylaws.

The RMA legitimately allows for signage control to be solely based within the Unitary Plan. The Waitakere City Council District Plan is an example of where signage controls were located within the plan, not bylaw. Similarly the LGA has allowed councils such as Auckland City Council to manage signage through a bylaw(s).

Local Government Act

Through the Local Government (Auckland) Act 2009, the use of bylaws to achieve amenity and design related outcomes is, at this stage, uncertain. A legal opinion from Simpson Grierson⁸⁸ outlines the current situation in relation to bylaw making powers of Auckland Council and Auckland Transport. For the management of signs the implications of the legal advice received thus far is that Auckland Council's ability to control signs through bylaws is restricted. This is because Auckland Transport has the sole jurisdiction to make bylaws for signs which relate to road safety (those signs visible from the road or public place). It is acknowledged that at the time of writing discussions are still ongoing between Auckland Council and Auckland Transport with regards to bylaw operation administration.

The use of bylaws or the Unitary Plan

Notwithstanding this current uncertainty, the Unitary Plan needs to establish the most effective way of managing signs. As noted above, the current approach is a mix of bylaws and plan. In terms of best practice, both methods have advantages and disadvantages, which are summarised below:

Bylaws Pros	Bylaws Cons
Flexibility	
Flexibility within Bylaws process provides an opportunity to update bylaws when necessary.	Flexibility gives a lack of certainty for the applicant.
Any updates have only one round of submissions through the Special Consultative Process.	Lack of certainty for applicant that a signage investment will be protected in the longer term.
No appeal rights except on question of reasonableness to High Court .	
Outcomes	
Outcomes cannot be compromised by appeal, unless decision unreasonable.	Protection of environment only implicit (ie the justification for a bylaw is not transparent and/or there is no accountability for achieving high order strategic objectives).
Existing use rights may be removed provided a reasonable time period is used	There is a potential to compromise objectives and policies in the Unitary Plan.
	Decision making under bylaws is not required to consider the cumulative effects
Process and Enforcement	

⁸⁸ Division of bylaw responsibility between Auckland Council and Auckland Transport, Simpson Grierson, 2 June 2011.

Bylaws Pros	Bylaws Cons
<p>Simpler and less costly process Decision maker can be at officer and committee level depending on significance</p> <p>Low cost encourages greater compliance.</p> <p>Process allows for the review of Bylaws and the flexibility allows for change if necessary.</p>	<p>Enforcement can be difficult because cannot issue infringement notice</p>
Unitary Plan Pros Flexibility	Unitary Plan Cons
<p>Less easy for controls to be changed (changes or new rules can only be introduced through a plan change)</p> <p>Community has an opportunity to challenge whether the rules are consistent with or promote wider strategic objectives in the district plan</p>	<p>Any changes to sign provision require a plan change, potentially costly and lengthy process</p> <p>Appeal rights/third party input can delay the decision process</p> <p>More pressure to make compromises to settle appeals?</p>
Outcomes	
<p>Objectives and policies provide a strategic context for decision making.</p> <p>Signage controls are integrated with other controls in the Unitary Plan therefore it facilitates an outcome that is integrated with other plan objectives and policies.</p> <p>Greater accountability by decision makers for achieving desired outcomes.</p> <p>There is greater scope in a district plan to achieve desired outcomes through various methods.</p>	<p>Management of small and medium temporary signs is impractical, inefficient and unlikely to be monitored.</p> <p>Existing use rights cannot be removed (or qualified) unless activity is discontinued for more than 12 months.</p> <p>Views of some officers is that bylaws create better outcomes.</p>
Process and Enforcement	
<p>Infringement notices easily issued District plan allows for monitoring and enforcement of outcomes.</p>	<p>Discretion only by resource consent More expensive and more complicated.</p> <p>Brings in third parties if notified.</p> <p>High cost relative to cost of sign encourages non compliance.</p>

Nationally, there are a variety of approaches to sign control which include bylaw and district plan. However the general approach can be summarised as follows:

- District plan provisions can be used for billboards and signage that forms an integral part of a development (such as a service station) under the Resource Management Act.
- All other signs, including temporary signs are controlled through bylaw under the Local Government Act.

To determine the most effective approach for Auckland it is recommended that signs be grouped in to 'types' largely based on their size and then each type is evaluated against the pros and cons for control by bylaw or Unitary Plan. For example, 'type 1' might include temporary real estate, election and events signs.

A plan based approach might include identifying areas of different sensitivity ranging from sensitive natural environments (where sign control would be more restrictive) to highly developed commercial locations (where sign control would be more relaxed). These areas could be categorised and a consistent set of advertising provisions be identified for each areas. These categories and associated provisions could be referred in the relevant zones and overlays in the plan.

In managing signs, including their design, location and number, some Councils in the UK use design guides as a mean of achieving high quality outcomes. The most commonly used is a 'shopfront design guide' which sets outcomes for frontage design in town centre, including the design and location signs. A similar approach could be adopted by Auckland Council regardless of whether they are controlled by bylaw or Unitary Plan

An important issue related to the quality and proliferation of signs is that of monitoring and enforcement. It is acknowledged that the effectiveness of enforcement is related to processes and resources which are largely outside the Unitary Plan control. However, the most effective means of managing signs must consider any implications for monitoring and enforcement. For example, the ability to issue fines and remove signs under bylaws is advantageous from an enforcement perspective.

Broad Approaches

The Unitary Plan can assist in achieving effective management for signs by:

- The approach taken to resolving how signs should be managed will be influenced by future legal advice on the capacity for Auckland Council to manage signage through bylaws.
- Subject to this advice, an effective approach will need to be determined for each type of sign (temporary signs, billboards, illuminated signs etc). This approach will need to consider the strategic direction of the plan, but also the ease of administration enforcement and monitoring.
- The Unitary Plan should identify higher order objectives and policies that provide broad direction on for managing signage relative to urban design outcomes in different localities. These can then be given effect to in relevant rules or bylaw.
- The Unitary Plan could identify areas of different sensitivity ranging from high sensitive natural environments to highly developed commercial locations. These areas could be categorised and a consistent set of advertising policies identified for each category which could be reflected in the plan or in a bylaw.

9.0 FINANCIAL CONTRIBUTIONS AND DEVELOPMENT CONTRIBUTIONS

Issues

- **Financial contributions rules in legacy district plans vary in scope and scale.**
- **Financial or development contribution policies and provisions sometimes do not support and may discourage environmentally sustainable outcomes.**

Discussion

Development contributions and financial contributions are two charging systems that Council can use to pay for council infrastructure (e.g. roads, stormwater infrastructure). Development contributions and financial contributions are required when the demand for infrastructure increases through new development or existing uses (where it increases in scale). The key difference is, development contributions are generally used to fund strategic growth related infrastructure, whereas financial contributions are used to fund infrastructure directly related to minimising the local effects of the development.

Development contributions are required under the Local Government Act 2002 and obtained when a building or resource consent is granted. They are obtained for projects identified in the Long Term Plan and calculated in accordance with the methodology in the development contributions policy, or long term plan. Development contributions sit outside the Unitary Plan.

Financial contributions are required under the Resource Management Act 1991 under *Section 108 Conditions of Resource Consent*. They are imposed as a condition of a resource consent to minimise adverse effects of a development on the environment. Any financial contribution imposed as a condition on a resource consent, must align with the purpose of the financial contribution policy in the district plan. The district plan outlines how financial contributions are calculated. For example, a subdivision development is required to provide a contribution (either money or land) per allotment.

Council can use both development contributions and financial contributions. However, it cannot use both for the same purpose e.g. for upgrading the same infrastructure e.g. stormwater treatment station.

Financial contributions rules in legacy district plans vary in scope and scale.

Financial contributions are sought for:

- Transportation/roading -local and district
- Local reserves
- Water Supply

- Sewerage systems
- Stormwater
- Public Parking
- Other Purposes e.g. protection of a significant natural resource.

Financial contributions are given as maximums in the district plan and can be negotiated with the Council. An applicant can appeal financial contributions through the Environment Court.

Development contributions are sought for:

- Open spaces
- Community facilities (e.g. libraries, swimming pools, community halls and community houses etc)
- Stormwater and (e.g. flood attenuation and disposal)
- Transportation (district wide)

The scale of contribution varies in legacy district plans and depends on the scale and cost of infrastructure.

Watercare is now responsible for all water supply and waste water through the *Infrastructure Growth Charge*. On this basis, water supply and waste water will not be included in Council's development or financial contributions policy.

The Finance, Planning and Policy team are reviewing the existing development contribution policies to develop a region-wide policy (*Auckland Council Integrated Contributions Policy 2012*). A first draft of this policy will be complete by the end of September 2011, but is unlikely to contain any figures. The new development contributions policy will be in place by July 2012, prior to the public notification of the Unitary Plan.

Financial or development contribution policies and provisions sometimes do not support and may discourage environmentally sustainable outcomes.

The development of the new *Integrated Contributions Policy 2012* and the Unitary Plan provides an opportunity to support and encourage the use of sustainable environmental solutions (through the level of contribution required).

Council is required to identify the total costs it expects to incur to provide infrastructure to meet increased demand. A proportion of that cost is calculated based on the unit of demand. Units of demand can be used to support sustainable environmental outcomes. For example, an apartment would be assigned 0.5 unit of demand, whereas a residential house would be assigned one unit of demand.

The total expected cost for an apartment development in the town centre is likely to be lower, than a greenfield development with a higher demand for infrastructure. The development contributions policy can identify through catchments price differentials and the cost of infrastructure provision.

Table 2 provides some examples of environmentally sustainable outcomes and how these reduce demand on infrastructure.

Table 2: Possible future use of incentives

Infrastructure: Type	Environmentally Sustainable Outcomes	Impact on Infrastructure and the environment
Stormwater	Green roof Swales Rain gardens Compact urban form	Reduces stormwater runoff and flows into the stormwater system. Reduces stormwater overflows into the waste water system.
Wastewater	Grey water reuse	Reduces wastewater into the wastewater system (including the pipe network, pump station and treatment station).
Parking	Travel Plans Cycle parking Incentives to use public transport Car sharing	Reduces demand on parking.
Transport roads	Compact urban form – high densities development	Reduces congestion on roads and the need for maintenance and roading upgrades.

The former district councils use a combination of development contributions and financial contributions. Some legacy district plans offer a reduction in financial contribution (on a case-by-case basis) where it can be shown that a development reduces demand on infrastructure. Other legacy district plans have specific policies to reduce or waive financial contributions.

Some examples of existing waivers or reductions include the *Auckland City 2010 Development Contributions Policy*. This Policy provides for exemptions from the stormwater development contribution for multi storey or multi unit buildings. The *Waitakere City Council's Development and Financial Contribution Policy 2006-2009* provides for a reduction in development contributions for sustainable development through Tool for Urban Sustainability Code of Practice (TUSC). TUSC is a web-based Engineering and Planning tool which measures the extent that a new building or other development and minimizes demand on infrastructure.

The Unitary Plan needs to support and encourage sustainable environmental outcomes, supported by a robust evidence base that is defensible. Further investigation is required to determine how this could be achieved in the Unitary Plan and Financial Contributions Policy and how the Council could assist applicants through other methods, such as web-based tools to calculate reduced demand on infrastructure.

Broad Approaches

- Investigate how to support and encourage sustainable environmental outcomes (e.g. units of demand, price differentials or waivers).
- Confirm the scope of financial contribution policy in the Unitary Plan.
- Coordinate with the Finance, Planning and Policy team, Operative Plan team and Watercare Ltd to develop a financial and development contributions policy that supports and encourages sustainable environmental outcomes.