

## PART 5 - ACTIVITIES

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### Plan modification annotations - key



Indicates where content is affected by proposed plan modification x.  
Refer to plan modification folder or website for details.



Indicates where the content is part of plan modification x, which is  
subject to appeal.

Underlined content to be inserted.

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See key on page 1  
of this section



## ACTIVITIES

### 5.1 INTRODUCTION

The Plan recognises that the sustainability of the Central Area depends upon it being a mixed use area, able to change over time and for buildings and land to be reused for a variety of purposes. Maintenance of environmental standards and management of the effects of activities will be more important than the activities themselves.

Accordingly, the rules provide for a wide range of activities throughout the Central Area in a manner which will result in adverse effects being avoided or mitigated. However, the Plan also recognises that there are precincts or quarters within which the mix of a full range of activities is not appropriate.

The issues, objectives and policies that give rise to the activity rules are contained in Parts 3, 4 and 15 of this Plan.

### 5.2 GENERAL EXPLANATION

#### 5.2.1 ACTIVITIES MIX

The Central Area is a centre of business, art, culture, entertainment, recreation, education, tourism and residential living and a distinct and unique area within Auckland City. The sustainability of the Central Area as a unique part of Auckland depends upon the mix of activities continuing to provide vitality and attraction for residents and visitors alike.

The mix of activities in the Central Area will continue to change over time as new trends in business, shopping and living evolve. It is therefore necessary to include flexible activity provisions in the Plan. Such provisions lessen the likelihood of having empty buildings and unused space which produce less vital and less interesting places.

The strategy adopted allows for a wide range of activities to be established throughout the Central Area.

Other parts of the Plan contain rules imposing performance standards and development controls on the way activities are carried out.

It is also recognised in the Central Area that there is a less definite relationship between an activity and the building it may occupy compared to other parts of the City. For this reason rules are generally applied to the effects of buildings and the effects of activities in separate overlays.

#### 5.2.2 PLANNING OVERLAY

Planning Overlay Map 2 shows two activity areas:

- the “pedestrian-orientated” area
- the “less pedestrian-orientated” area.

The pedestrian-orientated area covers the heart of the Central Area and allows a range of activities as permitted activities. The focus of this area is the pedestrian and activities that may have an adverse effect on this are excluded. The periphery of the Central Area also contains a range of activities, however it is less pedestrian orientated than the core. Within precincts or quarters, additional rules relating to activities may be applied.

#### 5.2.3 PRECINCTS OR QUARTERS

While it is general strategy to allow a wide mix of activities throughout the Central Area, it is also recognised that there are a number of precincts or quarters where such a mix is not appropriate.

In these precincts or quarters more specific activity controls are imposed in line with the characteristics of the areas concerned and the specific resource management issues and objectives which apply. These rules are applied through the relevant precinct and quarter provisions under Part 14.

#### 5.2.4 RETAIL

Within the Central Area, the Queen Street corridor and Karangahape Road ridge provide the most intensive amount of retail floor space. Around the periphery of the Central Area, Parnell, Newmarket and Ponsonby also contain concentrated retail areas. Although all of them serve broader functions than simply retailing, it is the health of this component which is integral to their individual character and continued vitality. Significant investment in infrastructure, buildings and amenities by both the private and public sectors is also a feature of these areas. It would be costly in terms of the investment in infrastructure and services to replicate or allow under-utilisation of the resources of existing concentrated retail areas.

The aim of the Plan, to provide flexible activity provisions to enable a wide range of activities to establish in the Central Area, including retail activity could serve to



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undermine the character and continued vitality of existing concentrated retail areas. While it is acknowledged in the Plan that the mix of activities in the Central Area will continue to change over time, the retail strategy seeks to allow for such evolution to occur while avoiding the loss of amenity and positive cumulative effects generated by existing concentrated retail areas.

Within the Central Area, the Queen Street Valley Precinct in particular is characterised by relatively small retail tenancies which conform to the “fine grained” nature of the historic subdivision pattern. The concentration of small tenancies is attractive for comparison shopping while the associated concentrations of people encourages a range of positive cumulative effects such as enhanced pedestrian amenities, improved safety and security and a focus for and use of passenger transport in preference to reliance on private vehicles. Conversely, unrestricted dispersal of shopping throughout the Central Area could lead to the dilution of the vitality of those key established retail areas, greater reliance upon private vehicles for movements between shops and greater difficulty in providing for a safe and attractive pedestrian environment.

The retail strategy in the Plan seeks to maintain the vitality and character of existing concentrated retail areas and ensure that efficient use is made of existing infrastructure and community facilities by providing for retail as a permitted activity in the pedestrian-orientated area.

In the less pedestrian-orientated area, the retail strategy seeks to provide for retail activity, to facilitate and manage new retail development in a way that is flexible and which provides for innovation in response to community needs and new technology, while avoiding or mitigating significant adverse effects. A floor area threshold per site is utilised.

To ensure that significant adverse effects are avoided or mitigated, the Plan lists retail development over a floor area threshold of 1000m<sup>2</sup> as a restricted discretionary activity to determine its potential impact on the environment and on the amenity of the surrounding area. In particular traffic, parking, access, infrastructure, site amenity and cumulative effects of a proposed retail development will be assessed.

In addition, new retail development in excess of a floor area threshold of 5000m<sup>2</sup> will be assessed as a discretionary activity to ensure that the scale of retailing activity does not adversely effect the character and continued vitality of existing concentrated retail areas and the positive benefits that they generate. The purpose of setting an upper threshold is to ensure that new developments with a significant amount of retail floor space complement the predominantly small scale, concentrated speciality shops of the existing concentrated retail areas.

Depending on the particular nature of the new retail development, a range of effects may arise and these may be positive, negative, or both. The controls for retail activity

in the less pedestrian-orientated area are included so that an assessment of the effects of any new development above a specified threshold can be carried out. The assessment process includes the consideration of positive benefits and negative impacts and any mitigation measures that may be available in order to ensure that sustainable management of resources, in terms of Section 5 of the Act will be achieved.

### 5.2.5 PARKING

The Plan makes provision for car parking where it is the primary activity on a site. This type of parking is classified as short-term public visitor parking and leased or commuter parking and is defined in Part 16. The requirements for short-term public visitor parking and leased or commuter parking are set out in clause 5.5.1 of the Plan.

Short-term public visitor and leased or commuter parking are distinct from ancillary parking, that is parking provided in association with a permitted activity on a site. Ancillary parking is also defined in Part 16 and the requirements for ancillary parking are set out in clause 9.6 of the Plan.

The activity table in clause 5.5.1 of the Plan sets out the classification of activities in the pedestrian and less pedestrian-orientated areas. The provision of short-term public visitor parking areas or buildings is only provided as a discretionary activity on sites with access to Type 2, 3 and 4 roads in both the pedestrian and less pedestrian-orientated areas.

Leased or commuter parking areas or buildings are provided as a discretionary activity only on sites that have access to Type 3 and 4 roads and are located in the less pedestrian-orientated area.

The Plan contains specific criteria for the assessment of both short-term and leased or commuter car parking areas or buildings which are set out in clause 5.6.3.1(c) of the Plan. The criteria include matters for consideration when assessing a resource consent application such as accessibility, traffic generation, visual appearance and internal layout.

### 5.2.6 URBAN DESIGN AND RESIDENTIAL AMENITY

The Plan makes provision for buildings to be developed throughout the Central Area subject to compliance with development controls. To ensure that the most is made of building opportunity within the Central Area, a 'designed based' approach has been taken with all building development and redevelopment required to be assessed against design assessment criteria. There are five key components to these criteria being:



- i) Building design should be of high quality, showing creativity, and responsiveness to the local context in a way that contributes to the identity of Auckland at every scale including the appearance of the CBD from outside the Central Area, the CBD skyline, streets, neighbourhoods and Quarters/Precincts;
- ii) Attractive, active and safe streets and public open spaces, which create a sense of community;
- iii) Adaptable building form, encouraging the reuse and conversion of building spaces overtime;
- iv) Sustainable building and site design which takes a long term view of energy and storm water efficiency.
- v) Adequate internal and external amenity for building occupants, which provides the opportunity for outlook, daylight access and sufficient internal living space for future residents.

### 5.2.7 CHARACTER OVERLAY

The Plan recognises the built form and character of certain precincts in the Central Area and seeks to maintain or enhance this character through the implementation of design controls on new buildings and modifications to buildings. The Plan also recognises, protects and enhances the heritage values of the City through scheduling of buildings, objects and places of special value and through the identification of conservation areas.

It is recognised that outside of these precincts and conservation areas, notable older buildings or groups of older buildings exist which are not scheduled but which make a positive contribution to the built and streetscape character of the Central Area.

The Character Overlay is applied to existing un-scheduled buildings generally outside of the precincts and conservation areas, which either as individuals or as groups, make a particular contribution to the City's built character. The Character Overlay control recognises the contribution that such buildings make to the amenity of the Central Area and the need to maintain or enhance this contribution through the preservation of these buildings or by otherwise promoting well-designed replacement buildings. Older buildings are the main focus of the Character Overlay because of the contribution they make to streetscape, either as a group or as individuals, and because they are a scarce finite resource that evoke the City's past and provide a link with cultural heritage. Character buildings have also been identified that otherwise make a particular contribution streetscape, adjoin or are nearby scheduled buildings, or relate to public open space of historic value in such a way that its scale and form defines or helps to define the space.

In order to ensure this character is maintained and enhanced, the demolition of character buildings shown on the Character Overlay maps at Appendix 13 is a restricted discretionary activity, with building demolition and replacement buildings assessed against criteria. The intent of this control is not necessarily about the preservation of all buildings identified in the Character Overlay. Rather it seeks to encourage protection and enhancement of the character values of these buildings or groups of buildings and to ensure that new replacement buildings do not adversely affect the built and streetscape character values or adjoining or nearby heritage buildings. Accordingly, the ability for well-designed replacement buildings to maintain or enhance character values is recognised in the assessment criteria.

### 5.3 ANTICIPATED ENVIRONMENTAL RESULTS

It is expected that the resource management strategy adopted for activities in this Plan will lead over time to a high level of urban design, quality residential development and to a wide range of activities being established and re-established within the Central Area. This will assist in maintaining the Central Area as an area of vitality and diversity, enabling it to change and adapt and remain an economically viable and attractive City Centre in the future.

### 5.4 INTERPRETATION AND DEFINITIONS

Refer to Part 16 for definitions and common terms employed in this Part.

## 5.5 RULES - ACTIVITIES

### 5.5.1 ACTIVITIES IN THE CENTRAL AREA

- a) With the exception of the Precincts and Quarters in Part 14 of the Plan, the following table specifies the activities allowed in the Central Area. The permitted activities listed in the table are permitted without a resource consent where they comply in all respects with



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the relevant development controls and other relevant rules of this plan.

Note: Any site may contain more than one of the listed activity categories.

Activities	Pedestrian-Orientated Area	Less Pedestrian-Orientated Area
Accommodation	P	P
Short term public visitor car parking areas or buildings (only on sites with access to Type 2, 3 and 4 roads)	D	D
Non-ancillary commuter parking areas and/or buildings (only on sites with access to Type 2 and 3 roads)	D	D
Non-ancillary commuter parking areas and/or buildings (only on sites with access to Type 4 roads)	NC	D
Community care facilities and emergency services	P	P
Dairies not greater than 200m <sup>2</sup> in area	P	P
Demolition of buildings or creation of vacant space, except on sites identified on the Character Overlay in Appendix 13	RC	RC

Activities	Pedestrian-Orientated Area	Less Pedestrian-Orientated Area
Demolition or removal of any building, or part of a building, on a site identified on the Character Overlay in Appendix 13, except for the demolition of internal walls, partitions and fixtures and internal and external redecoration, maintenance or repair.	RD	RD
Drive through facilities	D	D
Food & beverage	P	P
Education	P	P
Entertainment / gathering	P	P
Industrial storage	P (Where the activity is located not less than 6m above MSL or is below MSL.)	P
Industry	P (Where the activity is located not less than 6m above MSL or is below MSL.)	P
Motor Vehicle Sales	NC	D
Offices	P	P
Passenger transport stations	D	D
Quick vehicle service and facilities	NC	D



Activities	Pedestrian-Orientated Area	Less Pedestrian-Orientated Area
Retail	P	P(<1,000m <sup>2</sup> gfa per site) RD(1,000m <sup>2</sup> -5,000m <sup>2</sup> gfa per site) D(>5,000m <sup>2</sup> gfa per site)
Services	P	P

P = Permitted Activity  
 RC = Restricted Controlled Activity  
 RD = Restricted Discretionary Activity  
 D = Discretionary Activity  
 NC = Non Complying Activity

MSL = Mean Street Level

### 5.5.2 STANDARDS FOR NON-ANCILLARY COMMUTER CAR PARKING AREAS OR BUILDINGS AND SHORT-TERM PUBLIC VISITOR CAR PARKING AREAS OR BUILDINGS

- i) Non-ancillary commuter parking areas and buildings shall comply with all activity rules and development controls for the site, except for the parking standards set out in rule 9.7.1.1 of the Plan.
- ii) Short-term public visitor car parking areas or buildings shall comply with all activity rules and development controls for the site, except for the parking standards set out in rule 9.7.1.1 of the Plan.
- iii) The design of vehicular access to the car parking area or building shall comply with the development controls of the Plan. Vehicle crossings shall be constructed flush, and at the same level of the footpath at either side of the proposed crossing. All transition grades for vehicle ramps within the parking building shall be accommodated on the site and must not encroach onto the footpath. Vehicle crossings shall be constructed in the same material and design as the surrounding footpath. Vehicle crossings shall be designed to give priority to pedestrian traffic. Particular regard will also be had to the type of signage and traffic control devices to achieve this.

- iv) The layout and internal circulation of parking areas and buildings shall be designed to comply with the parking space and manoeuvring area dimensions for casual users specified in the Plan to ensure safe and efficient vehicle circulation on the site.
- v) Car parking areas or buildings shall include appropriate screening or landscaping on the site to prevent glare from headlights and spill from operational lights on surrounding sites.
- vi) Any proposal shall demonstrate that it will comply with the general noise standards of Part 7 of the Plan.
- vii) The surface of car parking areas or buildings shall be graded, drained and sealed to prevent dust, nuisance, uncontrolled run-off of water and audible tyre squeal.
- viii) The design of the car parking area or building shall be in accordance with the Design Against Crime Guidelines contained in Annex 6 of the Plan.

### 5.5.3 URBAN DESIGN CONTROL

In addition to the activities provided for under 5.5.1, the following activities shall apply to the Central Area with the exception of the Public Open Space Precincts (Part 14.2), Transport Corridor Precinct (Part 14.3), Queen Street Valley Precinct (Part 14.4), Aotea Precinct (Part 14.5), Britomart Precinct (Part 14.6), Viaduct Harbour Precinct (Part 14.7), Port Precinct (Part 14.8), Wynyard Quarter (Part 14.9), Victoria Quarter (Part 14.10), Karangahape Road Precinct (Part 14.11), Learning Quarter: Area 1. (Part 14.12) and Quay Park Precinct (Part 14.13):

Activity	Consent Required
i) The erection of any new building; and ii) The external alteration or addition to any existing building (other than a heritage building scheduled under Part 10 of the Plan), excluding minor cosmetic alterations or repairs which do not change the design and appearance of the existing building and signs and billboards regulated by the Auckland City Consolidated Bylaw 1998 or its successor.	Restricted Discretionary

Note: Scheduled Heritage Buildings

Alterations or additions to any buildings which are listed on the Heritage Schedule are subject to the obtaining of any necessary resource consents under Part 10-Heritage. Consultation with, or consent from the NZHPT may also be required.



**5.5.4 ADDITIONAL ACTIVITIES - ACCOMMODATION**

In addition to the activities provided for under 5.5.1, the following activities shall apply to the Central Area with the exception of the Public Open Space Precincts (Part 14.2), Transport Corridor Precinct (Part 14.3), Britomart Precinct (Part 14.6), Viaduct Harbour Precinct (Part 14.7), Port Precinct (Part 14.8), Wynyard Quarter (Part 14.9), and Victoria Quarter (Part 14.10):

Activity	Consent Required
Conversion* of existing buildings to accommodation (excluding non permanent accommodation)	Restricted Controlled

\* For the purpose of this rule, "conversion" means alterations to an existing building that add new rooms, units, or floor space, or alter the use of existing rooms, units, or floor space, to allow the building or altered part of the building to be used as accommodation.

**5.5.5 ADDITIONAL ACTIVITIES - NON PERMANENT ACCOMMODATION**

In addition to the activities provided for under 5.5.1, the following activities shall apply to the Central Area with the exception of the Public Open Space Precincts (Part 14.2), Transport Corridor Precinct (Part 14.3), Britomart Precinct (Part 14.6), Viaduct Harbour Precinct (Part 14.7), Port Precinct (Part 14.8), Wynyard Quarter (Part 14.9), and Victoria Quarter (Part 14.10):

Activity	Consent Required
Non Permanent Accommodation_ including the conversion* of existing buildings to Non Permanent Accommodation (except where located in the Tertiary Education Precinct)	Restricted Discretionary
Non Permanent Accommodation_ including the conversion* of existing buildings to Non Permanent Accommodation located in the Learning quarter: Area 1	Restricted Controlled

\* For the purpose of this rule, "conversion" means alterations to an existing building that add new rooms, units, or floor space, or alter the use of existing rooms,

units, or floor space, to allow the building or altered part of the building to be used as non permanent accommodation.

**5.6 ASSESSMENT CRITERIA**

**5.6.1 RESTRICTED CONTROLLED ACTIVITY**

**5.6.1.1 General Assessment Criteria**

An application for a restricted controlled activity for demolition of buildings or creation of open space shall be accompanied by an assessment of the environmental effects of the proposed activity in terms of the relevant criteria contained in Part 15 and the following matters.

**a) Site management**

The Council must be satisfied that the demolition operation will not have any significant adverse effects on the amenities of public open spaces and sites in the vicinity of the subject site and on the safety and efficiency of the roading network. In this respect the following information shall be provided with any application:

- i) hours of demolition;
- ii) demolition truck movements in terms of numbers, frequency and timing and their routes to and from the site;
- iii) location of ingress and egress points to and from the site for demolition trucks;
- iv) procedures for controlling stormwater run-off from the site, the removal of soil debris and demolition materials from public roads or places and the control of dust emissions from the site.

**b) Edge treatment**

In general a temporary edge should be provided along the site boundaries so that a defined boundary to public space is maintained. Assessments under this criterion will give weight to the enclosure the edge gives to the footpath, safety considerations and the likely vulnerability of the edge for graffiti and vandalism.

On sites located within the pedestrian orientated area either landscaping or a suitable edge and the maintenance of continuous pedestrian cover, is required along the boundary of the site, and that the required landscaping or edge treatment and verandah, be retained on the site until construction of a new development commences.



On sites located within the less pedestrian orientated area a suitable edge treatment shall be provided along the boundary of the site until construction of a new development commences.

**c) Site amenity**

Sites must be provided with a suitable edge treatment, or alternatively if located in a pedestrian orientated area, be landscaped within six months of the commencement of demolition of buildings.

**d) Effects on partially scheduled buildings**

Demolition should be managed in such a way that the structural and physical integrity and the heritage values of the scheduled part of the building are maintained.

**5.6.1.2 Conditions**

In granting consent to an application for a controlled activity the Council may impose conditions relating to the following.

- a) The nature of the edge treatment of any vacant site.
- b) The length of time a site may be used for a temporary purpose.
- c) The standard of amenity required on the site including the provision of a landscape plan.
- d) The lodging of a bond with the Council to ensure that landscaping or other work is carried out and maintained.
- e) The conservation of original building fabric of the scheduled part of a building. To achieve this, limitations and/or restrictions may be placed on some or all of the following:
  - i) The demolition methods and techniques
  - ii) The protection of specific items during the work.

**Explanation**

*The demolition of buildings which results in a vacant site can have a significant adverse effect on the pedestrian amenity in the Central Area. Where such demolition occurs the Council may impose conditions that limit the adverse effects of the vacant site on public amenities.*

**5.6.2 DISCRETIONARY ACTIVITIES**

**5.6.2.1 General Assessment Criteria**

An application for a restricted discretionary and discretionary activity shall be accompanied by an assessment of the environmental effects of the proposed activity in terms of the relevant criteria contained in Part 15 and the following matters.

Without restricting the exercise of its discretion to grant or refuse consent, or impose conditions, the Council will have regard to the assessment criteria set out below when considering an application under Sections 104 and 104B of the Act.

**a) Traffic generation**

Any adverse effect on the capacity of the adjacent roading network which is more than minor, caused by expected traffic generation of a proposal, may require an upgrade of the road or intersection design.

**b) Parking**

In general, a proposal should comply with the parking and access controls for the site. However, the Council may impose particular conditions or standards in respect of applications for resource consent, including requirements for a specific number of parking spaces to be provided in the Central Parking District.

With activities that generate a significant parking demand the Council wishes to encourage the provision of off-street bus parking spaces. This is particularly the case with large-scale entertainment, recreation and visitor facilities. Where such activities require a resource consent, consideration of parking demand and traffic generation will take into account whether or not the provision of bus parking spaces would avoid or mitigate any adverse effects. Conditions requiring bus parking spaces may be imposed. Factors such as the number of people likely to be attracted to the activity using bus transport, access and on-site manoeuvrability will be important considerations.

In addition, where it can be satisfactorily demonstrated that a substantial number of clientele use bus transport, (eg, visitor facilities catering for coach tours), the Council may consent to the provision of bus parking spaces.

**c) Access**

Sites need to be accessible from the major roading network to avoid heavy traffic on access roads. Of particular concern will be the location of entry and exit points to the site and their interrelationship with existing intersections, bus stops and major pedestrian paths. Adverse effects may be mitigated by controlling access to the road, by redesign of the roadway or by traffic signals and the like. The protection of the pedestrian environment and public space will be an important consideration.

**d) Natural environment**

Activities may be subject to conditions relating to the gaining of discharge permits for water discharges and air emissions in order to prevent or reduce to an acceptable level any adverse effect the development



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may have on the environment. Discharge permits are the responsibility of the Auckland Regional Council.

### e) Infrastructural constraints

The site must be able to sustain the infrastructural servicing needs of the development (eg drainage and roading) where the existing infrastructure cannot sustain the development, the proposal must demonstrate that it is feasible that it will meet its own servicing needs. A condition may be imposed requiring this to be achieved through the physical provision of infrastructure, or, through the payment of a financial contribution in accordance with Part 8 if physical provision of infrastructure is found not to be possible at the building consent stage.

### f) Safety

Proposals should be designed in accordance with the "Guidelines for Design Against Crime in the Central Area".

### g) Site amenity

A high standard of visual amenity is required on the site. Proposals should provide a quality frontage to the street so as maintain and improve the pedestrian environment on the footpath. Where the entire site is not covered in buildings, landscaping in addition to that required in the development controls for the site will be required particularly around open areas such as carparks and loading areas.

#### *Explanation*

*The traffic capacity of the Central Area roading system is limited. Any activity generating or attracting large numbers of cars will be assessed on the ability of the roading network to accommodate the traffic generated. In addition any activity should not adversely affect the general or pedestrian amenity or overload service infrastructure.*

## 5.6.3 Specific Activities

### 5.6.3.1 Additional Assessment Criteria

#### a) Retail

**Additional assessment criteria for retail activity that is identified in clause 5.5.1 as a restricted discretionary and discretionary activity**

- i) The applicant must demonstrate that the establishment of the activity will not have more than a minor effect on the capacity of the adjacent road and network in relation to its ability to deal with the cumulative effect of traffic generated from the concentration of like activities. The adverse effects of access to car parking on the pedestrian

environment both on site and off site should only be minor.

- ii) The applicant must demonstrate that the activity will not result in an accumulation of retail activity in the area to the extent of creating significant adverse effects including, but not limited to, amenity values, traffic and car parking. Where an adverse cumulative effect is identified the Council may decline consent to the application or impose conditions designed to control such effects.

#### **Additional assessment criteria for retail activity that is identified in clause 5.5.1 as a discretionary activity (excluding restricted discretionary activity)**

- i) Any development proposal containing retail activity will be assessed to determine the extent of its effects on the character and viability of existing concentrated retail areas within the Queen Street Valley and along the Karangahape Road ridge (and other centres such as Parnell, Newmarket and Ponsonby beyond the Central Area) having regard to the matters contained in clause 5.2.4 of the Plan.
- ii) The effects on the street life, vitality and viability of existing concentrated retail areas. Particular regard is to be given to the activity control for frontages within the Queen Street Valley and Karangahape Road Precincts and to whether the proposal would be likely to result in more than minor decline in the vitality and continuity of retail frontages at street level and, if so, whether alternative activities could realistically be expected to maintain street level vitality.
- iii) The effect on the infrastructure supporting the existing concentrated retail areas and the impact of the proposal on the efficiency, safety and operational aspects of the local and wider road network.
- iv) The effect on private and public transport patterns. In particular the extent to which the proposal will result in increased traffic flows and congestion on the street network in the Central Area and whether the proposal encourages the use of the public transportation network.
- v) How the proposal gives effect to the resource management strategy and the objectives and policies of the Strategic Management Area of the Plan.

#### *Explanation*

*Retail activities typically attract a high number of vehicles and their grouping can place significant stress on the road network. This should be avoided: any retail activity or*



*accumulation of retail activity located outside the Queen Street Valley and Karangahape Road Precincts should not dilute the concentration of retail activity within them.*

**b) Quick vehicle service and drive-through facilities.**

Any proposal for quick vehicle service and drive-through facilities must meet the following criteria where relevant:

- i) The site must be of adequate size and frontage to accommodate the use, plus off-street parking and landscaping.
- ii) The location of vehicular and pedestrian access to and from the site must ensure adequate sight distances and prevent on-street congestion caused by vehicles travelling to and from the site.
- iii) Service station developments must generally observe the underlying principles of the published recommendations of the Ministry of Transport for both typical and innovative service station layouts, with respect to sight distances, minimum depth of forecourt, width of frontage, location and width of footpath crossings and pedestrian refuges.
- iv) The site must be landscaped and adequately fenced and screened from adjacent land particularly when that land is adjacent to a Public Open Space 1 or 2 precinct, or a residential precinct.
- v) The site must have safe and appropriate areas set aside for the separation of pedestrian areas from vehicle lanes, and adequate manoeuvring space for tankers and service vehicles.
- vi) Restrictions may be imposed on the hours of operation of quick vehicle service facilities adjacent to or within residential precincts where noise is likely to be a problem.
- vii) Any compressor or machinery must have adequate sound insulation. In particular, any development must comply with the noise standards set out in Part 7.
- viii) The location of any LPG storage tank must be at an appropriate distance from site boundaries consistent with safety requirements.
- ix) The applicant must demonstrate that where the proposal is to be located in an established retail centre it will not break up or isolate parts of the retail frontage.

**Explanation**

*Quick vehicle service and drive-through facilities provide an important service to the community. However*

*depending on their location and scale they may have adverse effects on traffic, noise and visual amenity. The extent and nature of these effects is often site specific and thus it is difficult to predetermine both development controls, and the means by which any effect may be avoided or reduced. For that reason quick vehicle service and drive-through facilities are discretionary activities to enable the potential effects to be assessed taking into account the specific location of a proposal and the amenity of the surrounding area.*

**c) Non-ancillary commuter car parking areas or buildings and short-term public visitor car parking areas or buildings**

Matters to be considered by the Council in an assessment of any application will include the following:

- i) The type of parking to be provided and whether it accords with the Plan's definitions of short-term public visitor parking and non-ancillary commuter parking.
- ii) How the proposal gives effect to the resource management and transportation objectives and policies of the Plan.
- iii) The compatibility of the parking activity with surrounding activities, particularly where the parking activity is located within a pedestrian orientated area or abutting a Residential Precinct.
- iv) The accessibility of the site to the principal roading system of the Central Area and the extent to which parking spaces provided within the parking area or building results in increased traffic flows and congestion causing adverse effects on the surrounding street network. In particular, regard will be had to potential traffic congestion and vehicle conflict at the access points to the parking area or building.
- v) The impact of the proposal on peak traffic flows on the road network within the Central Area and the principal road network feeding the Central Area.
- vi) The cumulative effect of granting the proposal on the transport network feeding into the Central Area.
- vii) The existing and probable future traffic volumes on adjoining roads. In assessing probable future traffic volumes, particular regard will be had to development proposals approved by the Council in the surrounding street network and the cumulative traffic effects that may result.
- viii) The location of short-term public visitor parking spaces within a parking area or building. In particular, regard will be had to the location of



short-term public visitor parking spaces and whether they are located within close proximity to the ground floor and within easy access to pedestrian access to and from the facility or building.

- ix) The physical and visual extent to which the proposal affects the streetscape, pedestrian, retail and/or commercial nature of the road to which the site has frontage. In the pedestrian-orientated areas, car parking areas and buildings are to be located away from the main retail frontages with access from back roads.
- x) In terms of the visual treatment of the parking areas, particular attention will be paid to landscaping, fencing or screening and the form of surfacing of the parking area. In terms of the visual treatment of parking buildings, particular attention will be paid to the design of buildings. The external appearance of such buildings should be appropriate to adjacent forms of development and avoid the traditional stark forms and unsightliness of vehicles within traditional parking buildings.
- xi) Where the proposal is located within or abutting a Residential Precinct, particular consideration will be given to whether the proposal will cause undue noise disturbance to residents within the Precinct. The Council may impose conditions to avoid or mitigate the effects of noise, such as, conditions on the hours of operation and the extent of enclosure or other design features.
- xii) Where car valet services are provided within a parking area or building, particular regard will be had to the type of sediment control measures provided.
- xiii) The hours of operation of the parking area or building. In particular, regard will be had to the operating hours of short-term visitor parking to avoid peak traffic flows and the operating hours of non-ancillary commuter parking abutting residential precincts.

**Explanation**

*Parking facilities can be an asset to the city provided the level of parking provided is commensurate with the capacity of the road network to accommodate the traffic generated and provided the activities and buildings are not in conflict with other planning policies and environmental considerations of the Plan.*

*In its endeavour to create a more liveable city, the Plan provisions seek to balance two potentially opposing transport dynamics. The Council wishes to make the Central Area accessible to its users, therefore it is desirable to provide parking facilities. However the*

*congestion attributed to peak hour commuters significantly affects accessibility. To address this the Plan adopts provisions which control the availability of parking.*

*In order to encourage users to frequent the Central Area it is preferable to consider short-term public visitor car parking buildings and areas as discretionary activities on Type 2, 3 and 4 roads only.*

*As non-ancillary commuter parking areas and buildings are considered to have a significant adverse effect on certain parts of the Central Area's transportation system, these will be non-complying activities in the pedestrian-orientated areas. However they are considered as discretionary activities on Type 3 roads in the less pedestrian-orientated areas.*

**d) The erection of any new building or external alteration or addition to any existing building requiring restricted discretionary activity consent under rule 5.5.3.**

Any proposal for the erection of any new building or external alteration or addition to any existing building shall be assessed against the following criteria where relevant:

Note: For the avoidance of doubt, the following criteria are not "design guidelines" in terms of clause 27B.1.2(h)(ii) of the Auckland City Consolidated Bylaw 1998 or its successor.

**1. CBD Wide Context, Street and Public Open Space Frontages**

**General Design Principles**

- a) Building design should be of high quality, showing creativity and responsiveness to the local context in a way that contributes to the identity of the Central Area at every scale including the appearance of the CBD from outside the Central Area, the CBD skyline, streets, neighbourhoods and Quarters/Precincts.
- b) Buildings shall address and align to the street boundary to a height appropriate to define and enclose the street. However, minor modulation and variance of the frontage layout, such as recessed pedestrian entrances and windows, is acceptable to avoid architectural monotony provided that the overall continuity of the frontage is not compromised.
- c) The rhythm and scale of architectural features, fenestration, finishes and colour should harmonise with and complement the streetscape, particularly where this would assist or strengthen the overall effect of the street frontage.
- d) Sound building design precedents should be introduced to provide visual clues to the building's overall scale and size and to avoid flat planes or blank facades devoid of modulation, relief or



surface detail where visible from streets and public open space.

- e) Where site amalgamation occurs, or large sites enable the development of an extensive street building frontage, that frontage should be visually broken up through building separation and/or variation in building height, form and/or design to avoid monotonous building façades as viewed from streets and public open space.

#### Street Level

- f) Building frontages at street level must contribute to pedestrian vitality, interest and public safety. This includes a variety of architectural detail and maximising doors, window openings and balconies fronting streets and other public open spaces.
- g) Building entrances should be visible and easily identifiable from the street and directly accessible from street level.

#### Middle Levels

- h) Building facades at middle levels should provide richness, interest and depth. This includes architectural detail and balconies fronting streets and other public open spaces. Blank walls are strongly discouraged on street and public open space frontages.

#### Upper Levels

- i) Large expanses of blank walls must be avoided at upper levels on street and public open space frontages. Servicing elements should not be placed on these facades unless integrated into the façade design.
- j) Architectural design is encouraged which differentiates upper building levels from lower and ground levels is encouraged.

### 2. Rooftops

- a) Roof profiles should be designed as part of the overall building form and contribute to the architectural quality of the skyline as viewed from both ground level and higher surrounding buildings. This includes the integration of plant, exhaust and intake units and other mechanical and electrical equipment into the overall rooftop design so that they are not visible from outside the site.

### 3. Corner Sites

- a) Where streets of a similar scale intersect or terminate a vista, or are visually prominent, the design of buildings on corner sites should emphasise the corner and ensure a vertical transition between the two adjoining street frontages. In particular, designs should recognise

the importance of corner sites in linking the narrow street spaces to the wider, more expansive intersections and public open spaces.

- b) The top of the building at the street corner should be designed to distinguish it from the remainder of the building and be an integral part of the corner element.
- c) Generally, the main building entrance should be located on the corner at street level and designed as an integral part of the corner element.

### 4. Materials

- a) The use of durable, high quality and easily maintained materials on the exterior of buildings is encouraged, particularly at ground and first floor levels.
- b) Side or rear walls should be used as an opportunity to introduce creative architectural solutions that provide interest in the façade including modulation, relief or surface detailing.

### 5. Activity Relationship to Public Open Space

- a) Internal space at all levels within the building should be designed to maximise outlook for occupants onto streets and public open spaces.
- b) Activities which engage and activate streets, through site links and public open space at ground level are encouraged.
- c) Parking areas that are located within buildings and are visible from streets or public open spaces are strongly discouraged. It is expected that building space with active uses will be provided between car parking areas within buildings and street and public open space frontages.
- d) Ventilation and fumes from parking structures or other uses should not be exhausted into the adjacent pedestrian environment.
- e) Particular attention should be paid to residential building design at or near ground level to avoid 'privatising' adjacent streets or public open space.

### 6. Adaptable Buildings

- a) Buildings should be designed to be highly adaptable to a variety of uses. For example, open structural frames and more than minimum floor-to-floor heights should be considered.
- b) Re-use and renovation/restoration of buildings that contribute positively to the character of an area is encouraged.

### 7. Accessways, Links and Vehicle Access

- a) Buildings should be designed to provide strong architectural cues to accessways and through-site



links, with portal or clearly indicative entrance imagery, to enhance the visible sense of pedestrian access to the area. The criteria under Clause 6.7.6.6, 6.7.6.7 and 6.7.6.8 should be referred to for the incorporation of appropriate design features, which contribute to a safe and comfortable pedestrian environment, including for the mobility impaired.

- b) The design of vehicle ingress and egress to sites should be primarily considered from the perspective of pedestrians and cyclists, particularly in terms of visibility and the use of paving materials.
- c) Frontages should be designed as far as possible to avoid multiple service and access interruptions to frontage continuity.
- d) Separate pedestrian entrances should be provided for mixed use developments which incorporate residential activity.
- e) Where alternative vehicle access is available, the creation of new vehicle crossings across frontages within the Pedestrian Orientated Areas is discouraged.
- f) Through-site links should be provided where these provide a shorter more convenient pedestrian route. Clauses 6.7.2.3, 6.7.6.6, 6.7.6.7 and 6.7.6.8 should be referred to before determining the design and location of the through-site link.

**8. Development abutting or in close proximity to Scheduled Heritage Items**

- a) The scale, form and design of new development should have regard to the significant heritage elements and built form of any scheduled heritage items abutting or in close proximity to the site. This does not mean a rigid adherence to the height of the scheduled heritage item, nor does it reduce the development potential of the site, but it does require careful consideration to minimise the effects of dominance on the scheduled heritage item.
- b) A new building abutting or in close proximity to a scheduled heritage building that is set back from the street boundary may not be required to be constructed predominantly to the street boundary, where a better urban design outcome could be achieved by respecting the spatial location of the heritage building.
- c) Building elevation design and materials should respect (rather than replicate) any patterns of elements existing in scheduled heritage items, but new and contemporary interpretations in form and detail may be used.

**9. Crime Prevention**

- a) New development should be designed in accordance with the Crime Prevention Through Environmental Design guidelines in Annexure 6 of the Plan.

**10. Accommodation**

- a) The extent to which the design of every accommodation unit complies with Appendix 12, Minimum Residential Apartment Guidelines. In particular, accommodation should be designed to provide a good standard of amenity with regard to the size, purpose and design of residential units and accommodation.
- b) Accommodation should have natural through ventilation by window openings facing different directions. Notwithstanding any requirements to achieve internal acoustic amenity, ventilation provided solely by mechanical means is discouraged.
- c) Internal design of every accommodation unit within a development should maximise outlook, as distinct from views.
- d) Where practical, rooftop areas should be accessible, landscaped and designed for use as residential amenity or recreation areas.
- e) Plans submitted for consideration by Council either as part of a resource consent application or before, must include a scaled floor plan showing the living arrangement and configuration within each residential or accommodation unit, including scaled furniture.

**11. Outlook Space**

- a) In addition to the minimum requirements in rule 6.16, all required outlook space shall be designed to achieve a high level of amenity through design and landscaping.
- b) Outlook space provided for in the form of Typologies 1, 2 and 3 in Annexure 12 Section A is strongly discouraged.

**12. Site Amenity**

- a) Screening and/or landscaping will be required of all parking, loading and servicing areas visible from streets or public open spaces.
- b) Site Services such as mechanical, electrical and communications equipment shall generally be concealed from streets or public open spaces.

**13. Sustainability**

- a) Buildings should be designed to be sustainable through the use of durable low maintenance



materials, inert exterior cladding (avoiding the use of materials containing copper or zinc), maximising solar access and natural ventilation and the incorporation of mechanical and electrical systems that optimise energy efficiency.

- b) Where appropriate, on-site landscaping should consist of indigenous vegetation.
- c) On-site stormwater conservation measures should be incorporated where appropriate including rainwater harvesting devices, green roofs, site landscaping, rain gardens and wetland treatment systems and stormwater planter boxes (subject to soil contamination considerations).
- d) Separate infrastructure reports should be submitted with resource consent applications assessing infrastructure effects from proposed developments.
- e) Adequate storage space and containers must be provided for rubbish and recyclable material, in a location which is clearly visible within the site and easily accessible to occupants and collection vehicles.
- f) Building and demolition should be undertaken in such a way that maximises the use of waste materials for reuse and recycling.

#### **Explanation**

*Resource consent is required for a range of development and activities in the central area including new buildings and external alterations and additions to existing buildings and creating accommodation in existing buildings. The assessment criteria for buildings are intended to provide a framework that contributes to the identity of Auckland at every scale including the appearance of the CBD from outside the Central Area, the CBD skyline including the Sky Tower, streets, neighbourhoods and Quarters/Precincts. The criteria encourage excellent urban design such as sensitivity to scheduled heritage items, treatment of corners, well-defined edges to streets and other public spaces and a sense of enclosure at the built edges of public space. Buildings should also be developed in a sustainable and adaptable way to ensure natural and physical resources are appropriately managed.*

*Development of accommodation requires careful attention to a range of matters to provide amenity for occupants including those in future generations.*

#### **e) The Conversion of existing buildings to accommodation (excluding non permanent accommodation).**

Any proposal for the conversion of floor space within existing buildings to accommodation (excluding non permanent accommodation), shall be assessed against the criteria listed in clause 5.6.3.1(d).5 Activities, 5.6.3.1(d).10 Accommodation and 5.6.3.1(d).13(a) Sustainability.

#### **Explanation**

*The purpose of this control is to achieve a good standard of amenity to reflect the size, purpose and design of residential units for occupants of accommodation buildings. A variety of apartment sizes within buildings is also encouraged to provide a range of living opportunities while natural ventilation, acoustic amenity and outlook is also encouraged.*

#### **f) Non Permanent Accommodation including the conversion of existing buildings to Non Permanent Accommodation.**

Any proposal for new buildings or the conversion of existing buildings for non permanent accommodation shall be assessed against the criteria listed in clause 5.6.3.1(d).5 Activities, 5.6.3.1(d).13(a)-(f) Sustainability and the following criteria:

- i) The extent to which the design of self contained\* non permanent accommodation units comply with the Minimum Residential Apartment Guidelines set out in parts A, B, C, D, and E of Appendix 12. In situations where self-contained units do not comply with the relevant guidelines set out in Appendix 12, the extent to which any reduction in internal amenity will be mitigated by the layout and design of the units. In particular, consideration shall be given to any specific internal design elements which facilitate more efficient use of internal space, the relationship of windows or balconies to principle living areas and the provision of larger living spaces (indoor or outdoor) whether communal or exclusive to the unit.
- ii) Where non permanent accommodation is not self-contained\*, the extent to which it complies with the Minimum Residential Apartment Guidelines set out in parts A (where relevant), B, C, D (where relevant) and E of Appendix 12. In situations where it does not comply with the relevant guidelines set out in Appendix 12 the extent to which any reduction in internal amenity will be mitigated by the layout and design of the non permanent accommodation. In particular, consideration shall be given to any specific internal design elements which facilitate more efficient use of internal space, the relationship of windows or balconies to living areas and bedrooms and the provision of larger indoor or outdoor communal living spaces.

\* For the purpose of this criterion self-contained means any non permanent accommodation unit that contains an exclusive kitchen and bathroom.

#### **Explanation**

*The provision of non permanent accommodation supports the core function of the Central Area as the principal business, commercial, entertainment and events centre of the Auckland region. The short stay nature of occupation*



**PART 5 - ACTIVITIES**

*permits a lesser standard of amenity in terms of unit size and mix than that required by the Central Area's permanent residents.*

**g) Demolition, removal or partial demolition of buildings identified on the Character Overlay in Appendix 13**

**Criteria for demolition, removal or partial demolition**

Any proposal for the demolition, removal or partial demolition of buildings identified on the Character Overlay in Appendix 13 shall be assessed against the following criteria:

- 1) The extent to which demolition or removal of the building, or a part of the building, will adversely affect the built character of the area. This includes regard to the following as appropriate:
  - i) Whether the existing building forms part of a cohesive group of buildings in terms of similarity of age, scale, proportion or design and the extent to which the building's demolition would detract from the shared contribution that group makes to streetscape.
  - ii) The contribution the individual building makes to the cohesiveness of the streetscape through its landmark qualities (particularly on prominent or gateway sites).
  - iii) The contribution the building makes to adjoining or nearby scheduled buildings, either through the context and the relationship of the building to the scheduled building or through the building's mass, height or rhythm of facades, and whether its demolition would adversely impact on the heritage values of the scheduled building.
- 2) The extent to which the applicant has considered development options incorporating the adaptive re-use of the character building and in particular, whether reasonable use of the site can be achieved through adaptive re-use of the building rather than through its demolition and replacement.
- 3) The extent to which the building is beyond restoration in terms of demonstrated poor structural or physical condition and whether retention of the building would, in these circumstances, put an unreasonable financial burden on it's owner.
- 4) The extent to which any replacement building, maintains or enhances the contribution to character or streetscape made by the existing building (either as an individual or as part of a cohesive group) and the extent to which that contribution is recognised and provided for in the design of the new building. This may include, but is not limited to, reference to or

inclusion of elements of the existing building in the new building. For consideration under this criterion, an application for the building's replacement shall be lodged concurrently with the application for the removal or demolition.

5) The matters set out in 5.6.1.1.

**Explanation**

*Resource consent is required for the demolition, removal or partial demolition of buildings identified on the Character Overlay and applications will be assessed against criteria which consider the effects of demolition or removal on character values and streetscape. This includes where appropriate, the impact on streetscape, group cohesiveness of buildings and whether character buildings are beyond restoration. Opportunities for appropriate adaptive re-use of the character building are also considered. Well-designed replacement buildings may be appropriate on sites identified on the Character Overlay. Such replacement buildings are assessed in terms of their ability to maintain or enhance the contribution to the built and streetscape character made by the existing building.*

**5.7 REFERENCES**

Reference should also be made to the following parts of the Plan:

- Part 4 ..... Strategic Management Areas
- Part 6 ..... Development Controls
- Part 7 ..... Noise, Signs and Lighting
- Part 8 ..... Financial Contributions
- Part 9 ..... Transportation
- Part 10 ..... Heritage
- Part 11 ..... Hazardous Facilities and Contaminated sites
- Part 12 ..... Network Utility Services
- Part 13 ..... Subdivision
- Part 14 ..... Precincts and Quarters
- Part 15 ..... General Rules/Designations
- Part 16 ..... Definitions and Interpretations

