

**Proposed Plan Change 2  
to the Operative District  
Plan 2004**

## AUCKLAND CITY OPERATIVE DISTRICT PLAN (CENTRAL AREA SECTION 2004)

Proposed Plan Change under Section 73 of the  
Resource Management Act 1991

### PROPOSED PLAN CHANGE: PLAN MODIFICATION No.2

#### PART 5 Activities: Urban Design Control and Residential Amenity Control

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|------------------------------|---------|---------------------|
| Date of council resolution:  | 26/5/05 |                     |
| Date of public notification: | 3/6/05  |                     |
| Closing date for submission: | 29/7/05 | File No. 311/211000 |

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#### Part A:

Amend the Auckland City Operative District Plan (Central Area Section 2004) and insert the following:

**1. Insert Issues (l) and (m) to clause “3.4.2 A Quality Environment as follows”:**

“(l) Opportunity to encourage high quality urban design which reflects the specific topographical, heritage, open space and streetscape characteristics of the central area and which appropriately enhances the relationship between buildings, streets and other public open spaces.

“(m) Risk of the proliferation of low quality design, including apartment development with inappropriately sized and located internal living space with limited sunlight access and low amenity outlook.”

**2. Insert the words “ an attractive,” prior to the word “healthy” in objective “3.5.1 A Quality Environment.”**

**3. Insert new policies 3.5.1 (i) and (j) as follows:**

“(i) By encouraging a high quality residential environment by requiring development to provide appropriately sized and located internal living spaces and external outlook space.

“(j) By promoting and encouraging high quality urban design which respects the form, scale and architecture of existing buildings where appropriate.”

**4. Insert new clauses 3.8.1(j) and (k) as follows:**

“(j) A high quality environment exhibiting good urban design, residential amenity and quality open spaces.

“(k) A diverse and vibrant environment which provides a good standard of amenity for building occupants.”

**5. Insert clause “5.2.6 Urban Design and Residential Amenity” as follows:**

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 the highest quality, showing creativity, innovation 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, sunlight access and sufficient internal living space for future residents.

**6. Insert the following text after the words “over time” in the second line of clause 5.3 Anticipated Environmental Results”**

“to a high level of urban design, quality residential development and”

**7. Insert rule 5.5.3 as follows:**

**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), Western Reclamation Precinct (Part 14.9), Victoria Quarter (Part 14.10), Tertiary Education Precinct (Part 14.12) and Quay Park Precinct (Part 14.13):

| Activity  | Consent Required         |
|---|--------------------------|
| i) The erection of any new building; and<br>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 | 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.

**8. Insert Specific Activities: Additional Assessment Criteria 5.6.3.1(d) as follows:**

- 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:

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

**General Design Principles**

- a) Building design should be of the highest quality, showing creativity, innovation 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.
- b) Buildings should 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) Where there is little or no established street pattern, sound building design precedents should be introduced to provide visual clues to the buildings' overall scale and size and to avoid flat planes or blank facades devoid of modulation, relief or surface detail.
- e) Where site amalgamation occurs or large sites enable the development of an extensive street building frontage, that frontage should be visually broken up to reflect the typical prevailing subdivision pattern and widths of neighbouring buildings.

#### **Ground Level**

- f) Design at ground level must contribute to pedestrian vitality, interest and public safety. This includes architectural detail and maximising doors, window openings and balconies fronting streets and other public open spaces. However, frontages entirely of glass (curtain walling or continuous shopfront glazing) must not be used at street level as they detract from the streetscape.
- g) Building entrances should be identifiable from the street and directly accessible from street level.

#### **Lower Levels**

- h) Building facades at lower 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.
- j) Architectural design is encouraged which differentiates upper building levels from lower and ground levels.
- k) 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.

## **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 and Gateway Sites**

- a) Design of buildings on corner sites should express the corner element as 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 design of the top of the building corner shall be distinguished from the remainder of the building and be an integral part of the corner element.

- c) 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.
- b) Contemporary and innovative techniques should be used on blank walls abutting side and rear boundaries to provide unique architectural expressions and visual interest.

#### **5. Activities**

- a) Activities at all levels within the building should be designed to maximise outlook onto streets and open spaces.
- b) Activities which engage and activate the street at ground level are encouraged.
- c) Parking within buildings visible from streets or public open spaces is strongly discouraged. It is expected that activated building space will be provided between car parking areas within buildings and street and public open space frontages.

#### **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 must 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 6.7.5.3 should be referred to for the incorporation of appropriate design features, which contribute to a safe and comfortable pedestrian environment.
- b) The design of vehicle ingress and egress to sites should be primarily considered from the perspective of the pedestrian, 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 and vehicle/servicing access should be provided for mixed-use developments.
- 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 result in benefit to pedestrians by avoiding the need to travel long distances around city blocks and provide a shorter more convenient pedestrian route.

## **8. Development Abutting or In Close Proximity to Scheduled Heritage Items**

- a) Frontage height and design of new development should have regard to scheduled heritage buildings in the vicinity and maintain a consistent scale. This does not mean a rigid adherence to the height of adjoining and nearby heritage buildings but rather respect for their scale, setback, form and character.
- b) A new building abutting, or in close proximity to a set back heritage building 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 retained heritage buildings, 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 Design Against Crime guidelines in Annexure 6 of the Plan.

## **10. Residential/Accommodation**

- a) In addition to the minimum requirements in rule 6.15 the following should be provided:
  - i) A good standard of internal amenity with regard to the size, purpose and design of residential units and serviced accommodation.
  - ii) A variety of apartment sizes within buildings.
  - iii) Where possible, principal living areas, ground floor private open space and balconies, with direct sun access for a minimum of two hours per day at equinox, measured at the main window of the principal living area or at any point within the private open space or balcony, taking into account the height and location of future buildings complying with the development controls specified in Clause 14.10.8 and existing buildings on adjoining sites.
  - iv) Internal acoustic amenity and privacy through the use of design and materials.
- 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 designed for use as recreation areas.

**11. Outlook Space**

- a) All required outlook space provided on site or on privately owned adjacent sites shall be designed to achieve a high level of amenity through design and landscaping.

**12. Sustainability**

- a) Buildings should be designed to be sustainable through the use of durable low maintenance materials, 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 considered.
- d) Separate infrastructure reports should be submitted with resource consent applications assessing infrastructure effects from proposed developments. Any upgrades required as a result of new development should be met by the applicant
- e) Adequate storage space and containers must be provided for rubbish and recyclable material, in a location which is clearly visible 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.*

**9. Insert rule 5.5.4 as follows:**

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), Port Precinct (Part 14.8), Western Reclamation Precinct (Part 14.9), Victoria Quarter (Part 14.10):

| Activity   | Consent Required      |
|--|-----------------------|
| Conversion of floor space within existing buildings to accommodation | Restricted Controlled |

**10. Insert Specific Activities Additional Assessment Criteria 5.6.3.1(e) as follows:**

**e) The Conversion of floor space within existing buildings to accommodation.**

Any proposal for the conversion of floor space within existing buildings to 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).12(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.*

**11. Insert Development Control “6.15 Accommodation” as follows:**

a) Accommodation shall be designed to meet the minimum standards as set out in Appendix 12:

***Explanation***

*The purpose of this control is to achieve minimum standards of amenity for occupants of accommodation. These development controls apply further to the criteria for accommodation in 5.6.3.1(d).10.*

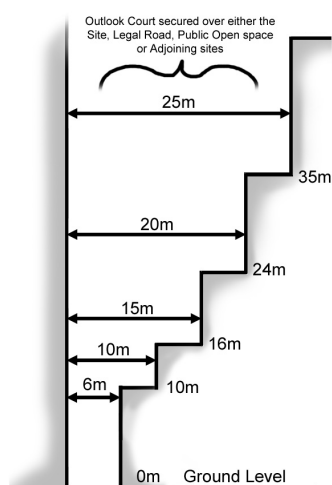
**12. Insert Development Control “6.16 Outlook Space” as follows:**

The following building development control shall apply to accommodation buildings in all parts of 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), Port Precinct (Part 14.8), Western Reclamation Precinct (Part 14.9), Victoria Quarter (Part 14.10) and sites subject to the Building in Relation to Boundary Control as identified on Planning Overlay Map 5:

a) An outlook space shall be provided from each face of the building containing windows or balconies to habitable rooms .

- b) The dimensions of the outlook space, measured perpendicular to the exterior face of the building, shall be in accordance with Figure 6.17 for the relative height of the floor above ground level.
- c) The outlook space may be over:
- i) the site on which the building is located
  - ii) legal road;
  - iii) public open space; or
  - iv) another site,
- provided that in the event of iv):
- the outlook space shall be secured in perpetuity for the benefit of the building by a legal instrument to be put in place prior to the commencement of construction
  - written approval of the owner of the adjoining site for the outlook space shall be provided when the application for resource consent is lodged
  - more than one building may share an outlook space.
- d) The outlook space may not be any part of an adjoining site across a side or rear boundary within 10m of a road boundary.
- e) In the situation where an outlook space is provided over a legal road narrower than the width specified in Figure 6.17, the street width shall be deemed to satisfy the minimum outlook space requirement.

**Figure 6.17 –Outlook Space**



**Explanation**

*The purpose of this control is to safeguard outlook, daylight, sunlight and privacy for occupants of accommodation buildings. It is noted this is not a view protection control.*

**13. Amend “6.15 References” to “6.17 References”**

**14. Amend “7.6.3 General Rules” to include the following clause (c) prior to the “Explanation”:**

(c)

“All accommodation units shall be designed and constructed to provide an indoor noise level of 35dBA L<sub>10</sub> in every bedroom and 45dBA L<sub>10</sub> in any other habitable spaces (as defined in the NZ Building Code), based on both:

- the existing traffic noise levels between 10pm and 7am at all facades of the building;
- the noise levels standards in rule 7.6.3(a).

At the same time and under the same physical conditions as the above internal noise levels will be achieved, all bedrooms and other habitable spaces will be adequately ventilated in accordance with clause G4 of the NZ Building Code and the assessment criteria in clause 5.6.3.1(d).10 of the district plan.

Rule 7.6.3(c) applies to all parts of 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), those sites in the Viaduct Harbour Precinct which are subject to clause 14.7.6.2.1(c) (Part 14.7) Port Precinct (Part 14.8), Western Reclamation Precinct (Part 14.9), Victoria Quarter (Part 14.10) and Quay Park Precinct (Part 14.13).”

**15. Amend Clause 15.3.1.2(c)(ii) by adding the word “conversion” after the word “restoration”**