

Section 32 Report

Proposed Plan Change: Plan Modification No. 2

Central Area District Plan

Urban Design and Residential Amenity

1.0 Purpose and Scope

The purpose of this report is to fulfil Council's statutory obligations under s32 of the Resource Management Act 1991 which requires a consideration of alternatives, benefits and costs. Reflecting the underlying purpose of Proposed Plan Change 2 to implement a design based approach to built form within throughout the Central Area, the objectives and the policies, rules and other methods to achieve those objectives flow from detailed research and specialist reporting undertaken as contained in Appendices Folder 2.

Consequently, and in order to avoid the unnecessary repetition of technical documents, the following analysis provides a summary of those documents within the parameters of section 32. If a more detailed description is required of the analysis undertaken, it is recommended that the reader refers to each relevant specialist report.

2.0 Background

2.1 Context

With the rapid growth in CBD residential development there have been significant community concerns with the size of individual units and the lack of internal and external amenity including matters such as natural lighting, ventilation, noise attenuation, and separation distances between high rise blocks, their respective outlooks and outdoor amenity areas. Furthermore there has been on-going feed back from the Urban Design Panel regarding the lack of control to require quality built form design.

Significant work has been undertaken to formulate controls that will provide suitable amenity standards and quality urban design to address these concerns.

2.2 Auckland CBD Into The Future Strategy

A 'design based approach' to managing the City's physical resources, embodied in proposed Plan Change 2, has been prepared as an important step towards implementing Auckland's CBD Into the Future Strategy. Following substantial research and consultation, the Central Area project team released the strategy and associated action plan detailing a vision for the Central Area, along with five desired outcomes and the strategies by which Auckland City plans to achieve the outcomes. One of the key outcomes proposed to deliver the CBD Strategy is the creation of a high quality urban environment. This is proposed to be achieved by implementing the following sub-strategies:

- the development of high-quality international standard open spaces and streetscapes that meets the needs of users.

- ensuring public access to and public enjoyment of the waterfront.
- improving the ease of moving in and around the Central Area.
- ensuring good urban design throughout the Central Area.
- ensuring the Central Area is a safe place for people to work, live and visit.
- plan for and encourage new quality residential developments whilst balancing the need for commercial and business growth.
- plan for and facilitate more mixed-use development.
- encourage environmentally responsible and flexible design for developments.
- promote the distinctive character of the quarters of the Central Area.
- encourage greater environmental sustainability in the Central Area.

2.3 Central Area Urban Design Strategy

Officers are close to finalising an urban design strategy for the Central Area. A draft version of that strategy has been used to inform the proposed urban design control and associated assessment criteria. In addition, an assessment of the Central Area controls for Melbourne and Sydney had been undertaken to determine how such controls have succeeded “on the ground” or otherwise. Urban Design Panel recommendations have also been utilised in forming appropriate criteria, in addition to feedback received from the Mayoral Task Force on Urban Design. Reference has also been made to the 1995 Central Area Urban Design Assessment. There are a number of short term and longer term initiatives that are proposed for the District Plan now that it is largely operative in order to achieve a more urban design based plan based on this strategy.

3.0 Urban Design and Residential Amenity Plan Change Overview

3.1 Current Central Area Plan Provisions

At the time the Proposed Central Area Plan was notified in 1997, it represented the Council's aim for a Plan that delivered certainty and continuity to the development community. Regulation was reduced from the previous 1991 Plan throughout the Central Area except within new Precincts where function and/or character required more prescriptive management. In terms of urban design the Queen Street Valley, Viaduct Harbour, Britomart, Aotea and Quay Park Precincts represented a significant step forward from the 1991 Plan.

Significantly, built development outside of Precincts including Queen Street Valley Precinct (Part 14.4), Aotea Precinct (Part 14.5), Britomart Precinct (Part 14.6), Viaduct Harbour Precinct (Part 14.7), Victoria Quarter (Part 14.10) and Quay Park Precinct (Part 14.13) is permitted subject only to compliance with general development controls. Currently there are no controls or assessment criteria requiring good quality urban design outcomes. There is a risk therefore that on-going development will occur within these areas resulting in poor urban design outcomes with little cognisance to the quality features of the Central Area quarter resulting in an undesirable environment for future generations.

With regard to residential amenity, the plan currently identifies six areas with an established residential character as Residential Precincts. In comparison to the general areas of the Central Area, these enjoy a higher level of amenity through controls on noisy activities (i.e. entertainment and gathering) or potentially incompatible activities (i.e. food and beverage). Outside of these precincts there is no specific recognition accorded to residential activity. Additionally, the plan does not require minimum apartment sizes, acoustic attenuation within residential buildings, or setbacks or separation between buildings.

To address these issues, it is considered that a different approach to the current “development standards” Central Area Plan methodology is required to ensure that the current and future risks and opportunities facing the built form and residential living within the Central Area are appropriately managed.

3.2 Plan Modifications

Design Based Approach

In recognition of the New Zealand Urban Design Protocol, the draft CBD Urban Design Framework and the recently notified changes to the Auckland Regional Policy Statement stressing the importance of the a high quality urban environment (refer section 4.5 below), it is proposed to introduce district plan controls which require a ‘design based approach’ to future development as opposed to the traditional ‘development standards approach’. It is considered that this new approach to assessing development within the Central Area will enable and ensure that high quality urban design are achieved.

Along with the specialist urban design report contained with Appendices Folder 2 and the related the urban design reporting undertaken in relation to Victoria Quarter (Appendices Folder 1), the urban design strategy for the Central Area informs the proposed assessment criteria and supporting urban design development controls. In addition, an assessment of the CBD controls for Melbourne and Sydney had been undertaken to determine how such controls have succeeded “on the ground” or otherwise. Feedback received from the Mayoral Task Force on Urban Design has also been utilised in forming appropriate criteria. Reference has also been made to the 1995 Central Area Urban Design Assessment.

Assessment Criteria

Proposed Plan Change 2 requires restricted discretionary activity consent for all building development and redevelopment. Subject to compliance with the supporting development controls, such applications will be considered on a non-notified basis and assessed against specific design assessment criteria (clause 5.6.3.1(d). There are five key components of these criteria being:

- i) High quality and durable building design, particularly where viewed from streets and public open spaces;
- ii) Attractive, active and safe streets and public open spaces with a sense of enclosure;
- iii) Adaptable building form, encouraging the reuse and conversion of building spaces over time;
- 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.

The building design assessment criteria are supported by the Accommodation and Outlook Space development controls which set the basis for internal and external building form.

Residential Amenity Development Standard

With the rapid growth in CBD residential development there have been significant community and professional concerns in relation to the size of individual units and the lack of internal and external amenity. This includes matters such as natural lighting, ventilation, noise attenuation, and separation distances between high rise blocks, their respective outlooks and outdoor amenity areas.

As set out in the reports contained in Appendices Folder 2 significant background research has been undertaken into this issue in order to develop a control that will provide suitable amenity standards within inner city residential developments. Following three workshops held over the past 12 months, the City, in consultation with relevant experts in the Property Council, local developers, the Real Estate Institute, Wellington City Council officers and the New Zealand Institute of Architects, commissioned the Minimum Residential Apartment Standards for Permanent Accommodation (refer Appendices Folder 2). This sets out a detailed analysis of apartment size controls internationally and analyses in detail each apartment component to determine minimum size requirements.

The resultant minimum apartment standard control (Proposed Plan Change 2 – Appendix 12) sets out minimum dimensions for key components of residential apartments. The purpose of this control is to achieve minimum standards of amenity for occupants of accommodation in tandem with the residential/accommodation criterion notated above. This includes the following minimum apartment sizes:

Studio	35 sq.m,
1 bed	45 sq.m,
2 bed	70 sq.m,
3+ bed	90 sq.m.

It is considered that the proposed minimum apartment sizes provide an appropriate balance between amenity and affordability. International experience has shown that if minimum apartment size standards are too stringent it can negatively impact on the overall affordability of inner city living.

An important aspect of these minimum apartment standards is the ability to modulate apartments with the minimum studio size being 50% of the minimum 2 bedroom apartment size and the minimum 1 bedroom apartment size being 50% of the minimum 3 bedroom apartment size. This provides benefits in terms of design and reduces associated construction costs.

The requirements also include minimum floor to ceiling heights (2.4m for habitable rooms) and minimum daylight standards (i.e. living rooms to have no a total clear glazed area of exterior wall no less than 20% of the floor area of that space).

Outlook Space Development Standard

One of the main aspects of both the Victoria Quarter plan change (Plan Change 1) and the Urban Design Control and Residential Amenity Control plan change (Plan Change 2) is the introduction of an outlook space control. The benefit of such a control is that it will ensure that developers provide an appropriate outlook space for future occupants of buildings. The outlook space will be required within a site, over a road or public open space or by legal agreement over an adjoining property. This will ensure that the City does not continue to have buildings with windows/balconies in close proximity to each other and will contribute to achieving higher amenity standards for residents.

The outlook space control has been designed to reflect the detailed analysis undertaken as part of the urban design reports prepared as part of Proposed Plan Change 1 and the Proposed Outlook Control Review contained in Appendices Folder 2.

Acoustic Development Standard

To further support these amenity standards specific noise attenuation and noise source requirements have been introduced as detailed in the acoustic assessment report contained within Appendices Folder 2.

This requires acoustic attenuation (35 dBA L10 in bedrooms and 45dBA L10 in any other habitable rooms, based on both:

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

This will provide the benefit of ensuring that acoustic attenuation is designed to reflect the actual external noise environment which varies throughout the Central Area.

4.0 Part II, sections 31, 32, 72 and 76 of the Resource Management Act

4.1 Statutory requirements

Part II of the Act underpins the exercise of functions, duties and powers. Section 5 states that the purpose of the Act is to promote the sustainable management of natural and physical resources. “Sustainable management” means:

“...managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well being and for their health and safety while-

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

Section 6 sets out matters of national importance, while Section 7 sets out certain other matters to which persons exercising functions and powers under the Act are required to have particular regard.

Section 8 requires taking into account the principles of the Treaty of Waitangi in relation to managing the use, development and protection of natural and physical resources.

Section 74(1) of the RMA states as follows:

A territorial authority shall prepare and change its district plan in accordance with its functions under section 31, the provisions of Part II, its duty under section 32, and any regulations.

Section 31 sets out the council's functions for the purpose of giving effect to the Act. The council's functions include:

"The establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources of the district" and

"the control of any actual or potential effects of the use, development or protection of land".

Section 72 states as follows:

The purpose of the preparation, implementation, and administration of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of this Act.

The following provisions of section 76 are also relevant:

- (1) *A territorial authority may, for the purpose of –*
 - (a) *Carrying out its functions under this Act; and*
 - (b) *Achieving the objectives and policies of the plan, - include rules in a district plan.*
- ...
- (3) *In making a rule, the territorial authority shall have regard to the actual or potential effect on the environment of activities, including, in particular, any adverse effect.*

In achieving the purpose of the Act, the council must carry out an evaluation under section 32 of the RMA before publicly notifying a plan change. Section 32(3) and (4) state as follows:

- (3) *An evaluation must examine –*
 - (a) *the extent to which each objective is the most appropriate way to achieve the purpose of the Act; and*
 - (b) *whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives*
- (4) *For the purposes of this examination, an evaluation must take into account –*
 - (a) *the benefits and costs of policies, rules, or other methods; and*
 - (b) *the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*

In addition, section 76 of the Local Government Act 2002 states that every decision of a council must be made in accordance with decision making tests and processes specified.

Council's obligations in terms of Sections 76 and 32 of the RMA are assessed as follows:

4.2 The extent to which each objective is the most appropriate way to achieve the purpose of the Act.

The purpose of the Act, as outlined in section 5, is ‘*to promote the sustainable management of natural and physical resources*’, with ‘*sustainable management*’ meaning managing the use, development, and protection of natural resources in a way, or at a rate which enables people and communities to provide for their social, economic, and cultural wellbeing and for their safety while sustaining the potential of natural and physical resources; safeguarding ecosystems; and avoiding, remedying, or mitigating any adverse effects of activities on the environment.

The analysis to determine the most appropriate objectives to achieve the purpose of the Act involved the identification of the current and future issues design issues facing the Central Area which were broadly categorised into ‘risks’ and ‘opportunities’. These were identified through the observation of current built form and through the specialist reporting undertaken as contained in Appendices Folder 2. The identified resource management issues build on the existing issues listed in clause 3.4.2A Quality Environment, with two new identified Issues (l) and (m) to be inserted 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.*

- (a) *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.”*

Given the current wording of Objective 3.5.1, the only necessary change to reflect the identified resource management risks and opportunities contained in the above listed issues is the insertion of the words “an attractive,” prior to the word “healthy” as follows:

“3.5.1 Objective – A Quality Environment

To manage the use and development of the Central Area’s natural, physical and cultural resources to protect heritage features and important view shafts and to ensure an attractive, healthy, clean and safe environment.”

The amended Objective 3.5.1, is complementary to existing related Objective 3.5.3 *An Alive and Exciting People Place*, Objective 3.5.4 *A Place of Opportunities*, and therefore reflects similar considerations to those contained in Part 3.5 of the Proposed Plan in terms of the type of environment sought, (i.e. an attractive, safe, and alive environment with quality public open spaces). Therefore the amended objective is considered to have already been largely predetermined as evidenced in the existing wording of the resource management strategy:

“The Council intends the Central Area to be a safe and attractive environment that exhibits excellence in urban design. The impact of private development on public spaces is of prime concern to the Council as this directly affects the quality of the environment. The design and appearance of new development will be influenced by the Plan controls in order to ensure that new buildings do not adversely affect public spaces. ...”

Collectively therefore the amended Objective 3.5.4 and the existing objectives reflect the most appropriate ways of achieving the Act's purpose of promoting the sustainable management of natural and physical resources.

4.3 Whether the proposed rules assist the council to carry out its function of control of actual or potential effects of the use, development or protection of land

Section 31 of the Act states that a function of council is to control any actual or potential effects of the use, development, or protection of land and associated natural and physical resources of the district. Section 2 of the Act defines "natural and physical resources" as "*land, air, water, soil, minerals, and energy.. and all structures*".

As described background and specialist reports included in Appendices Folder 2, it is apparent that the current lack of control in terms of building form and design is inadequate in many areas of the Central Area and fails to manage the effects of the development of physical resources within the Central Area in a sustainable manner. The current lack of design control also fails to assist the Urban Design Panel in carrying out its function to encourage and promote high quality urban design outcomes.

Proposed Plan Modification 2 addresses this by introducing rules as assessment criteria requiring a design based approach centred on a requirement for restricted discretionary activity consent for new buildings and alterations to existing buildings. This approach includes a number of rules and assessment criteria designed to control physical bulk, dominance, admission of sunlight, visual appearance, amenity (including acoustic amenity), pedestrian and vehicular safety and residential amenity. Providing for the establishment of buildings subject to assessment on a non-notified basis satisfies the enabling purpose of the Act while, at the same time, avoiding, remedying or mitigating any actual or potential adverse effects on the surrounding environment.

While development controls act to limit the height and scale of buildings and thus assist in mitigation of effects of building bulk, the form and appearance of buildings is further controlled and enhanced by design based assessment criteria which are designed to influence a high standard of amenity and urban design. The 'design based approach' provides a valuable framework for assessment of proposals by Council's Urban Design Panel (established in April 2003) as part of the mandatory resource consent process for new buildings and additions within the Central Area.

4.4 Whether the policies, rules or other methods are the most appropriate for achieving the objectives

The intention to amend the objectives, policies and rules of the Central Area Plan reflects significant changes in development type and form within the CBD since the Proposed Plan was notified in 1997. Since 1997, the Central Area has experienced an unprecedented demand for apartment living while building new development has occurred at a rapid rate. As set out in the background and specialist reporting contained in Appendices Folder 2, this has resulted in undesirable built form and poor quality design with many buildings failing to appropriately address the street, discontinuity of street frontages, insufficient open space between buildings, lack of sunlight and daylight and a lack of privacy. Further, as set out

within the Minimum Residential Apartment Standards Report for Permanent Accommodation, there is general concern throughout the building industry and the public generally at the small size and lack of internal amenity provided by recently built apartments within the Central Area and the potential negative long term social effects resulting from such living standards.

Within this existing built form context, the provisions contained within Proposed Plan Change 2 reflect the significant community and professional paradigm shift towards quality urban design outcomes as reflected in the proposed changes to the Auckland Regional Policy Statement as set out below.

As detailed in the urban design report and the Minimum Residential Apartment Standards Report for Permanent Accommodation, the proposed rules and methods are the most appropriate and efficient way of achieving the proposed objectives and policies as:

- The proposed outlook space parameters will ensure that building design and built form is enhanced on a Central Area wide basis with access to light.
- The designed based approach of requiring all development to be assessed as a restricted discretionary activity will provide a mandate to the Urban Design Panel to ensure that quality urban design outcomes result on a site and block basis.
- Requiring minimum apartment standards will ensure that a good standard of internal amenity is provided, which when combined with the outlook space control and assessment criteria will achieve the objective of an appropriate standard of amenity for Central Area residents.

In addressing the issue of whether the policy, rules or other methods are the most appropriate for achieving the objectives, the following options were taken into account:

1. Status quo option – retain existing Proposed Plan provisions.
2. Apply the proposed provisions to all areas of the Central Area;
3. Voluntary design standards.
4. Additional or alternative rules and/or assessment criteria.

In terms of option 1 (maintaining the status quo), this was not seen as a viable option for reasons outlined above and in the urban design assessment reports.

Option 2 was considered to be unnecessary in relation to the design based assessment approach as other precincts within the Central Area such as Queen Street Valley Precinct (Part 14.4), Aotea Precinct (Part 14.5), Britomart Precinct (Part 14.6), Viaduct Harbour Precinct (Part 14.7), Victoria Quarter (Part 14.10) and Quay Park Precinct (Part 14.13) already contain provisions relating to built form and amenity. The residential amenity control has however been applied to most areas within the Central Area, given the general absence of such control.

For reasons similar to option 1, option 3 was considered to be inappropriate as there was no certainty that developers would take cognisance of and/or incorporate design changes to reflect voluntary assessment criteria. This has also been borne out by the current Urban Design Panel process where applicants have ignored urban design advice offered due to the absence of urban design controls within the Central Area Plan provisions applying to the subject area.

Option 4, regarding additional and/or alternative rules and assessment criteria has been considered in the supporting reports contained within Appendices Folder 2. In particular, the

Minimum Residential Apartment Standards Report, includes a detailed assessment of overseas examples, is the result of an on-going series of workshops with key stakeholders.

Alternative methods of achieving the purpose of the Act (in addition to district plan rules) that are appropriate to Central Area include methods listed after each objective and policy grouping such as the Annual Plan, Bylaws, the Building Act, involvement of Business and Community Associations, economic instruments (e.g financial contributions), design guidelines (e.g Design Against Crime Guidelines), covenants, heritage listings, bonds, and statistical and educational information. The majority of these methods are currently in use in the city and will remain applicable.

Taking into account the above factors, it is concluded that the combination of proposed policies, rules and other methods outlined above (including alternative methods such as Building Regulations and Bylaws) are the most appropriate methods for achieving the specified objectives.

4.5 National and regional planning documents

Section 75(2) of the Resource Management Act 1991 states:

- (2) *A district plan must give effect to any national policy or a New Zealand coastal policy statement and must not be inconsistent with-*
 - (a) *a water conservation order; or*
 - (b) *the regional policy statement; or*
 - (c) *a regional plan for any matter specified in section 30(1).*

In this respect, Proposed Change 7 to the Auckland Regional Policy statement, introduced through the Local Government (Auckland) Amendment Act 2004, is most relevant containing the following strategic policies regarding urban design:

“2.6.8 Strategic Policies Urban Design

1. The design of new Urban Areas and the management and promotion of change in existing urban areas is to occur so that:

- (a) *There is a diversity of urban environments (including building types and densities) and living choices for individuals and communities;*
- (b) *Buildings, public spaces and road corridors contribute to a vibrant, liveable and attractive environment with a sense of place;*
- (c) *Buildings and places with heritage and cultural value are protected;*
- (d) *Urban environments have a logical, permeable and safe structure of connected routes for all modes of transport, including walking and cycling;*
- (e) *Public transport, roading, cycling and walking networks are integrated with each other and the land uses they serve;*
- (f) *Roads within higher density areas should be designed to provide a pleasant environment for pedestrians and residents;*
- (g) *There is long term protection of public open space, and improvement in the quality, quantity and distribution of local open space;*
- (h) *Iconic and outstanding Auckland urban landscapes are protected and other urban landscapes that contribute to local character and identity are managed to ensure critical values remain;*
- (i) *Remaining natural features and their relationship with built elements is recognised and protected, and where, appropriate enhanced;*

- (j) *A positive contribution is made to the environmental health of urban streams, the harbours, beaches and their catchments, including through improved storm water and waste water management;*
- (k) *Public access to and along stream, coastal and foreshore environments is protected and, where possible, enhanced;*
- (l) *Conflicts between incompatible land uses are avoided, remedied or mitigated;*
- (m) *In areas of high density where new development is exposed to high noise levels (internally and externally), and diminished air quality, higher building standards should be required;*
- (n) *Urban design acknowledges the importance of energy, water and materials efficiency and conservation to the sustainable management of natural and physical resources.”*

Strategic policies 2.6.8.1(a) – (d), (g), and (l) – (m), are considered to be of particular relevance to the ‘design based’ approach adopted in Proposed Plan Change 2. As summarised in the table below, each strategic policy has been implemented through the issues, objectives, policies, assessment criteria and/or the development controls proposed:

Strategic Policy	Objective and Policies	Criteria and/or Development Control
Strategic Policy 2.6.1.8(a)	3.5.1 Objective and Policies – A Quality Environment	Assessment Criteria 5.6.3.1(d).1 Street and Public Open Space Frontage Assessment Criteria 5.6.3.1(d).10 Residential Apartments Development Control 6.16 Outlook Space Development Control 6.15 Accommodation
Strategic Policy 2.6.1.8(b)	3.5.1 Objective and Policies – A Quality Environment	Assessment Criteria 5.6.3.1(d).1 Street and Public Open Space Frontage Assessment Criteria 5.6.3.1(d).3 Corner and Gateway Sites
Strategic Policy 2.6.1.8(c)	10.9.3 Objective and Policies – Heritage	Part 10 - Heritage
Strategic Policy 2.6.1.8(d)	3.5.2 Objective and Policies – An Accessible Centre	Part 6 – Development Controls Part 9 - Transportation
Strategic Policies 2.6.1.8(g)	3.5.1 Objective and Policies – A Quality Environment	Part 6 – Development Controls Development Control 6.16 Outlook Space
Strategic Policy 2.6.1.8(l) and (m)	3.5.1 Objective and Policies – A Quality Environment	Assessment Criteria 5.6.3.1(d).10 Accommodation General Rule 7.6.3 - Noise
Strategic Policy 2.6.1.8(n)	3.5.1 Objective and Policies – A Quality Environment	Assessment Criteria 5.6.3.1(d).4 Materials Assessment Criteria 5.6.3.1(d).12 Sustainability

It is therefore considered that Proposed Plan Change 2 is not inconsistent with, and assists to implement the relevant Strategic Policies listed in the Auckland Regional Policy Statement.

5.0 Consultation

Consultation regarding the proposed minimum apartment standards was initially undertaken over a period of 12 months involving Auckland City representative’s relevant experts in the Property Council, local developers, the Real Estate Institute, Wellington City Council officers and the New Zealand Institute of Architects. Following this initial consultation process a series of meetings were held to discuss the approach to be taken as part of the Minimum Residential Apartment Standards for Permanent Accommodation report which resulted in a

generally agreed set of minimum apartment standards which form the basis for the proposed objectives, policies and rules.

Consultation regarding the proposed design based approach has been undertaken as part of Auckland CBD into The Future Strategy, the 1995 Central Area Urban Design Assessment and via the consistent advice and feedback provided as part of the Urban Design Panel process. Overall there has been significant community concern regarding the quality of built form design, the size of individual units and the lack of internal and external amenity including matters such as natural lighting, ventilation, noise attenuation, and separation distances between high rise blocks, their respective outlooks and outdoor amenity areas.

Consultation has also been undertaken with Melbourne and Sydney council planning officers to learn from their experience in implementing design based controls.

6.0 Conclusions

As required pursuant to section 32 of the Act an assessment has been undertaken of the objectives, policies, rules and methods contained in the plan modifications. This has resulted in the following conclusions:

- The proposed objectives give effect to the resource management issues identified as part of the consultation and specialist reporting process. In this respect, the listed objectives are considered to be essential to, and the most appropriate way of, achieving the purpose of the Act;
- The proposed rules and assessment criteria will assist Council in controlling the actual and potential effects of building development, particularly when considering the recent poor quality building design and public open space outcomes due to the lack of urban design management controls.
- When compared with other options, the proposed rules and assessment criteria (applied in conjunction with other methods such as input of the Urban Design Panel and financial contributions and the Auckland City Consolidated Bylaw 1998), are the most appropriate option for achieving the stated objectives.
- The proposed plan modifications are entirely consistent with and give effect to strategic policies addressing urban design and urban form as set out in the Auckland Regional Policy Statement. The provisions have no particular implications for national planning documents, although various matters of national importance are given effect to.

Appendices: refer folder

**APPENDICES FOLDER 2:
CBD RESIDENTIAL AMENITY
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Appendix a	Minimum Residential Apartment Standards For Accommodation prepared by Clinton Bird Urban Design Limited dated May 2005.
Appendix b	Central Area Residential Amenity – Project Scope Details
Appendix c	Central Area Residential Amenity – Auckland City Reports/Research
Appendix d	Central Area Residential Amenity – Suburban Amenity Values (Planning Commissioner for the Environment)
Appendix e	Central Area Residential Amenity – Existing Auckland City residential amenity controls – Central Area and Isthmus
Appendix f	Central Area Residential Amenity – Overseas examples of residential amenity controls: <ul style="list-style-type: none"> • Sydney & NSW, Australia • Melbourne, Australia • Brisbane, Australia • Vancouver, Canada
Appendix g	Central Area Residential Amenity – Miscellaneous reports
Appendix h	Acoustic Report – Residential Amenity



**APPENDICIES FOLDER 3:
CBD URBAN DESIGN
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Appendix a	CBD Urban Design Strategy, Second Draft dated 20 May 2005.
Appendix b	Designing Auckland: a springboard for action dated May 2005.
Appendix c	Proposed Plan Change: Plan Modification No 2, Proposed Outlook Space Control Review prepared by Barry Rae Transurban Ltd dated May 2005.
Appendix d	Apartment Typologies.
Appendix e	Memorandum on Outlook Space Rule dated 13 May 2005.
Appendix f	CPTED Guidelines: Crime Prevention Through Environmental Design prepared by City Design Ltd published September 2001.
Appendix g	New Zealand Urban Design Protocol prepared by the Ministry for the Environment published March 2005.
Appendix h	Design Opportunities prepared by Christchurch City Council.
Appendix i	Central Sydney Local Environmental Plan 1996, Draft Amendment No 8 – Urban Form.
Appendix j	People + Places + Spaces: A design guide for urban New Zealand, published by the Ministry for the Environment in March 2002.
Appendix k	The Edinburgh Standards for Urban Design approved by the Planning Committee, City Of Edinburgh Council, 7 August 2003.
Appendix l	Better Neighbourhoods: Making higher densities work prepared by the Commission for Architecture & the Built Environment.
Appendix m	Auckland Central Area: Urban Design Assessment dated May 2005.

