

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

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

## PLAN MODIFICATION No. ##

### PART 14.6 Britomart Precinct: Amendments to Text and Diagrams

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Date of Council Resolution:

Date of Public Notification:

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File No. 314/220###

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1. **Proposed Plan Change ## amends** existing Part 14.6 Britomart Precinct of the partially operative Auckland City District Plan (Central Area Section 2004) as follows.

#### Part A

<b>PART 14.6 – BRITOMART PRECINCT</b>
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# BRITOMART PRECINCT

((Locality Map))

## 14.6.1 INTRODUCTION

### 14.6.1.1 THE CITY CONTEXT

The Britomart Precinct is bordered by Lower Queen Street to the west, Quay Street to the north, Britomart Place to the east and Customs Street East to the south.

The Precinct is located on flat, reclaimed land at the foreshore of the Waitemata Harbour. The new precinct layout will enable the re-establishment of the traditional grid street pattern through the extension of Gore and Commerce Streets from Customs Street to Quay Street. In terms of topography and street layout, the Precinct differs markedly from the ridge and valley topography that dominates much of the rest of the central city.

Although Quay Street separates the Precinct from the waterfront, the Precinct nevertheless has a focal role in aligning the city to the sea. The intention to open up Queens Wharf to public access, further enhances the importance of the Britomart Precinct in linking the city with the sea. The Precinct's proximity to the harbour edge and the commercial core of the Central Area provides an important context for existing and new development. Furthermore the convenience and location of rail, bus and ferry services is an important aspect of the Precinct as is the provision of a safe, attractive pedestrian environment with good sheltered connections to both the harbour edge and the city core.

The Precinct is comprised largely of low-rise buildings including many scheduled heritage buildings on its perimeter which exert a strong presence in the streetscape and contribute to the Precinct's character, enclosure and sense of human scale. In combination with the Precinct's function as a transport interchange, the scheduled buildings will form a framework for comprehensive redevelopment of the Precinct.

The development of the transport interchange –(which includes the downtown underground railway station completed in 2003) has provided an unique opportunity to rejuvenate the area above-ground, through the refurbishment of heritage buildings (such as the former chief post office), the provision of new built forms and infrastructure (including new roads, pedestrianways and buildings), opportunities for a wide range of activities and the creation of new areas of open space. Two major public open spaces (Station Plaza and Takutai Square) are proposed while Te Ara Tahuhu, or walking street, will be the main east-west pedestrian link through the precinct.

### 14.6.1.2 PRECINCT ATTRIBUTES

- a) The establishment of a major transport interchange has provided unique opportunities to undertake a comprehensive, integrated redevelopment of the Precinct through the refurbishment of existing buildings and provision of new built forms and infrastructure (including new roads, pedestrianways and buildings) and the creation of new areas of open space.
- b) The Precinct is in close proximity to the harbour and the commercial core.
- c) There are significant views from the Precinct and nearby streets to the Port and the harbour.

- d) A significant vista exists along the central axis of the Precinct from Britomart Place, through to the Chief Post Office building.
- e) The Precinct has both significant individual and group heritage qualities, particularly along Queen Street, Customs Street, Quay Street, and Britomart Place.
- f) The Precinct has significant heritage and cultural value for Tangata Whenua.
- g) The Precinct consists of taller buildings on its northern edge and lower heritage scale buildings on its southern edge.

## 14.6.2 RESOURCE MANAGEMENT ISSUES

- a) The opportunity presented by the development of the Britomart underground transport facility to improve the attractiveness, convenience, safety, vitality and vibrancy of the Precinct, (including through the provision of new infrastructure and public open spaces).
- b) The opportunity to provide an attractive mix of public open space and commercial development to produce an area of high amenity and pedestrian orientation which will attract people to use the Precinct.
- c) The opportunity to provide for an environment which encourages good urban design and amenity qualities.
- d) The opportunity to reinforce and enhance the locational attributes of the Precinct having particular regard to its position to the waterfront, Quay Park Precinct and the arena site to the east and the commercial core.
- e) The opportunity to provide for the adaptive reuse of scheduled buildings and to incorporate them as a significant part of the comprehensive redevelopment of the precinct in accordance with with the statutory recognition given under section 6 of the Resource Management Act 1991 to the protection of historic heritage as a matter of national importance.
- f) The opportunity to reinforce the northern Quay Street edge of the precinct through taller built form, while respecting the heritage character of the southern Customs Street edge of the precinct a lower scale built form.

## 14.6.3 RESOURCE MANAGEMENT OBJECTIVES AND POLICIES

### 14.6.3.1 OBJECTIVE

*To ensure the development of an attractive, safe, and lively environment and quality public open spaces that reflect the importance of the Precinct as a focal point for people moving to and from the Britomart transport centre and between the city core and the harbour edge.*

#### **Policies**

- a) By capitalising on the opportunity presented by the development of the Britomart transport interchange to establish an interconnected system of public open spaces of varying size which can cater for a range of appropriate activities denoting the significant entry and nodal functions of the Precinct.

- b) By ensuring that significant portions of ground floor frontages are made available for activities such as shops, food and beverage outlets and services to reinforce pedestrian activity and adjoining public open spaces.
- c) By encouraging a high standard of urban design, with new buildings reflecting an invigorating 21st century inner city environment in harmony with heritage buildings.
- d) By providing a network of public open spaces including spaces between buildings and ensuring that the design of the spaces is co-ordinated to a high standard reflecting the public nature of the spaces and Pacific edge location.
- e) By enabling the establishment of a residential component to foster vitality and activity, and to contribute to the area's safety outside normal business hours.
- f) By allowing for a range of activities to encourage greater public interest and presence in the area.
- g) By recognising the role of various means of transport in supporting the range of activities within the Precinct.
- h) By ensuring that environmental qualities and amenities within the Precinct are maintained and where practicable enhanced.
- i) By preserving sunlight access to specified public spaces.

**Methods**

- i) Through applying an activity control giving priority to those activities at ground floor level that contribute to maintaining pedestrian interest and activity.
- ii) Through applying an activity control giving priority to food and beverage-related activities immediately to the south of the main area of public open space with access to sunlight.
- iii) Through providing for a range of activities which encourage vitality and interest and attract visitors and permanent residents into the Precinct.
- iv) Through the provision of new infrastructure and public open spaces as part of the integrated redevelopment of the Precinct.
- v) Through the identification of public open spaces and associated controls within the Precinct.
- vi) Through the provision of a range of activity types within public open space areas, with particular emphasis on temporary activities.
- vii) Through requiring paving of areas of public open space to be provided by adjacent site owners in conjunction with new development of the site.
- viii) Through requiring resource consent applications for the erection of new buildings or alterations to existing buildings, to ensure high quality development in accordance with specified design assessment criteria.
- ix) Through applying acoustic controls on residential activity to ensure buildings are appropriately designed to protect residents from the effects of noise.
- x) Through applying 'Design Against Crime' guidelines (Annexure 6) in the design and layout of public spaces.
- xi) Through levying financial contributions on development to contribute towards the cost of Council initiated purchase and upgrading of public open space or the provision of appropriate public amenity works.

- xii) Through the use of district plan rules to avoid, mitigate or remedy the adverse effects of activities on the amenities of the area including noise, parking and access, wind and glare.
- xiii) Through the confinement of parking to specified parts of the Precinct.
- xiv) Through applying a requirement for verandah coverage along key pedestrian thoroughfares and including provision for optional colonnades in specific locations.

### 14.6.3.2 OBJECTIVE

*To encourage the development and use of the Precinct in a comprehensive and integrated manner which will:*

- *Provide a high level of physical and visual permeability and accessibility within and between the Precinct and the city and the waterfront;*
- *Promote and maintain a built form which is of an appropriate scale in relation to the form and scale of existing character buildings and waterfront edge location; and*
- *Create an area of high quality amenity, pedestrian connection and public open space.*

#### Policies

- a) By re-establishing the street grid pattern of the lower central city.
- b) By limiting parking to the eastern end of the Precinct to minimise potential conflict with heritage buildings and main pedestrian thoroughfares.
- c) By reducing any potential adverse visual impact of buildings in relation to the harbour edge and as viewed from the southern side of Customs Street East.
- d) By limiting development to a scale that is sensitive to the quality of existing heritage buildings and is in keeping with the creation of an area of high quality amenity, pedestrian connections and public open space.
- e) By encouraging a high standard of urban design for development which respects the heritage qualities, form and architecture of existing buildings.
- f) By enhancing the urban design quality and attractiveness of streets and other public open space.
- g) By encouraging a number of districts within the Precinct, each with its own character.
- h) By requiring development of building frontages to streets or other public spaces to maintain a height above street level which retains a sense of intimacy, character and human scale, particularly on the Customs Street edge of the precinct.
- i) By providing strong visual links to the waterfront from public open space.
- j) By re-enforcing the Quay Street waterfront edge of the CBD, which runs from the Port Precinct through to Beaumont Street, through taller built form along the Britomart Precinct Quay Street frontage.

#### Methods

- i) Through applying building height, frontage and floor area ratio restrictions.
- ii) Through requiring resource consent applications for the erection of new buildings or alterations to existing buildings, to be assessed against urban design criteria in the District Plan.

- iii) Through the provision of Urban Design Guidelines to assist applicants with the design of buildings and to facilitate the assessment of applications to ensure high quality development.
- iv) Through identifying and protecting significant views (including along Te Ara Tahuu walking street).

#### **14.6.3.3 OBJECTIVE**

*To ensure the retention and conservation of significant heritage buildings in the Precinct that contribute to the character of the area.*

##### **Policies**

- a) By scheduling buildings and parts of buildings for heritage protection.
- b) By enabling the adaptive reuse of scheduled buildings while ensuring that their valued features are not impaired or destroyed.
- c) By avoiding insensitive development or objects adjacent to scheduled buildings that detract from the heritage values for which the buildings are scheduled.

##### **Methods**

- i) Through application of the methods specified under Part 10, Heritage.
- ii) Through the requirement that all scheduled heritage buildings and some specified existing buildings are subject to Conservation Plans.
- iii) Through the promotion and encouragement of regular consultation between applicants and Council Heritage staff in the design and implementation of works affecting scheduled buildings (including works on sites adjacent to scheduled buildings).

#### **14.6.3.4 OBJECTIVE**

*To avoid the potential for adverse reverse sensitivity effects on the Port of Auckland that may result from the provision of inappropriately located and designed accommodation within the Britomart Precinct.*

##### **Policy**

- a) By ensuring that any accommodation within the Britomart Precinct is located and designed so as to avoid the likelihood of reverse sensitivity effects on the Port of Auckland while also providing for the amenity and wellbeing of the occupants.

##### **Method**

- i) Through controls on the activity status of accommodation within the Britomart Precinct, the requirement for acoustic insulation, and appropriate assessment criteria.

### **14.6.4 RESOURCE MANAGEMENT STRATEGY**

The development of the Britomart transport interchange has presented an unique opportunity to facilitate the area's rejuvenation and capitalise on its importance to the vitality and viability of the Central Area.

The Precinct is in a critical location for providing a better link between the City centre and the harbour and also the Viaduct Harbour to the west and the Quay Park Precinct (the site of Auckland's former Rail Station

and shunting yards) and the arena site to the east. Provision for an attractive and safe pedestrian network and public squares, with good sheltered connections to the harbour edge and the city core, is vital.

The completion of the underground rail terminal has enabled retention of key individual and grouped heritage buildings and the incorporation of new buildings based around a central network of streets and public open space. The proposed urban form, demonstrated by the generally low to medium rise development contained by a number of heritage buildings, will exert a strong presence in the streetscape and contribute to the Precinct's character and sense of human scale. Additionally, it is proposed to re-inforce the Quay Street waterfront edge of the CBD, which runs from the Port Precinct through to Beaumont Street, through taller built form along the Britomart Precinct Quay Street frontage, while respecting the lower scale heritage character of Customs Street.

Historically, the form of development proposed for the Precinct has evolved from that envisaged by a Master Plan of 9 August 1996 to the "Britomart Precinct Plan of Works" prepared by Britomart Group and dated April 2004 - a document outlining the means of achieving a low to medium rise, heritage-based precinct integrated with the Britomart Transport Centre and comprising a mix of activities and uses, and including provision for conservation and adaptive re-use of scheduled buildings on the perimeter.

The Precinct provisions are designed to ensure that future aboveground development proceeds in a comprehensive, integrated manner in accordance with the Master Plan for the area.

## 14.6.5 ANTICIPATED ENVIRONMENTAL RESULTS

It is expected that the provisions adopted for the Britomart Precinct will result in the following:

- a) A quality mixed-use, heritage-based precinct demonstrating a high standard of urban design and integrated with the facilities and functions of the Britomart Transport Centre.
- b) A generally low to medium rise perimeter block form of development that is in keeping with, or complementary to established development in the Precinct and which exhibits high levels of physical and visual permeability and accessibility, both within the Precinct and between the city and waterfront. Additionally, it is envisaged that the Quay Street frontage to the precinct will be reinforced through a combination of new and existing taller buildings combined with lower scale heritage buildings.
- c) The maintenance and enhancement of the existing heritage character and value of buildings within the Precinct.
- d) An environment that encourages activities which enhance vitality, vibrancy and interest while ensuring that the adverse effects of activities are appropriately managed.
- e) An attractive and safe urban environment which capitalises on the Precinct's location and function, and integrates private development with public open space.
- f) A safe and attractive pedestrian environment.

## 14.6.6 RULES - ACTIVITIES

### 14.6.6.1 ACTIVITIES IN THE BRITOMART PRECINCT

The activities allowed in the Britomart Precinct within Precinct Areas 1 and 2 (as indicated on Precinct Plan B) are those listed for pedestrian-orientated areas in the activities table under Part 5 with the following exceptions:

#### Part 14.6 – Britomart Precinct

- a) The erection of any new building or external alteration to any existing building is a restricted discretionary activity and is subject to the design assessment criteria of 14.6.6.3.
- b) The use of buildings for accommodation is a permitted activity where the site is subject to a restrictive non-complaint covenant\* in favour of the Ports of Auckland.
- c) The use of buildings for accommodation is a restrictive discretionary activity where the site is not subject to a restrictive non-complaint covenant\* in favour of the Ports of Auckland. The normal tests of notification apply and clause 15.3.2.6 does not apply.
- d) Alterations or additions to any scheduled buildings within the Precinct (indicated on Precinct Plan F) are subject to individual conservation plans and also subject to the obtaining of any necessary resource consents under Part 10 - Heritage.
- e) In addition to the scheduled buildings referred to in (d) above, further (non-scheduled) buildings indicated on Precinct Plan F, are subject to individual conservation plans.
- f) For those building frontages indicated on Precinct Plan C as ~~xxxx~~ the occupation of not less than 100% of the length and not less than 10m depth of the ground floor frontage (other than vehicle entrances and loading bays, pedestrian entrances and lobbies) is limited to the following activities:
  - retail
  - services
- g) For those building frontages on Customs Street East indicated on Precinct Plan C as xxxx the occupation of not less than 70% of the length and not less than 10m depth of the ground floor frontage (other than vehicle entrances and loading bays, pedestrian entrances and lobbies) is limited to the following activities:
  - food and beverage
  - retail
  - services
- h) For those building frontages indicated on Precinct Plan C as ooo, the occupation of not less than 75% of ground floor frontage and not less than 10m depth of the ground floor frontage (other than vehicle entrances and loading bays, pedestrian entrances and lobbies) shall be limited to the following activities:
  - food and beverage
- i) Ancillary parking, in accordance with clauses 9.7.1.1 and 14.6.9 is a permitted activity.
- j) Short term public visitor car parking areas shall be restricted to the locations indicated as CX on Precinct Plan B where the activity shall be a discretionary activity.
- k) The activities listed for pedestrian-orientated areas do not apply to the area identified as 'Public Open Space' on Precinct Plan D (see clause 14.6.6.2), with the exception of buildings and activities traversing the eastern end of Te Ara Tahuu (at least 12m above mean street level), with a total floor area ratio of 11:1, as indicated on Precinct Plan B.
- l) Beyond the open space areas indicated in Precinct Plan D, activities in streets within or immediately adjacent to the Precinct are subject to Part 14.2C - Public Open Space 3 - Streets, with the exception of a car parking building bridge (with a maximum width of 6m) over Galway Street, within the area indicated on Precinct Plan C, which shall be a restricted discretionary activity.

m) Temporary activities are subject to rule 15.5.1.3 Temporary Activities.

\* *For the purposes of the Britomart Precinct and of this rule a 'restrictive non-complaint covenant' is defined as a restrictive covenant registered on the Title to the property or a binding agreement to covenant, in favour of Ports of Auckland Limited, by the landowner (and binding any successors in title) not to complain as to effects generated by the lawful operation of the port. The restrictive non-complaint covenant is limited to the effects that could be lawfully generated by the port activities at the time the agreement to covenant is entered into. This does not require the covenantor to forego any right to lodge submissions in respect of resource consent applications or plan changes in relation to port activities (although an individual restrictive non-complaint covenant may do so.) Details of the existence of covenant documents may be obtained from Ports of Auckland Limited, its solicitors, or in the case of registered covenants by searching the Title to the property.*

#### 14.6.6.2 PUBLIC OPEN SPACE ACTIVITIES

Activities allowed within the areas identified as 'Public Open Space' on Precinct Plan D (other than Public Open Space 3 which is subject to Part 14.2C) are:

Informal recreation such as walking, jogging and sitting	P
Landscape development works and associated maintenance	P
Artworks	P
Playground apparatus	RC
Outdoor tables, informal umbrellas, and seating and/or displays (excluding permanent buildings)	P
Awnings, canopies, or similar weather protection structures ancillary to tables and seating (other than umbrellas permitted above and verandahs required under rule 6.9)	RC
Kiosks and market stalls	RD
Glazed roof structures/atrium and/or glazed verandahs and physical connections between buildings above public walkway level (only in relation to Te Ara Tahuhu)	RD
Permanent buildings (other than those permitted above)	D
Events **	P
Earthworks not exceeding 5m <sup>3</sup> and not exceeding 50m <sup>2</sup> in area *	P

\* *These provisions do not apply to earthworks which are carried out as part of a network utility service under 12.6.1.*

\*\* *For the purpose of this rule, 'events' are defined as : 'Public performances, meetings, private functions, parades, sporting events, exhibitions, film shoots, markets and activities of a similar character, including associated parking and temporary buildings.'*

P = Permitted Activity

- C = Controlled Activity  
 RC = Restricted Controlled Activity  
 D = Discretionary Activity  
 RD = Restricted Discretionary Activity  
 NC = Non Complying Activity

### **Explanation**

*Three new areas of public open space have been created in conjunction with the Britomart Precinct redevelopment. These areas, as indicated in Precinct Plan D, are: (a) Station Plaza, (b) Te Ara Tahuu (walking street), and (c) Takutai Square.*

*Station Plaza, located to the rear of the former Chief Post Office, is intended to complement the ground level transport focus of the surrounding streets and the use of the plaza as a primary taxi drop-off/collection point for passengers. Given the potential mix of traffic and pedestrians in the area, emphasis is primarily on ensuring clarity of pathways, visibility of different transport modes, and safety and convenience for users.*

*Te Ara Tahuu ('walking street') extends from Station Plaza to Britomart Place for a distance of approximately 250m along the central axis of the Precinct. The purpose of the 10m wide 'walking street' is to provide for attractive, safe, convenient and unrestricted pedestrian through-traffic while stimulating lively and interactive private development on adjacent sites. Features of the walking street include a central row of light cones providing light to the tunnel below and a proposed glazed atrium and other connections linking the upper floors of the adjacent buildings. Activities anticipated within the ground level walkway are confined primarily to chairs and tables ancillary to adjacent food premises.*

*Takutai Square is located at the north-east intersection of Gore and Galway Streets. All four sides have sheltered active edges, with the focus of the adjoining tenancies being retail and food and beverage related. Takutai Square is intended to be a dynamic and pedestrian-filled open space at the heart of the precinct, maximising lunchtime sunshine and providing for regular informal use by shoppers, diners and passers-by, while being of sufficient size to allow for reasonable sized crowds for special events. Included within the square are water features and a series of carved boulders, while future tree planting is proposed to the north and south of the Square. A common paving design and treatment for the square and abutting streets together with the implementation of appropriate traffic calming measures will serve to emphasise the Square's primary pedestrian orientated functions.*

*The range of activities provided for within the Britomart open space network is generally limited to those associated with the function of the Britomart Precinct as a major transport interchange, and the maintenance and further enhancement of the open spaces including those which integrate successfully with activities on adjoining private land (including scheduled buildings). Temporary activities or facilities are encouraged in preference to permanent buildings. To ensure that the scale of buildings and structures does not compromise or dominate the public open space ~~space~~ the majority of activities require resource consent (including assessment in terms of specific design assessment criteria).*

### **14.6.6.3 ASSESSMENT CRITERIA**

Any application for a discretionary activity, restricted discretionary activity, controlled activity or restricted controlled activity shall be accompanied by an assessment of the environmental effects in terms of the relevant criteria contained in Part 15 and the following design assessment criteria where applicable. When

considering an application for resource consent under sections 104 and 105 of the Act, the Council will also have regard to such criteria.

#### 14.6.6.3.1 Design Assessment Criteria

- i) Buildings should be designed to address and align to the street boundaries and adjoining public spaces, in order to develop a strong visual axis along streets and at intersections.
- ii) Individual building facades should achieve physical and architectural continuity with those buildings immediately adjacent.
- iii) Redevelopment of sites adjoining scheduled buildings on Quay Street should incorporate ~~a podium of similar height~~ design initiatives that complement, complementing the building-built form of the existing adjoining buildings in terms of scale and proportion. Such buildings should also re-inforce the Quay Street waterfront edge of the CBD. The CBD's blue waterfront east west axis has been developed as part of the CBD Waterfront Masterplan and runs from the Port Precinct through to Beaumont Street.
- iv) Buildings should combine to produce an urban form characterised by public squares, streets and lanes, with a 'perimeter block' form of urban development of a human scale.
- v) Buildings should contain a predominance of vertical or neutral emphases on their elevations (rather than horizontal), and thus contribute to the visual reduction in the scale of buildings, and an appropriate scale close to public places.
- vi) Buildings should contain activities that have a strong interaction with the use of adjoining public space in order to provide increased security and surveillance and contribute to the vitality of the area.
- vii) Buildings adjacent to public open space should not dominate it or 'privatise' it by giving the impression that the open space is a forecourt to any private development abutting it.
- viii) The ground floor level of buildings adjacent to public spaces should make use of architectural elements of columns, windows, doors, verandahs, colonnades, and recessed entranceways to achieve a strong visual and physical integration of public and private space.
- ix) The treatment of exterior walls should continuously define the edge of the street (or open space) but with individual variation in architectural character to avoid long, dull, monotonous lengths of undifferentiated wall.
- x) Buildings occupying a corner site are more exposed to public view and thus their position should be reinforced by a special architectural device or element which responds to such a location.
- xi) The consistency of the existing character in a cohesive streetscape should be maintained, with new buildings acknowledging traditional design and detailing. However, new buildings and additions need not replicate this style.
- xii) Materials and colour used in new buildings should complement existing buildings, but may use new and contemporary interpretations in form and detail.
- xiii) Service access points to buildings should not be located in pedestrian intensive areas and, where possible, should be combined with access to parking areas.
- xiv) The design of ground surfaces should ensure conformity of detail and material where private developments are integrated with streets or adjacent public open spaces.

- xv) Where vehicles and pedestrians share the same circulation network, the ground surface should be pedestrian orientated (i.e designed primarily for people on foot, but across which vehicles may have clearly defined and free access.)
- xvi) Signage should be designed to a high standard and should complement the architectural qualities, materials, details and colours of the buildings to which it relates.
- xvii) Verandahs, where required, should be continuous along the length of the street but should be designed separately on a site by site basis. The architecture of each verandah should relate directly to the building on that site and should not be designed as a uniform or standardised building element.
- xviii) Temporary buildings (including structures) should show design sensitivity, be located in areas that will not compromise pedestrian access, and be simple in colour, form and materials and not conflict with the architectural style of permanent buildings.
- ~~xix)~~ Buildings to be used for any form of accommodation shall be appropriately located and designed to reduce reverse sensitivity effects and any adverse noise effects from the surrounding environment (including noise from the port, traffic and other uses in the Britomart Precinct such as entertainment). The design of such buildings should take into account the location of bedrooms, the type and thickness of glass, and the presence or otherwise of opening windows or doors to the exterior.
- xx) Where the height of a new building exceeds the height of one or more adjoining heritage buildings, then the transition between that part of the building which relates to the height of the heritage building and that which rises above it should be explicitly architecturally demarcated and articulated.
- xxi) Where a tall building is constructed alongside or between a lower heritage building/s, the articulation, modulation and proportioning of the elevations of the new building should be indexed to the various heights of the surrounding buildings.
- xxii) Where a new building is taller than those on immediately adjoining sites, then any exposed side walls should be visually attractive, but not *reliant* upon any windows deployed in those walls in the event that a new building is constructed right up to the common boundary in the future.
- xxiii) Where a building has two street frontages, and the ground floor level is one ownership or tenancy, then an entrance should be provided from each street in a manner which enables relatively direct public access through the building during its normal opening hours

Note: Compliance with the Auckland City Design Guidelines - Britomart Precinct will be deemed to satisfy the above criteria, except for criteria (xix) where appropriate.

#### 14.6.6.3.2 Additional criteria applicable to public open space activities

In addition to the objectives and policies of the Open Space Precinct under 14.2.3 and the provisions of any reserve management plan, the criteria set out in 14.2B.3 shall be used in assessing an application for a resource consent for a controlled or discretionary activity (including an application for a restricted controlled activity or a restricted discretionary activity.)

Additional assessment criteria for controlled or discretionary activities (including restricted controlled activities or restricted discretionary activities):

- i) The activity should be compatible with the primary functions of the Britomart open space network and those of the individual open space areas, as outlined in clause 14.6.6.2.

- ii) Activities should enhance the Precinct as a 'people place' and promote pedestrian flows through the precinct while integrating with adjacent land uses.
- iii) Temporary buildings (including structures) and outdoor furniture (including tables and seating) should show design sensitivity, be located in areas that will not compromise pedestrian access, and be simple in colour, form and materials and not conflict with the architectural style of adjacent permanent buildings, including heritage buildings.
- iv) Buildings (including structures) should be compatible in height and scale to adjoining buildings and should not compromise or dominate use of the open space for public recreational use.
- v) Signage proposed in conjunction with a resource consent application should be designed to a high standard and should complement the architectural qualities, materials, details and colours of the buildings, facilities or open space to which it relates.

#### 14.6.6.3.3 Anticipated environmental results

It is expected that compliance with the assessment criteria set out above will result in the following:

- a) An attractive urban environment which capitalises on the Precinct's location and function, and integrates private development with public open space, while maintaining respect for the heritage value of significant buildings and groups of buildings within the precinct.
- b) High levels of physical, visual and psychological permeability and accessibility between the Precinct and the city and waterfront as well as within the Precinct itself.
- c) A generally low to medium rise perimeter block development, complementary to existing and traditional development, and with a scale comparable to that of the High Street/ Lorne Street/ Vulcan Lane areas.
- d) A form of development which is in keeping with, or complementary to, established development in the Precinct.
- e) Maintenance of a 'human scale' at street level throughout the Precinct.
- f) A safe and attractive pedestrian environment.
- g) Signage that is consistent and contributes a positive visual element, complementary to the buildings to which it relates.
- h) Appropriately located and designed accommodation within the Britomart Precinct that avoids the potential for reverse sensitivity effects on the Port of Auckland.

#### Explanation

*One of the Britomart Precinct's primary functions is as a transport interchange where rail, bus and ferry services terminate. The development of the transport centre has provided an unique opportunity to rejuvenate the area through the provision of new built forms and infrastructure (including new roads, pedestrianways and buildings) and the creation of new areas of public open space. The District Plan recognises the need to ensure compatibility of development within the Precinct by requiring an application for resource consent to undertake work on existing or new buildings. The associated design assessment criteria are intended to ensure that due recognition is given to both existing heritage buildings and new development and the integration of these with areas of public open space to create attractive and safe pedestrian networks and squares and a 'human scale' of development at street level.*

## 14.6.7 RULES - DEVELOPMENT CONTROLS

All development within the Precinct is subject to the development controls contained in Part 6, except where otherwise specified below.

- a) An application to modify the maximum permitted height control in Precinct Area 2 and/or the frontage control may be considered under Clause 15.3.1.2(b) as a restricted discretionary activity.
- b) An application for a non-complying activity will be required to modify
  - The site intensity control
  - View shaft.

### 14.6.7.1 MAXIMUM PERMITTED HEIGHT

The height of any building in Britomart Precinct Areas 1 and 2 shall not exceed the specified maximums shown on Precinct Plan A.

Notwithstanding the definition of 'height' in Part 16, for the purposes of this rule the maximum heights permitted in Precinct Area 2 shall be inclusive of all roof-top projections, except that account shall not be taken of:

- a) Flagpoles, masts and aerials, telecommunication and radio communication antennas not exceeding 100mm diameter, where the maximum height permitted by the development controls is exceeded by no more than 6 metres.
- b) Telecommunication and radio communication antennas where the maximum height permitted by the development controls is exceeded by not more than 1.5 metres.
- c) The Britomart Station ventilation stacks not exceeding 10 metres above the roof to the storey immediately below (see Precinct Plan A).
- d) A single lift machine room and overrun within the area defined on Precinct Plan A where:
  - i) the height of the projection does not exceed 5.4 metres above the maximum permitted height, and
  - ii) the area of the projection does not exceed a floor area equal to 10% of the area of the roof to the storey immediately below.

#### Explanation

*The height limits imposed on buildings in Precinct Plan A reflect a lower scale of development and character reminiscent of the existing area of Auckland City comprising High Street, Vulcan Lane, O'Connell Street, and Lorne Street. The Britomart Precinct is distinctive because the perimeter streets (Queen Street, Customs Street, Quay Street and Britomart Place) have a substantial number of heritage and other old buildings, which will be retained and integrated into new development in the core of the precinct where maximum permitted heights are variable. These height limits are designed to ensure that heritage buildings and their environs are not dominated by new buildings erected nearby. It is important to preserve the near continuous mass of the Customs Street heritage buildings, free from the impact of new buildings. Much of the value of these heritage buildings results from their articulated parapets which are best seen against the sky. To this end, new buildings within the centre of the Precinct should not appear above existing parapets when viewed from the south side of Customs Street. At the western end of the Precinct, the maximum building heights, except for existing heritage buildings, are governed by Special Height Controls only. [On the northern Quay](#)*

Street frontage of the precinct, the height limits proposed are a combination of taller buildings mixed with heritage buildings in order to reinforce the the Quay Street waterfront edge of the CBD, which runs from the Port Precinct through to Beaumont Street.

*For the Britomart Precinct generally, the urban form produced by the generally low to medium rise perimeter block development is considered highly appropriate, and preferable to that brought about by the typically medium to high rise podium and tower development found elsewhere in the inner city.*

#### 14.6.7.2 SITE INTENSITY

- a) The basic and the maximum floor area ratios permitted within the Britomart Precinct are as shown on Precinct Plan B.
- b) In Precinct Area 1 the bonus floor area provisions in 6.7.2 apply except that the light and outlook bonus shall not apply. The basic FAR plus the bonus FAR shall not exceed the maximum total FAR shown in Precinct Plan B.
- c) In Precinct Area 2 the basic FAR and the maximum total FAR is the gross floor area allowed as a permitted activity, except that for the sites shown as "E" on Precinct Plan B the floor area ratio is limited to the gross floor area achievable within the existing scheduled heritage building.
- d) In Precinct Area 2 the 11:1 FAR shown in Precinct Plan B for sites to the east, west and north of Takutai Square is the basic/maximum total FAR for a building or combination of structures covering all sites, and is not the basic/maximum total FAR for individual sites.

#### Explanation

*In a similar manner to the modified height provisions above, site intensity rules reflect a lower scale of development befitting the urban form sought for the Precinct. The cue for development of this scale is the numerous heritage buildings located on the perimeter of the Precinct.*

*In Precinct Area 2 the obtaining of bonus floor area is not required in order to achieve the maximum total floor area ratio. This approach acknowledges the relatively low average total floor area ratio of approximately 68:1 within Precinct Area 2 which has been set in order to retain the Precinct's strong heritage character and the sense of intimacy imparted by the heritage buildings. The agglomeration of floor area within this area is recognition of the potential to develop new buildings in close proximity to heritage buildings and allows flexibility to rationalise and spread floor area across precinct area 2 without strict confinement to legal site boundaries.*

*There is no maximum floor area ratio specified for the existing heritage buildings. This enables some flexibility for internal alterations within the inherent constraints of each heritage building.*

*The maximum floor area ratio for new development within the Precinct ranges from 4:1 (between two existing heritage buildings on Quay Street) to 11:1, with 7.5:1 and 9:1 maximum floor area ratios applying to the central sites fronting Te Ara Tahuhu (walking street). The ratios are aimed at ensuring that the preferred low to medium rise form of perimeter block development is established in keeping with the urban design objective of creating an area of high quality amenity, pedestrian connections, and open space.*

*In Precinct Area 1 the maximum floor area ratios are the same or similar to the maximum provided for the western side of Queen Street. The bonus elements for Bonus Area 1 apply in Precinct Area 1 (with the exception of the light and outlook bonus and the maximum total FAR building bulk formula). Both these measures encourage increased tower height in exchange for reduced building bulk. This is a form of*

development which would ~~not~~ be compatible with the relatively low scale form of development proposed in Precinct Area 2.

### 14.6.7.3 FRONTAGE CONTROL

Any new buildings shall comply with the following:

- a) With the exception of vehicle entrances, loading bays, pedestrian entrances and lobbies, window and balcony recesses and similar minor architectural modulations, the façade of the building shall follow the site boundaries.
- b) The façade height along the site boundaries shall be not less than 16m above mean street level, provided that building height may extend to not greater than that specified in Clause 14.6.7.1.
- c) The height from ground floor to ceiling shall be not less than 4m.
- d) For activities occupying the ground floor frontage see clause 14.6.6.1d), e) and f).

#### Explanation

*The provision of safe and attractive public places often depends on the nature of activities and building adjoining those public spaces. The frontage control is designed to provide a defined edge to public places and to provide activities that complement activities on the public spaces. The scale of buildings adjoining public open spaces is also an important component in the quality of those spaces. The minimum frontage height is applied to ensure that new building respects the scale and alignment to front boundaries of the existing heritage buildings and thereby maintains the sense of intimacy and enclosure which characterises the area.*

### 14.6.7.4 COLONNADES

Frontages to specific sites identified on Precinct Plan C may provide for ground and first floor levels of new buildings to be recessed from the face of the buildings to form colonnades, provided that:

- a) The minimum width of the recessed area shall be not less than 2.5m,
- b) The height from ground floor level to ceiling shall be not less than 4m, and
- c) A minimum unobstructed width of 2.5m between the recessed face of the building and the colonnade shall be maintained for pedestrian access.

#### Explanation

*The provision of colonnaded frontages to new buildings, particularly in the central part of the Precinct and fronting Takutai Square, encourages greater architectural differentiation through building design, thus contributing to the richness, diversity and vibrancy of the area. However, as with verandahs, a prime purpose of the colonnades is to provide sheltered space for pedestrian circulation, or if sufficiently wide, to allow for outdoor dining. Further sheltered outdoor space for tables and chairs may be available with informal canopy structures outside the colonnades.*

### 14.6.7.5 VIEW SHAFT

No buildings shall be erected within the areas of the view shaft (or "corridor") shown on Precinct Plan D, except that this rule does not apply to:

- a) Temporary buildings which are permitted activities or for which resource consent has been granted,
- b) Parts of buildings or structures above first floor level, and
- c) Verandahs permitted in clause 6.9 or for which resource consent has been granted.

**Explanation**

*Te Ara Tahuhu (walking street) forms the primary pedestrian route through the Precinct on an east-west axis including the series of "volcanic" skylights and centred on the former Chief Post Office (CPO) building. This presents a significant view from Britomart Place through to the CPO building and provides an important visual guide for pedestrians moving into and through the Precinct. The view shaft (or "corridor") is intended to protect this view for the benefit of pedestrians.*

**14.6.7.6 PAVING OF PUBLIC OPEN SPACES**

Paving of areas of public open space, as shown on Precinct Plan D, shall be provided by adjacent site owners in conjunction with any new development of the site. Applications for any new building or external alteration or addition to any existing building on sites adjacent to areas identified for paving in Precinct Plan D must provide details of ground surface designs particularly in relation to the paving materials to be laid and the pattern of their layout. The pavers shall be at least equal to the standard of paving and detailing in Station Plaza.

In assessing an application under Clause 14.6.6.3 Assessment Criteria the Council will need to be satisfied that the ground surface design is appropriate and sensitive and has regard to the manner in which the development is integrated with adjacent public spaces.

**Explanation**

*Creating an inviting environment for pedestrians is a key aspect of the design philosophy for new development in the Precinct. The quality of spaces created between buildings is of particular concern as this in part is defined by the quality of ground surface materials used. Good paving design, including the choice of materials and pattern of their layout, will unify and set the tone for the development of the Precinct.*

**14.6.7.7 FINANCIAL CONTRIBUTIONS**

The financial contribution provisions contained in Part 8 shall apply.

**14.6.8 HERITAGE BUILDINGS**

- a) Any development within the Precinct shall provide for and ensure the preservation of the scheduled buildings indicated on Precinct Plan F.
- b) All works relating to scheduled sites shall be subject to conservation plans and the obtaining of resource consents under Part 10.9 and any necessary approvals, consents or agreements required under the Historic Places Act 1993.
- c) All works relating to additional (non-scheduled) sites, as specifically indicated on Precinct Plan F, shall be subject to approved conservation plans.
- d) Any necessary resource consents under 10.9 shall be assessed in terms of the Part 10 assessment criteria and any relevant assessment criteria under 14.6.6, in particular those relating to heritage.

**Explanation**

*The protection of the heritage buildings for their architectural value and social history is integral to the design and functioning of the above ground development. The rule recognises the need to protect the individual and collective values of the heritage buildings by requiring a resource consent for specified works for assessment in terms of the relevant general heritage provisions under Part 10, the relevant design criteria, and the individual conservation plans which have been prepared for each of the scheduled sites as well as several additional sites which contain old buildings that are not scheduled under the district plan but which are integral to the overall redevelopment.*

**14.6.9 PARKING**

For the purpose of calculating maximum permitted parking the standards in clause 9.7.1.1 shall apply except that, for the purpose of this rule:

- a) The area including Precinct Area 2 on Precinct Plan B and Lot 5 DP 325137 in the adjacent Quay Park Precinct is defined as a site,
- b) The utilisation of permitted parking accumulated within the area described in a) above is limited to the areas indicated as "CX" and "CXX" on Precinct Plan B and to Lot 5 DP 325137 in the adjacent Quay Park Precinct, and
- c) The Type 3 road type (1 space per 150m<sup>2</sup> of GFA) shall apply to roads within the Britomart Precinct.

**Explanation**

*The provision for the accumulation of permitted parking in centralised and concentrated parking facilities reflects the comprehensive approach for development of the Precinct and an adjacent site in the Quay Park Precinct. The approach acknowledges the combined constraints that existing heritage buildings and below ground excavation present for the inclusion of parking facilities within individual development sites. The centralisation and concentration of parking facilities also contributes positively to the urban design objectives for the Precinct by reducing the number of vehicle crossings and by enabling all above-ground floors elsewhere in the Precinct to be occupied by active uses.*

**14.6.10 NOISE AND LIGHTING**

The provisions of Part 7 shall apply with regard to noise and lighting within the Precinct, except that noise from events and temporary activities shall be measured 1 metre from the facade of the nearest affected residential accommodation building outside the Britomart Precinct.

In addition, for any new building or existing building being refurbished or altered for accommodation purposes a report signed by an engineer specialising in acoustic design shall be submitted to the Manager: City Planning certifying that the building has been designed so that:

- A) The following internal noise levels will not be exceeded at any time:
  - a) in all bedrooms, not more than 35dBA L<sub>10</sub> and
  - b) in all other habitable spaces (as defined in the Building Code), no more than 40 dBA L<sub>10</sub>;

- i) compliance with these limits in A)a) and b) above shall be based on the assumption that the noise incident on all facades of buildings facing all streets in the Precinct except those facades specified in A)b)ii) below is the same as the level given in **Table 1** below.

<b>Table 1</b>	<b>Octave Band Centre Frequency (Hz)</b> (All facades except those listed below)						
<b>External Noise</b>	63	125	250	500	1k	2k	4k
Incident L <sub>10</sub> Sound Pressure Level (dB)	70	66	61	57	55	52	50

- ii) compliance with these limits shall be based on the assumption that the noise incident on the facades of buildings facing Quay Street and also those facades north of Tyler Street facing west to Queen Street, Commerce Street and Gore Street, and facing east to Britomart Place, Gore Street and Commerce Street is the same as the level given in Table 2 below, and that the noise incident on the Customs Street facades is the same as the level given in Table 3 below.

<b>Table 2</b>	<b>Octave Band Centre Frequency (Hz)</b> Quay Street facades, and facades north of Tyler Street						
<b>External Noise</b>	63	125	250	500	1k	2k	4k
Incident L <sub>10</sub> Sound Pressure Level (dB)	78	74	70	66	66	62	57

<b>Table 3</b>	<b>Octave Band Centre Frequency (Hz)</b> Customs Street facades						
<b>External Noise</b>	63	125	250	500	1k	2k	4k
Incident L <sub>10</sub> Sound Pressure Level (dB)	73	69	64	60	58	55	55

- B) At the same time and under the same physical conditions as the internal noise levels in A) above will be achieved, all bedrooms and all other habitable spaces of new buildings and all bedrooms of existing buildings being refurbished or altered will be adequately ventilated in accordance with the Building Code; and

After completion of the construction of the building, a further report shall be submitted to the Council (Manager: City Planning) signed by the same or a similarly qualified engineer certifying that the building has been built in compliance with the noise and ventilation criteria specified above.

For the avoidance of doubt:

In assessing compliance with the ventilation requirements of the Building Code for the purposes of paragraph A)b) above, no source or means of ventilation shall be taken into account unless:

- a) ventilation from that source or means that is relied upon to meet the ventilation requirements of the Building Code will be available at all times when the internal noise levels in paragraph A) above will be achieved; and
- b) the internal noise levels in paragraph A) above will be achieved at all times when ventilation from that means or source is relied upon to meet the ventilation requirements of the Building Code;

Any report signed by an engineer in accordance with this rule shall not be deemed to be a producer statement or building certificate under the Building Act 1991, or relied upon by the Council for the purposes of that Act.

**Explanation**

*The performance standards under Part 7 provide general protection from the adverse effects of noise and light spill. However, those standards are not designed to provide absolute protection from all such effects which may reasonably be expected in a city centre. The commercial port and traffic noise are particular sources of noise for which mitigating measures to complement the performance standards should be considered when designing new buildings. In particular, it is desirable that accommodation within the Precinct should be constructed to a standard that ensures appropriate mitigation of adverse noise effects generated by the port, traffic and other activities.*

**14.6.11 REFERENCES**

Reference should also be made to the following:

- Part 4.....Strategic Management Areas
- Part 5.....Activities
- Part 6.....Development Controls
- Part 7.....Noise, Signs and Lighting
- Part 8.....Financial Contributions
- Part 9.....Transportation
- Part 10.....Heritage
- Part 12.....Network Utility Services
- Part 13.....Subdivision
- Part 15.....General Rules/Designations
- Part 16.....Definitions and Interpretations

**((Precinct Plans A-F))**

**Part B**

Amend Part 6 – Development Controls as follows:

Rule 6.5.1a)

Application may be made to exceed the Harbour Edge Height Control Plane where the building or structure is located on a site within the area bounded by Customs Street, Lower Hobson Street and ~~Queen Elizabeth Square~~ Britomart Place.