Proposed Plan Change 78 (PC 78)

to the Auckland Unitary Plan (Operative in part)

Section 32, section 77P, section 77Q and section 77R
DRAFT EVALUATION REPORT
for the implementation of NPS UD Policy 3(a) and providing for qualifying matters in the city centre

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Executive Summary

Policy 3(a) requires that the Auckland Unitary Plan enable building heights and density of urban form in the Business – City Centre zone to realise as much development capacity as possible, to maximise benefits of intensification. The Ministry for the Environment guidance[1] on how to implement the NPS UD gives the following advice:

- 'As much as possible' means removing unnecessary and unreasonable barriers to accommodate the maximum amount of development capacity that can be realised.
- The level of demand and accessibility should be considered in determining what heights and densities can be enabled.
- City centres are a step up in the zoning hierarchy from metropolitan centres, so enabling as much development capacity as possible is expected to mean greater than six storeys (because six storeys is the minimum for metropolitan centres).

In practice this may mean:

- no maximum building heights or maximum gross floor area standards in city centre zones or large parts of city centre zones
- development standards that may limit building height and density, where there is evidence that doing so will contribute to a well-functioning urban environment and achieving the objectives of the NPS UD as a whole.

A provision-by-provision approach has been used in the City Centre zone options analysis, with some provisions to be removed, while others are retained or amended. For each provision which could limit the intensification required under Policy 3(a), options included:

- Retain as-is (status quo)
- Remove in full
- Amend (where amendments were possible, with multiple amendment options considered for some provisions).

This report recommends that the Business – City Centre Zone meet the Policy 3(a) requirements in the following ways:

- Amend zone standards to enable development capacity of greater than 6 stories, and greater than the Business – Metropolitan Centre Zone. This will be done by:
    - Removing standards which restrict gross floor area. This will enable greater height and development capacity across the city centre, but particularly in the Special Height Area which enables tall towers in the city centre core.
    - Increasing General Building Height standard to enable heights of 72.5m (the Metropolitan Centre Zone height limit).
    - Have a package of provisions in the city centre which manage urban design outcomes and effects of development in a way that is appropriate for the complex and high-intensity context of the city centre, and which will contribute to a well-functioning urban environment. This will include amended provisions for height, as well as provisions managing building form and design.

[1] Understanding and implementing intensification provisions for the National Policy Statement on Urban Development (Sept 2020)

Additionally, this draft report recommends retaining provisions which provide for qualifying matters in the city centre in accordance with s77O of the Resource Management Act (RMA). These include provisions around heritage, open space, special character, local views, outlook and sunlight admission.

The mechanism of having maximum building height controls in the city centre (a mix of the General Building Height standard and height limits providing for qualifying matters) is not proposed to be removed. Restricting building height is important to protect the current and future amenity of the city. This will ensure a well-functioning urban environment (in line with Objective 1 of the NPS-UD) and that amenity values of the city centre can provide for the needs of future generations (in line with Objective 4 and Policy 6 of the NPS-UD). Ensuring good amenity in the city centre, including the amenity of streets and open spaces, is also part of ensuring that the city centre can maximise the benefits of intensification.

The recommended options will enable significant additional development capacity in the city centre. Due to the complexity of the city centre, the additional capacity enabled will be site-dependent. Test sites which were modelled as part of the options analysis had a capacity increase which ranged from six per cent to 77 per cent increase, mostly in the 60-75 per cent range.

It is considered that the outcomes of implementation of Policy 3(a) as described in this report will meet NPS UD Objective 8 to support reductions in greenhouse gas emissions; and create an urban environment which is resilient to the current and future effects of climate change.

Introduction

This draft report is prepared as part of the evaluation required by Section 32 and Sections 77P, 77Q and 77R of the Resource Management Act 1991 ('**the Act**') for proposed Plan Change 78 (**PC 78**) to the Auckland Unitary Plan (Operative in Part) (**AUP**).

The background to and objectives of PC 78 are discussed in the overview report, as is the purpose and required content of section 32,77P, 77Q and 77R evaluations.

This draft report discusses how council is implementing Policy 3 of the National Policy Standard on Urban Development (updated May 2022) (**NPS UD**) in the city centre, including the implications of applying qualifying matters (**QMs**).

Qualifying matters for urban non-residential zones, which include the Business – City Centre Zone, are set out in section 77O of the Act.

An existing qualifying matter is a qualifying matter referred to in section 77 I or 77O (a) to (i) that is operative in the relevant district plan when the IPI is notified.

The Council may make relevant building height or density requirements under Policy 3 less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone only to the extent necessary to accommodate 1 or more of the qualifying matters listed in 77O.

Evaluation approach

Evaluation of proposal (s32)

As set out in section 32 of the RMA, this draft report will:

- examine the extent to which the objectives of the proposed implementation of Policy 3(a) in the city centre are the most appropriate way to achieve the purpose of the RMA,
- examine whether the provisions in the proposal are the most appropriate way to achieve the objectives, and
- contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

Preparation of this report has involved the following:

- Review of all operative City Centre Zone provisions (individually and as a package of controls) to see whether they restrict intensification and if so, whether they provide for a qualifying matter as set out in s77O of the RMA.
- Background research on city centre development in Auckland and case studies from selected international cities.
- Modelling and testing of options for how to implement Policy 3(a) of the NPS UD.
- Assessment of the identified relevant provisions against Policy 3(a)
- Development of draft amendments to the operative district plan provisions of the AUP to implement Policy 3(a) of the NPS UD.
- Modelling and testing of options for how to provide for qualifying matters in the city centre, and to understand the effects of intensification on the amenity and well-functioning aspects of the city centre.
- Development of draft amendments to the operative district plan provisions of the AUP to provide for Qualifying Matters in the City Centre Zone in accordance with s77O, 77P, 77Q, and 77R of the RMA.
- Review of the AUP to identify all relevant provisions that require a consequential amendment to integrate the implementation of Policy 3(a) and the application of this qualifying matter
- Review of the AUP Maps to assess the spatial application of implanting Policy 3(a) and providing for qualifying matters
- Section 32 options analysis for the implementation of Policy 3(a), providing for qualifying matters, and related amendments

The scale and significance of the issues is assessed to be large for the reasons set out in this report.

This draft report follows the evaluation approach described in Table 1 below.

This section 32/77P/77R draft evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

Requirements for applying qualifying matters in non-residential zones

The requirements are set out in s77P, 77Q and 77R of the Act.

Evaluation of qualifying matters

This evaluation will be primarily following the process set out in sections 77P and 77R. This is because many of the qualifying matters in the City Centre fall under section 77O(j), and so are not eligible to go through the integrated evaluation process. Where existing qualifying matters apply, the integrated process set out in section 77Q will be followed.

Evaluation of city centre Precincts

Every city centre precinct has been reviewed to find out which one have controls which modify height or density of urban form. Those controls have then been individually assessed, following the same process as set out for the zone above. These assessments have been reported in s32 reports for each relevant precinct.

This has been an iterative process, as there is a lot of interaction between the precincts and the zone. Some of the precinct proposals have been used to help develop the zone proposals, and vice versa.

Table 1: evaluation approach

Standard s32 steps	How these apply to plan changes to implement NPS-UD	Plus s77Q steps for existing QMs under s77O	Or plus s77P and s77R steps for QMs under s77O(j)
Issue / Define the problem	Policy 3 • Identify what is required under Policy 3 Policy 4 • Identify in terms of section 77O (a) to (j) which qualifying matter is being evaluated • Provide an overview/ summary/ background information of the qualifying matter and where and how does it apply. • Identify by location (for example, by mapping) where the existing qualifying matter applies. • Clarify whether the qualifying matter applies to relevant residential zones and/or urban non- residential zones.	**77Q(1)(a):** Identify by location (for example, by mapping) where an existing qualifying matter applies	**77R(c):** Identify the specific site(s) to which the qualifying matter relates.
Identify and discuss objectives / outcomes	Policy 3 • Identify desired Policy 3 outcomes for the city centre • Are any amendments to district level objectives and policies proposed in response to Policy 3? Policy 4 • What effects are the qualifying matters seeking to address/manage and how is this is this incompatible with the intensification required by Policy 3? • Identify relevant RPS objectives and policies – why the QM is important. • Identify the relevant objectives and policies in the AUP that support the qualifying matter • Describe the management approach used by the AUP to implement the qualifying matter • Describe the rules/methods used	**77Q(1)(c):** identify in the report prepared under section 32 why the territorial authority considers that 1 or more existing qualifying matters apply.	**77P(3)(a):** Demonstrate why the council considers— (i) that the area is subject to a qualifying matter; and (ii) that the qualifying matter is incompatible with the level of development provided for by policy 3 for that area; and **77R(a):** Identify the specific characteristic that makes the level of urban development required within the relevant paragraph of policy 3 inappropriate. **77R(b):** Justify why the specific characteristic makes that level of urban development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD

			77R(c): Evaluate the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter.
Identify and screen response options	Policy 3 • How council is implementing Policy 3 – options Policy 4 • Is Policy 3 to be applied in part or not at all due to qualifying matter? • If in part, specify the alternative density standards proposed for example the existing specific densities and/or building height provisions or other bespoke provisions in the AUP. • Look at a range of alternative options in terms of density standards and describe the options (outline each option in detail).	**77Q(1)(b):** specify the alternative density standards proposed.	See s32 steps
Collect information on the selected option(s)	Policy 4 • Provide a description in general terms of how the qualifying matter affects the level of development enabled by Policy 3. • Describe in general terms for a typical site (or sites) in those areas affected by the qualifying matter the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been permitted by Policy 3.	**77Q(1)(d):** Describe in general terms for a typical site the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been permitted by policy 3.	**77P(3)(b):** Assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; **77R(c)** includes a site-specific analysis that— (i) identifies the site to which the matter relates; and (ii) evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter;
Evaluate option(s) - environmental, social, economic, cultural benefits and costs	Policy 3 and Policy 4 • Provide a general assessment of the benefits and costs of the options in the light of the new objectives introduced by the NPS-UD relating to well-functioning urban environments. • Discuss risks of acting or not acting. Policy 4 • Evaluate the options using a basic matrix as per below for each qualifying matter.	See s32 steps	**77P(3)(b):** Assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity. **77P(3)(c):** Assess the costs and broader impacts of imposing those limits. **77R(c)(iii)** Evaluates an appropriate range of options to achieve the greatest heights

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<tr><th></th><th>Costs of applying QM – housing supply / capacity</th><th>Costs of applying the QM – broader social, economic, environmental, cultural</th><th>Benefits of the QM – broader social, economic, environmental, cultural</th></tr>
<tr><td>Status Quo</td><td></td><td></td><td></td></tr>
<tr><td>Option 2</td><td></td><td></td><td></td></tr>
<tr><td>Option 3</td><td></td><td></td><td></td></tr>
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Evaluation needs to be in the context of the objectives of the Policy 3.
Note that when evaluating qualifying matters, the qualifying matter does not need to be (re) justified. The evaluation is to focus on the extent to which the objectives of Policy 3 are met/not met by the qualifying matter and whether those ‘costs’ outweigh the benefits of applying the qualifying matter.

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<td>and densities provided for by policy 3 while managing the specific characteristics.</td>
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<td>Overall judgement as to the better option (taking into account risks of acting or not acting)</td>
<td>Policy 3
Provide an overall conclusion
Policy 4
Provide an overall conclusion as to the purpose of the qualifying matter, the impact of the qualifying matter on level of development enabled by Policy 3 and how the qualifying matter can be implemented in way that has the least impact on the objectives.</td>
<td>See s32 steps</td>
<td>See s32 steps</td>
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Issue

Requirement to implement the NPS UD in the City Centre Zone

As set out in the NPS UD and in section 77N of the RMA, Auckland Council must implement Policy 3(a) of the NPS UD in the city centre:

> ***Policy 3***
>
> *In relation to tier 1 urban environments, regional policy statements and district plans enable:*
>
> *(a) in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification.*[2]

Additionally, council may modify the requirements set out in policy 3 to be less enabling of development than provided for by policy 3, if authorised to do so under section 77O. That is, if providing for a qualifying matter.

Qualifying matters

Qualifying matters (QMs) are set out in the overview report, and the specific qualifying matters applying in the city centre are evaluated below.

A list of qualifying matters in the city centre is provided in Table 2 below, to put this report into the broader Auckland context. A number of qualifying matters listed there are covered in region-wide reports to ensure consistency of approach.

Location

The city centre is defined as the area within the city centre boundary as identified on Planning maps H8.11.1-9. This includes the City Centre Zone and some areas which are within the Coastal Marine Area (CMA). The CMA is out of scope for the Intensification Planning Instrument (IPI).

[2] NPS UD – updated May 2022

Table 2: List of qualifying matters in the city centre

Qualifying matter	Topic	Which provision(s) in the Business – City Centre Zone are currently used to provide for the QM?	Where do these apply?	Where are these being assessed?	Which other provision(s) in the AUP are currently used to provide for the QM in the city centre area?	Where do these apply?	Where are these being assessed?
(a) a matter of national importance that decision makers are required to recognise and provide for under section 6:	Natural heritage	N/A	N/A	N/A	D14 Volcanic Viewshafts and Height Sensitive Areas	Areas covered by the volcanic viewshaft overlay.	In the relevant QM report
	Historic heritage	Table H8.4.1 Activity table (A43) A building that does not comply with Standard H8.6.7 Railway station building and gardens view protection plane Standard H8.6.7 Railway station building and gardens view protection plane	Area specified in Figure H8.6.7.1.	In this report	D17 Historic Heritage	Areas covered by the heritage overlay	In the relevant QM reports
		Standard H8.6.2. General building height Map H8.11.3 General height controls	Sites on Map H8.11.3 with the following height limits: • 15m (sites within the Karangahape Rd Precinct only) • 16m • 20m • 30m • 35m (specified sites)	In this report			
	Mana whenua	N/A	N/A	N/A	D21 Sites and Places of significance to Mana Whenua	Areas covered by the overlay.	In the relevant QM report
	Significant natural hazards: controls for coastal inundation, coastal erosion, flooding, land instability	N/A	N/A	N/A	Various	Areas as specified in the relevant qualifying matter reports.	In the relevant QM reports
	Public access to CMA, lakes and rivers	N/A	N/A	N/A	Areas providing public access to CMA, lakes and rivers	Areas specified in Precincts	In the relevant Precinct s32 reports
	Matters of national importance	N/A	N/A	N/A	Areas within Precincts that protect matters of national importance	Areas specified in Precincts	In the relevant Precinct s32 reports
(e) a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure:	Infrastructure	N/A	N/A	N/A	Strategic Transport Corridor zone	Areas zoned STC	In the relevant QM report
		N/A	N/A	N/A	Ports – Auckland	Port Precinct	In the Port Precinct report. In the Ports of Auckland report.

(f) open space provided for public use, but only in relation to land that is open space:	Open space	Table H8.4.1 Activity table (A40) A building that does not comply with Standard H8.6.3 Admission of sunlight to public places Standard H8.6.3 Admission of sunlight to public places Appendix 11 Business – City Centre Zone sunlight admission into public places	Areas zoned open space Public open spaces in other zones (e.g. Business – City Centre Zone)	In this report	Open space zones • Conservation zone • Informal Recreation zone • Sports and Active Recreation zone • Civic Spaces zone	Areas zoned open space	In the relevant QM report
		Standard H8.6.30. Special amenity yards		In this report			
		N/A	N/A	N/A	Open spaces within precincts	In Precincts	In the relevant Precinct reports
(g) the need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order:	Heritage orders and designations	N/A	N/A	N/A	Designations	Areas subject to designations.	In Designations s32 report.
(j) any other matter that makes higher density development as provided for by policy 3, as the case requires, inappropriate in an area, but only if section 77R is satisfied.	Notable trees	N/A	N/A	N/A	D13 Notable Trees Overlay	Areas covered by the overlay.	In the relevant QM report
	Auckland War Memorial Museum Viewshaft	N/A	Areas covered by the overlay, as shown on Map H8.11.4.		D19 Auckland War Memorial Museum Viewshaft	Areas covered by the overlay.	In the relevant QM report
	Character buildings in City Centre zone and Queen Street Valley Precinct	(A35) External alterations and additions to a special character building identified on Map H8.11.1 and buildings constructed prior to 1940 within the Queen Street Valley precinct not otherwise provided for. (A38) The total or substantial demolition (more than 30 per cent by volume), or any demolition of the front facade of a special character building identified on Map H8.11.1 Map H8.11.1 Special character buildings	Sites specified on Map H8.11.1 and sites in Queen Street Valley Precinct	In this report	N/A	N/A	In this report
	Some of the existing built form controls in City Centre (e.g. Admission of sunlight into public places, Aotea Square height control)	Table H8.4.1 Activity table (A40) A building that does not comply with Standard H8.6.3 Admission of sunlight to public places Standard H8.6.3 Admission of sunlight to public places Appendix 11 Business – City Centre Zone sunlight admission into public places	Whole of City Centre Zone – originating at areas specified in Appendix 11.	In this report	N/A	N/A	
		Table H8.4.1 Activity table (A41) A building that does not comply with Standard H8.6.4 Aotea Square height control plane Standard H8.6.4 Aotea Square height control plane	Whole of City Centre Zone – originating at point specified in Appendix 11.	In this report			

		Table H8.4.1 Activity table (A42) A building that does not comply with Standard H8.6.5 Harbour edge height control plane or Standard H8.6.6 Exception to the harbour edge height control Standard H8.6.5 Harbour Edge height control plane Standard H8.6.6 Exception to the harbour edge height control	Sites specified in Figure H8.6.6.2.	In this report			
		Standard H8.6.22. Building in relation to boundary Standard H8.6.23. Streetscape improvement and landscaping	Sites specified	In this report			
		Standard H8.6.32. Outlook space	Whole of city centre zone	In this report			
	Local views	Standard H8.6.31 Street sightlines Appendix 9 –Business – City Centre Zone sight lines	Areas specified in Appendix 9	In this report			In this report
	Natural hazards that are less than significant, if any.	N/A	N/A	N/A	Various	Areas with long-term significant infrastructure constraints	In the relevant QM reports
	Areas with long-term significant infrastructure constraints	N/A	N/A	N/A	Various	Areas with long-term significant infrastructure constraints	In the relevant QM report

Giving effect to Policy 3 in the City Centre

Objectives and outcomes

NPS UD and MfE guidance

Policy 3(a) requires that council enable in city centre zones building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification.

The Ministry for the Environment (MfE) guidance on how to implement the NPS UD gives the following advice (emphasis added):

- *"'as much as possible' means **removing unnecessary and unreasonable barriers** to accommodate the maximum amount of development capacity that can be realised."*[3]
- *"**City centres are a step up in the zoning hierarchy from metropolitan centres**, so enabling as much development capacity as possible is expected to mean greater than six storeys (because six storeys is the minimum for metropolitan centres)."*[4]

"In practice this may mean:

- ***no maximum building heights or maximum gross floor area** (GFA) standards in city centre zones or large parts of city centre zones*
- ***development standards that may limit building height and density**, where there is evidence that doing so will contribute to a well-functioning urban environment and achieving the objectives of the NPS-UD as a whole."*[5]

"In giving effect to this policy requirement, local authorities need to step through the following:

- *Consider what 'as much as possible' is going to mean in the city centre, taking into account local circumstances and factors – specifically, the **level of demand and accessibility** should be key considerations.*
- *Consider if any of the **qualifying matters** (e.g., matters of national importance, open space, heritage orders or other matters) apply to the city centre. Also, look at to what extent heights and densities may need to be modified to accommodate the qualifying matter. (The qualifying matters set out the matters local authorities need to consider in enabling 'as much as possible'.)*
- *Review the current city centre controls and determine if they are **enabling enough** to support the outcomes intended in the NPS-UD and by Policy 3(a). This means checking the controls are enabling as much development capacity as possible to **maximise the benefits of intensification**. If not, the controls will need to be amended accordingly.*

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[3] Ministry for the Environment. 2020. Understanding and implementing intensification provisions for the National Policy Statement on Urban Development. Wellington: Ministry for the Environment. p.29

[4] Ministry for the Environment. 2020. pp.29-30

[5] Ministry for the Environment. 2020. p.30

- *In maximising the benefits of intensification, consider whether enough intensification has been enabled to support outcomes such as transport choice, accessibility and climate emissions reduction. If you are not maximising the benefits of intensification due to other factors (e.g., character), ensure the effects of doing so have been taken into account using adequate evidence in a section 32 report.*
- *As directed by Policy 6, consider what 'as much as possible' will mean for the urban environment in terms of* ***urban form, amenity changes and the benefits of urban development****. Local authorities will need to ensure the specific outcome of enabling as much development capacity as possible is* ***consistent with the wider NPS-UD policy direction****.*
- *Consider if the outcome and/or decision on what 'as much as possible' means for the city centre environment* ***will ensure that a well-functioning urban environment is achieved****."*[6]
- *"Local authorities will need to ensure they enable as much development capacity as possible and that the outcomes will deliver a* ***well-functioning urban environment****, which enables all people and communities to provide for their* ***social, economic and cultural wellbeing and for their health and safety, now and into the future****."*[7]

Regional Policy Statement and City Centre Zone

In order to implement Policy 3(a), it is important to understand the purpose of the City Centre Zone in not only providing for growth and the greatest intensity of development in Auckland and New Zealand, but also respecting its context and ensuring a well-functioning urban environment.

The Regional Policy Statement and the City Centre Zone contain important objectives to help guide intensification in the city centre. The following list of objectives are just some of the provisions that have been considered in this report, and have been highlighted here for their focus on the importance of creating a quality compact city and some of the key outcomes to protect while intensifying:

> ***B2. Tāhuhu whakaruruhau ā-taone - Urban growth and form***
>
> ***B2.2. Urban growth and form: B2.2.1. Objectives***
>
> *(1) A quality compact urban form that enables all of the following:*
>
> *(a) a higher-quality urban environment;*
>
> *(b) greater productivity and economic growth;*
>
> *(c) better use of existing infrastructure and efficient provision of new infrastructure;*
>
> *(d) improved and more effective public transport;*
>
> *(e) greater social and cultural vitality;*
>
> *(f) better maintenance of rural character and rural productivity; and*
>
> *(g) reduced adverse environmental effects.*

[6] Ministry for the Environment. 2020. p.30

[7] Ministry for the Environment. 2020. p.30

B2.3. A quality built environment: B2.3.1. Objectives

(1) A quality built environment where subdivision, use and development do all of the following:

(a) respond to the intrinsic qualities and physical characteristics of the site and area, including its setting;

(b) reinforce the hierarchy of centres and corridors;

(c) contribute to a diverse mix of choice and opportunity for people and communities;

(d) maximise resource and infrastructure efficiency;

(e) are capable of adapting to changing needs; and

(f) respond and adapt to the effects of climate change.

B2.4. Residential growth: B2.4.1. Objectives

(3) Land within and adjacent to centres and corridors or in close proximity to public transport and social facilities (including open space) or employment opportunities is the primary focus for residential intensification.

B2.5. Commercial and industrial growth: B2.5.1. Objectives

(1) Employment and commercial and industrial opportunities meet current and future demands.

(2) Commercial growth and activities are primarily focussed within a hierarchy of centres and identified growth corridors that supports a compact urban form.

B2.7. Open space and recreation facilities: B2.7.1. Objectives

(1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.

(2) Public access to and along Auckland's coastline, coastal marine area, lakes, rivers, streams and wetlands is maintained and enhanced.

(3) Reverse sensitivity effects between open spaces and recreation facilities and neighbouring land uses are avoided, remedied or mitigated.

H8. Business – City Centre Zone

H8.2. Objectives: General objectives for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

(2) Development is of a form, scale and design quality so that centres are reinforced as focal points for the community.

(3) Development positively contributes towards planned future form and quality, creating a sense of place.

H8.2. Objectives: Business – City Centre Zone objectives

(7) The city centre is an attractive place to live, learn, work and visit with 24hour vibrant and vital business, education, entertainment and retail areas.

(8) Development in the city centre is managed to accommodate growth and the greatest intensity of development in Auckland and New Zealand while respecting its valley and ridgeline form and waterfront setting.

(9) The distinctive built form, identified special character and functions of particular areas within and adjoining the city centre are maintained and enhanced.

These objectives indicate that protection of open spaces, adaptation to climate change and to social needs, and respecting context are key outcomes for the city centre – as well as enabling the greatest intensity of development capacity in Auckland as the top of the centres hierarchy.

The City Centre Zone policies support the objectives while also setting out the city centre focus on achieving good quality urban design outcomes. The grouping of policies by activities, precincts, historic heritage and special character, city form, and public realm also sets out the type of positive outcomes that are sought in the zone.

Enabled capacity and benefits of intensification

The MfE guidance directs councils to consider local circumstances including the level of demand and accessibility in the city centre.

There are significant benefits of intensification in the city centre, though most of these are already supported through the operative enabled development capacity. Capacity modelling shows that that there is enough short-, medium- and long-term growth already enabled in the city centre by the AUP. Increasing development capacity may support more people to have access to these benefits, such as rapid transit, employment and education.

In line with the NPS UD, council intends to increase heights and density of urban form in order to increase development capacity in the city centre to maximise the benefits of intensification. This report concludes that unlimited development height and density would not meet the objectives of the NPS UD and that a balance is needed, between flexibility for plan users and certainty for the public, as envisaged by NPS UD Objectives 1-8, to create a well functioning urban environment. The specific changes recommended to achieve this outcome are set out in this report (see sections: Summary of Table 5: Options analysis of controls to implement Policy 3(a); Summary of Table 7: Options analysis of proposed new controls to implement Policy 3(a); Conclusion – Giving effect to Policy 3(a); Summary of Table 9: Options analysis of controls providing for qualifying matters; Conclusion – Providing for qualifying matters).

Approach to implementing Policy 3(a)

In line with the MfE guidance, the approach of removing general building height and site intensity (gross floor area) standards in the city centre zones was used a starting point[8]. It was also important to identify the outcomes to protect in the city centre, in line with Policy 1 and Policy 6 of the NPS UD and with the objectives set out above. In particular,

- that the city centre zone enabled residential development with good accessibility to jobs, community services, natural spaces, and open spaces, and
- that council had regard to the benefits of urban development that are consistent with well-functioning urban environments.

[8] "the removal of the general building height and floor area ratio standards in the city centre, and the application of alternative built form standards in line with the principles set out above" approved in principle by Auckland Council Planning Committee on 30 March 2022.

A principled approach was developed to guide options analysis[9]:

Principles

- Fewer, simpler, more targeted controls
- Protecting sunlight and daylight to open spaces
- Protecting amenity and retaining the "human scale" of streets
- Enabling tall slender towers with space between them to allow sunlight, daylight and views to permeate the city centre
- Protecting local and regionally significant views
- Protecting the outcomes achieved by the existing city centre precincts
- Protecting the relationship between the city centre and the Waitematā Harbour
- Protecting historic heritage in the city centre
- Promoting climate change resilience.

All of the operative city centre provisions were reviewed (individually and as a package of controls) to understand:

- whether they limit intensification
- whether they provide for a qualifying matter
- whether the provisions are enabling enough to support the outcomes intended in the NPS-UD and by Policy 3(a)
- how the provisions are currently providing for well-functioning urban environments
- which provisions have the most impact on development capacity within the city centre (and thus had the greatest potential to enable additional development capacity)
- where there are possibilities to increase height and/or density of urban form (while still providing for qualifying matters).
- where there are options to ensure urban environments that support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change.

The review assumptions and parameters were as follows:

- The review was undertaken by assessing rules and standards against the Policy 3(a) requirement to enable "building heights and density of urban form". This is assumed to refer to the building envelope, rather than to internal density. For this reason the following activities and standards have been assessed as **not** limiting NPS UD intensification:
    - "Use" activity controls
    - Controls which manage the internal arrangements of buildings, e.g. dwelling size, floor-to-floor height.

[9] Principles approved by Auckland Council Planning Committee on 30 March 2022 as the policy direction for implementing Policy 3(a) in the National Policy Statement on Urban Development relating to the city centre.

    - Activities with a Permitted or Controlled activity status
    - Use conversion controls
- Controls which do not limit NPS UD intensification were not further assessed, as they are out of scope of the IPI.
- Once controls (rules or standards) were identified as limiting intensification, further analysis was done holistically – also looking at the related objectives, policies, matters of discretion, assessment criteria, maps, appendices, etc.

The detailed review is set out below:

Table 3: Assessment of rules in activity table (H8.4)

AUP provision	Activity status	Where does the control apply?	Does the control limit NPS UD intensification?	Does the control provide for a QM?	What effects is the control seeking to address/manage?	Related AUP H8 provisions[10]
H8.4.1(A1) Activities not provided for	NC	Whole zone	No	N/A	N/A	N/A
H8.4.1(A2) to (A11)	P	Whole zone	No	N/A	N/A	N/A
H8.4.1(A12) to (A13)	NC	Whole zone	No	N/A	N/A	N/A
H8.4.1(A15) to (A31)	P	Whole zone	No	N/A	N/A	N/A
H8.4.1(A14)	D	Whole zone	No	N/A	N/A	N/A
H8.4.1(A32) New Buildings	RD	Whole zone	Development dependent. Requires assessment of proposed development against matters which (depending on context and building design) may result in restrictions to development capacity.	No	The potential effects of buildings, including effects due to: (a) building design and external appearance; (b) form and design of buildings adjoining historic heritage places; (c) design of parking, access and servicing; (d) design and layout of dwellings, visitor accommodation and boarding houses; and (e) functional requirements;	Obs: H8.2(2), H8.2(3), H8.2(8) Pols: H8.3.(3), H8.3.(4), H8.3.(5), H8.3.(10), H8.3.(12), H8.3.(30), H8.3.(31), H8.3.(33), H8.3.(34), H8.3.(36) Matters: H8.8.1(1) Criteria: H8.8.2(1)
H8.4.1(A32A)	C	Whole zone	No	N/A	N/A	N/A
H8.4.1(A33) to (A34)	P	Whole zone	No	N/A	N/A	N/A
H8.4.1(A35) External alterations and additions to a special character building identified on Map H8.11.1 and buildings constructed prior to 1940 within the Queen Street Valley precinct not otherwise provided for	RD	Sites specified on Map H8.11.1 and sites in Queen Street Valley Precinct	Development dependent. Requires assessment of proposed development against matters which (depending on context and building design) may result in restrictions to development capacity.	Yes. 77O(j): any other matter: Character buildings in City Centre zone and Queen St Valley Precinct.	See qualifying matter assessment in Tables 8 and 9	Map H8.11.1 Obs: H8.2.(3), H8.2.(9) Pols: H8.3.(3), H8.3.(4), H8.3.(5), H8.3.(12), H8.3.(27), H8.3.(30) Matters: H8.8.1(2) Criteria: H8.8.2(2)
H8.4.1(A36) Alterations and additions to buildings not otherwise provided for	RD	Whole zone	Development dependent. Requires assessment of proposed development against matters which (depending on context and building design) may result in restrictions to development capacity.	No.	The potential effects of alterations and additions, including effects due to: (a) building design and external appearance; (b) form and design of buildings adjoining historic heritage places; (c) design of parking, access and servicing; (d) design and layout of dwellings, visitor accommodation and boarding houses; and (e) functional requirements;	See (A32) assessment)
H8.4.1(A37) Conversion of a building or part of a building to dwellings, visitor accommodation or boarding houses	RD	Whole zone	No	N/A	N/A	N/A
H8.4.1(A38) The total or substantial demolition (more than 30 per cent by volume), or any demolition of the front facade of a special character building identified on Map H8.11.1	RD	Sites specified on Map H8.11.1.	Development dependent. Requires assessment of proposed development against matters which (depending on context and building design) may result in restrictions to development capacity.	Yes. 77O(j): any other matter: Character buildings in City Centre zone and Queen St Valley Precinct.	Effects on the pedestrian amenity, safety and efficiency of the road network, special character values.	Map H8.11.1 Obs: H8.2.(9) Pols: H8.3.(28), H8.3(35) Matters: H8.8.1.(5) Criteria: H8.8.2.(5)
H8.4.1(A39) Activities not provided for	NC	Whole zone	No	N/A	N/A	N/A

[10] Some abbreviated terms used in this column. Obs: Objectives; Pols: Policies; Matters: Matters of discretion; Criteria: Assessment criteria.

AUP provision	Activity status	Where does the control apply?	Does the control limit NPS UD intensification?	Does the control provide for a QM?	What effects is the control seeking to address/manage?	Related AUP H8 provisions[10]
H8.4.1(A40) A building that does not comply with Standard H8.6.3 Admission of sunlight to public places	NC	Whole zone – originating at areas specified in Appendix 11.	Yes. See assessment of Standard H8.6.3.	Yes. 77O(j): any other matter: City centre built form controls	See assessment of Standard H8.6.3.	See assessment of Standard H8.6.3.
H8.4.1(A41) A building that does not comply with Standard H8.6.4 Aotea Square height control plane	NC	Whole zone – originating at point specified in Appendix 11.	Yes. See assessment of Standard H8.6.4.	Yes. 77O(j): any other matter: City centre built form controls	See assessment of Standard H8.6.4.	See assessment of Standard H8.6.4.
H8.4.1(A42) A building that does not comply with Standard H8.6.5 Harbour edge height control plane or Standard H8.6.6 Exception to the harbour edge height control	D	Sites specified in Figure H8.6.6.2.	Yes. See assessment of Standards H8.6.5 and H8.6.6.	Yes. 77O(j): any other matter: City centre built form controls	See assessment of Standards H8.6.5 and H8.6.6.	See assessment of Standards H8.6.5 and H8.6.6.
H8.4.1(A43) A building that does not comply with Standard H8.6.7 Railway station building and gardens view protection plane	NC	Area specified in Figure H8.6.7.1.	Yes. See assessment of Standard H8.6.7.	Yes. 77O(a): historic heritage	See assessment of Standard H8.6.7.	See assessment of Standard H8.6.7.
H8.4.1(A44) A building that exceeds the basic floor area ratio specified for the site in Standard H8.6.10 Basic floor area ratio without providing a bonus feature	NC	Sites specified in Map H8.11.7	Yes. See assessment of Standard H8.6.10.	No.	See assessment of Standard H8.6.10.	See assessment of Standard H8.6.10.
H8.4.1(A45) A building that exceeds the maximum total floor area ratio in Standard H8.6.21 Maximum total floor area ratio	NC	Sites specified on Map H8.11.7	Yes. See assessment of Standard H8.6.21.	No	See assessment of Standard H8.6.21.	See assessment of Standard H8.6.21.

Table 4: Assessment of standards (H8.6)

AUP provision	Where does the control apply?	Does the control limit NPS UD intensification?	Does the control provide for a QM?	What effects is the control seeking to address/manage? (Purpose)	Related AUP H8 provisions[11]
H8.6.1. Retail	Sites outside of the core retail area shown on Map H8.11.2	No	No	N/A	N/A
H8.6.2 General building height	Sites specified on Map H8.11.3.	Yes. Restricts building height by setting a maximum building height.	Yes. 77O(a): historic heritage 77O(j): any other matter: City centre built form controls	To manage the effects of building height on: • the overall form of the city centre, surrounding neighbourhoods and the Waitematā Harbour – seeks to enable the tallest buildings within the core central business district and transition heights down to neighbourhoods adjoining the city centre and to the harbour edge; • the existing or planned character of precincts. • streets and public open spaces – seeks to avoid adverse dominance, shading and/or visual amenity effects of building height on streets and public open spaces. • Neighbouring sites.	Map H8.11.3 Obs: H8.2.(3), H8.2.(8), H8.2.(9) Pols: H8.3.(1), H8.3.(3), H8.3.(13), H8.3.(14), H8.3.(28), H8.3.(29), H8.3.(30) Matters: H8.8.1.(6) Criteria: H8.8.2.(6)
H8.6.3. Admission of sunlight to public places	Whole zone – originating at areas specified in Appendix 11.	Yes. Restricts building height by requiring sunlight admission to specified open spaces. This in effect creates a plane/cone originating at the edge of each open space and extending up and out.	Yes. 77O(j): any other matter: City centre built form controls	To manage the scale of development around identified public open spaces to ensure they receive adequate sunlight when those spaces are most used.	Appendix 11 Business – City Centre Zone sunlight admission into public places. Rules: Obs: H8.2.(3), H8.2.(9) Pols: H8.3.(3), H8.3.(5), H8.3.(11), H8.3.(30)

[11] Some abbreviated terms used in this column. Obs: Objectives; Pols: Policies; Matters: Matters of discretion; Criteria: Assessment criteria.

AUP provision	Where does the control apply?	Does the control limit NPS UD intensification?	Does the control provide for a QM?	What effects is the control seeking to address/manage? (Purpose)	Related AUP H8 provisions[11]
H8.6.4. Aotea Square height control plane	Whole zone – originating at point specified in Appendix 11.	Yes. Restricts building height surrounding Aotea Square, to comply with a cone originating at a specified point in the Square.	Yes. 77O(j): any other matter: City centre built form controls	To manage the scale of buildings: • to ensure that Aotea Square receives adequate sunlight when the space is most used; • to maintain views from Aotea Square to landmark buildings and views to Aotea Square; and • so that tall buildings do not dominate the open character of Aotea Square.	Rules: Obs: H8.2.(9) Pols: H8.3.(3), H8.3.(11), H8.3.(30)
H8.6.5. Harbour edge height control plane	Sites specified in Figure H8.6.6.2.	Yes. Restricts building height on specified sites.	Yes. 77O(j): any other matter: City centre built form controls	To manage the scale of buildings at the western end of Quay Street to: • provide a transition in building height from the core central business district to the waterfront; • maximise views between the harbour and the city centre; and • reinforce the Quay Street east west connection running from the corner of The Strand and Quay Street to the east and Jellicoe Street in Wynyard Precinct to the west by the alignment of tall building frontages.	Obs: H8.2.(8), H8.2.(9) Pols: H8.3.(3), H8.3.(20), H8.3.(30), H8.3.(31), H8.3.(36) Matters: H8.8.1.(8) Criteria: H8.8.1.(8)
H8.6.6. Exception to the harbour edge height control plane	Sites specified in Figure H8.6.6.2.	No. H8.6.5 is what limits intensification. H8.6.6 modifies the control to provide more intensification. But H8.6.6. needs to be assessed along with H8.6.5.	See assessment for H8.6.5.	See assessment for H8.6.5.	See assessment for H8.6.5.
H8.6.7. Railway station building and gardens view protection plane	Area specified in Figure H8.6.7.1.	Yes. Restricts building height on specified area.	Yes. 77O(a): historic heritage	To manage the scale of development to protect the view of the railway station buildings and gardens when viewed from Beach Road.	Obs: H8.2.(8), H8.2.(9) Pols: H8.3.(3), H8.3.(11), H8.3.(30), H8.3.(36)
H8.6.8. Measuring building height	Whole zone	No. Is just a process of measuring height, doesn't restrict height in itself. H8.6.6.(3) is in fact more enabling.	N/A	To require height to be measured using the rolling height method where the maximum height varies across the site (contours) or average street level method where a general height limit is specified.	N/A
H8.6.9. Rooftops	Whole zone	No.	N/A	To ensure the roofs of buildings are uncluttered when viewed from the street and surrounding buildings.	N/A
H8.6.10. Basic floor area ratio	Sites specified on Map H8.11.7.	Yes. Restricts development capacity by setting a limit on gross floor area as a ratio to site size.	No.	To manage the effects of the scale of development (development capacity) in the city centre.	Map H8.11.7 Rules: H8.4.1(A44) Obs: H8.2.(3), H8.2.(7), H8.2.(8), H8.2.(9) Pols: H8.3.(3), H8.3.(29), H8.3.(30), H8.3.(32)
H8.6.11. Bonus floor area ratio H8.6.12. Bonus floor area ratio – light and outlook H8.6.13. Bonus floor area - use or transfer of historic heritage and special character floor space bonus H8.6.14. Bonus floor area - securing historic heritage and special character floor space bonus H8.6.15. Bonus floor area - bonus floor space calculation for scheduled heritage buildings H8.6.16. Bonus floor area - bonus floor space calculation for identified special character buildings H8.6.17. Bonus floor area - public open space H8.6.18. Bonus floor area - through-site link	Sites specified on Map H8.11.7, and as set out in the text of standards H8.6.11-H8.6.20.	No. H8.6.10 and H8.6.21 restrict density of urban form and thus limit development capacity, while the bonus floor area ratio controls (H8.6.11 to H8.6.20) enable some additional development capacity.	N/A	To manage the scale of development in the city centre. To encourage developments to be designed, contain activities or provide features that provide a benefit to the public.	Obs: H8.2.(3), H8.2.(7), H8.2.(8) Pols: H8.3.(3), H8.3.(30), H8.3.(32) Matters: H8.9.1.1.(7) Criteria: H8.9.1.2.(7)

AUP provision	Where does the control apply?	Does the control limit NPS UD intensification?	Does the control provide for a QM?	What effects is the control seeking to address/manage? (Purpose)	Related AUP H8 provisions[11]
H8.6.19. Bonus floor area - through-site links through identified blocks H8.6.20. Bonus floor area - works of art					
H8.6.21. Maximum total floor area ratio	Sites specified on Map H8.11.7.	Yes. Restricts development capacity by setting a maximum limit on gross floor area as a ratio to site size.	No.	To manage the effects of the overall scale of development (development capacity) in the city centre	Map H8.11.7 Rules: H8.4.1(A45) Obs: H8.2.(3), H8.2.(7), H8.2.(8), H8.2.(9) Pols: H8.3.(3), H8.3.(29), H8.3.(30), H8.3.(32)
H8.6.22. Building in relation to boundary	Sites specified on Map H8.11.7.	Yes. Restricts building bulk and location on a site.	Yes. 77O(j): any other matter: City centre built form controls	To manage the effects of building location in order to retain the spacious landscaped character and maximise sunlight admission to public open spaces in the areas that the standard applies.	Map H8.11.7 Obs: H8.2.(3), H8.2.(9) Pols: H8.3.(30), H8.3.(31) Matters: H8.8.1.(6) Criteria: H8.8.2.(6)
H8.6.23. Streetscape improvement and landscaping	Sites specified in Figure H8.6.23.1 and in text of H8.6.23.	Yes.	No	Purpose: maintain landscaped qualities in the areas that the standard applies.	Obs: H8.2.(3), H8.2.(9) Pols: H8.3.(3) Matters: H8.8.1.(6) Criteria: H8.8.2.(6)
H8.6.24. Maximum tower dimension, setback from the street and tower separation	Special height area, as specified on Map H8.11.3.	Yes. Restricts development capacity by requiring a building setback from the boundary above an identified height, and also imposing a maximum building dimension above that identified height.	No	To manage the effects of building form to ensure that high-rise buildings: • are not overly bulky and are slender in appearance; • provide adequate sunlight access to streets; • provide a consistent human-scaled edge to the street; • provide adequate sunlight and outlook around buildings; • enable views through the city centre; and • mitigate adverse wind effects.	Map H8.11.3 Obs: H8.2.(2), H8.2.(3), H8.2.(8), H8.2.(9) Pols: H8.3.(1), H8.3.(3), H8.3.(5), H8.3.(11), H8.3.(29), H8.3.(30), H8.3.(31), H8.3.(34)
H8.6.25. Building frontage alignment and height	Sites specified on Map H8.11.5	No.	N/A	To ensure streets are well defined by buildings and provide a sense of enclosure to enhance pedestrian amenity.	Map H8.11.5 Obs: H8.2.(3), H8.2.(8), H8.2.(9) Pols: H8.3.(3), H8.3.(30), H8.3.(31), H8.3.(34) Matters: H8.8.1.(9) Criteria: H8.8.2.(9)
H8.6.26. Verandahs	Sites specified on Map H8.11.6	No	N/A	To provide pedestrians with weather protection on main streets.	N/A
H8.6.27. Minimum floor to floor height	Whole zone	No	N/A	To ensure that: • commercial buildings are adaptable to a wide variety of uses over time; and • adequate sunlight and/or daylight is provided into the interior spaces of commercial buildings.	N/A
H8.6.28. Wind	Whole zone	Development dependent. Sets standard for proposed development which (depending on context and building design) may result in restrictions to development capacity.	No	To mitigate the adverse wind effects generated by high-rise buildings.	Obs: H8.2.(3), H8.2.(9) Pols: H8.3.(3), H8.3.(5), H8.3.(11), H8.3.(30) Matters: H8.8.1.(11) Criteria: H8.8.2.(11)
H8.6.29. Glare	Whole zone	No	N/A	To ensure non-reflective materials are used on buildings to avoid, remedy and mitigate the adverse effects of glare on pedestrians and motorists.	N/A

AUP provision	Where does the control apply?	Does the control limit NPS UD intensification?	Does the control provide for a QM?	What effects is the control seeking to address/manage? (Purpose)	Related AUP H8 provisions[11]
H8.6.30. Special amenity yards	Areas specified in Figures H8.6.30.1, H8.6.30.2 and H8.6.30.1	Yes.	Yes 77O(d): open space 77O(j): any other matter: City centre built form controls	To avoid buildings locating in areas that would have a significant adverse effect on pedestrian and/or streetscape amenity.	Obs: H8.2.(9) Pols: H8.3.(3), H8.3.(30) Matters: H8.8.1.(13) Criteria: H8.8.2.(13)
H8.6.31. Street sightlines	Areas specified in Appendix 9 Business – City Centre Zone sight lines	Yes	Yes 77O(j): any other matter: Local views	To retain views from key locations in the city centre to significant landmarks and the harbour.	Obs: H8.2.(9) Pols: H8.3.(36) Matters: H8.8.1.(14) Criteria: H8.8.2.(14)
H8.6.32. Outlook space	Whole zone	Development dependent. Sets standard for proposed development which (depending on context and building design) may result in restrictions to development capacity.	Yes. 77O(j): any other matter: City centre built form controls	Purpose: • ensure a reasonable standard of visual and acoustic privacy between different dwellings, including their outdoor living space, on the same or adjacent sites; and • encourage the placement of habitable room windows to the site frontage or to the rear of the site in preference to side boundaries, to maximise both passive surveillance of the street and privacy, and to avoid overlooking of neighbouring sites.	Obs: H8.2.(3), H8.2.(8) Pols: H8.3.(2), H8.3.(15), H8.3.(16), H8.3.(30), H8.3.(31) Matters: H8.8.1.(10) Criteria: H8.8.2.(10)
H8.6.33. Minimum dwelling size	Whole zone	No	N/A.	To ensure a minimum dwelling size for dwellings.	N/A

Summary of Tables 3 and 4: Assessment of rules and standards

The findings from this work indicated that the provisions which have the most impact on development capacity are the general and special height controls, site intensity controls, and controls managing bulk and location of buildings on sites:

Key operative controls restricting height and density of urban form in the city centre

- H8.6.2. General building height
- H8.6.3. Admission of sunlight to public places
- H8.6.4. Aotea Square height control plane
- H8.6.10. Basic floor area ratio
- H8.6.21. Maximum total floor area ratio
- H8.6.22. Building in relation to boundary
- D14. Volcanic Viewshafts and Height Sensitive Areas Overlay

A number of these provisions are providing for qualifying matters, in particular the protection of volcanic viewshafts and the admission of sunlight to public open spaces:

- H8.6.3. Admission of sunlight to public places
- H8.6.4. Aotea Square height control plane
- H8.6.22. Building in relation to boundary
- D14. Volcanic Viewshafts and Height Sensitive Areas Overlay

These are addressed below in the Qualifying Matters section, along with other provisions providing for qualifying matters. Qualifying matters interact with the approach to implementing Policy 3(a) because, in some cases, they restrict height or density of urban form where our implementation approach would otherwise enable significant development capacity. This is the nature of qualifying matters though, and a full options analysis has been provided below.

The review also identified a suite of provisions which work together to manage the form and design of buildings, so as to manage the effects on streets and public spaces (and the people using these spaces). These provisions may result in some restrictions on height or density of urban form, but as a group of controls are vital to ensure a well-functioning urban environment and to maximise the benefits of intensification. These provisions include:

- H8.4.1(A32) New Buildings
- H8.4.1(A36) Alterations and additions to buildings not otherwise provided for
- H8.6.2. General building height
- H8.6.10. Basic floor area ratio
- H8.6.21. Maximum total floor area ratio
- H8.6.24. Maximum tower dimension, setback from the street and tower separation
- H8.6.28. Wind

The intensity of development in the city centre requires a context-specific urban design based approach to managing built form. In particular, it is important that all new buildings go through a resource consenting process to ensure a full assessment of the development in its context can be done. Developments in the city centre are also all encouraged to go through

the Urban Design Review Panel process, which supports the developer in achieving positive urban design outcomes for the city centre. A number of the provisions listed above are deliberately interdependent to provide for certain types of outcomes. Height and site intensity (floor area ratio) work this way, by placing restrictions on overall building bulk which mean that (on most sites) a building built to the height limit would have to be slender in order to achieve that height. This supports an outcome which allows for light and air around buildings to provide amenity to the public and to residents and users of buildings. However, as these provisions work as a package, there is scope to amend or remove some of the provisions to enable intensification while still ensuring a positive urban design outcome and a well functioning urban environment. An assessment of the options for how to do this is set out in Tables 5 and 7.

Supporting research

To support the review of operative provisions and the implementation of Policy 3(a) in the city centre, the following research was also undertaken. This helped to understand the potential built form outcomes, both under the operative AUP and with increases to development capacity. It also set some parameters for testing operative and proposed controls.

- Survey of site sizes in city centre
- International Precedents: Tall Buildings Australia[12]
- 'Pencil Towers'[13]
- Review of built form controls on selected international cities: Sydney, Melbourne, Vancouver, Toronto, San Francisco, London
- Existing Tall Building Inventory: Auckland City Centre[14]
- Existing Tall Building Inventory: Towers to ground (no setback) Auckland City Centre[15]
- Tower Floorplates: Typical Commercial[16]
- Tower Floorplates: Typical Residential[17]

[12] Research undertaken by urban design experts, looking at examples of high-rise/tall buildings in Melbourne, Sydney and Brisbane in order to understand the range of building heights and floor-plate sizes being built for commercial and residential uses.

[13] Research undertaken by urban design experts, looking at examples of "pencil towers" (high-rise buildings with a very high slenderness ratio that are very tall and thin) in Melbourne, Sydney and New York and comparing these to some buildings that have been developed on narrow sites in Auckland.

[14] Examples of high-rise/tall buildings in Auckland city centre to understand the range of building heights and floor-plate sizes being built for commercial and residential uses.

[15] Examples of high-rise/tall buildings in Auckland city centre which have zero setback on one or more boundaries, to understand the urban design implications of this type of development.

[16] Analysis of high-rise/tall buildings in Auckland city centre to understand the typical commercial floor-plate size.

[17] Analysis of high-rise/tall buildings in Auckland city centre to understand the typical residential floor-plate size.

- Tower Floorplates: Small Floorplate[18]
- 3D Modelling:[19] including Existing buildings; Unlimited height[20]; Special Height Controls (operative); General Height Controls (operative)

Key findings from research

- There is no "typical" site size in the city centre (unlike in some other zones). Site sizes range from 3m^2 to 45,000m^2, with half falling between 100m^2-800m^2. This range of site sizes also suggests that development in the city centre is always going to need site-specific assessment as well as development standards.
- The research did identify typical floorplate sizes for residential and commercial uses, of 500m^2 and 1500m^2 respectively. This gives an indication of what site sizes (and how many sites) might be expected to be developed as towers, and also the site sizes to focus on when testing options.
- There is an increasing prevalence of residential developments on small or narrow sites, both in Auckland and internationally. This suggests that more sites in Auckland city centre may become viable for tower/high-rise development than are currently anticipated. This type of development can include "pencil tower" developments which have a much greater slenderness ratio (height:width ratio) than most tower buildings.
- Many of the existing tower/high-rise developments in the Auckland city centre infringe the operative setback standards on some boundaries, e.g. on corner sites, while still providing a positive urban design outcome. This indicates that the resource consenting process is flexible enough to consider site specific characteristics and enable development that is appropriate to the context.
- Enabling greater height in core city centre area (special height area) creates greater height differential between city centre core and surrounding suburbs. Increasing the height outside of the special height area can also help to create a better transition to those areas.

Wider context

The operative provisions in the city centre were developed within the wider Auckland urban and regional context. This included transitions in building scale not only to the harbour and open spaces, but also towards the neighbouring suburbs.

These areas currently have a mix of zoning, from Residential – Single House up to Residential Terraced Housing and Apartment Building and Business – Mixed Use.

The requirement under the NPS UD to enable at least 6 stories in walkable catchments, including around the city centre, means that the anticipated heights in these areas will be at least 6 stories/21 metres going forward. This demands an updated approach to how the city centre interacts with surrounding areas.

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[18] Analysis of high-rise/tall buildings on narrow or small sites in Auckland city centre to understand viable floor-plate sizes on smaller sites.

[19] 3D modelling based on GIS data, in order to compare operative and proposed height controls and other controls.

[20] Up to 500m for modelling purposes.

This was incorporated into our approach as giving less weight to the operative provisions which transition heights down to neighbourhoods adjoining the city centre – with the understanding that:

- unless providing for a qualifying matter, heights enabled in the city centre must be at least 6 storeys
- additional height enabled in surrounding areas will reduce the need for a transition.

Options analysis

A detailed options analysis of how to implement Policy 3(a) is set out in Tables 5 and 7 below.

Identify options

For each provision or set of provisions the following options were considered:

- Status quo – Retain provision as-is / Do not introduce new provision (option1)
- Remove provision in full (option 2)
- Amend control (options 3 and above)
    - Some rules in the activity table were only assessed as retain or remove, as there was not a sensible amendment option to consider.
    - For some provisions, multiple “amend” options were considered. This was especially important to address the different ways in which a control might impact the provision of development capacity. E.g. a height limit AND the spatial extent of that limit.

Development and Evaluation of Options

Extensive modelling was undertaken of the options to understand the potential effects and whether they would enable intensification and a well-functioning urban environment. Evaluations of the costs and benefits of each option are set out below.

Table 5: Options analysis of controls to implement Policy 3(a)

AUP provisions	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
H8.4.1(A32) New Buildings H8.4.1(A36) Alterations and additions to buildings not otherwise provided for	1	Retain	There is a strong evidence base for the need for urban design controls in the city centre. As set out in evidence to the Auckland Unitary Plan Independent Hearings Panel[21], the lack of controls for building form and design in some previous plans: • failed to sustainably manage the effects of the development of physical resources • failed to assist the Urban Design Panel in carrying out its function to encourage and promote high quality urban design outcomes. Since 2010 the city centre has had *"a design based approach centred on a requirement for restricted discretionary activity consent for new buildings and alterations to existing buildings…. 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"*[22] While the intention of the NPS UD is to enable as much development capacity as possible in the city centre, it is still appropriate for the design and potential effects of buildings to be the subject of assessment.	**Low cost.** Requires assessment of proposed development against matters which (depending on context and building design) may result in restrictions to development capacity.	**High benefit** It is appropriate for the design and potential effects of new buildings to be the subject of assessment.	**Retain (option 1)**
	2	Remove (change to P or C activity status)		**Would not be limiting development capacity, building height, or density.** If amended to be a controlled activity, then no reduction in consenting costs to developer but they do get certainty. If amended to be a permitted activity, then reduced consenting costs to developer – except that many developments would require a consent for other infringements anyway so hard to quantify the actual benefit.	**Low benefit / high cost** Would lose out on the urban design and well functioning urban environment outcomes which are provided by the restricted discretionary activity status, while not necessarily gaining much in development capacity.	
H8.4.1(A44) Standard H8.6.10. Basic floor area ratio Map H8.11.7	1	Retain	Floor area ratio (FAR) currently manages building bulk and site intensity by restricting the total gross floor area in a development. This helps to ensure that if a building is tall it will have to also be relatively slender. The limits on gross floor area mean that there are very few sites in the city centre where a building could take up the whole site area and also extend up to the height limit. This means that FAR as a set of controls can contribute to positive urban form outcome. Basic FAR applies to developments where bonus FAR has not been used. See below for information on bonus system. Retaining basic FAR would not enable any additional development capacity. Removing the basic floor area ratio standard would be a straightforward approach to removing some of the current constraints on development capacity with minimal risk of adverse impacts. Maximum total floor area ratio has a much more significant effect on overall built form and development capacity, which is assessed below. The most significant impact of removing basic FAR would be that the bonus FAR system could no longer operate, as it requires basic and maximum FAR controls in order to be implemented. See assessment below of bonus FAR standards for further detail. Amending the basic FAR provision, for example by increasing the basic FAR across all affected sites, would require significant work in order to be done fairly, in a way that enabled significant additional development capacity while also maintaining a well-functioning urban environment. The current distribution of enabled site intensity is shown on Map H8.11.7, and has been designed to support the operative AUP context. The NPS UD introduces additional priorities and policy context which would have to be taken into account if amending this standard. The modelling and assessment needed to fully understand the potential options and outcomes could not be achieved within the government timelines with an acceptable level of certainty. **Interactions with other controls / consequential changes?** Interaction with bonus FAR controls and maximum total floor area ratio. If remove basic FAR standard, then there is no structure for bonus FAR so it will also need to be removed. If retain or amend FAR standards, will interact with building height controls. Consider interaction with height to encourage tall slender buildings.	**Medium cost** Retaining basic FAR standard would not enable any additional development capacity.	**Low benefit** Scale of development is managed through this control, but 2020 resource consent decision means that the use and benefit of the basic FAR standard has significantly decreased.	**Remove (option 2)**
	2	Remove		**Would not be limiting development capacity, building height, or density.** Removing basic FAR would theoretically enable a significant increase in development capacity, but note that standard H8.6.21 Maximum total floor area ratio has a greater impact on development capacity.	**Medium benefit** Would reduce some complexity and redundancy in the AUP, especially if the bonus FAR controls were also removed from chapter H8.	
	3	Amend		**Medium cost** Retaining this control but amending it, e.g. to increase the basic floor area ratios across the city centre, would theoretically enable additional development capacity. But it is standard H8.6.21 Maximum total floor area ratio which has the most impact on development capacity.	**Low benefit / medium cost** Significant risks due to the lack of certainty able to be achieved within government timeline.	
Standards H8.6.11.- H8.6.20 Bonus	1	Retain	The bonus system provides for additional gross floor area (a higher total FAR) in exchange for the provision of public amenities, e.g. works of art, through-site links, plazas, conservation of special character buildings.	**Neutral** Does not directly restrict development capacity. Enables additional gross floor area in exchange for public amenity. But	**Low benefit / low costs** Not being used due to 2020 resource consent decision.	**Remove all bonus FAR controls.**

[21] 050 City Centre – Auckland Council (Nicholas Roberts) – Planning. 2 April 2015, paragraphs 7.4-7.9

[22] Ibid, paragraph 7.7

AUP provisions	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
floor area ratios			However, the bonus FAR controls were found in 2020 to not be in line with the RMA effects-based approach, and since then have been rarely applied, with developments being designed for the maximum total floor area instead of the basic FAR plus bonus FAR.	practically this requirement is not enforced due to the 2020 resource consent decision on bonus FAR.		
	2	Remove	There is a concern that removing these standards could result in the loss of existing public amenities which have been provided through the bonus FAR standards. For example, through-site links and heritage/character conservation. This could potentially be avoided by some consequential changes in the chapter to protect existing public amenities. A new policy (H8.3.(32A)) is proposed to address this issue and provide guidance for resource consenting decisions if applications are made to vary conditions and remove amenities. **Interactions with other controls / consequential changes?** Resource consent decision on BUN60341835. Potential loss of public amenities. If remove bonus FAR standards, will have an impact on other controls which refer to/rely on/provide for these standards, and on city centre precincts which use bonus system.	**Neutral** Does not directly restrict development capacity.	**High benefit / medium costs** Could lose existing public amenities which have been provided through the bonus FAR standard. Would significantly reduce complexity in chapter H8.	
H8.4.1(A45) H8.6.21. Maximum total floor area ratio Map H8.11.7	1	Retain maximum FAR everywhere	Floor area ratio (FAR) currently manages building bulk and site intensity by restricting the total gross floor area in a development, as discussed above in the analysis of Standard H8.6.10. Basic floor area ratio. Standard H8.6.21. Maximum total floor area ratio (MTFAR) has the most significant impact (of all the FAR controls) on development capacity. Retaining MTFAR would not enable additional development capacity. If FAR is removed, especially MTFAR, need to consider how else to manage the effects of building bulk. Consider introducing controls such as tower dimension and setback (or similar) to manage building form in a way that is more directly related to the effects. As for basic FAR, significant work would be involved to amend this provision fairly, in a way that enabled significant additional development capacity while also maintaining a well-functioning urban environment. The current distribution of enabled site intensity is shown on Map H8.11.7, and has been designed to support the operative AUP context. The NPS UD introduces additional priorities and policy context which would have to be taken into account if amending this standard. The modelling and assessment needed to fully understand the potential options and outcomes could not be achieved within the government timelines with an acceptable level of certainty. Removing the standard would be the easiest and fairest option to implement. It would also result in a significant increase in development capacity across the city centre. **Interactions with other controls / consequential changes?** If remove FAR standards, will have an impact on other controls which refer to/rely on/provide for these standards, and on city centre precincts which use FAR system. If retain or amend FAR standards, will interact with building height controls. Consider interaction with height to encourage tall slender buildings.	**High cost.** Does not enable any additional development capacity.	**Medium benefit** Would continue to manage overall scale and bulk of buildings and encourage tall slender towers on sites with significant height.	**Remove (option 2)**
	2	Remove maximum FAR everywhere		**Would not be limiting development capacity, building height, or density.** Removing this control would enable significant additional development capacity.	**High benefit / medium costs** Easiest and fairest option to implement. Could result in adverse effects and negative built form outcomes if no other provision is introduced to manage the effects of building bulk and form.	
	3	Retain maximum FAR but increase where height has been increased. 3a) Remove FAR where general height has been removed.		**Medium cost** Would enable some additional development capacity 3a) **Low-Medium cost** Would enable significant development capacity in the Special Height area. Would enable some additional development capacity in other parts of the city centre zone.	**Low benefit / medium cost** Significant risks due to the lack of certainty able to be achieved within government timeline.	
H8.6.2 General building height Map H8.11.3	1	Retain general building height control as is.	**Modelling output:** **Existing built form** The below modelling shows a general indication of the existing heights in the city centre. This has been provided as a comparison to the various options. *Modelling notes: May not show all recent development.*	**High cost** Does not enable any additional height in the City Centre Zone.	**Medium-High benefit.** Retains controls which protect amenity and open spaces. There is sufficient plan enabled development capacity in the city centre to meet short-, medium- and long-term demands.	**Retain general building height control but increase heights to 72.5m across all General Height area.**

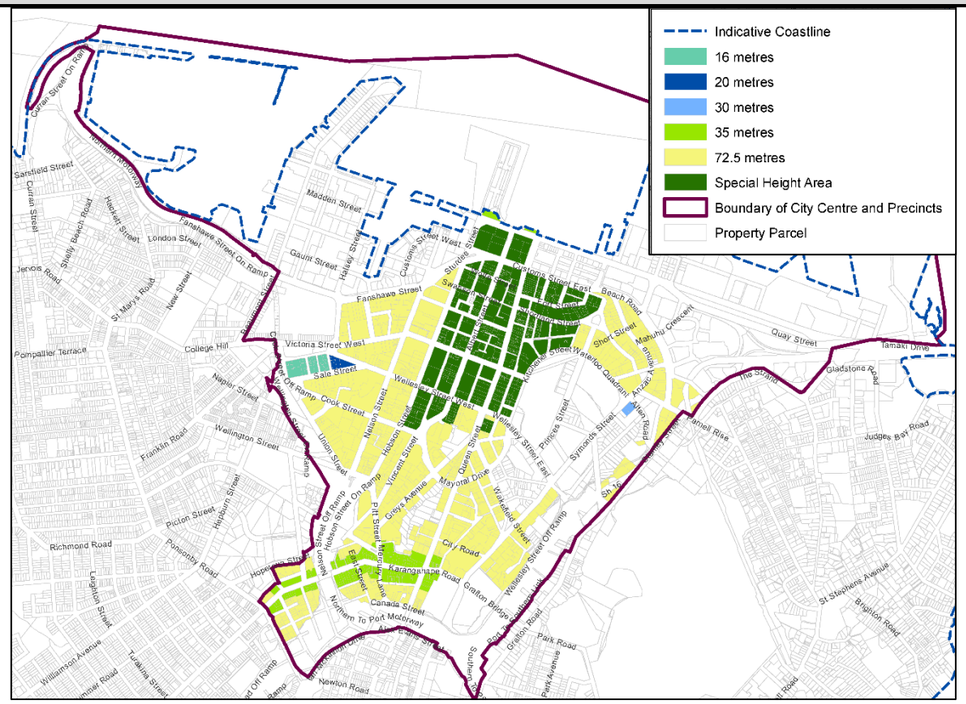
AUP provisions	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
			 **Operative general building height controls (maximum height, not showing impact of FAR provisions)** The purpose of Standard H8.6.2 is: Manage the height of buildings within the city centre to: • enable the tallest buildings within the core central business district and transition heights down to neighbourhoods adjoining the city centre and to the harbour edge; • respect the valley and ridgeline form of the city centre and the existing or planned character of precincts; and • avoid adverse dominance, shading and/or visual amenity effects of building height on streets and public open spaces. The current general building height controls in the city centre are 'unlimited' (subject to special height controls) in the core area (the special height area, shown in green) and significantly more restrictive outside of that (ranging from 15m to 50m). These controls provide for the greatest height in the core area and a transition from the core area down to the Waitematā harbour and to surrounding suburbs. Some general height limits are set lower around heritage areas and near the waterfront. For example, along Karangahape Road and adjacent to the Victoria Park Market Precinct. Those are addressed in Tables 8 and 9 as controls providing for qualifying matters. Additionally, there are a number of open spaces which are currently protected (including sunlight access) by the surrounding building height limits. *Modelling notes: Buildings in the special height area (green area) are shown with some current controls - H8.6.24. Maximum tower dimension, setback from the street and tower separation. Site intensity has not been applied. The maximum total floor area ratio for the special height area ranges from 8:1 to 13:1. The bulk and height shown in the image would not be able to be achieved under the current AUP site intensity controls. Precinct heights are not shown in this model, but they are generally lower than the adjacent general height controls.* 			(retaining lower height limits which provide for QMs as set out in Tables 8 and 9 and retaining special height controls) **(Option 3b)**

AUP provisions	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
			Assessment against guiding principles • Protecting sunlight and daylight to open spaces: High, as retains sunlight admission controls and the protection of other open spaces by limiting building height in surrounding areas. • Protecting amenity and retaining the "human scale" of streets: High. • Enabling tall slender towers with space between them to allow sunlight, daylight and views to permeate the city centre: Medium. Operative provisions manage this well in the special height area. Operative intensity controls (FAR) do encourage buildings to get slenderer as they get taller. Proposed building bulk and form controls would also do this by requiring setbacks. But enabling more height would also assist with this outcome. • Protecting the relationship between the city centre and the Waitematā Harbour. High. Transitions height from core of city centre down to harbour. • Protecting historic heritage in the city centre. High. Provides appropriate height limits for areas of historic heritage. • Promoting climate change resilience: Medium. Enables sufficient capacity to meet forecast short-, medium- and long-term demands. • Fewer, simpler, more targeted controls: Low. Would not simplify any controls. **Interactions with other controls / consequential changes?** Operative general height provision interacts with floor area ratio provisions to manage the overall built form outcome. If any of these provisions are removed or amended, then the consequential impacts will need to be considered.			
	2	Remove general building height	**Sub-options:** **a)** Remove general building height and remove precinct height controls. Retain special height controls. **b)** Remove general building height controls but retain precinct height controls (to be assessed separately). Retain special height controls. **Special height controls only** Modelled several scenarios looking only at height controls. That is, assuming the removal of site intensity controls so that maximum heights could be reached. Note that these models do not include controls which might modify the building form, such as setbacks or tower dimension controls. Expect that this type of control will still be necessary to ensure amenity including light and air around buildings, but they have been tested separately. This model output demonstrates that the special height controls, while very important in managing specific effects of development, were not designed to manage city centre heights on their own (i.e. without general building height or overall bulk controls). In particular, the additional height at the edges of the zone, on the western side of the zone between volcanic viewshafts E10 and E16, and in the waterfront precincts could cause significant adverse effects on open spaces and surrounding sites. It would undermine the relationship between the city centre and the Waitematā Harbour, and risk significant shading on Parnell, the Domain, Newton, and Victoria Park (as well as other smaller open spaces). This would be an unacceptable outcome. *Model notes: heights capped at 500m for modelling purposes.* 	**Would not be limiting development capacity, building height, or density**. Would enable significant increase in height and development capacity.	**Low benefits / high costs:** The impacts on city centre amenity may mean that removing general building height limits does not enable the city centre to maximise the benefits of intensification.	

AUP provisions	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
			Special height controls plus precinct controls Then modelled the city centre with current precinct heights but with the removal of general building height controls. The precincts are shown with current heights, but these have also all been through individual assessments and some heights are proposed to be increased. However, this model output still accurately demonstrates the scale of potential heights if general height controls were removed. This option would protect the precinct outcomes and be less damaging to the relationship between the city and the Waitematā Harbour. It also reduces the potential shading on the Domain and Victoria Park, though additional protection for these open spaces would still be advised. The potential adverse effects from the scale of buildings enabled, especially around the edges of the city centre (Stanley St, Symonds St, Ponsonby Rd end of Karangahape Rd) and near Victoria Park Market are significant. These effects could include shading, dominance, loss of amenity in streets and open spaces, loss of heritage values, a reduction in the legibility and cohesiveness of the city centre, and negative impacts on the landscape identity as both a city of harbours and maunga. It would be difficult to manage these effects through controls which did not include height limits. Of particular concern, as set out for the model above, are the effects outside the city centre. These areas, while they will see an increase in height and density under NPS UD, should not reasonably be expected to deal with the extent of shading and dominance effects which could be caused by these enabled city centre heights. It is clear from this modelling that some type of transition in heights between “unlimited” and the surrounding suburbs is still necessary. *Model notes: Not all precinct heights are shown in model – Victoria Park Market has been left out, and part of the Port Precinct is not shown. These are minor modelling errors which have been taken into account in the analysis.*  **Analysis** The special height controls were developed to protect very specific outcomes, including amenity of specific open spaces and our natural heritage. Although they would continue to protect those outcomes if general height controls were removed, they were not designed to manage the broader range of effects from height across the city centre. There is the potential for significant adverse effects both within and beyond the city centre, in particular the shading and dominance of additional height on open space and streets. The resulting built form could still be modified by controls including site intensity and/or tower dimension and setback. Even with these controls though, there is the potential to see very tall tower developments which may have unintended adverse effects on the city centre and surrounding areas. **Assessment against guiding principles** • Protecting sunlight and daylight to open spaces. Low-Medium. Sites which are already protected by sunlight admission controls would retain that protection, but other open spaces may lose their sunlight and daylight. This includes important open spaces such as Victoria Park and the Doman. • Protecting amenity and retaining the “human scale” of streets. Low. The amenity of streets would be greatly reduced in some parts of the city centre due to the dominance and shading of the increased height. • Enabling tall slender towers with space between them to allow sunlight, daylight and views to permeate the city centre: medium			

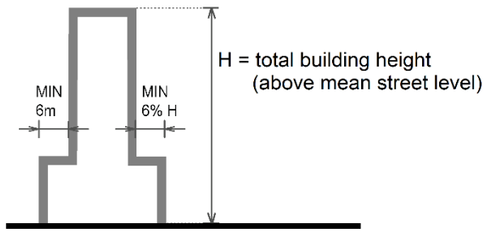
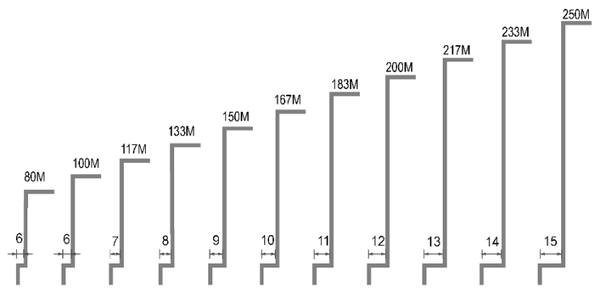
AUP provisions	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
			• Protecting the outcomes achieved by the existing city centre precincts. Low. There is the potential for shading and dominance of most precincts by very tall buildings. • Protecting the relationship between the city centre and the Waitematā Harbour. Low. Significant additional height on the periphery of the city centre would undermine the relationship between the city centre and the harbour. • Protecting historic heritage in the city centre. Low. Unrestricted height would have adverse impacts on a number of historical heritage areas within the city centre. • Fewer, simpler, more targeted controls: Medium, would remove a control, but would need consequential controls to manage additional effects. **Interactions with other controls / consequential changes?** If general building height controls are removed, then consequential effects on, and consequential protections for, public open spaces and areas outside the city centre will need to be considered. Interactions with other operative controls also need to be taken into account. If general height controls are increased but floor area ratio controls are retained, then it is unlikely that any additional development capacity will be enabled. If however floor area ratio controls are removed, then additional development capacity is immediately enabled. If, on top of that, additional height is enabled in some or all of the city centre, then that would provide even more development capacity. If additional height and/or development capacity is enabled, then the potential for adverse effects needs to be considered. Additional controls may be needed to manage building form and design to ensure light and air around buildings and to streets.			
	3	Retain general building height but increase heights	**Sub-options:** 3a) Increase all heights by the same amount, e.g. 10m 3b) Increase to 72.5m across all General Height. 3c) increase to a greater height than 72.5m 3d) Step up General height, from 72.5m to a greater height closer to special height area (In all sub-options, retaining lower height limits which provide for QMs as set out in Tables 8 and 9 and retaining special height controls) **Analysis** 3a) **Medium benefit, low costs.** This option will enable us to retain transition heights to neighbouring suburbs, around certain precincts and towards the waterfront precincts. But it will not provide as much enabled height as 3b or 3c. 3b) **High benefit, low costs.** This is the Metropolitan Centre height limit. Enabling this height across the city centre (and unlimited other than special height controls in the special height area) ensures that the city centre overall enables significantly more development capacity than the Metro Centres. Additionally, as this is an operative height there is an understanding of how it works adjacent to lower-density zones, so the interface between the city centre and surrounding suburbs should be able to be well managed. 3c) **High benefit, medium costs.** This is difficult to assess to an acceptable level of certainty within the government timelines. The inventory of tall towers showed a wide range of heights – there is no obvious height at which significantly more tower development is likely. In addition, increasing the general height limit where there are other existing restrictions (for example the volcanic viewshaft or sunlight admission height limits) creates an incorrect impression of how much height and development capacity is actually available, and creates tension at the resource consent stage. Although it would be preferable to have additional height close to the existing special height area, the limitations of the volcanic viewshaft, Albert Park sunlight admission control and Aotea Square Height Control Plane make that difficult to achieve. 3d) **High benefit, medium costs.** The key difference between options 3(c) and 3(d) are that 3(d) would, on paper, still provide for a transition in heights between the edge and the core of the city centre. This could ensure that the interface between the city centre and surrounding suburbs is well managed by the 72.5m height, while enabling additional development capacity further in. However, the height limitations surrounding the special height area means that this option may not provide the additional height where it would be most appropriate, as discussed in option 3(c). Benefits: more development capacity enabled, would still provide a transition. Costs: a lot of the area directly around the core/special height area are suppressed by the volcanic viewshafts or by the sunlight admission controls, so this option may create a false idea of how much height has actually been enabled – which could lead to tensions at the resource consenting stage. Specialist urban design, landscape and planning recommendations are to retain unlimited height (i.e. no general building height limits) in the core area. The special height controls will restrict heights, but the removal of floor area ratio (site intensity) controls means that significant additional capacity would be achieved. Floor area ratio (FAR) currently manages	All these options will significantly increase building height and the enabled development capacity in the city centre.	Option 3c would have significant benefits, few costs, and would be a fair and straightforward option to apply.	

AUP provisions	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
			building bulk and site intensity by restricting the total gross floor area in a development. This helps to ensure that if a building is tall it will have to also be relatively slender. The limits on gross floor area mean that there are very few sites in the city centre where a building could take up the whole site area and also extend up to the height limit. This means that FAR as a set of controls can contribute to positive urban form outcome. It also means that removing FAR could result in adverse effects and negative built form outcomes if no other provision is used to manage the effects of building bulk and form. Development in the special height area will be enabled up to 362m on some sites, with an average height of 145m. It is recommended that amendments are considered for Standard H8.6.24 to address the potential effects of additional development capacity in the special height area. For building heights outside the core area, many different heights were considered. An inventory was taken of existing tall buildings in Auckland, and international examples were also researched. The range of building heights was very large, with no clear best practice on what heights would enable significant development capacity while still limiting adverse effects on nearby lower density zones. Direction was then taken from the MfE advice and from the operative AUP. There is an existing zone in the AUP with significant height which adjoins lower density zones while managing adverse effects – the Metropolitan Centre Zone. Although the city centre does not have the height in relation to boundary standards that are used in the Metropolitan Centre Zone, this is not of significant concern due to the existing physical boundaries between the city centre zone and most surrounding lower density zones, e.g. the motorway ring. Using the Metropolitan Centre Zone heights for areas outside the core area would also ensure that the city centre was meeting the NPS UD direction of enabling more development capacity than the metro centres, as is appropriate for its position at the top of the centres hierarchy. **General assessment against guiding principles:** • Protecting sunlight and daylight to open spaces. Medium-High. Will ensure that streets retain sunlight/daylight and are not too adversely affected by shading and dominance of extremely tall buildings. It will also protect open spaces outside the city centre, including the Domain and Western Park. • Protecting amenity and retaining the “human scale” of streets. High, if also supported by controls to manage the human scale of the street, e.g. setbacks at an appropriate height. Will limit shading and dominance of streets. • Enabling tall slender towers with space between them to allow sunlight, daylight and views to permeate the city centre: medium. Will be enabled as currently. • Protecting the relationship between the city centre and the Waitematā Harbour. High. This option will avoid ‘pop-up’ heights which may have adverse effects on the relationship between the city centre and the Waitematā Harbour. • Protecting historic heritage in the city centre: high, as appropriate heights would be retained (as qualifying matters) in areas of historic heritage. This includes the Karangahape Road Precinct and around Victoria Park Market. • Fewer, simpler, more targeted controls: Medium, would simplify an existing control. Would need some consequential controls to manage additional effects. Propose that options 3a, 3b, 3c and 3d would all reduce the number of different heights that apply in the city centre. **Proposed amended general building heights (3b):**			

AUP provisions	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
			 **Interactions with other controls / consequential changes?** May need some consequential changes to ensure WFUE with additional height. Interaction of height controls with site intensity controls. • May have to increase enabled site intensity • If FAR is removed, then it is recommended that amendments are considered for Standard H8.6.24 to address the potential effects of additional development capacity in the special height area. Built form controls will need to be investigated for sites outside the special height area.			
	4	Retain general building heights in some areas but increase heights (as per option 3). Also, remove general building heights from some areas (i.e. expand the spatial extent of the Special Height Area)	This option would increase heights across most of the city centre outside the special height area (other than areas managed by precincts), similarly to Option 3. However, it would also increase the spatial extent of the special height area in order to take advantage of potential additional height where it applies over parts of blocks or sites – for example, in the block bounded by Nelson St/Fanshawe St/Brandor Lane/Hobson St/Victoria St West. This approach would also set more realistic expectations for sites where Special Height Controls are lower than General Height Controls, and remove tension at the resource consenting stage. This would enable additional height around the core area but avoid conflict between theoretical enabled height and actual enabled height. However, there are no clear boundaries for where to extend it to, so would require significant work to establish these, which could not be achieved with an acceptable level of certainty within the time available by government timelines. Also would bring with it the special height area built form controls (e.g. podium height and setbacks) which have been specifically created for the current area and may not be appropriate further out.	Will significantly increase building height and the enabled development capacity in the city centre.	**Medium-high benefit / Medium cost**	
Standard H8.6.24. Maximum tower dimension, setback from	1	Retain all, no change	Standard H8.6.24 is important because: • tall buildings that are also bulky dominate skylines, have additional shading effects, require considered design to avoid monotony and limit natural daylight access into floors. • Risk of site amalgamation resulting in large dominant buildings (as extrusions from the site area) and having an adverse effect on streetscape character, amenity and the existing street network and building grain.	**Medium cost** Does not enable any additional development capacity in the City Centre Zone. Only applies to limited number of sites. Additional development capacity	**High benefit / medium cost** Would continue to manage the effects of tall towers, including maintaining light and air around buildings and views through the city centre. May not be able to	**Amend standard to manage effects of additional enabled height and**

AUP provisions	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
the street and tower separation			• To enable light, air, wind, views and visual connections through the city centre 28m podium height: This rule ensures new buildings respect the scale and alignment of existing, older buildings (6-8 storeys) thereby maintaining the existing characteristics of intimacy and enclosure of the street.[23]	could be provided by removing FAR (site intensity) controls.	appropriately manage the effects of additional development capacity.	**development capacity – Introduce a setback proportional to building height. (Option 3)**
	2	Remove all	6m setback: • setback aligns with minimum outlook distance for residential apartments • enables light, air wind, views and visual connections • Meets the policy direction of enabling outlook and light into and between tall buildings; • Better enables views of the sky from street level; • Enables improved privacy for building occupants • Better ensures a separation distance relating to an individual building design response and its site characteristics rather than relying on/being influenced by existing buildings (which may be of good or poor design).	**Low-medium cost** Removing this provision would enable some additional development capacity, as would enable greater bulk on sites subject to the provision.	**Low benefit / high cost** Could result in very negative urban design outcomes, including loss of streetscape amenity, adverse wind effects, dominance, loss of light and views through the city centre.	
	3	a) Amend standard to manage effects of additional enabled height and development capacity – Introduce a setback proportional to building height. b) Also introduce a 12m tower separation	50m tower dimension control: • encourages buildings to get slimmer as they get taller. • was suggested in AUP IHP evidence that this control should apply across the entire City Centre zone, rather than just be restricted to the Special Height Area • Simple to understand and apply, while still being flexible to use 12m tower separation: • On sites which are large enough to have multiple towers, this control will ensure that an appropriate separation distance is provided between buildings. This is so that the benefits and purpose of the 6m setback are not lost on large or amalgamated sites. • The metric of 12m was chosen to ensure the same level of amenity as if the two towers were on adjoining sites instead of on the same site (with a minimum of 6m setback of each tower from a common boundary). Significant additional development capacity is proposed to be added within the special height area, by removing the controls on maximum total floor area ratio (MTFAR). One of the bonus floor area ratio controls was a "light and outlook" control, which encouraged buildings to become slimmer the taller they got, and enabled buildings within the special height area to build to their MTFAR. Without these controls, there is a risk that enabling taller buildings, even with the operative 6m setback and 50m tower dimension, may have unintended adverse outcomes. Several options were considered for how to address this issue. This included an increased setback for all buildings and additional setbacks above certain heights. The first was considered unsuitable due to the potential for unnecessary restriction on shorter buildings, and the second due to the risk of "wedding cake" built form outcomes. A third option considered was a variable setback which increases in proportion to total building height. Research and modelling suggested that a 6% setback (retaining the minimum of 6m) would provide a good balance between enabling development capacity and managing the effects of tall buildings.	**Medium-high cost** Restricts development capacity.	**High benefit** Amending standard H8.6.24 to include a variable setback and a tower separation within sites will provide high benefits in terms of city centre urban design and amenity. In particular, it will better manage the effects of additional enabled height to ensure that a human scale and amenity of streets is maintained in the special height area, including avoiding excessive dominance from very tall buildings. It will also manage potential effects of future site amalgamation, to ensure light, air and visual connections can be maintained around buildings and through the city centre.	

[23] 050 City Centre – Auckland Council (Deborah Lee Sang) – Urban Design. 2 April 2015, paragraph 5.11

AUP provisions	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
			  **Interactions with other controls / consequential changes?** Consider extending spatial extent of control (or using similar context-responsive control) to manage effects of additional height and development capacity outside the special height area. If so, recommend amending name of standard H8.6.24 to make it clear that it applies only to the special height area.			
	5	Amend standard to apply to all of City Centre Zone	Assessed as part of H8.6.25A Building setback from boundaries in Table 7.	See assessment of H8.6.25A Building setback from boundaries in Table 7.	See assessment of H8.6.25A Building setback from boundaries in Table 7.	See assessment of H8.6.25A Building setback from boundaries in Table 7.

Summary of Table 5: Options analysis of controls to implement Policy 3(a)

Provision / set of provisions:	**Recommendation:**
H8.4.1(A32) New Buildings H8.4.1(A36) Alterations and additions to buildings not otherwise provided for	Retain, no change
H8.4.1(A44) Standard H8.6.10. Basic floor area ratio	Remove
Standards H8.6.11.-H8.6.20 Bonus floor area ratios	Remove
H8.4.1(A45) H8.6.21. Maximum total floor area ratio	Remove. Introduce new provisions to manage effects of building form and bulk.
H8.6.2 General building height Map H8.11.3	Amend – increase General building height to 72.5m except where providing for qualifying matters. Introduce new provisions to manage effects of building form and bulk.
Standard H8.6.24. Maximum tower dimension, setback from the street and tower separation	Amend – introduce setback proportional to building height

Removal of floor area ratio provisions, including bonus provisions

One of the primary controls for built form in the City Centre Zone is floor area ratio (FAR). This includes basic, bonus and maximum FARs (standards H8.6.10. – H8.6.21.) The purpose of FAR is to manage the scale of development in the city centre, and the purpose of bonus FAR is to encourage developments to be designed, contain activities or provide features that provide a benefit to the public.

The bonus FAR system was introduced in the City of Auckland District Scheme - Second Review (Operative 1981), under the Town and Country Planning Act 1977 and rolled over into the AUP. It has achieved some notable benefits in the city centre over the years, but it does not sit well within our current planning system. This is because the Resource Management Act 1991 (RMA) is based on the principle of sustainable management and focuses on considering the effects of activities on the environment rather than just regulating the activities themselves.

Because of their origin, the bonus FAR controls are not explicitly linked to the effects of development and include ‘transferring’ of additional floor space between sites and buildings. Under an RMA effects-based system, the adverse effect of that additional floor space is considered on the subject site, whether it has been transferred from another development site, or not. This means the additional floor space and height can be granted without the need to achieve the bonus outcomes on the donor site.

This is exactly what was discussed in a resource consent decision by independent commissioners on behalf of the council in 2020 (BUN60341835: 74-80 Wellesley Street, Attachment B) which granted consent for a development that exceeded the maximum total

floor area ratio. The decision noted that the bonus FAR framework is used to determine consent outcomes based on financial transactions unrelated to the subject site and the effects of development, and that this is not an acceptable reason to decline a resource consent application when the effects of the proposal are otherwise acceptable. This decision confirms that the use of the bonus system to assign additional development capacity is not in line with effects-based planning under the RMA.

On its own, removal of the bonus FAR system may not have been within scope for the IPI. However, assessment was also done of the basic FAR and maximum total FAR standards, which restrict development capacity within the city centre. The recommended option is to remove both these standards, which would then require removal of the bonus FAR standards as a consequential change. Due to the 2020 decision, this consequential change has a minimal cost (as the standards were no longer being used) and a high benefit (in terms of simplifying the City Centre Zone provisions). The potential cost of losing the ability to incentivise public benefits is not applicable due to the 2020 decision.

There is a concern that removing these standards could also result in the loss of existing public amenities which have been provided through the bonus FAR standards. For example, through-site links and heritage/character conservation. This could potentially be avoided by some consequential changes in the chapter to protect existing public amenities. A new policy (H8.3.(32A)) is proposed to address this issue and provide guidance for resource consenting decisions if applications are made to vary conditions and remove amenities.

New provisions to support recommendations

The recommendations to remove the floor area ratio (site intensity) controls and increase general building height will enable significant additional height and development capacity in the city centre.

To manage the effects of the potential building bulk and scale, new provisions have been proposed. These are to manage:

- Maximum street frontage height
- Maximum podium height
- Minimum setback from boundaries
- Maximum tower dimension control

Additionally, the workstream assessing provisions which manage the city centre's relationship to and connections with the Waitematā Harbour resulted in a recommendation for:

- Maximum tower dimension in the east-west direction, to maintain north-south connections to the harbour

Modelling and testing was done for all these proposed new provisions, as set out in the tables below.

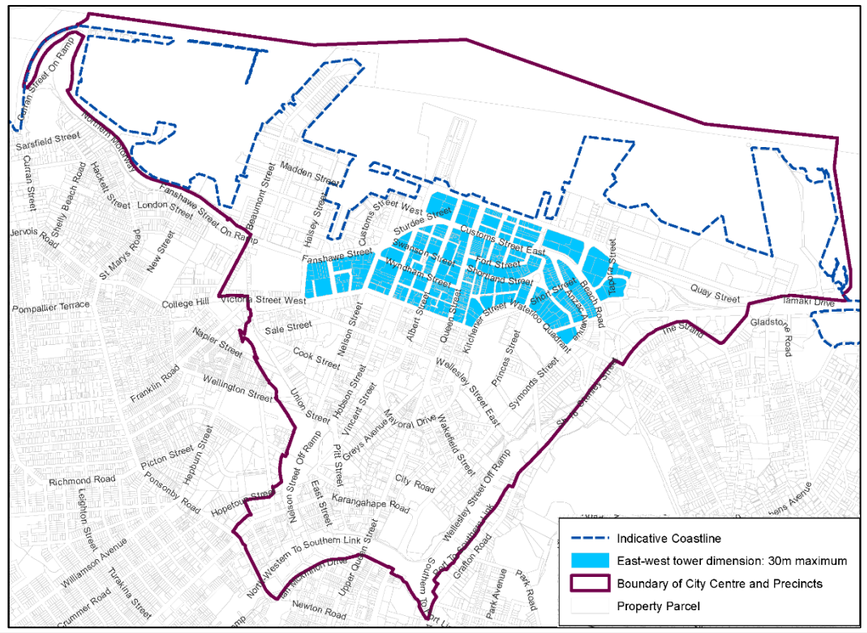
Table 6: Proposed new provisions to implement Policy 3(a)

Proposed provision	Where does it apply?	Does it limit NPS UD intensification?	Does it provide for a QM?	What effects is the provision seeking to address/manage?	Related AUP provisions[24]
Standard H8.6.24A Maximum east-west tower dimension	As set out on Map H8.11.10 East-west tower dimension	Yes. This is a new standard which is proposed to limit the maximum east-west plan dimension of towers in a specified area. This standard will limit the overall size and development capacity of towers on the affected sites.	No	To ensure that high-rise buildings provide appropriate visual connections with, and visual permeability to, the Waitematā Harbour.	Obs: H8.2.(8), H8.2.(9), H8.2.(12) Pols: H8.3.(3), H8.3.(5), H8.3.(20), H8.3.(29A), H8.3.(30), H8.3.(31), H8.3.(31A), H8.3.(36) Matters: H8.8.1.(8B) Criteria: H8.8.2.(8B)
Standard H8.6.25. Building frontage alignment and height	As set out on Map H8.11.5A Maximum frontage height	In part. This is an existing standard to which an additional part is proposed to be added. The current standard imposes a minimum building frontage height, which does not limit height or density of urban form. The proposed standard will also impose a maximum building frontage height on specified frontages.	No	To ensure streets are well defined by human-scaled buildings and provide a sense of enclosure to enhance pedestrian amenity, while still providing adequate sunlight and daylight access to streets.	Obs: H8.2.(3), H8.2.(8), H8.2.(9) Pols: H8.3.(3), H8.3.(29A), H8.3.(30), H8.3.(31), H8.3.(34) Matters: H8.8.1.(9) Criteria: H8.8.2.(9)
Standard H8.6.25A Building setback from boundaries	As set out on Map H8.11.11 Building setback from boundaries	This is a new standard which is proposed to require a setback from the boundaries of those parts of a building above a specified height.	No	To ensure that buildings: • provide adequate sunlight and daylight access to streets; • provide a consistent human-scaled edge to the street; • provide adequate sunlight, daylight and outlook around buildings; • enable views through the city centre; and • avoid adverse wind effects.	Obs: H8.2.(2), H8.2.(3), H8.2.(8), H8.2.(9) Pols: H8.3.(1), H8.3.(3), H8.3.(5), H8.3.(11), H8.3.(29), H8.3.(29A), H8.3.(30), H8.3.(31), H8.3.(34), H8.3.(38) Matters: H8.8.1.(6) Criteria: H8.8.2.(6)

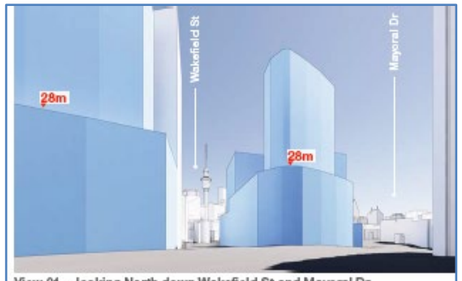
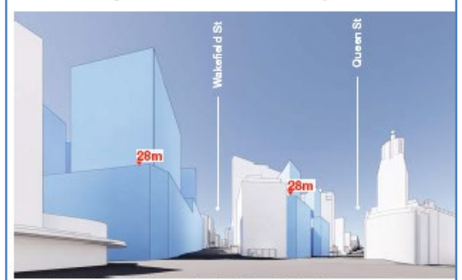
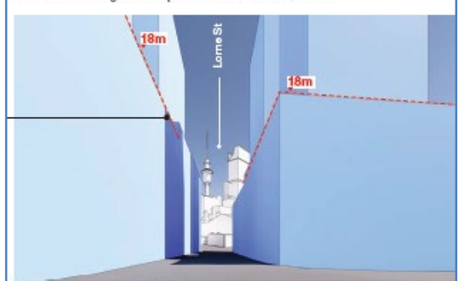
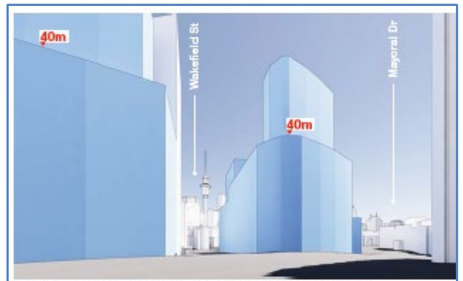
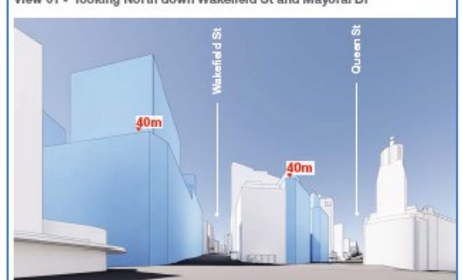
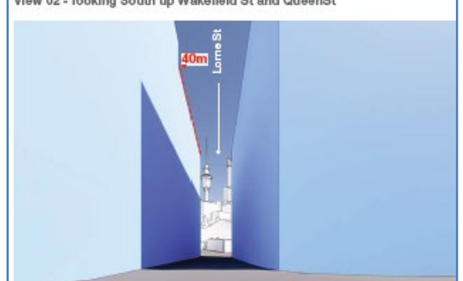
Table 7: Options analysis of proposed new controls to implement Policy 3(a)

Proposed AUP provision	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
H8.6.24A Maximum east-west tower dimension	1	Do not introduce this control	Assumptions: Special height controls, FAR removed, 50m maximum tower dimension, 6m setback at 28m high.	**Would not be limiting development capacity, building height, or density**	**Low benefit / high costs** High risk of losing visual connections through city centre to harbour	**30m east-west dimension control (option 2)**
	2	30m east-west dimension control	Modelling done of 30m and 20m control. The proposed control over tower development would create a much more permeable and fine-grained development matrix that increases the viewing depth into the city from the Waitematā Harbour. This would help to maintain the 'signature' role of the harbour in relation to the CBD's identity and sense of place. An option of 40m was also considered for the east-west tower dimension but was not modelled as the desktop assessment indicated that it would not add any significant value over the 50m maximum tower dimension control (while still having the cost to developers of having to comply with an additional control).	**Medium cost:** Already have an overall tower dimension control, this is a relatively minor reduction. This would primarily affect large sites or sites that are long in the east-west direction.	**High benefit**: Would maintain visual connections through city centre to harbour	
	3	20m east-west dimension control	This option was tested but agreed by all to be too narrow and not enabling enough.	**High cost:** would limit development potential too much.	**High benefit**: potentially more gaps between buildings than 30m option.	
	4	Introduce control with a	Consideration was made of having an alternative spatial extent – both smaller and larger extents were considered.	**Larger spatial extent:**	**High benefit**	

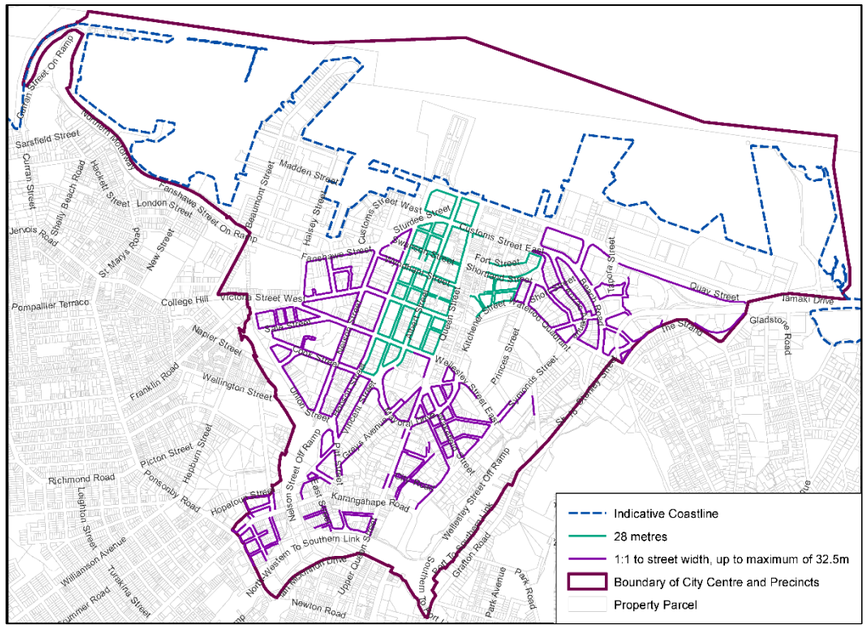
[24] Some abbreviated terms used in this column. Obs: Objectives; Pols: Policies; Matters: Matters of discretion; Criteria: Assessment criteria.

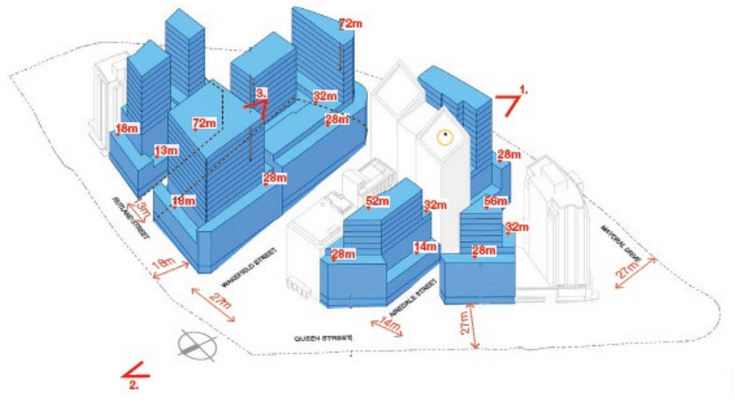
Proposed AUP provision	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
		different spatial extent	Expert analysis noted that: As one moves inland, away from the harbour, the central city's terrain transitions away from slopes that fall more directly towards the harbour into the flatter ridge crests under Nelson and Hobson Streets on one side of the CBD, and Symonds Street on the other. Away from the harbour, it also descends into the Queen Street 'canyon' and down the outer flanks of those same ridges. In addition, a point must be reached where the sort of permeability described above is curtailed by the sheer number of towers developed within the central city. In response to these issues, a number of points have been identified where the city's natural topography transitions from being oriented strongly towards the harbour to either sliding off the sides of the Nelson St / Hobson St and Symonds Street ridges or losing contact with the harbour as each ridgeline flattens out. As a result, the following limits are recommended for the area that would be subject to the sort of controls described above: • North: Quay Street • South: Victoria Street West & Victoria Street East; • West: Victoria Park • East: Symonds Street Much of this area is not identified as being important in terms of their ground level / street connections with the Waitematā Harbour. Even so, it remains important in relation to future apartment buildings and commercial development that should ideally retain a strong sense of connection with the harbour and features beyond it. The 30m east-west tower dimension control applied to the spatial extent shown below will help to retain this connection. **Proposed spatial extent of control:** 	**High cost:** Would cause greater restriction on development capacity than option 2. **Smaller spatial extent:** **Medium cost:** would cause less restriction on development than option 2 but would still restrict development where applied.	Would maintain visual connections through city centre to harbour	
H8.6.25. Building frontage alignment and height (2) maximum frontage height	1	Do not introduce this control	Looked at option of relying on a standard podium height across city centre rather than introducing a maximum frontage height standard. This would have been easier to write as a planning rule, but would have imposed a standard which, while aligned with the overall principles guiding built form in the city centre, would not have been related to the site context. The different options considered for podium height are assessed below (see H8.6.25A). Due to the complexity and variety of street widths, site sizes etc in the city centre, the urban design advice was to have context-responsive controls where possible.	**Would not be limiting development capacity, building height, or density**	**Low benefit, high cost.** Adverse urban design outcomes, could result in high street wall which dominates and shades the streets, significantly reducing amenity.	**Maximum frontage height 1:1 to street width (option 2)**

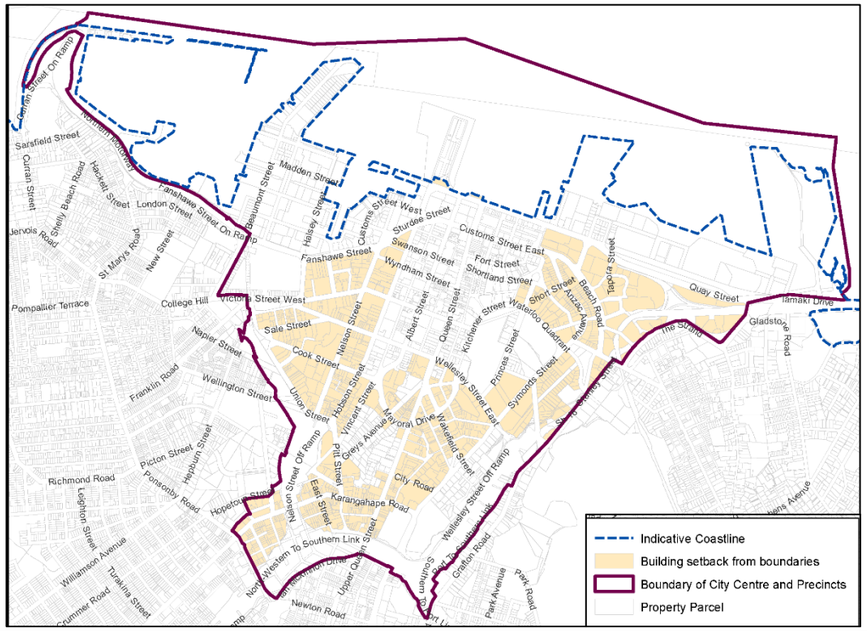
Proposed AUP provision	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation

	2	Maximum frontage height 1:1 to street width	Urban design expert advice:
			• Relationship between street width and street wall height plays strong part in the amenity of the street. Including:
			  • Sense of enclosure
			  • Sunlight and daylight to streets
			  • "Sky view" access.
			  • Mitigating wind effects (note that Standard H8.6.28 Wind has also been retained to support this outcome).
			Research into urban design practice and international examples indicated that, in a high density city centre, a street wall/frontage height of 1 to 1.5 times the width of the street is appropriate (in lower density areas, a street wall height of less than 1 times the street width is preferred).
			Operative zone chapter includes a minimum frontage height (H8.6.25). Was most appropriate to insert this new proposed provision into that standard, as both controls contribute to the overall scale, sense of enclosure and amenity of city centre streets.
			Maximum frontage heights of 1:1 and 1.5:1 to street width were modelled, which are shown below side-by side (1:1 on left, 1.1:1 on right):
			 
			View 01 - looking North down Wakefield St and Mayoral Dr
			 
			View 02 - looking South up Wakefield St and QueenSt
			 
			View 03 looking North down Lorne St
			 
			View 01 - looking North down Wakefield St and Mayoral Dr
			 
			View 02 - looking South up Wakefield St and QueenSt
			 
			View 03 looking North down Lorne St
				Low-medium cost
				Would restrict some development capacity, but if building setback from boundary control is also being used then the additional impact of a maximum street frontage control is minimal.
					High benefit
					Would provide a positive urban design outcome at the street level, including a sense of enclosure, human scale and sunlight and daylight.	

	3	Maximum frontage height 1.5:1 to street width		**Low cost** Would restrict some development capacity, but if building setback from boundary control is also being used then the additional impact of a maximum street frontage control is minimal.	**Low benefit** Urban design outcome at street level would be marginal.	

Proposed AUP provision	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
			The 1:1 frontage height to street width ratio had a much better urban design outcome, both in terms of pedestrian amenity (less dominance and shading) and in terms of overall building form. The 1.5:1 ratio resulted in a potential "urban canyon" built form. **Proposed spatial extent of control:**  **Interactions with other controls / consequential changes?** Need to consider interaction with minimum frontage height and with building setback from boundaries			
H8.6.25A Building setback from boundaries	1	Do not introduce this control	Significant additional height and development capacity is being enabled. Not having setback or tower dimension controls could result in adverse effects and negative urban design outcomes, including significant shading and dominance of buildings on streets, and loss of air movement and visual connections around and between buildings.	**Would not be limiting development capacity, building height, or density**	**Low benefit, high costs** Enabling significant additional	**Introduce 6m setback and 50m tower dimension, starting at 32.5m high (option 2 and option 4)**
	2	a) 6m setback and 50m tower dimension b) also introduce a 12m tower separation	It is proposed that this standard include a tower dimension control as well as a setback from boundaries. As set out in the options analysis for H8.6.24 in Table 5, there are strong urban design reasons for the operative 6m setback and 50m tower dimension controls, and for the proposed 12m tower separation control. These metrics are considered appropriate to be applied outside of the special height area. The height at which this controls will apply is assessed in option 4 below.	**High cost** Restricts development capacity on most sites.	**High benefit** Would manage the effects of additional height and development capacity on sites across the city centre, including maintaining light and air around buildings and views through the city centre.	
	3	Less setback	Smaller setbacks, such as 3m and 0m, were considered for small/narrow sites and for corner sites. This was to enable additional development capacity on sites which would be unlikely to develop a podium and tower form. However, due to the heterogeneity of site sizes and shapes in the city centre, the introduction of new standards would not provide sufficient flexibility or context-responsiveness. Instead, amendments were proposed to the assessment criteria to specifically note narrow sites and corner sites as potential exceptions to the standards. This resource consenting and context-based approach is already used in the operative plan for additional height on corner sites, and it is appropriate to use the same approach when managing setbacks.	**Medium cost** Restricts development capacity on most sites but enables some additional capacity on small, narrow and corner sites.	**Medium benefit, medium cost** Would create unnecessarily complex additional standards when could be better managed through resource consenting process.	

Proposed AUP provision	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
	4	Maximum podium height at 32.5m	Initially considered applying the 28m podium height limit (from the special height area) across the city centre. However, that height was determined based on the context of the Queen Street Valley to align with the scale of existing older buildings, and may not be as relevant in other parts of the city centre. For areas outside the special height area, i.e. in areas without unlimited height, it is appropriate to enable additional development capacity where possible. It is also important though to manage the overall bulk of buildings and their impact on street amenity. Several options were modelled to understand what would provide the best outcome for frontages not managed by H8.6.25. Assumptions: 72.5m Height limit, FAR removed, 50m tower dimension + 6m setback, maximum frontage height 1:1 to street width. Variable: Maximum podium height at rear/side boundaries a) Aligned to highest adjoining street frontage height 1H:1W. b) 19m (aligned to minimum frontage height control) c) 28m (as in special height area) d) 32.5m (podium height in Metropolitan Centre Zone) e) 40m (approximate width of widest streets in city centre, e.g. Fanshawe St, also a podium height that was requested through AUP IHP process and has been used in some overseas cities). Option (c) was initially proposed, as 28m is an operative (and therefore well tested) provision. However, this standard was developed specifically for the core area, and so the podium heights and setbacks have been developed for that context. Would get some protection of street amenity and of light and air around buildings, but not as many benefits compared to using a provision with metrics that are more appropriate to the wider city centre. Options (d) and (e) provided the most potential development capacity, but option (e) was a lot more dominant over the street and there is a risk it would create the “urban canyon” effect which the maximum frontage height control seeks to avoid. Option (d) however provides additional development capacity for large sites and rear sites, is not overly dominant from street level, aligns well with the proposed 72.5m height, and aligns with the proposed upper limit of the maximum street frontage height. **Model of option (d):**  In terms of spatial extent, it is proposed that this control is applied to all sites outside the special height area which have had FAR removed and/or height increased. This would ensure that buildings covering an entire site and going up to e.g. 72.5m would not occur, but that there would be setbacks and gaps around buildings to protect streetscape character, amenity, light and sky views.	**High cost** Restricts development capacity on most sites.	**High benefit** Provides for positive urban design outcome including managing building bulk and maintaining light and air around buildings and views through the city centre.	

Proposed AUP provision	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
			It would also mean that sites where the controls are not changing (e.g. in a precinct with height and intensity controls that are being retained) will not be unreasonably restricted by a new control. As additional height is proposed to be enabled in the Learning Precinct and Quay Park Precinct, parts of those precincts would also be covered by this new standard. **Proposed spatial extent of control:** 			

Summary of Table 7: Options analysis of proposed new controls to implement Policy 3(a)

Provision / set of provisions:	**Recommendation:**
H8.6.24A Maximum east-west tower dimension	30m east-west dimension control
H8.6.25. Building frontage alignment and height (2) maximum frontage height	Maximum frontage height 1:1 to street width
H8.6.25A Building setback from boundaries	6m setback and 50m tower dimension, starting at 32.5m high

Conclusion – Giving effect to Policy 3(a)

The removal of all general building height controls (H8.6.2) and the reliance on special height controls and building form controls (e.g. setbacks) to manage the effects will not provide a good outcome for the city centre and surrounding areas.

“Unlimited” (other than special height controls) height across the city centre could result in streets, open space, heritage areas, other buildings, and the harbour edge experiencing significant adverse dominance and shading effects. It could reduce the efficacy of controls aimed at managing the human scale and amenity of streets, have negative impacts on the city centre landscape identity as both a city of harbours and maunga, and could result in the loss of heritage values especially around historic landmarks such as Victoria Park Market.

It would also enable an unacceptable level of shading and dominance on surrounding lower-density suburbs. This is because the sunlight admission controls were designed to provide specific protection to sites within the city centre and are not sufficient to manage effects outside the city centre. Even if additional sunlight protection controls are proposed, e.g. to the Auckland Domain, this still would not adequately address the effects on the lower density residential and business zones.

It is also not appropriate to retain all the operative provisions as-is, as this would fail to implement Policy 3(a) of the NPS UD.

For these reasons, this report recommends that the Business – City Centre Zone implement the Policy 3(a) requirements in the following ways:

- Remove floor area ratio provisions to enable additional site intensity, density of urban form and development capacity.
- Increase general building height to 72.5m, except where providing for qualifying matters.
- Retain provisions which allow for assessment of building form and design at resource consent stage.
- Amend provisions which manage building form within the special height area, and introduce new provisions which can appropriately manage the effects of additional height and density of urban form.

In conclusions, this report does not recommend removing general building heights in the city centre, and instead recommends that the primary method to enable additional development capacity is through the increase of height and the removal of site intensity controls. Some restrictions on building height are important to protect the current and future amenity of the City. This will ensure a well-functioning urban environment (in line with Objective 1) and that amenity values of the city centre can provide for the needs of future generations (in line with objective 4). Maintaining the amenity of the city centre and the areas around it is also part of ensuring that the city centre can maximise the benefits of intensification.

Providing for Qualifying Matters

Objectives and outcomes

Additional qualifying matters have been identified for the city centre which would help to protect outcomes that were identified and provided for in the AUP, but which do not fall under the "existing qualifying matters" set out in the NPS UD.

- Character buildings in City Centre zone and Queen St Valley Precinct
- Some of the existing built form controls in City Centre (e.g. Admission of sunlight into public places, Aotea Square height control)[25].
- Local views

Compatibility / incompatibility of qualifying matters with Policy 3

Table 8: Controls providing for qualifying matters

AUP provisions	Which QM is being provided for?	Where does the QM apply?	How does the QM limit intensification through this control?	What effects are the QMs seeking to address/manage through this control? (Purpose)	Why is this incompatible with Policy 3 intensification?	Recommendation from subject matter experts
H8.4.1(A35) External alterations and additions to a special character building identified on Map H8.11.1 and buildings constructed prior to 1940 within the Queen Street Valley precinct not otherwise provided for Map H8.11.1	77O (j) any other matter: Character buildings in City Centre zone and Queen St Valley Precinct.	Sites specified on Map H8.11.1 and sites in Queen Street Valley Precinct	Requires assessment of proposed development against matters which (depending on context and building design) may result in restrictions to development capacity.	Effects of alterations and additions on special character values. (a) building design and external appearance; (b) architectural style and retention of original building features; and (c) consistency with an approved character plan;	Additional intensification without appropriate assessment will lead to the loss of the qualities and characteristics that the zone seeks to maintain for the specified buildings.	Heritage: Retain control
H8.4.1(A38) The total or substantial demolition (more than 30 per cent by volume), or any demolition of the front facade of a special character building identified on Map H8.11.1	77O (j) any other matter: Character buildings in City Centre zone and Queen St Valley Precinct.	Sites specified on Map H8.11.1	Requires assessment of proposed development against matters which (depending on context and building design) may result in restrictions to development capacity.	Effects of demolition on special character values.	Additional intensification without appropriate assessment will lead to the loss of the qualities and characteristics that the zone seeks to maintain for the specified buildings.	Heritage: Retain control
H8.4.1**(A40)** A building that does not comply with Standard H8.6.3 Admission of sunlight to public places H8.6.3 Admission of sunlight to public places Appendix 11 Business – City Centre Zone sunlight admission into public places	77O (f) open space 77O (j) any other matter: City centre built form controls	Whole zone – originating at areas specified in Appendix 11.	Restricts building height by requiring sunlight admission to identified public places at identified times. This creates planes/cones through which buildings cannot penetrate without infringing this control. Note that Map H8.11.4 is just a visual representation of which special height control is the lowest (i.e. which control applies) in each area.	Manage the effects of development around identified public open spaces to ensure they receive adequate sunlight when those spaces are most used.	Protecting sunlight and daylight to open spaces. As the city centre grows, and as more height and development capacity is enabled, there is a need to ensure that public places have high amenity for users. Additionally, there is very limited ability to increase the amount of open space in the city centre (some is planned in Wynyard Precinct). The existing open spaces need to be high quality to accommodate the existing and future demands.	Parks, Urban Ngahere, Urban Design: Retain control. Add additional public open spaces to Appendix 11, to be protected by this control and avoid adverse effects of intensification on open spaces.

[25] These QMs approved by Auckland Council Planning Committee on 1 July 2022.

AUP provisions	Which QM is being provided for?	Where does the QM apply?	How does the QM limit intensification through this control?	What effects are the QMs seeking to address/manage through this control? (Purpose)	Why is this incompatible with Policy 3 intensification?	Recommendation from subject matter experts
H8.4.1**(A41)** A building that does not comply with Standard H8.6.4 Aotea Square height control plane H8.6.4 Aotea Square height control plane	77O (j) any other matter: City centre built form controls	Whole zone – originating at point specified in Appendix 11.	Restricts building height by specifying a cone, originating in Aotea Square, through which buildings cannot penetrate without infringing this control.	To manage the effects of building scale (height): • to ensure that Aotea Square receives adequate sunlight when the space is most used; • to maintain views from Aotea Square to landmark buildings and views to Aotea Square • so that tall buildings do not dominate the open character of Aotea Square	Protecting sunlight and daylight to open spaces. As the city centre grows, and as more height and development capacity is enabled, there is a need to ensure that public places have high amenity for users. There is very limited ability to increase the amount of open space in the city centre (some is planned in Wynyard Precinct). The existing open spaces need to be high quality to accommodate the existing and future demands.	Parks, Urban Ngahere, Urban Design: Retain the control.
H8.4.1**(A42)** A building that does not comply with Standard H8.6.5 Harbour edge height control plane or Standard H8.6.6 Exception to the harbour edge height control: **D** H8.6.5 Harbour Edge height control plane H8.6.6 Exception to the harbour edge height control	77O (j) any other matter: City centre built form controls	Sites specified in Figure H8.6.6.2.	Restricts building height by specifying a plane in an identified area, through which buildings cannot penetrate without infringing this control.	To manage the effects of building form, scale and dominance at the western end of Quay Street: • on amenity • to provide a transition in building height from the core central business district to the waterfront; • to maximise views between the harbour and the city centre • to reinforce the Quay Street east west connection running from the corner of The Strand and Quay Street to the east and Jellicoe Street in Wynyard Precinct to the west by the alignment of tall building frontages	Enabling additional height on the specified sites will lead to the loss of physical, cultural and visual connections between the city centre and the Waitematā Harbour, and the loss of amenity to people using the streets and open spaces around these sites.	Landscape architecture: Retain standard H8.6.5. but consider amending purpose wording. Consider deleting Standard H8.6.6.
H8.4.1**(A43)** A building that does not comply with Standard H8.6.7 Railway station building and gardens view protection plane H8.6.7 Railway station building and gardens view protection plane	77O(a): a matter of national importance that decision makers are required to recognise and provide for under section 6: 6(f) the protection of historic heritage from inappropriate subdivision, use, and development. 77O (f): open space provided for public use, but only in relation to land that is open space.	Area specified in Figure H8.6.7.1.	Restricts building height by setting a plane through which buildings cannot extend.	To manage the effects of the scale of development (height) to protect the view of the railway station buildings and gardens when viewed from Beach Road.	Enabling additional height on the specified sites will lead to the loss of heritage values which the controls are providing for.	Heritage: Retain the control.
H8.6.2 General building height Map H8.11.3	77O(a): a matter of national importance that decision makers are required to recognise and provide for under section 6.	Sites specified on Map H8.11.3 – specifically the sites shown with the following height limits:	Restricts building height by setting a maximum building height.	To manage the effects of building height on historic heritage buildings and areas. Specifically: • Protecting the historic heritage of Karangahape Road Precinct and Karangahape Road Historic Heritage Area by limiting building heights to 35m. Note that some sites within the precinct and	Enabling additional height on the specified sites will lead to the loss of heritage values of the Karangahape Road area, Victoria Park Market, the Freeman's Hotel, St Andrew's	Heritage: Retain lower heights in the areas where they are providing for the identified qualifying matters.

AUP provisions	Which QM is being provided for?	Where does the QM apply?	How does the QM limit intensification through this control?	What effects are the QMs seeking to address/manage through this control? (Purpose)	Why is this incompatible with Policy 3 intensification?	Recommendation from subject matter experts
	6(f) the protection of historic heritage from inappropriate subdivision, use, and development. 77O (j) any other matter: City centre built form controls	• 15m (sites within the Karangahape Rd Precinct only) • 16m • 20m • 30m • 35m		heritage area are limited at 15m as a transition to surrounding neighbourhoods. • Victoria Park Market Precinct: maintaining its prominence as a historic landmark within the surrounding context and maintaining views to historic heritage buildings from outside the precinct. Also protecting the values of the former Freeman's Hotel (heritage building) on Drake Street. This is done by limiting building height in the blocks bounded by Drake Street, Union Street, Sale Street and Wellesley Street West. • St Andrews Presbyterian Church (heritage building) – limiting building height on this site to 30m. • Ferry Building (heritage building) – limiting building height on this site to 35m. To manage the effects of building height on the relationship (physical, cultural and visual connections) between the city centre and the Waitematā Harbour. Specifically: • Ensuring a transition in heights between the core of the city centre and the Harbour by limiting height on sites on the north side of Quay Street. This operative control also seeks to manages the effects of building height more generally, which is assessed in Table 5 above.	Presbyterian Church, and the Ferry Building. Additional height on sites north of Quay Street will lead to the loss of physical, cultural and visual connections between the city centre and the Waitematā Harbour.	Urban design: retain transition between city centre and Waitematā Harbour.
H8.6.22. Building in relation to boundary	77O (j) any other matter: City centre built form controls	Sites specified on Map H8.11.7.	Restricts development capacity (building bulk and location on a site) by setting indicators to be applied along site boundaries to ensure daylight to residential developments and open spaces.	To manage the effects of development to retain the spacious landscaped character and maximise sunlight admission to public open spaces in the areas that the standard applies.	This control is only partly incompatible with intensification. Additional height would be compatible. But enabling buildings up to the boundaries (i.e. without the setbacks created by this control) would lead to the loss of sunlight and daylight to open spaces and would also likely lead to adverse effects on the amenity of residents of existing buildings.	Planning: retain the control.
H8.6.23. Streetscape improvement and landscaping	77O (j) any other matter: City centre built form controls	Sites specified in Figure H8.6.23.1 and in text of H8.6.23.	Restricts development capacity (building bulk and location on a site) by requiring landscaping around buildings on identified sites.	To manage the effects of building scale on landscape character.	Important to protect landscape character.	Planning: retain the control. Heritage: can delete H8.6.23(5).
H8.6.30. Special amenity yards	77O (f): open space provided for public use, but only in relation to land that is open space.	Areas specified in Figures H8.6.30.1, H8.6.30.2 and H8.6.30.3.	Restricts development capacity by not allowing buildings on identified sites.	To avoid buildings locating in areas that would have a significant adverse effect on pedestrian and/or streetscape amenity.	Enabling buildings on the specified sites would lead to the loss of the open space, pedestrian amenity and streetscape amenity values that the control seeks to protect.	Planning: Retain the control.

AUP provisions	Which QM is being provided for?	Where does the QM apply?	How does the QM limit intensification through this control?	What effects are the QMs seeking to address/manage through this control? (Purpose)	Why is this incompatible with Policy 3 intensification?	Recommendation from subject matter experts
	77O (j) any other matter: City centre built form controls					
H8.6.31 Street sightlines Appendix 9 –Business – City Centre Zone sight lines	77O (j) any other matter: Local views	Areas specified in Appendix 9	Restricts development capacity by setting sightlines, but it is a very minor restriction: Except for the eastern ray of Street Line No. 23 (which affects part of the Maritime Square site (being Lot 1A DP 198984), this standard does not apply beyond the streets affected.	To manage the effects of development and building design on views from key locations in the city centre to significant landmarks and the harbour.	Allowing buildings to locate within the sightlines would lead to the loss of the local views which the control seeks to protect.	Urban design, landscape architecture: Retain the control.
H8.6.32. Outlook space	77O (j) any other matter: City centre built form controls	Whole zone	Restricts development capacity by requiring that outlook space be provided around residential developments.	To manage effects of building form and location on: • visual and acoustic privacy between different dwellings, including their outdoor living space, on the same or adjacent sites. • passive surveillance of the street • overlooking of neighbouring sites. • daylight access and ventilation for dwellings • privacy, outlook, daylight access and ventilation for visitor accommodation	Enabling development to occur without requiring outlook assessments and setbacks would lead to significant loss of privacy, daylight and outlook for residents of and visitors to the city centre.	Urban design: Retain the control. Consider requiring space around commercial buildings as well to ensure daylight access and air around buildings.

Options analysis

Identify options

For each provision/set of provisions the following options were considered:

- Status quo – Retain provision as-is / Do not introduce new provision (option1)
- Remove provision in full (option 2)
- Amend control (options 3 and above)
    - Some rules in the activity table were only assessed as retain or remove, as there was not a sensible amendment option to consider.
    - For some provisions, multiple "amend" options were considered. This was especially important to address the different ways in which a control might impact the provision of development capacity. E.g. a height limit AND the spatial extent of that limit.

Table 9: Options analysis of controls providing for qualifying matters

AUP provisions	Which QM is being provided for? Where does it apply?	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
H8.4.1(A35) External alterations and additions to a special character building Map H8.11.1 Special character buildings	See Table 8	1	Retain	Control is dependent on site context and building design, so it may still be possible to build to the enabled development capacity on these sites.	**Low cost.** Might limit the redevelopment of some special character buildings, but they only make up a small proportion of the total sites within the city centre.	**High benefit** – retain the special character values of those pre-1940 and identified special character buildings which remain in the city centre, and which contribute to the overall history and character of the area, particularly in the Queen Street Valley.	**Retain the control with no changes. (Option 1)**
		2	Remove (change to C or P activity status)	Could lose the remaining special character buildings in the city centre, and lose the values associated with them.	**Would not be limiting development capacity, building height, or density.**	**Low benefit / high cost –** could lose the remaining special character buildings in the city centre, and lose the values associated with them, due to unsympathetic additions and alterations.	
H8.4.1(A38) Demolition control Map H8.11.1 Special character buildings	See Table 8	1	Retain	Control is dependent on site context and building design, so it may still be possible to build to the enabled development capacity on these sites.	**Low cost.** Might limit the redevelopment of some special character buildings, but they only make up a small proportion of the total sites within the city centre.	**High benefit** – retain the special character values of those pre-1940 and identified special character buildings which remain in the city centre, and which contribute to the overall history and character of the area, particularly in the Queen Street Valley.	**Retain the control with no changes. (Option 1)**
		2	Remove (change to C or P activity status)	Could lose the remaining special character buildings in the city centre, and lose the values associated with them.	**Would not be limiting development capacity, building height, or density.**	**Low benefit / high cost –** could physically lose the remaining special character buildings in the city centre through demolition, and lose the values associated with them.	
H8.4.1**(A40)** H8.6.3 Admission of sunlight to public places Appendix 11	See Table 8	1	Retain as-is.	Open space is already in high demand in the City Centre, and demand is likely to increase. There is a very high need to maintain and enhance the quality of our open spaces. **Interactions with other controls / consequential changes?** Does not protect open spaces which to-date have been protected by other controls e.g. general height limits.	**High cost:** Does not enable any additional height in the City Centre Zone.	**High benefit** where they are already protected. Does not protect open spaces which to-date have been protected by other controls e.g. general height limits.	**Amend the control to include additional public open spaces (Option 5)**
		2	Remove in full	Open space is already in high demand in the City Centre, and demand is likely to increase. There is a very high need to maintain and enhance the quality of our open spaces. **Interactions with other controls / consequential changes?** Height would be unlimited in special height area. Would need to delete Map H8.11.4.	**Would not be limiting development capacity, building height, or density:** Removing this control would enable significant additional height and thus development capacity.	**Low benefit / high cost.** Removing this control would remove the primary protection mechanism for retaining sunlight to open space in the city centre.	
		4	Retain in part – retain some of the sunlight admission requirements but	Open space is already in high demand in the City Centre, and demand is likely to increase. There is a very high need to maintain and enhance the quality of our open spaces. **Interactions with other controls / consequential changes?**	**Medium cost:** Removing this control in part may enable additional development capacity.	**Low benefit / high cost.** Removing protection from some open spaces while not adding any additional/alternative protection would undermine the purpose of the control	

AUP provisions	Which QM is being provided for? Where does it apply?	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
			not all. i.e. stop protecting some open spaces.	Map H8.11.4 would no longer accurately reflect all the controls in Appendix 11.		and would not provide for protecting sunlight and daylight to open spaces.	
		5	Retain and add additional public places to Appendix 11	High quality open spaces are a vital part of a city centre, especially as the residential population is increasing. Adding additional protections to public places which are currently protected by other planning controls, e.g. general building height limits, will ensure that sunlight access and amenity is provided in those spaces. Shading studies show that the open spaces which are most at risk from the effects of intensification (i.e. losing sunlight admission if additional building height is enabled) are: • Victoria Park • Te Taou Reserve • Mahuhu ki-te-Rangi Park • Grafton Cemetery East • Grafton Cemetery West • Constitution Hill • Auckland Domain All these public open spaces have large mature trees, and both parts of Grafton Cemetery are zoned Open Space – Conservation. The expert advice received is that trees should have access to at least 6 hours of sunlight per day, year-round. Victoria Park and Auckland Domain additionally provide for active recreation. To ensure the healthy growth of grass, sports fields ideally would have full sun / no shade on any of the surface for the entire day in mid-winter. **Interactions with other controls / consequential changes?** Adding the public open spaces listed above to Appendix 11 Map H8.11.4 would no longer accurately reflect all the controls in Appendix 11.	**High cost:** Does not enable any additional height in the City Centre Zone.	**High benefit.** Would protect open spaces which to-date have been protected by other controls e.g. general height limits. Would ensure that highly used public open spaces such as Victoria Park and the Domain were protected from additional enabled heights and any potential developments infringing those heights.	
		6	Retain and add additional public places to Appendix 11. Also extend duration of protection for current spaces in Appendix 11.	High quality open spaces are a vital part of a city centre, especially as the residential population is increasing. Adding additional protections to public places which are currently protected by other planning controls, e.g. general building height limits, will ensure that sunlight access and amenity is provided in those spaces. Increasing the spatial duration of sunlight access to currently-protected spaces will cater to the growing diversity of activities in the city centre, including increased residential activity. Operative protections are based on when the public open space is most used. This may have changed since the provisions were first introduced. However, it would require significant additional work to gather the data. The additional protections in option 5 are based on the sunlight requirements for trees and turf, which could potentially be applied to other public open spaces as well. The priority in option 5 is protecting public open spaces which would potentially lose sunlight access when additional height is enabled around them. **Interactions with other controls / consequential changes?** Map H8.11.4 would no longer accurately reflect all the controls in Appendix 11.	**High cost:** Does not enable any additional height in the City Centre Zone and could cause more restrictions than operative controls.	**High benefit / medium cost** Would ensure very high level of sunlight admission to public open spaces in the city centre, which would allow these spaces to better cope with increasing demand or changes in use patterns.	

AUP provisions	Which QM is being provided for? Where does it apply?	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
H8.4.1**(A41)** H8.6.4 Aotea Square height control plane Map H8.11.4 Special height controls	See Table 8	1	Retain	There is very limited ability to increase the amount of open space in the city centre. The existing open spaces need to be high quality to accommodate the existing and future demands. Aotea Square is the main civic space in the city centre, which means that maintaining its amenity and character is very important. The operative control provides for sunlight admission, views to landmark buildings and to Aotea Square, and protects the open character of Aotea Square. As the control is a cone, the only amendments that would have any real effect on development capacity would be to move the starting point or to change the angle of the cone – to make the control contours steeper and enable higher development. However, both these potential amendments would undermine the purpose of the control plane and are not recommended.	**High cost:** Does not enable any additional height in the City Centre Zone.	**High benefit** Maintaining a high level of amenity of Auckland's principal civic space.	**Retain (option 1)**
		2	Remove		**Would not be limiting development capacity, building height, or density:** Removing this control would enable additional height and thus development capacity.	**Low benefit / High cost** High risk that amenity, character and views of Aotea Square and landmark buildings would be compromised by development which would shade or dominate the space.	
		3	Amend		**Low-medium cost:** would enable some additional development capacity.	**Low benefit / High cost** High risk that amenity, character and views of Aotea Square and landmark buildings would be compromised by development which would shade or dominate the space.	
H8.4.1**(A42)** A building that does not comply with Standard H8.6.5 Harbour edge height control plane or Standard H8.6.6 Exception to the harbour edge height control	See Table 8	1	Retain current activity status framework (Discretionary activity)	There are currently no s35 monitoring on the effectiveness of this provision/standards framework. Since implementation under the Auckland Unitary Plan – Isthmus section, of note a few developments infringed – being PWC (188 Quay St), HSBC Building (1 Queen St), Commercial Bay. Generally this suggests that the activity framework in conjunction with the control is managing the transition towards the waterfront, recognising the visual connections and city form/landscape/identity values. Other contributing factors include maturity of this area of the city centre and the capacity within the sector to deliver high-rise developments in general. **Interactions with other controls / consequential changes?**	**Medium-high cost** Activity status is tied to the underlying control. Retention of current framework limits development capacity. Likewise, these restrictions impact the competitive operation of land and development markets by limiting what is permitted.	**Medium benefits / medium costs** Discretionary activity status acts as a disincentive both in terms of development capacity but also potentially innovative development responses. The potential for notification (and added costs) and consideration of *all* potential effects rather than those related to the triggering standard creates risks for development.	**Change infringement to RD (Option 3).** **Provides design flexibility consistent with the NPS-UD while providing for the best balance of achieving the outcomes of the qualifying matter.**
		2	Remove in full	See option 2 assessment for H8.6.5 Harbour Edge height control plane	See option 2 assessment for H8.6.5 Harbour Edge height control plane	See option 2 assessment for H8.6.5 Harbour Edge height control plane	
		3	Amend infringement of status to Restricted Discretionary status	Restricted discretionary can provide stronger controls by establishing a clear framework of relevant effects to be considered i.e. those with direct links to the infringement of the control relating to the values of the qualifying matter. This ensures that the city's connection with the Waitematā can still be maintained.	**Medium cost** Restricted discretionary provides scope for increasing height and building bulk provided the effects relevant to the qualifying matters can be properly managed. This is options is more consistent with the NPS-UD intensification outcome than option 1 but not to the extent of option 2.	**Medium-high benefit** Restricted discretionary status is consistent with the activity for new buildings and will continue to allow council to consider specific matters when the standard is infringed.	
H8.6.5 Harbour Edge height control plane	See Table 8	1	Retain general current recession plane of 40m + 45°, with spatial extent as set out in Figure H8.6.6.2.	The Auckland Unitary Plan (Operative in Part) manages the relationship between the city centre and the Waitematā through a comprehensive planning response, using precincts, recession planes, and other planning mechanisms. This approach was a continuation of the height and built form provisions under the Operative Auckland District Plan (Central Area Section) and complements the Auckland City Centre masterplan, the Waterfront Masterplan and the Auckland Plan prepared by the (then) new Auckland Council. Relevantly, they seek to: • reinforce the core central business district by enabling the tallest buildings within this area • require building height to transition from the central business district towards the periphery of the city centre and the harbour	**Medium-high cost** Retention of control limits the height of development in identified areas of the waterfront. Height must be considered in conjunction of floor area controls which limits building intensity/bulk and useable floor space. If FAR controls are removed, impact of retaining recession plane control would be less overall.	**Medium-high benefit** WFUE – Med Controls will impact competitive operation of land and development markets by imposing limits on height. However, it also ensures that the market attractiveness of proximity to the waterfront are not monopolised solely be sites immediately adjacent. High – the harbour edge height control plane has successfully been implemented to date. It has shaped Auckland's city form and waterfront development to create a clear transition from lower density waterfront to higher density city core. The current 45 degree recession	**Retain the control with no changes. (Option 1)** **(recession plane of 40m + 45° with no change to spatial extent)** **This provides the best balance in terms of achieving the**

AUP provisions	Which QM is being provided for? Where does it apply?	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
				The qualifying matter applies to land identified in Standard H8.6.5. Harbour edge height control plane (specifically Figure H8.6.6.2 Harbour edge height control co-ordinates) Brown NZ Ltd provides additional landscape assessment to support this qualifying matter. It reaffirmed the above spatial extent as the relevant areas – namely as parts of the city centre with moderate to high connectivity with the Waitematā harbour. Relevantly, draft landscape analysis notes: • Wynyard, Viaduct and lower density development to the west of the city centre core currently have the highest connectivity with values of the harbour. • The Auckland city centre core, east of the central wharves generally have moderate connection due to the ports and development along the wharves. • Support for use of a 40m + 45 degree recession plane. **Interactions with other controls / consequential changes?** Support for a 30m east-west dimension limit for new towers to create fine-grained and permeable city form. Extent likely to extend southward to Wellesley St. Development capacity must be considered in the context of 'maximising benefits of intensification'. E.g. there is a threshold whereby additional height and intensity produces poor urban environment outcomes to the detriment of the market attractiveness of the city centre. In this context, the harbour edge height control plane needs to be considered alongside other controls managing bulk and form of buildings to the extent that it may be possible to retain *some* controls to encourage transitioning towards the waterfront while still enabling additional development capacity commensurate with demand in the city centre.		maintains both views and glimpses of the harbour from towers that are located behind the front tier of waterfront development. The control is more effective in managing effects of development on the city form/landscape/identity component of the relationship with the harbour. The waterfront as a public space is north of development areas, which limits dominance effects to potential visual bulk, and wind effects rather than also potential shading effect. The spatial extent of the control is part of an integrated planning approach which also relies on precinct provisions to manage the transition of city form recognising the city's connection with the Waitematā and provide for the amenity values of the waterfront as public spaces.	**outcomes sought by the qualifying matter while still being consistent with the NPS-UD. It is also consistent with the approach to city centre precincts.**
		2	Remove any recession plane control	The landscape assessment also identifies the incompatibility of unlimited building height and density with retaining the values of visual links and associations between Auckland's Central City and the Waitematā Harbour. Likewise, the development capacity assessment provides analysis found that existing plan enabled capacity will adequately provide for likely demand for additional floor space in the city centre. **5a Assessed against status quo development controls**: Will not deliver on the outcomes of the qualifying matter within the parts of the city centre affected by the control – which currently have moderate connections that can potentially be further degraded by taller developments. The existing volcanic viewshafts and Height, FAR and precinct controls will still generally enable a city form which expresses Auckland geomorphological heritage as well as its relations to the water. Existing precinct provisions will continue to provide for east-west transition of city form (as viewed from the Harbour) and protect local connections such as the character of Viaduct Harbour and Wynyard Quarter. **5b Assessed against potential development control with more enabling FAR or height limits compared with existing:** Dependent on extent of additional development capacity adjacent to the waterfront blocks and/or treatment of precinct provisions. Generally	**Low cost** Removal of the HEHCP control will enable the maximum amount of intensification within this part of the city centre. This would allow the competitive operation of land and development markets to determine the appropriate height/bulk of on Auckland's waterfront.	**Low benefit** Will not maintain qualifying matter values, including the connections between the city centre and the Waitematā Harbour which contribute to Auckland's unique identity, and provision of sunlight to public open spaces along the waterfront.	

AUP provisions	Which QM is being provided for? Where does it apply?	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
				considered to be even more incompatible with QM outcomes than 5a above. Particularly if east-west transitions are further compromised. **5c Assessed against potential development control without FAR or height limits:** The potential impacts on severing the city centre' connection with the water is unlikely to worsen beyond a height threshold – the airspace and visual permeability around buildings as expressed by building bulk becomes a more controlling factor. Similar to 5b, unlikely to maintain QM values.			
		3	Amend – increase height at which the setback applies. Increase height before recession plane begins (tested 60m and 72.5m)	Additional heights begin to compromise the 'human scale' of Quay St and other public spaces along the waterfront. This will depend on other development controls to manage 'street wall' or potential upper height setbacks to manage effects on streets/public spaces immediately adjacent to the building. Beyond this human scale, additional heights will result in proportional potential effects on the city form and landscape associations with the waterfront. This is associated with a resultant 'wall-like' from creating physical and experiential separation. Increased starting height also means that the proportion of the building as a recession becomes less – diminishing the effectiveness of the control in achieving the transition effect. **Interactions with other controls / consequential changes?** Interaction with proposed development controls will determine the potential effects on the amenity of adjacent waterfront public spaces.	**Low cost** Increasing the height before the recession plane begins can provide additional development capacity and aligns with the intent of the NPS-UD to realise additional development capacity. 60m represents the current 'Exception to the Harbour Edge Height Control Plane height' while 72.5m is consistent with the Metropolitan height limit (and possible heights at the city fringe being investigated).	**Medium-high benefits / high costs** A less restrictive control will provide additional flexibility and potential development responses, conducive to a competitive land or development market. Additional height will limit the effectiveness of the control and will compromise the transition from the city centre to the harbour.	
		4	Amend – increase the angle of the setback to be more enabling. Amend recession plane angle to 60°	A steeper recession plane limits the effectiveness of the control in terms of maintaining a distinguishable transitional city form. The abrupt transition and resultant 'wall of building' limits visual connectivity into and from the city centre core, particularly at higher storeys.	**Medium cost** Retention of control limits the height of development in identified areas of the waterfront. A steeper angle provides additional development capacity for sites further inland from the waterfront. Controls will impact competitive operation of land and development markets by imposing limits on height. Impact will be less than option 1 due to increased development capacity.	**Medium-high benefits / high costs** A less restrictive control will provide additional flexibility and potential development responses, conducive to a competitive land or development market. Additional height will limit the effectiveness of the control and will compromise the transition from the city centre to the harbour	
		5	Amend – Varied recession planes along entire waterfront to replace precinct provisions, controlling for site specific building heights and forms.	While recession planes provide clear transition along axis, the tools become more complex when applied to more than one side of a site (i.e. if it was to follow the coastline along specific areas such as the Viaduct or Wynyard Quarter). In the time available for the NPS UD plan change this was looked into as an option to manage the relationship with the harbour over a larger scale, particularly if precinct controls were proposed to be removed. However it was clear that significantly more work would be required to achieve the same quality of outcome through this control as could be achieved through precinct controls. The precincts have all been assessed individually in their own s32 reports, but those recommendations have been taken into account during the wider city centre assessment. A recession plane would be more effective in modifying city form at a scale greater than the heights/outcomes sought in the more 'intimate' precincts with high connectivity with the Waitematā Harbour e.g., Viaduct Harbour and Wynyard Quarter	**Medium cost** Retention of control limits the height of development in identified areas of the waterfront. A steeper angle provides additional development capacity for sites further inland from the waterfront.	**Medium benefits. High costs** Aligns with principled approach of simplifying development controls. Potential to provide finer granularity in response to site-specific relationships with the Waitematā Harbour. However, some risks in terms of requiring additional time and research to model/test specific recession planes and to fully understand the potential options and outcomes (within the time available by government timelines). Controls will impact competitive operation of land and development markets by imposing limits on height. Impact will be less than option 1 due to increased development capacity. Potentially contributes more to a WFUE if permits more development capacity than existing precinct controls.	

AUP provisions	Which QM is being provided for? Where does it apply?	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
		6	Amend – Extend spatial extent	Recession plane more effective in modifying city form at a scale likely to be greater than the heights/outcomes sought in the more 'intimate' precincts with high connectivity with the Waitematā Harbour e.g., Viaduct Harbour and Wynyard Quarter 2a Extend east-west Provides more coherent transition from higher density core to lower density waterfront. However limited effectiveness once east of central wharves as the operations of the Ports of Auckland already limit connections with the waterfront. Control will mainly relate to overall city form/identity. 2b Extend southwards Limited effectives beyond two or three blocks into the city centre due to nature of the recession plane. **Interactions with other controls / consequential changes?** Consider together with precincts approach. Recommendation may need to be reconsidered, especially regarding spatial extent, if additional height/development capacity is enabled in nearby precincts.	**Medium costs** Effects on NPS-UD outcome will be dependent on approach with precincts as part of integrated planning response to the qualifying matter values.	**Medium-high benefits / high costs** Potential to provide finer granularity in response to site-specific relationships with the Waitematā Harbour (see also HEHCP option 4). However, costs in terms of requiring additional time and research to model/test specific recession planes.	
H8.6.6 Exception to the harbour edge height control	See Table 8	1	Retain the exception to the harbour edge height control	The control provides for development to increase additional 20m to maximise development capacity as a restricted discretionary activity. This is part of the wider framework to recognise that buildings exceeding the height control plane may still be able to meet the purpose of the HEHCP control and provide for amenity and achieve appropriate transition. Methods of calculation H8.6.6(b) (i) to (v) – is complicated and there would be very few people around today that have experience of working with this. Likewise from a resource management perspective, the provision is offsetting effects on waterfront amenity/city form relationships with urban design/pedestrian **Interactions with other controls / consequential changes?** Contingent on interaction with wider framework and activity status.	**Medium-high costs** While this specific control provides some flexibility and additional height (compared to H5.6.5), retention of the current framework still limits development capacity.	**Medium-high benefits** The control provides for development to increase additional 20m to maximise development capacity as a restricted discretionary activity. Provides some benefits in terms of urban design/pedestrian amenity outcomes.	**Remove the exception control (option 2) as it adds complication while not necessarily providing for the values of the qualifying matter.**
		2	Remove the exception to the harbour edge height control		**Medium-high cost** Contingent on other proposals. High cost if no change to activity status for infringement or height (e.g. relaxing of the 40m + 45 degree recession plane) as it limits development capacity. Low-medium cost if more enabling framework replaces this standard.	**Medium-high benefits** Contingent on other proposals. High/Med benefit if no change to activity status for infringement or height (e.g. relaxing of the 40m + 45 degree recession plane) as it limits development capacity. Aligns with principles of simplifying provisions. It is a complicated control, and an approach of off-setting different values/effects is inconsistent with the intent of simplifying controls. Design flexibility can be better achieved by other interventions. Low benefit if more enabling framework replaces this standard.	
		3	Use Exception to the harbour edge height control plane as the default harbour edge height control plane	Refer to option 3 of H8.6.5. Harbour edge height control plane (recession plane controls)	Refer to option 3 of H8.6.5. Harbour edge height control plane (recession plane controls)	Refer to option 3 of H8.6.5. Harbour edge height control plane (recession plane controls)	
		4	Modify the exception to the harbour edge height control plane to provide for additional development capacity	Refer to option 3 of H8.6.5. Harbour edge height control plane (recession plane controls) Further, if assessments demonstrate that increasing the starting height of the recession plane, it would be more appropriate to use that as the 'baseline' for the standard.	Refer to option 3 of H8.6.5. Harbour edge height control plane (recession plane controls)	Refer to option 3 of H8.6.5. Harbour edge height control plane (recession plane controls)	

AUP provisions	Which QM is being provided for? Where does it apply?	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
H8.4.1**(A43)** H8.6.7 Railway station building and gardens view protection plane	See Table 8	1	Retain	Only affects one site which is not either road, park or a scheduled heritage site. Very minor impact.	**Low cost.** Most of the control applies over roads and a park, not over development sites.	**High benefit** Protection of heritage values of the Railway station building and gardens.	**Retain the control, no change. (Option 1)**
		2	Remove		**Would not be limiting development capacity, building height, or density.** But very little additional development capacity would be enabled, as most of the control applies over a park.	**Low benefit / high cost.** Enabling additional height on the specified sites will lead to the loss of heritage values which the controls are providing for.	
		3	Amend: Amend spatial extent of provision so it only applies to open space and road.		**Low cost.** Most of the control applies over a park, not over development sites.	**Low benefit / high cost.** Enabling additional height on the specified sites will lead to the loss of heritage values which the controls are providing for.	
H8.6.2. General building height Map H8.11.3 General height controls	See Table 8	1	Retain general building height control as-is on these sites.	This assessment is specifically looking at sites where a low height limit has been imposed in order to provide for a specific outcome. **15m: transition between city centre and Ponsonby:** This transition height is no longer needed. The surrounding area (in a walkable catchment) will be at least 21m. Outside the Karangahape Road Precinct the height can go up to 72.5m (this is shown in Table 5). Within the Karangahape Road Precinct the height can be increased to 35m, consistent with the rest of the precinct. **16m: blocks directly to the south of Victoria Park Market:** This area provides views towards the precinct and particularly from Adelaide and Centre Street. The lower scale helps Victoria Park Market maintain its prominence as an iconic Auckland landmark. In the Precinct statement the document talks about identifying and preserving significant view shafts to Victoria Park and to the historic brick western wall of the destructor buildings from outside the site. This requires development to respect the consistent scale of historic heritage places along the Victoria Street and Drake Street frontages. **20m: block to south-east of Victoria Park Market, bounded by Vernon St, Sale St, Wellesley St**: One of the values of the Victoria Park Market Precinct is that it is an historic landmark within the city. It once dominated the landscape with its imposing chimney and mass of solid brick buildings. It requires protection from other imposing structures overshadowing its presence. The policy on height levels would protect views to the chimney at Victoria Park Market and the northern walls from the city end of Victoria Street West. The top of the chimney could once be seen from this part of Wellesley Street. There is also the late Victorian former Freeman's Hotel (now the Drake) on the corner of Drake Street to consider. This is a landmark building, which was originally scheduled as being significant for maintaining the dominant character of Freeman's Bay. Tall buildings surrounding this structure would dominate and detract considerably from the built and aesthetic qualities of this heritage place. **30m: St Andrews Presbyterian Church**. This is a landmark building with a very high tower, a Category A heritage building. **35m: Karangahape Road Precinct (and surrounds).** There is a large area which has a 35m height limit in the operative plan, covering the Karangahape Road Precinct, Karangahape Road heritage area and other sites which are also limited by the volcanic viewshaft. In Table 5 above it is proposed to increase general building height to 72.5m	**Medium cost** Does not enable any additional height on these sites. However, some sites would still be restricted due to the presence of: • Volcanic viewshafts • Historic heritage overlays	**High benefit. P**rotects historic heritage and connections between the city centre and the Waitematā Harbour.	**Option 4: Retain lower height limits providing for QMs but:** **Increase the 15m height limit to 35m to be consistent with the rest of the Karangahape Road Precinct and Karangahape Road Historic Heritage Area.**
		2	Remove general building height controls on these sites (See assessment for Policy 3 option to remove heights everywhere while retaining special height controls.)		**Would not be limiting development capacity, building height, or density.** Removing the lower heights on the specified sites would potentially enable some additional height. But as noted for option 1, a number of the sites have other restrictions so the additional height and development capacity would not be able to be realised.	**Low benefit / high cost.** Enabling additional height on the specified sites will lead to the loss of heritage values of the Karangahape Road area, Victoria Park Market (including its legibility as a historic landmark), the Freeman's Hotel, St Andrew's Presbyterian Church, and the Ferry Building. Additional height on sites north of Quay Street will lead to the loss of physical, cultural and visual connections between the city centre and the Waitematā Harbour.	
		3	Increase general building height limits on these sites		**Medium cost:** Would enable some additional height but not much.	**Low benefit / high cost.** The operative height limits on these sites have a relationship to the existing built form. Enabling some additional height would be of limited benefit in terms of gaining development capacity but would have a significant impact on heritage values and on the relationship with the Waitematā Harbour.	
		4	Retain height limits which are providing for QMs		**Medium cost** Would enable some additional height and development capacity. However, some sites would still be restricted due to the presence of: • Volcanic viewshafts • Historic heritage overlays	**High benefit. P**rotects historic heritage and connections between the city centre and the Waitematā Harbour.	

AUP provisions	Which QM is being provided for? Where does it apply?	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
				except where providing for a qualifying matter. As the volcanic viewshaft qualifying matter is being provided for by the overlay (through D14), it does not also need to be provided for in the city centre zone heights. However, the Karangahape Road Precinct relies on the 35m height limit to protect its heritage and character. So retaining a 35m height on sites within the precinct would provide for that. **35m: Ferry building and the building at 131-147 Quay Street.** Transitional height limit to avoid tall buildings on edge of harbour. Also, to retaining the value of the Ferry Building a regional landmark building and an iconic waterfront building in Auckland. In its present setting the Ferry Building provides an historic gateway to the harbour and it maintains a presence emphasising that, as it is not hemmed in by larger more dominating structures. Retain height limits which are providing for heritage and transition to the Waitematā Harbour, but (where heights have been reduced for a non-QM reason) enable an increase in height up to an appropriate level on these sites. Also limit the spatial extent of the lower height limits. **Interactions with other controls / consequential changes?** Interaction with general building height.			
H8.6.22. Building in relation to boundary Appendix 10	See Table 8	1	Retain, no change	This is a complicated control to use and removing it could simplify the development process for these sites, however it provides for specific amenity outcomes to public open spaces. It has also created a very particular built form outcome and removing the control could result in adverse effects on the residents of those buildings. Significant modelling is needed to understand the potential consequences of removing this standard, which could not be achieved within the government timelines with an acceptable level of certainty. **Interactions with other controls / consequential changes?** Would also interact with height. So even if retained, would be with greater height enabled as set out in the tables above. Would still want to manage the building form to ensure a well-functioning urban environment, so if deleting or reducing spatial extent would recommend that this option have a consequential change of applying alternative controls to manage the effects of building form. Would require consequential changes to/deletion of Appendix 10	**High cost:** Does not enable any additional development capacity. (But is unlikely to restrict additional capacity enabled through increasing or removing the general height control)	**High benefit.** Would retain the sunlight and daylight admission to public open spaces which the control seeks to protect. Would also continue to protect the amenity for residents of existing buildings.	**Retain the control, no change. (Option 1)**
		2	Remove control		**Would not be limiting development capacity, building height, or density.** Removing this control would enable additional development capacity on specific sites.	**Low benefit / high cost.** Would lead to the loss of sunlight and daylight to public open spaces, and the loss of residential amenity.	
		3	Retain control but reduce spatial extent		**Medium cost.** Reducing the extent of this control would enable some additional development capacity.	**Low benefit / medium cost.** Would lead to the loss of sunlight and daylight to some public open spaces, and the loss of residential amenity to some existing buildings.	
H8.6.23. Streetscape improvement and landscaping	See Table 8	1	Retain, no change	This only applies to sites where Standard H8.6.22. Building in relation to boundary applies. If that control is removed, then this one should be too, to avoid any conflict between provisions. This standard is complementary to H8.6.22, which requires sunlight and daylight to public spaces, and results in sites with 'diamond' shaped buildings. The landscaping required by H8.6.23 provides a spacious, well-vegetated appearance and 'green' landscaped form in this area which enhances the amenity of surrounding public open space including streets. However, there is no information available for which particular landscape character H8.2.23(5) is protecting. It also is not clear in the text to which site this part of the standard applies. Propose delete H8.6.23(5).	**Low cost.** Does not enable any additional development capacity. But note that this control applies to sites which already have building location limited by H8.6.22.	**Medium benefit** Landscape character protection.	**Amend the control – delete H8.6.23(5). (Option 3)**
		2	Remove control		**Would not be limiting development capacity, building height, or density.** But most sites would still be limited by H8.6.22.	**Low benefit / medium cost** No additional development capacity provided and would remove landscape character protection.	
		3	Amend – delete H8.6.23(5)		Would remove restriction on one site. Rest of sites would still also be limited by H8.6.22.	**Medium benefit** Simplifies standard and removes a restriction.	
Standard H8.6.31 Street sightlines	See Table 8	1	Retain	Except for the eastern ray of Street Line No. 23 (which affects part of the Maritime Square site (being Lot 1A DP 198984), this standard does not apply beyond the streets affected.	**Low cost.** only restricts development capacity on one site: part of the Maritime Square site (being Lot 1A DP 198984).	**Medium benefit** Important local views are protected.	**Retain, no change. (Option 1)**

AUP provisions	Which QM is being provided for? Where does it apply?	Option #	Description of option	Testing, modelling, expert analysis	Impact (cost) that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity	Benefits / broader impacts of option	Planner recommendation
Appendix 9 – Business – City Centre Zone sight lines		2	Amend – remove part of sightline which goes over site.		Removing this control would enable minimal additional development capacity on the site.	**Low benefit / medium impact** Would lose the protection for a local view.	
H8.6.32. Outlook space	See Table 8	1	Retain, no change	The purpose of the outlook standard is to manage effects of building form and location on: privacy, passive surveillance, overlooking, daylight access and ventilation. It applies to residential and visitor accommodation developments and is frequently infringed (by means of resource consents), especially on developments which are adapting commercial buildings for residential or accommodation uses. As residential and internal amenity is important, a key area of investigation was whether it would be possible to apply outlook or a similar control to all buildings, to ensure good internal amenity and compatibility with different uses over time. However, it would be difficult to adapt this standard to non-residential uses though, as it is based on bedrooms and living spaces. Instead of adapting this control, an alternative has been considered: enabling podium and tower building forms across the city centres Additionally, any restriction on development capacity from this standard is design and site dependent, as the standard can be met by outlook over a road. Amendments to this standard were considered, but required significant additional testing and modelling in order to fully understand the potential options and outcomes, which could not be achieved within the government timelines with an acceptable level of certainty	**High cost.** Does not enable any additional development capacity.	**Medium benefit** Provides for residential and accommodation privacy, outlook and ventilation.	**Retain, no change. (Option 1)**
		2	Remove		**Would not be limiting development capacity, building height, or density.** Removing this control could enable significant additional development capacity.	**Low benefit / high cost** Risk of losing the amenity which the standard provides for.	
		3	Amend – change rules for taller buildings to avoid 'wedding cake' built form		**Medium cost.** May enable additional development capacity.	**Medium benefit / medium cost** May result in better built form outcome, but significant risks due to the lack of certainty able to be achieved within government timelines.	
		4	Retain and apply current control to all buildings, regardless of activity use		**High cost.** Does not enable any additional development capacity, may reduce development capacity.	**Low benefit / high impact** Would be difficult to implement – is not the right control to be using for this purpose. .	

Summary of Table 9: Options analysis of controls providing for qualifying matters

Provision:	**Recommendation:**
H8.4.1(A35) External alterations and additions to a special character building Map H8.11.1 Special character buildings	Retain
H8.4.1(A38) Demolition control Map H8.11.1 Special character buildings	Retain
H8.4.1**(A40)**	Retain
H8.6.3 Admission of sunlight to public places Appendix 11	Amend – protect additional public open spaces
H8.4.1**(A41)**	Retain
H8.6.4 Aotea Square height control plane Map H8.11.4 Special height controls	Retain
H8.4.1**(A42)**	Amend – change activity status from D to RD
H8.6.5 Harbour Edge height control plane	Retain
H8.6.6 Exception to the harbour edge height control	Remove
H8.4.1**(A43)** H8.6.7 Railway station building and gardens view protection plane	Retain
H8.6.2. General building height Map H8.11.3 General height controls	Amend
H8.6.22. Building in relation to boundary	Retain
H8.6.23. Streetscape improvement and landscaping	Amend – delete part
Standard H8.6.31 Street sightlines Appendix 9 –Business – City Centre Zone sight lines	Retain
H8.6.32. Outlook space	Retain

Conclusion – Providing for qualifying matters

The recommendation is generally to retain all the provisions which provide for qualifying matters (with some minor amendments and the changes to the Harbour Edge Height Control provisions as set out above), as they protect important outcomes in the city centre, particularly the amenity of public open spaces.

Additionally, the proposed additional height enabled by the IPI will remove the default protections of sunlight admission to other public open spaces, which under the operative plan have had sunlight admission ensured by the general building height controls. It is

therefore recommended that Standard H8.6.3 and Appendix 11 be amended to ensure sunlight admission to the following open spaces while allowing for a general increase in the height of surrounding buildings. Doing this through a provision providing for a specific qualifying matter is more targeted and therefore more enabling than retaining a general building height limit around these open spaces.

Consequential changes

As a consequence of the recommended ways to implement Policy 3(a) and provide for qualifying matters in the city centre, a number of additional changes have been proposed.

Table 10: consequential changes

Change	Reason	AUP H8 references
Amend zone description	To provide for the NPS UD and qualifying matters, and reflect overall increase in scale and the move away from the "valley and ridgeline" form to a city centre with a planned built form within a wider landscape context.	H8.1
Amend objectives and policies	To provide for NPS UD and qualifying matters	H8.2(2), H8.2(3), H8.2(13) H8.3(12A), H8.2(13), H8.3(30A),
Amend objectives and policies	To reflect the move away from the "valley and ridgeline" form to a city centre with a planned built form within a wider landscape context.	H8.2(8), H8.2(12)
Amend objectives and policies	To reflect Auckland's sense of identity including mana whenua identity, consequential to providing for a well functioning urban environment	H8.3(29A), H8.8.2(1),
Amend objectives and policies	To be consistent with the purpose and wording of the proposed changes to rules and standards	H8.3(17), H8.3(29), H8.3(30), H8.3(31), H8.3(34), H8.3(38), H8.6.9(1)
Delete provisions	Consequential to deletion of rules/standards – delete matters of control/discretion, assessment criteria, maps providing for rules and standards which have been deleted.	H8.8.1(8), H8.8.2(8), Map H8.11.7
New/amended matters of discretion and assessment criteria	To be consistent with the purpose and wording of new/amended rules and standards: • H8.6.2. General building height • H8.6.5. Harbour edge height control plane	H8.8.1(6), H8.8.1(8A), H8.8.1(8B), H8.8.1(9), H8.8.2(1), H8.8.2(6), H8.8.2(8A), H8.8.2(8B), H8.8.2(9),

	• H8.6.24. Maximum tower dimension, setback from the street and tower separation in special height area (shown on Map H8.11.3) • H8.6.24A Maximum east-west tower dimension • H8.6.25. Building frontage alignment and height • H8.6.25A Building setback from boundaries	
Delete/amend provisions providing for "development incentives" or "bonus".	Consequential to deletion of bonus floor area ratio standards	H8.3(27), H8.3(28), H8.3(32), H8.6.9(2), H8.6.9(4), H8.9, Map H8.11.8
New policy	To protect existing public amenities. Consequential to deletion of bonus floor area ratio standards	H8.3(32A)
New standard, matters of discretion and assessment criteria	To provide for through-site links. Consequential to deletion of bonus floor area ratio standards	H8.6.34, H8.8.1(16), H8.8.2(16),
New special information requirements	Consequential to deletion of bonus floor area ratio standards	H8.10
Amend map	Consequential to proposed amendments to Appendix 11	Map H8.11.4 Special height controls – but can't be updated until proposed new sunlight admission controls have had their contours mapped in GIS. This map is just informational to support Standard H8.6.2 General building height, so will be updated later in the process.
New map	Consequential to deletion of Map H8.11.7	Map H8.11.7A Building in relation to boundary

Information Used

Name of document, report, plan	How did it inform the development of the plan change
Survey of site sizes in city centre	Understanding of range of site sizes and potential type and scale of development that could be expected in the city centre.
Review of built form controls on selected international cities: Sydney,	Understanding of types of built form controls that can be used, and the urban design outcomes that these result in.

Melbourne, Vancouver, Toronto, San Francisco, London	
Auckland City Centre NPS UD Plan Change – urban design report by Architectus and Auckland Council. Including: • International Precedents: Tall Buildings Australia • 'Pencil Towers' • Existing Tall Building Inventory: Auckland City Centre • Existing Tall Building Inventory: Towers to ground (no setback) Auckland City Centre • Tower Floorplates: Typical Commercial • Tower Floorplates: Typical Residential • Tower Floorplates: Small Floorplate • Shading assessments • Scenario and option testing	Research and case studies looking at: • examples of high-rise/tall buildings in Melbourne, Sydney and Brisbane in order to understand the range of building heights and floor-plate sizes being built for commercial and residential uses. • examples of "pencil towers" (high-rise buildings with a very high slenderness ratio that are very tall and thin) in Melbourne, Sydney and New York and comparing these to some buildings that have been developed on narrow sites in Auckland. • examples of high-rise/tall buildings in Auckland city centre to understand the range of building heights and floor-plate sizes being built for commercial and residential uses. • examples of high-rise/tall buildings in Auckland city centre which have zero setback on one or more boundaries, to understand the urban design implications of this type of development. • analysis of high-rise/tall buildings in Auckland city centre to understand the typical commercial and residential floor-plate sizes. • analysis of high-rise/tall buildings on narrow or small sites in Auckland city centre to understand viable floor-plate sizes on smaller sites. Shading assessments to understand potential effects of additional height on open spaces and streets. Modelling, testing and analysis of options for amending city centre provisions to enable additional intensification while providing for qualifying matters and contributing to a well-functioning urban environment.
3D Modelling	3D modelling based on GIS data, in order to compare operative and proposed height controls and other controls.
Planning and urban design evidence from Auckland Unitary Plan Independent Hearings Panel	Information about purpose and development of operative provisions.
Architectural Testing of Built Form Controls, Melbourne Hoddle Grid / Southbank, Central City Built Form Review 2016	International case study informing built form controls including setback and podium height.
Central Sydney Planning Strategy, 2016-2036	International case study informing built form controls including setback and podium height.
s32 Landscape Report by Brown NZ Ltd	Expert report informing provisions manging connections and transitions between city centre and Waitematā Harbour

Consultation

Detailed information about consultation during the preparation of the IPI is set out in the "Section 32: Consultation and Engagement Evaluation Report".

Consultation was also undertaken with city centre key stakeholders, including:

- Eke Panuku
- Auckland Unlimited
- Auckland Transport
- Auckland City Centre Advisory Board
- Relevant departments and subject matter experts across council

Attachments

No attachments.