

City Centre Zone Objectives and Policies

Auckland Unitary Plan		Assessment of Objective/Policy
Objectives for all centres, Mixed Use Zone, General Business Zone and Business Park Zone		Plan Change 78
<p>Objective H8.2.(1) - A strong network of centres that are attractive environments and attract ongoing investment, promote commercial activity, and provide employment, housing and goods and services, all at a variety of scales.</p>	<p>The Project will provide additional commercial activity, provide employment, housing and goods and services at this part of the City Centre through the proposed retail, food and beverage, office and residential apartments. In this regard it will positively contribute towards commercial activity, employment and housing through the project’s further investment in the city centre, which will enhance the role of the City Centre as the area of the city with the greatest intensity of development.</p>	
<p>Objective H8.2(2) - Development is of a form, scale and design quality so that centres are reinforced as focal points for the community.</p>	<p>The removal of the Downtown Carpark and its redevelopment into a mixed-use precinct will positively contribute to the city centre’s vitality, amenity and reinforce it as a focal point, rather than detracting or competing for it.</p> <p>The Urban Design Assessment prepared by McIndoe Urban provides a detailed assessment of the Project’s contribution to the urban environment, including its response to the built form, design quality and public realm. That assessment supports the proposed design and considers that, from an urban design perspective, the development is appropriate for the site and its context.</p>	
<p>Objective H8.2(3) - Development positively contributes towards planned future form and quality, creating a sense of place.</p> <p>PC78: Development positively contributes towards planned future form and quality, creating a <u>well-functioning urban environment and a sense of place.</u></p>	<p>The height, scale, massing and materiality of the proposed development has been developed to result in a built form that is of high quality and responds appropriately within this part of the City Centre, reinforcing the quality of development and sense of place. A significant new public space (Te Urunga Hau / the Urban Room) will be provided as part of this development including an extensive pedestrian lane network and civic space. Te Urunga Hau / the Urban Room will feature raised planters, specimen trees, a gathering space, seating, rain shelter and lighting with surrounding retail offerings, will offer a new public space within this area of the</p>	<p>The assessment in terms of this operative objective is considered to apply to the addition of the reference to “well-functioning urban environment” proposed under PC78, noting the definition of that term in the NPS-UD and as introduced to the AUP under PC80 (subject to appeal).</p>

	<p>City Centre and provide a place for people to come together and connect, creating a sense of place.</p> <p>Overall, the removal of the carpark and its redevelopment into a mixed-use precinct will have a significant positive effect on the public realm and will realise the CCMP outcomes for this part of the City Centre.</p>	
<p>Objective H8.2(4) - Business activity is distributed in locations, and is of a scale and form, that:</p> <ul style="list-style-type: none"> (a) provides for the community’s social and economic needs; (b) improves community access to goods, services, community facilities and; (c) manages adverse effects on the environment, including effects on infrastructure and residential amenity <p>PC78: Business activity is distributed in locations, and is of a scale and form, that:</p> <ul style="list-style-type: none"> (a) provides for the community’s social and economic needs; (b) improves community access to goods, services, community facilities and opportunities for social interaction; and (c) manages adverse effects on the environment, including 	<p>The Project includes office spaces, retail and food and beverage tenancies, public amenities and apartment units ranging from one-bedroom to three-bedroom units, in a part of the City Centre that does not currently contain such activities. All these activities are provided for as permitted activities in the City Centre zone.</p> <p>These business activities along with the proposed residential units will support and make a positive contribution to the economic and social wellbeing of the community by providing employment opportunities, increased retail choice and competition while appropriately managing adverse effects on the environment. The Project can be adequately serviced by infrastructure (servicing and transport). The residential amenity of both nearby dwellings and dwellings within the development will be appropriately maintained.</p>	<p>Relevant qualifying matters as identified in PC78 are assessed in the AEE and supporting documents.</p>

<p>effects on infrastructure and residential amenity.; and (d) <u>accommodates qualifying matters.</u></p>		
<p>Objective H8.2(5) - A network of centres that provides:</p> <p>(a) a framework and context to the functioning of the urban area and its transport network, recognising:</p> <ol style="list-style-type: none"> I. the regional role and function of the city centre, metropolitan centres and town centres as commercial, cultural and social focal points for the region, sub-regions and local areas; II. local centres and neighbourhood centres in their role to provide for a range of convenience activities to support and serve as focal points for their local communities <p>(b) a clear framework within which public and private investment can be prioritised and made; and</p> <p>(c) a basis for regeneration and intensification initiatives.</p>	<p>The city centre is the top of the centre’s hierarchy and the Business - City Centre zone seeks to ensure the city centre is an international centre for business, learning, innovation, entertainment, cultural and urban living. The Project seeks to redefine, connect and transform the western edge of Auckland’s core city centre and its relationship with the waterfront, and reinforce it as a focal point for the region through the creation of a mixed-use precinct accommodating residential and commercial office uses together with retail and hospitality, as well as providing a new public and civic space and a new pedestrian laneway network. The Project will support the regeneration and intensification of the Site that is currently underutilised and dominated by a carpark development.</p>	

Objectives for City Centre Zone		
<p>Objective H8.2(6) - The city centre is an internationally significant centre for business.</p>	<p>Refer to assessment against Objective H8.2(5).</p>	
<p>Objective H8.2(7) - The city centre is an attractive place to live, learn, work and visit with 24-hour vibrant and vital business, education, entertainment and retail areas.</p>	<p>The Project includes retail/food and beverage tenancies, office spaces, public amenities and apartment units ranging from one-bedroom to three-bedroom units that provides for an attractive place to live, work and gather throughout the day and week including 24/7 access to Te Urunga Hau / the Urban Room and through-site links (with the exception of the existing through-site link within the HSBC building). The development has been designed to significantly enhance the vitality, vibrancy and amenity of this part of the city centre.</p>	
<p>Objective H8.2(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.</p> <p>PC78: Development in the city centre is managed to accommodate growth and the greatest intensity of development in Auckland and New Zealand while respecting <u>its existing and planned built form and character valley and ridgeline form</u> and waterfront setting.</p>	<p>The Project will support the intensification of the Site that is currently underutilised and dominated by a carpark development. The introduction of a new mixed-use precinct at this part of the city centre will accommodate growth and complement the existing activities.</p> <p>The Site is on the Hobson Street-Federal Street ridge and the Project has been designed to respect that ridgeline form and achieve a transition in height from the core of the city centre towards the waterfront. In particular, the step down in height from T1 to T2 and the location of T2 closer to Quay Street contributes to the transition. The chamfers on both towers also contribute to this height transition. The towers will be seen in the context of the emerging built form (including existing development and consented projects) within this part of the city with greater height centred on the Hobson Street-Federal Street ridge as enabled through the AUP provisions.</p>	<p>The application is assessed in terms of the existing and planned built form and character, including in relation to standards applying to buildings subject to the HEHCP.</p>
<p>Objective H8.2 (9) - The distinctive built form, identified special character and functions of particular areas within and</p>		

<p>adjoining the city centre are maintained and enhanced.</p>	<p>Overall, the Project will significantly enhance the public realm of this part of the city while respecting the Queen Street valley and Federal Street ridge and waterfront setting.</p>	
<p>Objective H8.2(10) - A hub of an integrated regional transport system is located within the city centre.</p>	<p>The location of the proposed development has excellent connections to public transport (notably the ferry and bus infrastructure and services and Waitematā (Britomart) Train Station, soon to be better connected to the metro rail network through the City Rail Link) and is located within a highly walkable catchment, being close to services and amenities in the wider city centre area. The proposal supports these sustainable modes of transport by the generous provision of cycle parking within the development, provision of end of trip facilities and an extensive laneway network and civic space which will provide improved pedestrian connection and activation within the area. Further, the proposed development will significantly reduce the number of car parks which will ultimately reduce the traffic movements from the site.</p>	
<p>Objective H8.2(11) - The city centre is accessible by a range of transport modes with an increasing percentage of residents, visitors, students and workers choosing walking, cycling and public transport.</p>	<p>The location of the proposed development has excellent connections to public transport (notably the ferry and bus infrastructure and services and Waitematā (Britomart) Train Station, soon to be better connected to the metro rail network through the City Rail Link) and is located within a highly walkable catchment, being close to services and amenities in the wider city centre area. The proposal supports these sustainable modes of transport by the generous provision of cycle parking within the development, provision of end of trip facilities and an extensive laneway network and civic space which will provide improved pedestrian connection and activation within the area. Further, the proposed development will significantly reduce the number of car parks which will ultimately reduce the traffic movements from the site.</p>	
<p>Objective H8.2(12) - <u>Development maintains and enhances the city's physical, cultural and visual connections with the waterfront as a public space and with the Waitematā Harbour and maunga.</u></p>		<p>Connections with the waterfront, Waitematā Harbour and maunga are maintained and enhanced by the form and massing of development across the site.</p>
<p>Objective H8.2(13) - <u>Building heights are enabled to realise as much development capacity as possible, unless qualifying matters apply which modify the relevant building height and/or density of urban form.</u></p>		<p>Building height is managed to realise as much development capacity as possible, while addressing qualifying matters including sunlight access to St Patrick's Square and the HEHCP.</p>
<p>General Policies for all Centres, Mixed Use Zone, General Business Zone and Business Park Zone</p>		

<p>Policy H8.3(1) - Reinforce the function of the city centre, metropolitan centres and town centres as the primary location for commercial activity, according to their role in the hierarchy of centres.</p>	<p>Refer to assessment against Objective H8.2.(1) and Objective H8.2(5).</p>	
<p>Policy H8.3(2) - Enable an increase in the density, diversity and quality of housing in the centres zones and Business – Mixed Use Zone while managing any reverse sensitivity effects including from the higher levels of ambient noise and reduced privacy that may result from non-residential activities.</p>	<p>This policy is directive, and requires decision makers to enable an increase in density, diversity and quality of housing. This policy, which applies to all centre zones, needs to be read in conjunction with Policy H8.3(1) and the related objectives, which refer to the City Centre as being at the very top of the centres hierarchy. Accordingly, within the City Centre, it is expected that there is the highest density, the greatest diversity and the highest quality of housing options. As discussed below, the Project responds to this directive.</p> <p>The Project will accommodate up to 331 apartments comprising a mix of one-, two- and three-bedroom units which range in size from 43m² to 199m² (with one apartment being 638m²). This will provide for different housing needs for the community. Any reverse sensitivity effects including noise from port activities and commercial activities to the apartments will be mitigated through façade and roof design construction to ensure that a suitable internal acoustic amenity can be achieved for the proposed apartments. In addition, no balconies or outdoor spaces are specifically provided for most the apartments so that the noise effects of commercial activities are avoided to further reduce any reverse sensitivity effects. Privacy will be maintained for future residents through clear delineation from the commercial development through separate entrances including separate lobbies and lift cores to be provided. The towers are separated by at least 17m, which will ensure appropriate outlook for occupants.</p>	

<p>Policy H8.3(3) - Require development to be of a quality and design that positively contributes to:</p> <ul style="list-style-type: none"> (a) planning and design outcomes identified in this Plan for the relevant zone; (b) the visual quality and interest of streets and other public open spaces; and (c) pedestrian amenity, movement, safety and convenience for people of all ages and abilities. 	<p>The use of the verb “require” positions this policy at the highest end of directive policies. However, the policy does not require the design to achieve the matters listed in (a)-(c), but rather requires any new development to be of a <i>quality</i> and <i>design</i> that positively contributes to those outcomes. As discussed below, while the Project is non-compliant with certain development standards, it achieves the stated purposes of those standards and the non-compliances are limited and the Project positively contributes to the overall planning and design outcomes for this part of the City Centre.</p> <p>The Urban Design Assessment prepared by McIndoe Urban provides a detailed assessment of the proposal’s contribution to the urban environment, response to the public realm, enhancement provided to the visual quality of adjoining streets, and creation of a high-quality pedestrian environment and built form including an extensive laneway network and civic space. That assessment supports the proposed design and considers that, from an urban design perspective, the development is appropriate for the site, zone and its context.</p> <p>A Landscape and Visual Effects Assessment (LVA) has been prepared by Isthmus Group Limited (Isthmus) in support of the application. The LVA concludes that the visual effects associated with the form and scale of the proposal will be entirely appropriate within the surrounding setting. While the proposal infringes the Harbour Edge Height Control Plane, the proposal has been designed to provide a height transition between the core of the city centre and the harbour and views between the harbour and city centre core will be retained.</p>	
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<p>Policy H8.3(4) - Encourage universal access for all development, particularly medium to large scale development.</p>	<p>The policy’s use of the verb “encourage” is at the lower end of directiveness, and it does not express a mandatory requirement. However, universal access is provided through ramped access from both Lower Hobson Street and Custom Street West and lifts (private and public) within the development. The proposal also includes 14 accessible commercial car parking spaces. Accordingly, this policy is met.</p>	
<p>Policy H8.3(5) - Require large-scale development to be of a design quality that is commensurate with the prominence and visual effects of the development</p>	<p>As with Policy H8.3(3) above, the use of “require” is a very directive. The assessments undertaken over a long period of time, and the many design iterations, and reviews by TAG, have all been focussed on achieving an outstanding design quality that is commensurate with the significant prominence of the Project.</p> <p>The LVA prepared by Isthmus in support of this application concludes that the visual effects associated with the form and scale of the proposal will be entirely appropriate within the surrounding setting. The Urban Design Assessment confirms the high-quality of the design at a range of scales.</p>	
<p>Policy H8.3(6) - Encourage buildings at the ground floor to be adaptable to a range of uses to allow activities to change over time.</p>	<p>As with Policy H8.3(4), this is not a mandatory requirement. However, the ground floor tenancies have been designed with a 4.2m floor to floor height to accommodate and attract a wide range of activities over time. Accordingly, this policy has been met.</p>	
<p>Policy H8.3(7) - Require at grade parking to be located and designed in such a manner as to avoid or mitigate adverse impact on pedestrian amenity and the streetscape</p>	<p>No at grade parking is provided, and all parking is located internally and screened from view. This directive policy is complied with.</p>	
<p>Policy H8.3(8) - Require development adjacent to residential zones and the Special Purpose – School Zone and Special Purpose – Māori Purpose Zone to maintain the amenity values of those</p>	<p>The site is not adjacent residential zones and the Special Purpose – School Zone and Special Purpose – Maori Zone.</p>	

<p>areas, having specific regard to dominance, overlooking and shadowing.</p>		
<p>Policy H8.3(9) - Discourage activities, which have noxious, offensive, or undesirable qualities from locating within the centres and mixed use zones, while recognising the need to retain employment opportunities</p>	<p>The Project does not involve activities which have noxious, offensive or undesirable qualities. The activities proposed such as retail, food and beverage, offices, residential and public amenities are activities provided for in the Business – City Centre zone as permitted activities. This policy is complied with.</p>	
<p>Policy H8.3(10) - Discourage dwellings at ground floor in centres zones and enable dwellings above ground floor in centres zones.</p>	<p>All the apartments proposed as part of this development are above ground floor. This policy is complied with.</p>	
<p>Policy H8.3(11) - Require development to avoid, remedy or mitigate adverse wind and glare effects on public open spaces, including streets, and shading effects on open space zoned land.</p>	<p>This is a directive policy, indicated by the verb “require”. However, the policy does not require adverse effects of wind, glare and shading to be <i>avoided</i> – rather it requires a development to <i>avoid, remedy or mitigate</i>. As discussed below, and in the assessments, while not all effects of wind will be avoided or remedied, the design and proposed conditions will <i>mitigate</i> adverse effects of wind to an acceptable level. Adverse effects of glare will be avoided, through compliance with glare standards. Shading effects are either avoided entirely, including on identified public spaces, or are mitigated such that they are negligible on a small number of areas. Accordingly this policy is complied with.</p> <p>Wind tunnel investigations have been undertaken by Holmes for the proposal. In summary, the wind tunnel results confirm that appropriate wind conditions are expected on the surrounding streets. Overall, it is considered that adverse wind velocity and turbulence effects in the surrounding pedestrian spaces can be avoided to the extent that an acceptable level of comfort and usability can be maintained for these spaces.</p>	

	<p>The building materials will comply with the glare standards in the AUP (OP).</p> <p>The shading assessment undertaken by McIndoe Urban confirms that the proposal does not cast shade on either of the two identified public open spaces (St Patricks Square and Te Komititanga/Queen Elizabeth Square) at the times of day and year identified by the AUP (OP) provisions. Shading effects on the waterfront due to elevation of parts of the building above the Harbour Edge Height Control Plane are ‘negligible’ and limited to midsummer at early morning and late afternoon. Shading effects on streets are limited and localised and adequate sunlight is maintained to the surrounding street network.</p>	
<p>Policy H8.3(12) - Recognise the functional and operational requirements of activities and development.</p>	<p>This is a directive policy, with the verb “recognise” being understood to mean that a consent authority must acknowledge or take into account the factors listed when applying the policy.</p> <p>This policy recognises that certain types of developments, particularly such large integrated developments such as that proposed, have certain functional and operational requirements. This extends to the need for the different activities to have outlooks and access to sunlight; activation of the street front (but also recognising that it might not be practicable to activate all areas due to internal configuration; needs for vehicles to enter and exit the site; servicing requirements). This policy also extends to requiring a consent authority to recognise the functional and operational requirements of demolition within an inner city centre block with very close adjacent neighbours. The latter means, for example, that it might not be possible to strictly comply with noise limits for particularly noisy activities (such as concrete cutting).</p>	

	<p>The Project has provision for vehicle accesses from an existing lane between Quay Street and Customs Street West. Loading is provided on site.</p>	
<p>Policy H8.3(12A) - <u>Enable building height of at least six storeys (21m) within walkable catchments unless a qualifying matter applies that reduces height.</u></p>		<p>Not applicable to the City Centre zone.</p>
<p>Policy H8.3(13) - In identified locations within the centres zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone enable greater building height than the standard zone height, having regard to whether the greater height:</p> <ul style="list-style-type: none"> (a) is an efficient use of land; (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy; (c) considering the size and depth of the area, can be accommodated without significant adverse effects on adjacent residential zones; and (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre. <p>PC78: <u>Enable greater building height than the standard height</u> in identified</p>	<p>As discussed above, the policy’s reference to “enable” is a directive policy indicating that the provisions should be interpreted and applied in manner that facilitates the outcomes listed.</p> <p>The Site is located within a Special Height Area where the greatest building heights are enabled, although building massing is effectively limited by the AUP (OP) St Patrick’s Sunlight Admission Control, and moderated by the Harbour Edge Height Control Plane. Enabling a greater height and intensification on Site provides for an efficient use of land, particularly when the Site is currently underutilised and dominated by a carpark development. The Site locality has excellent accessibility to public transport, employment and open space and is located within a highly walkable catchment to other services and amenities in the wider city centre area. As such, the development of the Site into a mixed use precinct will contribute to the city centre’s vitality and vibrancy and support the role of the city centre as the area of the city with the greatest intensity of development. The redevelopment of the Site will also support the significant investment in the City Rail Link, bus infrastructure and the Ferry terminal upgrade. As the block (with the exception of M Social) and nearby Commercial Bay is owned by the applicant, the development potential of the Site could be maximised without significant adverse effects on adjoining land (noting the directive in (c) is to avoid significant adverse effects on</p>	<p>Not applicable to the City Centre zone.</p>

<p>locations identified within the <u>Height Variation Control</u> centres zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone enable greater building height than the standard zone height, having regard to whether the greater height:</p> <p><u>(za) is commensurate with the level of commercial activities and community services;</u></p> <ul style="list-style-type: none"> (a) is an efficient use of land; (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy; (c) considering the size and depth of the area, can be accommodated without significant adverse effects on adjacent residential zones; and (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre.; <u>and</u> (e) <u>support the role of centres.</u> 	<p>adjacent residential zones, of which there is none). The Project is consistent with this policy.</p>	
<p>Policy H8.3(14) - In identified locations within the centre zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone, reduce building height below the standard zone height, where the</p>	<p>The Site is located within a Special Height Area where the greatest building heights are enabled. Building height is limited by the AUP (OP) St Patrick’s Sunlight Admission Control, and moderated by the HEHCP. The Project has been designed having regard to these standards, as addressed further below in the assessment of Policy</p>	<p>Not applicable to the City Centre zone.</p>

<p>standard zone height would have significant adverse effects on identified special character, identified landscape features, or amenity.</p> <p>PC78: <u>Reduce building height below the standard zone height</u> in identified locations <u>identified within the Height Variation Control</u> centre zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone, reduce building height below the standard zone height, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, or amenity <u>or other qualifying matters</u>.</p>	<p>H8.3(30) in terms of managing adverse effects associated with building height and form.</p>	
<p>City Centre Zone Policies – Land Use Activities</p>		
<p>Policy H8.3(15) - Provide for a wide range and diverse mix of activities that enhance the vitality, vibrancy and amenity of the city centre including:</p> <ul style="list-style-type: none"> (a) commercial and residential activities; (b) arts, entertainment, events, civic and community functions; 	<p>The policy’s requirement to “Provide for” certain outcomes is only slightly less directive than “enabling”. The proposal provides for a range and mix of land uses, and commercial office, residential, retail, hospitality and public amenities are specifically provided for as permitted activities in the City Centre zone. The Project is therefore considered to consistent with the intended outcomes in terms of establishing a wide range and diverse mix of activities that will enhance the vitality, vibrancy and amenity of this part of the city centre. The Project is consistent with this policy.</p>	

<p>(c) high-quality visitor experiences, visitor accommodation and associated services; and</p> <p>(d) learning, teaching and research activities, with a particular concentration in the learning precinct.</p>		
<p>Policy H8.3(16) - Enable a significant and diverse residential population to be established and maintained within a range of living environments and housing sizes.</p>	<p>The Project will accommodate a mix of one-, two- and three-bedroom units which range in size from 43m² to 199m² (with one apartment being 638m²). This will provide for different housing needs for the community. The Project is consistent with this policy.</p>	
<p>Policy H8.3(17) - Enable the most significant concentration of office activity in Auckland to locate in the city centre by providing an environment attractive to office workers, with a focus on the core central business district.</p> <p>PC78: Enable the most significant concentration of office activity in Auckland to locate in the city centre by providing an environment attractive to office workers, with a focus on the core central business district <u>of the city centre</u>.</p>	<p>The policy is highly directive.</p> <p>The Project will enable approximately 62,500m² of commercial office space at this part of the core CBD. The amenities provided within the development together with its floor size, outlook towards harbour and the remainder of the CBD, and location close to public transport will provide an environment attractive to office workers. The Project is consistent with this policy.</p>	<p>The application is not affected by the change of reference to the city centre.</p>
<p>Policy H8.3(18) - Provide for a wide range of retail activities throughout the city centre while maintaining and enhancing the vitality, vibrancy and</p>	<p>The Site is within the identified Core Retail Area in the AUP (OP). The Project will accommodate retail and food and beverage tenancies. While the tenants are not known at this stage, a variety of retail floor area sizes (from small scale to medium scale) are</p>	

<p>amenity of core retail areas within the city centre and centres outside of the city centre. In particular:</p> <ul style="list-style-type: none"> (a) enable smaller scale retail activities to occur throughout the city centre; (b) encourage large department stores and integrated retail developments to locate within the core retail area; and (c) avoid large department stores and integrated retail developments locating outside the core retail area where they would adversely affect the amenity, vitality and viability of core retail areas within the city centre and/or centres outside of the city centre. 	<p>provided to accommodate a wide range of retail activities throughout this part of the city centre. This will assist in enhancing the vitality, vibrancy and amenity of core retail areas. The Project is consistent with this policy.</p>	
<p>Policy H8.3(19) - Provide for a wide range of activities along the waterfront, while continuing to provide for those activities requiring a harbour location.</p>	<p>The Project will provide additional commercial activity, provide employment, housing and goods and services at this part of the City Centre (in close proximity to the waterfront) though the proposed retail, food and beverage, office and residential apartments without compromising other activities requiring a harbour location. The Project is consistent with this policy.</p>	
<p>Policy H8.3(20) - Enhance the waterfront as a major gateway to the city centre and Auckland.</p>	<p>The policy’s reference to “enhance” is a direction to improve the waterfront. By any measure, the replacement of the Downton Carpark building with the proposed buildings, together with associated works, will significantly enhance the waterfront and will achieve this policy.</p>	

<p>Policy H8.3(21) - Enable the efficient use and development of the Port of Auckland and identified marine and port activity areas.</p>	<p>Not applicable – the Site is not located within the Port of Auckland.</p>	
<p>Policy H8.3(22) - Support the development of public transport, pedestrian and cycle networks and the ability to efficiently change transport modes.</p>	<p>Refer to assessment against Objective H8.2(10).</p>	
<p>City Centre Zone Policies – Precincts</p>		
<p>Policy H8.3(23) - Identify and encourage specific outcomes in areas of the city centre that relate to:</p> <ul style="list-style-type: none"> (a) a distinctive built character; and/or (b) a concentration of particular activities; and/or (c) activities that have specific functional requirements; and/or (d) significant transformational development opportunities. 	<p>This policy requires certain outcomes to be <i>identified</i> and <i>encouraged</i>. Accordingly, this policy is less directive than those that require outcomes, or those that direct that activities be enabled or provided for.</p> <p>The Site is located within the Downtown West Precinct. The Downtown West Precinct is located within the heart of the city centre waterfront, between the established Viaduct Harbour Precinct and regenerating Britomart Precinct. The precinct has a mix of commercial and residential land uses including a major hotel and open spaces. The block bounded by lower Queen Street, Customs Street West, lower Albert Street and Quay Street is generally held in single ownership and has significant redevelopment potential.</p>	
<p>Policy H8.3(24) - Encourage comprehensive and integrated development of key development sites or precincts in the city centre.</p>	<p>The Project will facilitate the redevelopment of the remaining block within the Downtown West Precinct into a new, integrated mixed-use precinct. This is a significant and transformational redevelopment opportunity. A mix of uses ranging from retail and hospitality on the first two floors and commercial and residential activities on the upper floors will be provided. The Project has been designed with a built form and scale that will be well integrated into this part of the city. The inclusion of Te Urunga Hau / the Urban</p>	

	<p>Room, a new high quality public space between the towers, along with new pedestrian access points along Lower Hobson Street to and Custom Street West will enhance the pedestrian connectivity to the core of the city centre and the waterfront, and between Viaduct Harbour Precinct and Britomart Precinct.</p> <p>The Project is consistent with this policy as it relates to the Downtown West Precinct.</p>	
<p>Policy H8.3(25) - Limit activities that would have reverse sensitivity effects on established and future marine and port activities.</p>	<p>The presence of apartments within the City Centre Port Noise Overlay gives rise to a potential reverse sensitivity effect. However, the policy does not require such activities to be “avoided”, rather it is a direction to “<i>limit activities that would have reverse sensitivity effects.</i>” In this case, the number of apartments potentially exposed to port noise is limited, but more relevantly all apartments will be subject to a no complaints covenant, thereby avoiding (to the extent practicable) reverse sensitivity effects. Further, the core port activities are well east of the location of the apartments such that any noise associated with port activities are minimised.</p>	
<p>City Centre Zone Policies – Historic Heritage and Special Character</p>		
<p>Policy H8.3(27) - Encourage the retention and conservation of the city centre’s historic heritage through scheduling and through development incentives.</p> <p>PC78: Encourage the retention and conservation of the city centre’s historic heritage through scheduling and through development incentives.</p>	<p>The remediation works to the façade of the former Auckland Harbour Board Workshops (204 Quay Street) as part of the demolition works maintains the building’s heritage values and will replace lost fabric. The proposed modifications match the existing windows that are original and involves replacing non-original fabric with more appropriate fabric and reinstating lost elements demonstrated in the original plans for the building.</p> <p>Overall, the proposed works demonstrate a commitment to respecting and maintaining the historic heritage of the former Auckland Harbour Board Workshops, and the wider urban context. They will not compromise the ability to interpret the historic</p>	<p>The removal of reference to development incentives relates to the removal of the site intensity standards under PC78. While the application is compliant with those standards (including use of the heritage floorspace bonus) it is also consistent with the proposed change to this policy under PC78.</p>

	<p>heritage values and provide a positive and appropriate outcome. Consultation with Heritage New Zealand Pouhere Taonga is underway for these proposed works.</p> <p>The Project achieves this policy.</p>	
<p>Policy H8.3(28) - Maintain and enhance the special character values of pre 1940 buildings in the Queen Street Valley precinct and buildings outside this precinct identified on Map H8.11.1 of the Business – City Centre Zone as making a strong or significant contribution to the special character of the surrounding area, in particular by:</p> <ul style="list-style-type: none"> (a) awarding transferable development rights where an identified special character building is protected in perpetuity and restored in accordance with an approved character plan; (b) requiring all development proposals for identified special character buildings to have considered adaptive re-use; (c) avoiding the demolition of identified special character buildings where it would adversely affect the built character of the surrounding area; and 	<p>Not applicable – the site is not subject to special character buildings.</p>	<p>Not applicable to the application as no special character buildings are affected.</p>

<p>(d) requiring alterations and additions to existing buildings and new buildings to give consideration to, and be sympathetic to the existing and planned character of the area.</p> <p>PC78: [Deleted] awarding transferable development rights where an identified special character building is protected in perpetuity and restored in accordance with an approved character plan;</p>		
<p>City Centre Zone Policies – City Form</p>		
<p>Policy H8.3(29) - Enable the tallest buildings and the greatest density of development to occur in the core central business district.</p> <p>PC78: Enable the tallest buildings and the greatest density of development to occur in the core <u>of the city centre central business district.</u></p>	<p>As discussed earlier in this assessment, the phrase “enable” is very directive. It is a very clear direction that the highest buildings and greatest density in Auckland should occur in the City Centre.</p> <p>The Site is located in the core of the city centre where the greatest building heights and density is enabled. This is supported by Objective H8.2(8) where development is managed to accommodate growth and the greatest intensity of development in Auckland. The Project responds positively to this direction through a multi-level, high quality, mixed-use development. At the same time, given the location of the Site in proximity to the harbour, the Project has been designed to achieve a height transition from the core of the city centre towards the waterfront. In particular, the step down in height from T1 to T2 and the location of T2 closer to Quay Street contributes to the transition. The chamfers on both towers also contribute to this height transition.</p> <p>Overall, the towers will be seen in the context of the existing and continually developing (some consented) built form within this part</p>	<p>The application is not affected by the change of reference to the city centre.</p>

	<p>of the city, with greater height centred on the Federal Street ridge as enabled through the AUP provisions</p> <p>The Project is entirely consistent with this directive policy.</p>	
<p>Policy H8.3(29A) - <u>Ensure high quality building design which recognises the city centre’s role in reinforcing Auckland’s sense of place and identity, including a thriving and authentic mana whenua identity that is genuinely visible throughout the city centre.</u></p>		<p>The project is guided by cultural narratives developed in collaboration with design partners, Haumi and Ngāti Whātua Ōrākei, that will ensure it reinforces Auckland’s sense of place and identity, including a thriving and authentic mana whenua identity.</p>
<p>Policy H8.3(30) - Manage adverse effects associated with building height and form by:</p> <ul style="list-style-type: none"> (a) transitioning building height and development densities down to neighbourhoods adjoining the city centre and to the harbour edge; (b) protecting sunlight to identified public open spaces and view shafts (c) requiring the height and form of new buildings to respect the valley and ridgeline form of the city centre and building design to be complementary to existing or planned character of precincts; and (d) managing the scale, form and design of buildings to 	<p>This policy uses the phrase “manage”. That is a verb that encompasses a wide range of policy responses, as further described in subsections (a)-(d). Importantly, it does not anticipate that there will be “no adverse effects” remaining after application of the policy, and nor is it phrased in absolute terms, such as “avoid adverse effects by ...”.</p> <p>The Project has been designed having regard to this Policy as follows:</p> <ul style="list-style-type: none"> (a) “Transitioning” is a relatively general direction, especially compared to “protecting” and “requiring” in (b) and (c) below. There is no further direction as how this transition is to occur or to what degree – merely that there <i>is</i> a transition. A height transition down from the core of the city centre towards the waterfront (including Viaduct Harbour Precinct to the west) is provided. In particular, the step down in height from T1 to T2 and the location of T2 closer to Quay Street contributes to the transition. The chamfers on both towers also contribute to this height transition. The Project design achieves this outcome. (b) “Protecting” is a strong direction. The shading assessment undertaken by McIndoe Urban confirms that the proposal 	<p>As addressed in relation to the proposed change to Objective H8.2(8) under PC78, the application is assessed in terms of the existing and planned built form and character, including in relation to standards applying to buildings subject to the HEHCP. The same is the case in relation to the Downtown West Precinct, with a high degree of integration achieved with the core central business district and waterfront, high quality open spaces and extensive pedestrian connectivity.</p> <p>The proposal includes human-scaled podium with slender towers that have adequate separation.</p>

<p>(i) avoid adverse dominance and/or amenity effects on streets and public open space; and</p> <p>(ii) encourage well-designed, slender towers on sites identified within the special height area on Map H8.11.3.</p> <p>PC78: Manage adverse effects associated with building height and form by:</p> <p>(a) transitioning building height and development densities down to neighbourhoods adjoining the city centre and to the harbour edge;</p> <p>(b) protecting sunlight to identified public open spaces and view shafts;</p> <p>(c) requiring the height, and form, <u>and design</u> of new buildings to respect the valley and ridgeline form of the city centre and building design to be complementary to existing or <u>and</u> planned <u>built form</u> and character of <u>the zone and precincts</u>; and</p>	<p>does not cast shade on either of the two identified public open spaces (St Patricks Square and Te Komititanga/Queen Elizabeth Square) at the times of day and year identified by the AUP (OP) provisions. Shading analysis In the Urban Design Assessment also addresses shading on streets and other public spaces. No identified viewshafts are affected. This part of the policy is met.</p> <p>(c) “Requiring” is a very strong direction. The towers will be seen in the context of the emerging built form (both existing and consented development) within this part of the city, with greater height centred on the Hobson Street-Federal Street ridge while respecting Queen Street valley and waterfront setting. The Project design meets the requirement of this part of the policy.</p> <p>(d) This sub-policy has both a very directive component (“avoid”) and a much less directive (“encourage”). The scale, form and design of the podiums are well designed and delivers human scale at the street edge with the scale, form and design of the towers above being elegant and slender. Adverse effects of dominance and amenity effects on streets and public open space will be avoided through, in particular the set back of the towers and the design of the podia.</p> <p>Overall, the Project has been designed to respond to the different edge conditions and contribute to the overall planned future form and quality, creating a sense of place.</p>	
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<p>(d) managing the scale, form and design of buildings to:</p> <p>(i) avoid adverse dominance and/or amenity effects on streets and public open space; and</p> <p>(ii) encourage well-designed, <u>human scale podiums</u> with slender towers above with adequate <u>separation between towers</u>; or on <u>sites where towers are not possible, encourage well-designed buildings which complement the streetscape and skyline on sites identified within the special height area on Map H8.11.3.</u></p>		
<p>Policy H8.3(30A) - <u>In identified locations, modify building height and/or density of urban form to provide for qualifying matters.</u></p>		<p>Relevant qualifying matters as identified in PC78 are assessed in the AEE and supporting documents.</p>
<p>Policy H8.3(31) - Maximise light and outlook around buildings.</p> <p>PC78: Maximise <u>Ensure adequate sunlight, daylight,</u> and outlook around buildings.</p>	<p>This policy must be read in conjunction with other policies, including those that requiring the functional and operational needs to be recognised, and also the clear direction for the greatest density in this part of the City Centre. Nonetheless, the towers are separated by at least 17m with generous separation from road boundaries and the HSBC and Aon buildings on the Site, which will maximise light and outlook for the city and for future occupants of the buildings. The Project is consistent with this policy.</p>	<p>The assessment in relation to the operative policy is considered to apply to the changes proposed under PC78.</p>

<p>Policy H8.3(31A) - <u>Ensure adequate separation between buildings to avoid adverse effects on the physical, cultural and visual connections between the city centre and the Waitematā Harbour and maunga.</u></p>		<p>Separation is provided between the buildings to avoid adverse effects on the physical, cultural and visual connections between the city centre and the Waitematā Harbour and maunga.</p>
<p>Policy H8.3(32) - Encourage public amenities to be provided within developments, including publicly accessible open space, works of art and through site links.</p>	<p>The Project includes an extensive new laneway network and civic space for people to gather – Te Urunga Hau /the Urban Room, a significant new addition to the public realm providing a key pedestrian linkage to the western side of the Auckland Viaduct and will be an extension to the existing laneway network within Commercial Bay to the east. Te Urunga Hau / the Urban Room will also provide north south connection from Federal Street (although not generally aligned due to constraints associated with existing HSBC and Aon buildings) through to the harbour. The Project is consistent with this policy.</p>	<p>The application is not affected by the change of reference to artworks.</p>
<p>Policy H8.3(32A) - <u>Require that existing public amenities within developments be retained, including publicly accessible open space, artworks and through site links.</u></p>		<p>Existing public amenities on the site, including publicly accessible artworks and through-site links, are maintained.</p>
<p>City Centre Zone Policies – Public Realm</p>		
<p>Policy H8.3(33) - Require building and development of the highest quality that contributes to the city centre’s role as an international centre for business, learning, innovation, entertainment, culture and urban living.</p>	<p>This policy is the most directive phrasing “requiring” building and development to be of the highest quality. Refer to assessment against Objective H8.2(1) and Objective H8.2(2). The Project is consistent with this policy.</p>	
<p>Policy H8.3(34) - Require building frontages along identified public open spaces and streets to be designed in a</p>	<p>Again, this policy is very directive. The scale, form and design of the podiums are well designed and delivers human scale at the street edge. Multiple entries, shopfronts and edge activation are</p>	<p>The design of the building frontages achieve a human scale.</p>

<p>way that provides a sense of intimacy, character, interest and variation, and enclosure at street level.</p> <p>PC78: Require building frontages along identified public open spaces and streets to be designed in a way that provides a sense of intimacy, character, interest and variation, <u>human scale</u> and enclosure at street level.</p>	<p>provided which contribute to a high quality and activated edges to surrounding streets and the lanes and public realm within the development.</p>	
<p>Policy H8.3(35) - Require the demolition of buildings and structures to avoid, remedy or mitigate significant adverse effects on the pedestrian amenity of the city centre and the safety and efficiency of the road network.</p>	<p>This policy is directive, however it must also be read in conjunction with other policies (including the policy that requires the functional and operational needs of certain activities to be recognised). Further there is no requirement that all adverse effects of demolition be “avoided” – and that would be an unrealistic expectation. Rather the effects need to be either avoided, remedied <i>or</i> mitigated. Further, it is only "significant" adverse effects that need to be avoided, remedied or mitigated, reflecting that demolition in the City Centre will have adverse effects below this high threshold that cannot be avoided, remedied or mitigated. The demolition of the existing Downtown Carpark building and structures as part of the associated enabling works will be appropriately managed to ensure that any significant adverse effects and disruption to pedestrian amenity and the surrounding road network is avoided or minimised. The suite of measures contained within the draft CTMP will be implemented over the demolition phases to ensure that the surrounding road network continues to operate safely and efficiently. The Project is consistent with this policy.</p>	
<p>Policy H8.3(36) - Protect identified sightlines along streets and public open spaces from the city centre to the harbour, Rangitoto Island, the North</p>	<p>This policy is very directive. The Project will not affect identified sightlines in Standard H8.6.31 of the AUP (OP). The Project is therefore consistent with this policy.</p>	<p>The application is not affected by the change of reference to the Waitematā Harbour.</p>

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<p>Shore and identified sightlines along roads and public open spaces within the city centre to natural features and landmarks.</p> <p>PC78: Protect identified sightlines along streets and public open spaces from the city centre to the <u>Waitematā Harbour</u>, Rangitoto Island, the North Shore and identified sightlines along roads and public open spaces within the city centre to natural features and landmarks.</p>		
<p>Policy H8.3(37) - Enable high-quality public open spaces along the waterfront that are accessible and provide spaces for recreational opportunities, facilities and events.</p>	<p>This is a directive policy. Te Urunga Hau / the Urban Room is a significant new addition to the public realm providing an extensive high quality laneway network and civic space for people to gather. The comprehensive landscaping including a mixture of garden beds, planters and native specimen trees at the ground level contributing to the amenity of the area providing for occupation space within the public realm. In addition to vegetative landscaping, the Urban Room will feature informal seating, stage and gathering point, seating terraces and steps, play nooks and cycle hoops creating recreational opportunities, facilities and events. The Project is consistent with this policy.</p>	
<p>Policy H8.3(38) - <u>Ensure adequate sunlight and daylight to public open spaces and streets.</u></p>		<p>The proposal ensures adequate sunlight and daylight to public open spaces and streets.</p>