

The Proposed Auckland Unitary Plan (notified 30 September 2013)

3.4 Downtown West

The activities, controls and assessment criteria in the underlying City Centre zone and Auckland-wide rules apply in the following precinct, unless otherwise specified.

Refer to the planning maps and precinct plans for the location and extent of the precinct.

1. Activity table

1. The activities listed in the City Centre zone apply in the Downtown West precinct except to Area A identified on precinct plan 1, or otherwise specified in the activity table below.
2. The activity status of activities within Area A is the same as for roads.
3. If the legal road within Area A on precinct plan 1 is closed, the area will be classified as City Centre zone and will have the same activity status as activities within the City Centre zone and the Downtown West precinct.

Activity table – Downtown West precinct	
Activity	Activity status
Framework plans	
A framework plan, amendments to a framework plan or a replacement framework plan complying with clause 3.1 below	RD
A framework plan, amendments to a framework plan or a replacement framework plan not complying with clause 3.1 below	NC
Development	
New buildings, and alterations and additions to buildings, or development (including roads, lanes and public open spaces) that comply with an approved framework plan	RD
Minor cosmetic alterations to a building that does not change its external design and appearance	P
Alterations and additions to buildings established before the date of notification of this Unitary Plan, prior to the approval of a framework plan, or that do not comply with an approved framework plan (excluding minor cosmetic alterations that do not change the design and appearance of the building) provided the height or gross floor area of the building is not increased by more than 10 per cent	RD
New buildings, and alterations and additions to buildings or, and development (including roads, lanes and public open spaces), that do not comply with an approved framework plan or prior to the approval of a framework plan, except for alterations and additions provided for as a restricted discretionary activity	NC

2. Notification

1. The council will consider restricted discretionary activity resource consent applications for framework plans (including amendments to an approved framework plan or a replacement framework plan) without the need for public notification, however limited notification may be undertaken, including notice being given to any owner of land within the precinct who has not provided their written approval.

3. Framework plans

1. A resource consent application for a framework plan, amendments to an approved framework plan or a replacement framework plan must:
 - a. comprise land forming one contiguous area that is at least 5000m²

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- b. apply only to land that the applicant is the land owner of, or for sites in multiple ownership where the landowners make a joint application
 - c. comply with the general rules applying to framework plans specified in [clause 2.6](#) and [2.7.3](#) of the general provisions
 - d. contain the following land uses:
 - i. the location and dimension of public open spaces or through-site links
 - ii. the location of building footprints
 - iii. building envelopes and forms
 - iv. vehicle, cycle and pedestrian access and circulation.
2. When the legal road within Area A on precinct plan 1 is closed, the development controls applying to the adjoining land to the north, south and west of the area will apply. The minimum frontage height (19m) and 75 per cent glazing control will apply between points A and B as shown on precinct plan.
 3. Where a concurrent application is made to infringe building height ([clause 4.1](#) of the City Centre zone rules) or maximum floor area ratio ([clause 4.20](#) of the City Centre zone rules), the status of framework plan will be the same status as the development control infringement.
 4. In circumstances where an approved framework plan applies, any subsequent application to infringe the building height ([clause 4.1](#) of the City Centre zone rules) or maximum floor area ratio ([clause 4.20](#) of the City Centre zone rules) development controls will require an application to either amend the framework plan or an application for a new framework plan. In these instances, the activity status of the development control infringement will apply. This control does not apply to alterations or additions to buildings established before 30 September 2013 provided for as a restricted discretionary activity.

4. Assessment

4.1 Matters of discretion

For development that is a restricted discretionary activity in the Downtown West precinct, the council will restrict its discretion to the following matters, in addition to the matters specified for the relevant restricted discretionary activities in the City Centre zone.

1. Framework plan, amendments to a framework plan and a replacement framework plan
 - a. When considering a restricted discretionary application for a framework plan the council will restrict its discretion to the following matters:
 - i. the location, physical extent and design of streets, pedestrian connections and open space
 - ii. the location, physical extent and design of open space
 - iii. the location and form of buildings (building footprints and envelopes)
 - iv. vehicle, cycle and pedestrian access and circulation.
2. New buildings, and alterations and additions to buildings that comply with an approved framework plan and alterations and additions to buildings established before the date of notification of this Unitary Plan that do not comply with an approved framework plan (excluding minor cosmetic alterations that do not change the design and appearance of the building) provided the height or gross floor area of the building is not increased by more than 10 per cent
 - a. The matters of discretion in [clause 6.1.1](#) of the City Centre zone rules for new buildings and/or alterations and additions to buildings apply.

4.2 Assessment criteria

For development that is a restricted discretionary activity in the Downtown West precinct, the following assessment criteria apply in addition to the criteria specified for the relevant restricted discretionary activities in the City Centre zone.

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1. Framework Plan, amendments to a framework plan and a replacement framework plan
 - a. The location, physical extent and design of streets and pedestrian connections and open space
 - i. Where a framework plan involves the relocation and/or reconfiguration of Queen Elizabeth Square, an equivalent size open space must be provided in the form of another public open space, new or upgraded squares, streets, lanes, through-site links or a combination thereof. Collectively, these alternative spaces should achieve a better street and open space network than is presently offered within or immediately adjoining the precinct.
 - ii. Where lanes or through-site links are proposed they must meet all of the relevant controls and assessment criteria for lanes and through site links in the City Centre zone, in addition to the following.
 - iii. A north - south through site link should be provided and designed and located to meet [clause 4.17](#) of the City Centre zone rules. An additional mid-block east – west pedestrian connection should be provided through the precinct to achieve a legible street network and a logical block pattern.
 - iv. Streets and pedestrian connections should be designed to integrate with existing and proposed public open space and provide for well-connected, legible and safe vehicular and pedestrian routes.
 - v. Where a dedicated public open space is proposed it must be located and designed to integrate and complement the existing or proposed street network, through site links, pedestrian connections and buildings. Fundamental attributes of this space are:
 - a minimum area of 1000m²
 - maximum sunlight access
 - convenient and open access for the public, residents, workers and visitors 24hrs/7days.
 - b. The location and form of buildings (building footprints and envelopes)
 - i. Building footprints, profile and height (as opposed to detailed building design) should establish an integrated, high quality and legible built form and spatial framework across the subject land area while also:
 - enhancing the form and function of existing and proposed streets, lanes and public open space
 - avoiding monotonous built form when viewed from public open space and the land / coastal interface
 - complementing and respecting the scale of nearby special character or historic heritage buildings.
2. New buildings, and alterations and additions to buildings, that comply with an approved framework plan and alterations and additions to buildings established before the date of notification of this Unitary Plan that do not comply with an approved framework plan (excluding minor cosmetic alterations that do not change the design and appearance of the building) provided the height or gross floor area of the building is not increased by more than 10 per cent
 - a. The assessment criteria in [clause 6.2.1](#) of the City Centre zone rules for new buildings and/or alterations and additions to buildings apply.

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