

Further information on Auckland Council's PC 78, 79 Unitary Plan Provisions

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Attn: Planning Technician Auckland Council
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Submitter:

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The following paper is for the PC-78 and 79 produced by Auckland Council. The comments reflect my background as an urban design consultant with experience in architecture, masterplanning, transport design, and urban design. I have been involved with some of New Zealand's largest masterplan and large-scale housing regeneration projects for private sector, Councils, Kāinga Ora, and the Tāmaki Regeneration Company. I have written planning rules and design guidance for over 10,000 dwellings, and been involved as a consultant advising on Council strategies, re-zoning of large-scale greyfield regeneration, and greenfield developments.

The following are my personal views on the matter as an urban design professional.

Kia ora:

Firstly, I would like to commend the Auckland Council on making a commitment to support higher-density living and housing supply in Auckland through this update of the Unitary Plan. Whilst this is an important step in enabling more housing variety, I am however, concerned the newly 'proposed standards' for the Unitary Plan are overly simplistic and are not covering the full spectrum of urban design theory and design elements that are necessary for ensuring Auckland's built form and landscape is sustainable and liveable.

It is my view as an expert in this field that high-quality development outcomes can only be achieved through a holistic approach to urban design.

For the purpose of this amendment to the Unitary Plan I am therefore asking Council to **include a wider breadth of planning standards, and more robust design controls to what is currently proposed.**

Key strategic points:

- 1. Don't lose sight of strategic Council policy** - The district plan rules are a critical factor in determining the bottom line outcomes of the built environment. This plan change must stay committed to ensuring key Council strategic policy (developed with Council officials, community engagement, and signed off by elected Councillors through the democratic process) will be implemented at the coal face of development - the 'on the ground' application of district plan rules. **It is imperative that Council, therefore, review any submissions in the context of a broader decision making framework that weights submitters views against key strategic Council policy.** For example: The Transport Emissions Reduction Pathway (TERP), and Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan, etc.
- 2. Lifting the baseline** - Good planning standards are the most effective mechanism for Council to ensure their higher-level policy objectives which set the aspirations for better quality built environments are actually delivered 'on the ground' when a development is designed and consented. Developers vary in quality. On one hand there are 'good developers and designers' who understand the fundamentals of well designed environments. They will deliver quality urban design results without adhering to any planning rules. However, on the other hand, there will always be the problematic other group who only design to minimum standards and therefore require the guidance of district plan minimums to keep to an 'acceptable' quality outcome. **If the Council wish to uphold their commitments to key issues like climate change mitigation they must ensure their district plan bottom lines accurately reflect their higher-level policy ambitions.**
- 3. Activity status is being overlooked** - Most opposition I've seen to Council seeking to raise the standard of planning rules seem to argue that the rules are 'overly restrictive' on development. This argument is overly simplistic. It fails to acknowledge the flexibility in the consenting process enabled by the activity status of a planning rule. A restricted discretionary or discretionary status will alleviate this concern and enable a sufficient balance to be achieved of quality design standards (that lifts bottom lines) and design flexibility. **Reducing the environmental quality 'bottom lines' is not the right mechanism for giving designers and developers more flexibility when they already can deviate from rules by employing good design and providing evidence that policy objectives are being met through the standard consenting process.**

Key Recommendations

Mode shift: E27):

The quality of transport related planning rules need to support Council's climate change mitigation policy, notably, decarbonisation of the network and enabling AT to meet their mode shift targets. I'm not convinced, nor have I seen evidence from Council (if there is please provide this to me) that the proposed rules go far enough to meet AT's transport emissions reduction goals for 2030. Which in real terms require increasing walking, cycling, and PT from 17% (current mode share) to 62% (Auckland's Transport Emissions Reduction Plan). That is a ~400% increase.

Planning rules that are recognised in international best practice for reducing car dependence need to be included in Auckland's district plan, and rules promoting car dependence should be removed. In response to this the proposed rules should be amended as following:

4. Introduce maximum car parking requirements (as noted for consideration in the 2021 National Parking Management Guidance - Waka Kotahi), or at least in terms of 'at grade surface parking' for all land-uses within walking distance of centres and to some extent rapid transit PT stops, in order to reduce private car accessibility and reduce the lost opportunity cost of allowing developments to have large areas of surface parking at the expense of landscape and buildings.
5. Increase the minimum requirements for residential cycle parking in order to accommodate future mode shift targets, in particular an up-take in cycling. Council must recognise that well-designed end of trip facilities are vital for enabling residents to conveniently own and use a bicycle in their day to day lives. Ensuring the district plan provides safe and convenient cycle parking for medium and high density developments is therefore critical as most residents living in these types of developments reside above ground level, and often have no storage options for at grade bike parking such as a ground floor outdoor area. In order to address this, Council should include provisions such as:
 - a. Increase the bike parking space allowance to be more inclusive of household occupancy sizes i.e.: 1 x cycle park per studio, 1.5 per 1 bedroom, 2 per 2 bedroom, 2.5 per 3+ bedroom or more. Excludes dwellings that have a secure garage provided.
 - b. Require bike parks to be secure and covered.
 - c. Access routes must allow for safe and convenient bike movements to these facilities i.e. step free access (utilising bike ramps in worst case scenarios) and sufficient thoroughfare route widths.
 - d. Require bike parking to be a minimum distance from the primary front door entrance (or common entrance) of a dwelling or building.
 - e. Require space for both common bike rooms and in-house provision, including:

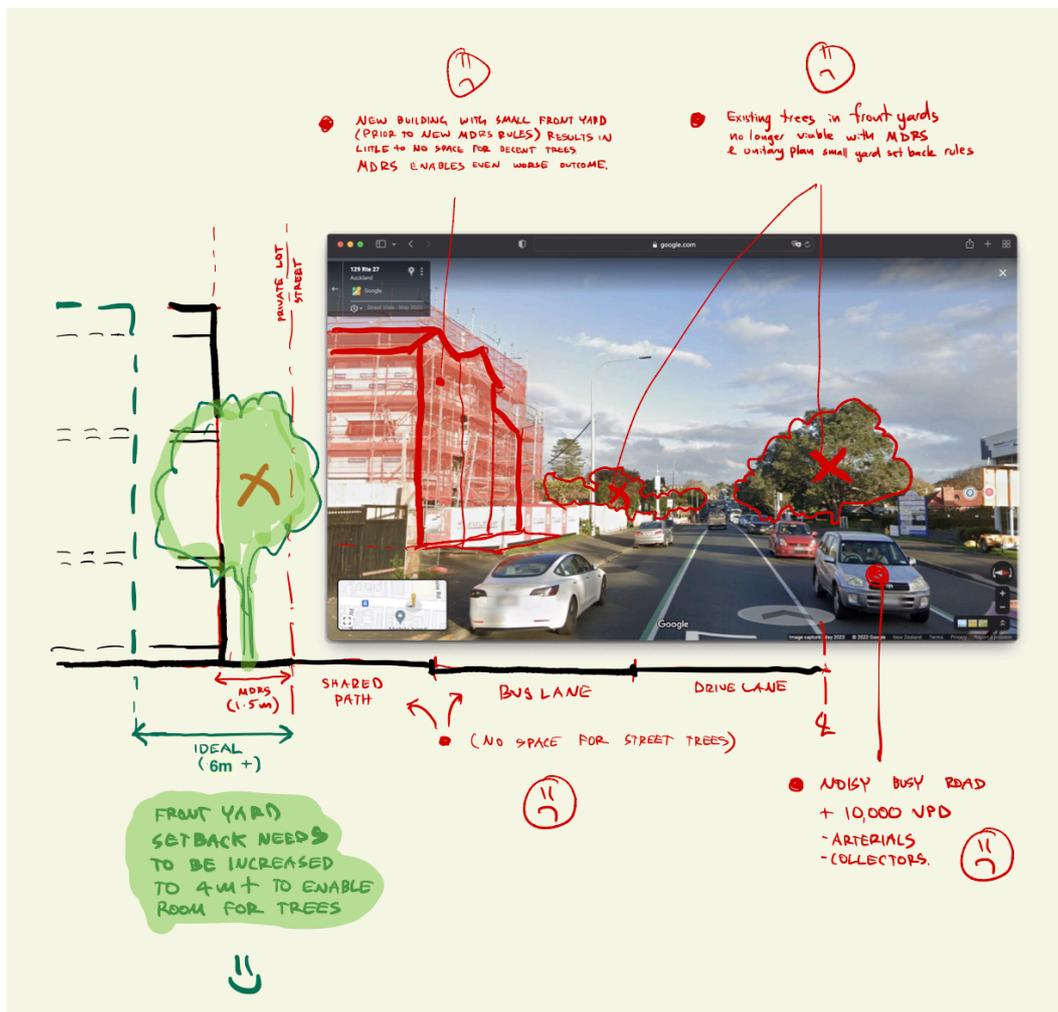
- i. Adequate features such as lighting, and access to a water supply/bike wash down area en route to the parking space.
 - ii. A portion of parks provided must be adequately sized to accommodate the increasing popularity of larger E-bikes and family type cargo bikes.
 - iii. Only a portion of parks provided can be non lift-assisted vertical bike parks (inclusivity issues - are hard to use, and not suited to heavy or larger bikes).
 - iv. Stacked bicycle spaces shall be designed to provide access without the need to lift the bicycle entirely off the ground.
 - f. Note, also refer to Vancouver's bike parking rules for more guidance. I see them as a good example of a municipal authority's bike parking guidance in most areas (<https://bylaws.vancouver.ca/parking/sec06.pdf>).
6. Require multi unit developments over a certain density threshold e.g. the greater of ~12 dwellings or ~24 bedrooms (note this equates to approximately 2 x typical 6 two bedroom unit walkup apartment buildings), and which have a car parking ratio of greater than 0.5/dwelling, to include targeted incentives for mode shift as a means to counter the car dependency effects of the higher rate of car parking provision. Example incentives may include:
 - a. Provide 'doorstep' access to a mode-shift transport scheme such as bookable and serviced car share and e-bikes/ e-scooters. Note this would not apply in the City Centre Zone where public car-share schemes are likely to be such as MEVO, LIME etc.
 - b. On-going discounted transport subsidy initiatives written into body corporate policies for PT, e-scooter/e-bike, and care share.
7. Require all common car parking in multi unit dwellings to be unbundled from the individual unit or dwelling property title to improve housing affordability (the car park is an optional add-on) and improve flexibility of the housing stock (parking spaces can be transferred between units).

Tree loss:

Front yard vegetation is critical for ensuring a high-quality pedestrian and building occupancy urban environment in terms of: A) comfort (from improved canopy shelter, and shade); B) pleasantness (providing a connection and outlook to nature and ecology); C) health (improved air quality through air filtration of volatile organic compounds in exhaust fumes); D) climate change mitigation (reduced heat island affect, CO2 reduction, and improved biodiversity).

The MDRS rules as well as the operative unitary plan rules create poor outcomes for streetscape amenity by failing to provided sufficient front yard vegetation and tree coverage. This is of particular concern along streets where there are few street trees such as arterial and collector roads where the potential for decent front yard trees and street trees are either being lost or disincentivised due to:

- Transport corridor upgrades such as new cycle ways, bus lanes, and wider footpaths, causing space for landscaped berms and trees to be lost.
- Narrow frontage set-back zoning rules have incentivised built form being closer to the street causing existing front yard trees to be removed, or leading to a site layout that has little space at all for sizeable new trees. The proposed adoption of the minimal 1.5m 'front yard set back rule' (MDRS) will make this even worse.



In response to this Council should amended the rules as following.

8. Have a larger minimum front yard requirement (~6m) along 'high traffic volume' arterial and collector roads to allow space for front yard specimen trees. This would apply to the THAB and MHU zones, and NOT apply to commercial and business zones where 'urban' retail type frontages having the built form right out to the street boundary may be appropriate.
9. In addition to the above, include a minimum requirement for front yard specimen trees of either:
 - a. 1 tree with a minimum tree unobstructed root zone of ~16m², or 2 trees with a minimum tree unobstructed root zone of ~9m² each
 - b. Must have a root zone depth of 3m (to match Council's proposed deep soil requirements).
 - c. Apply per a minimum dimension of site frontage (i.e. per 20m which would ensure a relatively good frequency of tree spacing and tree coverage).
10. Increase the number of heritage / notable trees listed across Auckland, and implement a new classification called 'potentially notable trees' into the planning maps. These new trees would require further information from a Council arborist before being pruned or cut down. Identification of trees could be done using desktop GIS satellite analysis software such as 'Deep Forest' to broadly identify potentially significant trees based on size and species.

Driveway crossings:

The current rule for minimum distance between driveway crossings creates poor and unsafe pedestrian street environments. Terrace housing type developments in particular with their closely spaced driveways cause the footpath to have A) numerous unsafe vehicle conflict points; and B) biases road space in favour of car manoeuvring over other street amenity for example street trees, planted berms, or on-road visitor parking. This is questionable from a sustainability perspective.



In response to this, the proposed new rules should be amended to consider:

11. Increasing the minimum distance between driveway crossings to ~8m (8m tends to leave enough room for an on street car park or street tree build out). Note neighbouring driveway crossings could be paired together and be considered in this rule as one crossing.
12. Introduce an annual council property charge/ levy for having a driveway crossing and use that revenue to fund more planting of street trees.
13. Consider ways to disincentivise driveway crossings and make land owners pay compensation for the loss of street amenity within the road corridor.

Onsite amenity:

Well-designed liveable environments need to have sufficiently sized outdoor living amenity. This is particularly important for people living in medium and high density developments where space restrictions limit how furniture and landscape arrangements can be configured to meet occupants' needs. Council's proposed plan change requirements for private outdoor amenity are therefore problematic as they do not increase in scale relative to the dwelling's bedroom occupancy number; A one-bedroom dwelling currently has the same amenity requirement as a five-bedroom. This creates inequality for large family homes which are in most need of larger private outdoor amenity space, and raises a deeply concerning effect when considering household size differences across socio-demographic groups. In response to this, the new rules should be amended to:

14. Revise the minimum outdoor living space rule to scale in size relative to the number of household 'potentially habitual bedrooms' (or an equivalent typical GFA area). Note this requirement:
 - a. Could be lessened for properties that are fronting a public open space like neighbourhood parks, or an on-site communal open space.
 - b. Should apply to ground level spaces and above ground balconies.
 - c. Must be used in conjunction with a *minimum housing variety rule* to counter balance potentially favourable space efficiency benefits of providing smaller dwellings.
15. Reduce the threshold/minimum number of units before a communal outdoor space is required from 20 down to 12 dwellings (2x typical 6 unit walk-up apartments) and be calculated based on bedroom count not dwelling so as to reflect the likely household occupancy for example 12 x 3 bedroom apartments requires more common open space compared to 12 x 1 bedroom apartments. This rule should not apply to developments within ~50m of a neighbourhood park or reserve.
16. Be more prescriptive about the design requirements for what constitutes good design of a 'communal outdoor space' i.e. minimum sunlight hours, a minimum size (calculated per bedroom, such as 2m² per bedroom), has seating areas, and minimum percentage of vegetation cover.

Housing Diversity:

Additional requirements are needed to ensure the overall accumulative outcomes of development will provide for diverse and inclusive housing variety and achieve the Council's desire for "high quality on-site living environments" (Unitary Plan Residential Zones - zone description).

17. **Accessibility** - Introduce a minimum percentage requirement for the number of accessibility-considered dwellings. For example:
 - a. 'Accessibility-considered' could be defined as per Life mark 3 which enables a dwelling to be fully adaptable to accessible at a reasonable cost.
 - b. Have a minimum requirement of Life mark 3 for at least 2/3 of all dwellings (with a degree of discretionary flexibility for more onerous aspects i.e. step free access on steep sloping sites, and the requirement for accessible parking where no parking is provided).
 - c. May not need to apply for developments up to 3 dwellings (note MDRS enables up to three) given the nature of these sites will likely be detached or semi-detached dwellings that can be made accessible more easily than the likes of terraces houses which are less likely to feature in the MDRS sites.
 - d. Additionally, for developments of 10 or more units, ~10% must meet Life mark 5 (fully accessible now)
18. **Affordability** - Developments over a certain amount of dwellings are to provide a minimum percentage of affordable housing (affordability to be defined by Council). Refer to the London Plan for more information about how London does this.
19. **Housing variety** - Introduce minimum targets for housing variety to help mitigate mono demographic density. For example:
 - a. Developments providing greater than 3 dwellings (MDRS threshold) must have a minimum of 25% of units 1-2 bedroom, and a minimum of 25% 3+ bedroom.
 - b. Note the bedroom definition should include 'potentially habitable bedrooms' to avoid the disingenuous naming of the 'study' or 'flexi room' in the consenting drawings.

Mitigating Climate Change and Improving Ecology:

The proposed rules don't go far enough to ensure good biodiversity and environmental outcomes for Auckland. In particular, it is unclear how the rules fully align with meeting the Government's Zero Carbon Act. In response to this, the new rules should be amended to:

20. Require water tanks (with the minimum volume size based on the number of bedrooms per dwelling).
21. Require hydraulic neutrality.
22. Investigate limiting exposed copper and zinc type stormwater roofing and spouting without heavy metal filtration to prevent stormwater contamination. Refer *2008 report by Auckland Regional Council on Urban Sources of Copper, Lead and Zinc* (http://www.aucklandcity.govt.nz/council/documents/technicalpublications/TR2008_023%20-%20Urban%20sources%20of%20copper,%20lead%20and%20zinc.pdf)
23. Increase the minimum vegetation requirement across all zones to improve site ecology and tree canopy coverage.
24. Require proof of design certification to a net zero carbon performance standard to avoid unsustainable development that exacerbates climate change.

Zoning extent:

Best practice urban planning recognises density should be located close to amenity. However, while Transit Orientated Development (TOD) is a helpful amenity from a transport point of view, in terms of urban design liveability it can lead to poorer health outcomes as TOD causes residents to live closer to unpleasant, noisy, polluted, and dangerous high-traffic volume roads for pedestrians. A more holistic approach to locating density should use both TOD in combination with Green Orientated Development (GOD - density near open spaces) to make sure more people living in apartments can benefit from the views to open space, proximity to recreation, and quietness of living away from busy roads. Those living at higher density without access to yard space are most in need of good access to open space. In response to this, the newly proposed rules should be amended to:

25. Enable greater density zoning adjacent neighbourhood parks and reserves.
26. Ensure TOD that is not near public space recreation and landscape amenity has more stringent requirements for provision of on-site landscape and recreation amenity.

Incentives:

There is a missing overlay to the proposed rules addressing how Council will incentivise good design. In particular targeting the urgent biodiversity and climate crises, and implementing steps to meet Auckland's emissions targets. In response to this, the newly proposed rules should include more incentive-based rules whereby if the development can meet a defined 'sustainability design' criteria they are given rewards such as:

27. Introduce a 'sustainability' incentive benchmark like Green Star 6 or Living Building Challenge standard and reward developments that can meet these certifications by allowing them to:

- a. Significantly breach the maximum story height limit.
- b. Increased site coverage by a further percentage.
- c. Fast track consenting of these developments.

28. Prioritise consenting of medium-high density developments that meet affordability and accessibility criteria.

Please don't hesitate to get in touch to discuss these points further.

Ngā mihi

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