



SUBMISSION ON PROPOSED AUCKLAND UNITARY PLAN

To: Auckland Council ("**Council**")

Name: **Parnell Business Association** ("**Parnell Inc.**")

INTRODUCTION

Parnell Inc. represents the interests of over 500 Businesses in the Parnell area. Parnell Inc.'s focus is to encourage the development of the local business precinct, which it is recognised, is reliant on greater retail and commercial intensification. Parnell Inc. therefore supports the objective of the Proposed Unitary Plan (PAUP) to encourage greater intensification in parts of Auckland.

The PAUP is an important document in the sense that it will guide future growth in the Parnell area for the next 30 years. Parnell Inc. has therefore given careful consideration to how the proposed zoning and development controls will affect the future growth of the Parnell area.

This submission relates to the Parnell area generally and is not solely restricted to the business precinct.

SCOPE OF SUBMISSION

This submission relates to the specific provisions of the proposed Auckland combined plan ("**proposed Unitary Plan**") as identified in this submission.

NATURE OF SUBMISSION

Parnell Inc. opposes the specific provisions of the proposed Unitary Plan identified in this submission (unless otherwise stated).

REASONS FOR SUBMISSION

Except as otherwise set out in this submission, Parnell Inc. does not support the specific provisions of the proposed Unitary Plan identified in this submission. Those provisions require amendment, as sought by Parnell Inc. below. This is because, without the amendments proposed by Parnell Inc., those provisions:

will not promote sustainable management of resources, will not achieve the purpose of the Resource Management Act 1991 ("**RMA**") and are contrary to Part 2 and other provisions of the RMA;

will not enable the social and economic wellbeing of the community in the Auckland region; and



do not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means.

In particular, and without limiting the generality of the above:

Road Widening Designation

Parnell Inc. seeks the removal of a number of Road Widening Designations along York Street, Parnell Road, Garfield Street, Farnham Street and Cheshire Street. Given the nature of these road reserves, the availability of land and the presence of historic buildings it is considered unlikely that the above mentioned roads will be widened in the foreseeable future. The retention of the designation is considered to be unduly restrictive and has resulted in unintended built form consequences, including inconsistent street facades.

A number of separate submissions on behalf of Parnell Inc. and a number of business and land owners in the Parnell area have been lodged in relation to the removal of the subject road widening designations.

Zoning

Parnell is an inner city suburb with a fine grain mix of residential and business activities. Parnell Road is largely characterised by retail and office activities. Given the proximity to the CBD, demand for flexible business space and the inherent nature of town centres along arterial roads, many small businesses have established themselves in converted residential dwellings on the streets adjacent to Parnell Road.

Parnell Inc. recognises the interrelationship between the density and intensity of residential development and a thriving town centre. Parnell Inc. largely supports the zoning of the area under the PAUP, with the following changes requested, to ensure the PAUP better reflects the unique characteristics of Parnell:

- 77 Parnell Road is zoned Single House under the PAUP. The site contains two historic buildings used as offices. A more appropriate zone for the site would be 'Town Centre – Parnell' to continue the lineal zoning along Parnell Road and provide greater flexibility of use.

It is requested the remaining block, bound by Heather Street to the south and west, Cracroft Street to the north and Parnell Road to the south be zoned Mixed Use. A number of the buildings located within the block are subject to Historic Heritage overlays and it is therefore anticipated that the Mixed Use zoning would provide for a greater flexibility of use, rather than increased intensity. This would reflect the changes occurring in Parnell and is considered to be a more appropriate zone given the zoning of adjacent blocks. The Mixed Use zone would enable the buildings to be used for office suits for small businesses, as is common in this area. Where sites have the ability to be redeveloped it is anticipated that the ground floor would be used as showrooms, with the upper floors earmarked for residential or offices uses.

- The topography of Augustus Terrace/The Strand and development controls under the Auckland Council District Plan (Isthmus Section) has enabled buildings to be developed to take advantage of a dual street frontage. This has resulted in high stud, industrial premises on The Strand/Shipwright Lane and the development of office and residential building, built on podium structures, with entry from Augustus Terraces.

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The Light Industry zoning and associated activity and development controls under the PAUP would not enable office and residential development to be constructed with a street façade to Augustus Terrace, as permitted under the Operative District Plan. It is therefore requested that sites within the subject area of The Strand be zoned Light Industry, to reflect existing uses and at or above the RL with Augustus Terrace, zoned Mixed Use, which would be a more appropriate zone given the existing nature of the area.

- The track of land adjacent to the rail corridor, earmarked as the site for the Parnell train station (accessed from Gibraltar Crescent and Cheshire Street), is zoned Strategic Corridor under the PAUP. Parnell Inc. requests that this site, excluding the land required for the rail corridor, be zoned Mixed Use to provide for future development of the site in-line with the type of development anticipated around train stations.
- The Anglican Cathedral located at 446 Parnell Road is zoned Single House under the PAUP. The site is unlikely to be redeveloped for residential purposes in the foreseeable future and Parnell Inc. therefore requests that the site be zoned Mixed Use to provide greater development potential on adjoining sites, where interface development controls would be reduced by a more permissive zoning change on the Cathedral site.
- Parnell Inc. requests that those sites with a street frontage to Parnell Road, located from the intersection of Parnell Road and St Stephens Avenue, to Newmarket, be zoned Mixed Use, with an Additional Height Control overlay permitting a maximum height of 32.5m. A Mixed Use zoning would enable a mix of residential and business activity to occur and would reflect the changes occurring in this area of Parnell, where many former residential dwellings have been converted to retail/workshops or small offices. This lineal spread of business activity along the arterial corridor has been encouraged by the proximity to Newmarket; a larger centre.

Maximum Height and the Definition of 'Height'

The PAUP defined 'Height' as *"outside the CMA, it is the vertical distance between ground level at any point and the highest part of the building immediately above that point."* Parnell Inc. requests that the definition of 'Height' include *"the vertical distance between the highest part of the building and the average level of the ground at the external foundations of the buildings"*, as defined in Part 13 of the Auckland Council District Plan (Isthmus Section).

Parnell Inc. supports the concentration of Mixed Use zoned sites adjacent to St Georges Bay Road and an area adjacent to Cheshire Street and Heather Street. Parnell Inc. requests that the Mixed Use zoned sites be subject to the 'Additional Zone Height Control' Overlay, to enable a varying maximum permitted height of up to 32.5m, as seen in the Newton area. The proposed height would fall below any applicable Viewshaft.

The area along Parnell Road zoned 'Town Centre – Parnell' under the PAUP permits a maximum height of 12.5m and 3 storeys. Parnell Inc. requests that the Additional Height Control Overlay – Parnell be amended to 20.5m, with no storey control. Parnell Road has a mix of building that have been developed to varying heights. Given Parnell's close proximity to the CBD; a major employment and education centre and the location of these sites along an arterial road, it is considered an efficient and effective use of resources to promote intensification, through increased height, along this corridor.



Parnell Inc. objects to the maximum storey control and requests that maximum heights be the sole development control used to determine height, as high quality built form is not necessarily subject to a storey control.

Parking

Parnell Inc. supports the Key Retail Frontage overlay, to which the sites zoned 'Town Centre – Parnell' are subject to and the associated parking and loading ratios (under section 3.H.1.2.3.2 no parking or loading spaces are permitted).

Parnell Inc. request that the same loading standards be afforded to the Mixed Use and Terrace Housing and Apartment Buildings zone, as a sufficient number of loading spaces are provided within the Parnell Town Centre area.

Other Objections

1. Delete the requirement for the provision of a wind report for buildings higher than 20m where a canopy is provided over public spaces or the site is a rear site.
2. The PAUP requires applicants to provide a design statement with their resource consent application for specified activities. This requirement is onerous for the following reasons:
 - (i) Applicants are already required to provide a complete package of supporting documentation with any Assessment of Environmental Effects (AEE). In respect to proposals which relate to built form, applicants more often than not provide a significant amount of material, including contextual analysis, concept design, site plans and elevations. It would be unnecessarily onerous to require design statements as an additional discrete package of information within an AEE.
 - (ii) The level of control proposed in the Unitary Plan which the Council is seeking to impose on the design of virtually any new built form is concerning. This is especially so as the design statements encourage compliance with the Auckland Design Manual which has undergone no consultation to date and is intended to change from time to time. The Design Manual is also not a resource management document and is not being developed in accordance with Schedule 1 of the RMA, nor is it proposed to be subject to any Environment Court or other independent oversight. It is therefore inappropriate to rely heavily on such a document in the proposed Unitary Plan.
 - (iii) The new Design Statement process is also out of step with recent RMA reforms which seek to simplify and streamline the consenting process. The Design Statement process is not the only method by which quality design can be achieved throughout Auckland and Council should not seek to rely on this at the expense of other methods
5. The Unitary Plan includes onerous requirements for cultural impact assessments to be prepared as part of a wide variety of resource consent applications. Many such applications would normally not involve iwi concerns and would be non-notified. Effectively all are being opened up to iwi input. The process requirements for these are burdensome and expensive, particularly given the very significant number of activities and applications to which they will relate.



6. The Introduction to the Unitary Plan provides that the Council may consider provisions beyond those specifically listed as assessment criteria. It is not appropriate for processing planners to be encouraged to consider policies or criteria outside of the listed assessment criteria. This is because it may result in considerable uncertainty in respect of applications for controlled and restricted discretionary activities, as it provides the Council with scope to argue that a wide range of policies and criteria which would not otherwise be immediately relevant should be considered. This will make it very difficult for applicants to understand.
7. The requirement for all new buildings with a GFA of 5000m² or greater and where 60 per cent of the GFA is to be used for industrial activities, or 80 per cent is to be used as an office to be designed and constructed to achieved a minimum 4-star level from the New Zealand or Australian Green Building Council Green Star Office/Industrial Tool or certification under the Living Building Challenge is onerous and expensive to achieve.
8. The requirement to provide at least 10 per cent affordable housing where more than 15 dwellings or 15 vacant sites are developed within the RUB is onerous, expensive, will hinder development and encourage developments with less than 15 units, which would be an inefficient use of resources.

RELIEF SOUGHT

Parnell Inc. therefore seeks the following decision from Auckland Council on the proposed Unitary Plan:

- Remove the maximum storey control in all zones and floor to floor/ceiling height minimums
- Include average ground level as a means to calculate height.
- Remove all road widening designations throughout the Parnell area.
- Amend zoning of sites and blocks identified above.
- Amend the maximum height limit of the Mixed Use zone within Parnell up to 32.5m where appropriate.
- Amend the 'Additional Height Control Overlay – Parnell' affecting sites along Parnell Road zoned 'Town Centre – Parnell' to enable a maximum height of 20.5m.
- The deletion of loading space requirements for all zones within Parnell; not only those subject to a Key Retail Frontage.
- Delete the requirement to provide a design statement.
- Refine the circumstances under which a Cultural Impact Assessment and engagement with Iwi may be required.
- Delete the requirement to achieve a 4 Green Star rating or certification under the Living Building Challenge.



- Delete the requirement to provide affordable housing, as detailed above.
- Delete the requirement to provide a wind report for buildings higher than 20m where a canopy is provided over public space.

Such further or other consequential relief as may be necessary to fully give effect to the relief sought in Parnell Inc.'s submission.

OTHER MATTERS

Parnell Inc. could not gain an advantage in trade competition through its submission.

Parnell Inc. wishes to be heard in support of its submission.

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