

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name:

Downtown Carpark Site Development

Fast-Track application number:

FTAA-2512-1158

BUN60460864, LUC60460865, DIS60460866 and WAT60460867

2.0 Technical Specialist Memo - Landscape

To:

Sarah Wilson – Lead Planner & Adonica Giborees – PPL

From:

Stephen Quin – Principal Landscape Architect, Planning and Resource Consents Dept

Qualifications
& Relevant
Experience:

I hold the qualification(s) of Bachelor of Landscape Architecture and have over 19 years of experience in landscape assessment, landscape policy and management, and public open space design. I am a registered member of Tuia Pito Ora – New Zealand Institute of Landscape Architects (NZILA). I have prepared expert evidence and technical assessments for resource consent applications, plan changes and notices of requirement for designation, and have appeared as an expert witness before consent authorities, hearings panels and the Environment Court. In undertaking my review, I have relied on and referred to Te Tangi a te Manu – Aotearoa New Zealand Landscape Assessment Guidelines, published by NZILA, July 2022.

Preparation in
Accordance
with the Code
of Conduct:

I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses ([Code](#)), and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Signature:



Date:

23 April 2026

3.0 Executive Summary / Principal Issues

1. I consider that change is anticipated in the city centre by the Auckland Unitary Plan (Operative in Part) (AUP:OP) and a comprehensive mixed-use development is appropriate in the site location. However, the proposal and its inclusion of infringements to the General Height standard and the Harbour Edge Height Control Plane will change the form of the city centre in a way that is not anticipated by the AUP:OP and is visually incongruent to its waterfront setting.
2. The proposal will create a landmark on the Harbour edge that will be viewed from a very wide range of vantages from which the city centre and its Harbour landscape context is highly valued. The towers will be visually incompatible with the Harbour edge context as they exert a prominent verticality and combined bulk/massing that will create dominance over the waterfront and neighbouring sites and will reduce visual permeability between the Harbour and city centre.
3. The significant infringements to the Harbour Edge Height Control Plane will nullify the transition down to the waterfront as anticipated by the AUP:OP, effectively meaning that this control will become obsolete as the transition in the AUP:OP, and as generally given effect to currently, will no longer be legible.
4. The proposed towers will create an abrupt and dramatic change in building heights to the neighbouring Viaduct Harbour Precinct, creating dominance effects and preventing the transition of heights to neighbouring sites. The proposal will be inconsistent with the AUP:OP planned character of the waterfront setting.

4.0 Documents Reviewed

The following documents in the lodged application have been reviewed in preparing this memorandum:

- Appendix 2_Letter of Support_ Ngāti Whātua Ōrākei
- Appendix 9A_Architectural Drawings_Parts 1-6
- Appendix 9B_Landscape Drawings
- Appendix 9C_Architecture+Landscape Report_Parts 1-3
- Appendix 9D_Existing+Demolition Drawings
- Appendix 10_Cultural Design Report
- Appendix 12_Landscape+Visual Assessment
- Appendix 12A_Graphic Attachment Parts 1 – 6
- Appendix 45_City Centre Objectives and Policies Assessment
- Appendix 24_Proposed Consent Conditions

5.0 Specialist Assessment

Methodology

5. The Isthmus Landscape Assessment (ILA) has been undertaken with reference to the principles, concepts and approaches set out within Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines¹. A set of visual simulations and viewpoint photos have been provided with the Landscape Assessment, which are generally produced in accordance with recognised practice².
6. Regarding the visual simulations, I agree with the following statement in Appendix A of the ILA (page 76):

While visual simulations are useful tools, it is important to note their inherent limitations. Photos are static, have a limited field of view, and tend to flatten perspective. People typically experience landscapes by moving through them in a range of conditions – somewhat differently from photos that are taken in one set of conditions, from fixed viewpoints, and that do not depict wider context.
7. Further to this point, I also acknowledge that visual simulations are simply a tool to assist with an analysis of visual effects. While they have been very helpful in understanding the proposal, these images can only go part of the way to assisting with an understanding of visual effects – they are no substitute for the actual human experience of a landscape. This is largely because people experience the landscape as a sequence of views at different times of the day and year (in a variety of light and weather conditions), rather than as a single static image at a particular point in time, as is portrayed in a visual simulation.
8. I also note that the visual simulations in the ILA have a limited vertical field of view to represent the human field of vision. Whilst this is accurate in respect of the best practice guidance for visual simulations, it also demonstrates the limitations of only relying on visual simulations to undertake visual assessments, particularly in the context of the city centre where vertical building forms are dominant. In the city centre context, as an observer (particularly a pedestrian) moves around, their eye level would more naturally move up and down to be aware of their surroundings, find their way or observe the architecture around them, comparative to an environment where there are fewer vertical elements, so the air space changes less. For example, if we considered that only the human field of vision from a fixed vertical position was how we observed the city centre, few people would know what the Sky Tower looks like, except from distant views.
9. My review of the proposal focusses on the effects on the broader cityscape and its planned character, including the relationship between city centre form and Te Waitematā. I have also considered amenity effects on the waterfront, which includes streets and public spaces. Waterfront amenity effects relate to the relationship of the proposal to existing built form, including heritage buildings, and the effects on the visual amenity of the waterfront. I have not considered shading or wind effects in my review noting these effects have been reviewed by other specialists.

¹ Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines, Tuia Pito Ora New Zealand Institute of Landscape Architects, July 2022

² NZILA Best Practice (BG10.2 Visual Simulations).

General building height

10. The proposed development including both Tower 1 and Tower 2 do not comply with Standard H8.6.5 Harbour edge height control plane or Standard H8.6.3 Admission of sunlight to public places as shown on map H8.11.4. In accordance with Standard H8.6.2 General building height (2) as the heights on Maps H8.11.3 and H8.11.4 overlap, the 'lowest height limit applies as the first level of control'.
11. The purpose of the general building height standard (AUP:OP H8.6.2) is to manage the height of buildings within the city centre to:
 - *enable the tallest buildings within the core of the city centre;*
 - *transition heights down to neighbourhoods adjoining the city centre and to the harbour edge;*
 - *consolidate the city centre as the top of the centres hierarchy in Auckland;*
 - *respect the existing and planned built form and character of the zone and precincts; and*
 - *avoid adverse dominance, shading and/or visual amenity effects of building height on streets and public open spaces.*
 - *provide for variations to building height to recognise the character and amenity of particular areas, including heritage places.*
12. The general building height standard, and its deference to other controls such as the harbour edge height control plane, manages heights across the city centre to ensure it is developed in accordance with the planned character. The planned character of the city centre includes the transition of building heights down to adjoining neighbourhoods, which in context with the site, includes the Viaduct Harbour Precinct to the immediate west. The significant infringements to the standard will cause the city form to not transition down to the Viaduct Harbour Precinct or to the harbour edge as the AUP:OP anticipates for the planned character of the city centre.

Harbour Edge Height Control Plane (HEHCP)

13. The purpose of the HEHCP (AUP:OP H8.6.5) is “...to manage the scale of buildings at the western end of Quay Street to:
 - *provide a city form which transitions in building height from the core of the city centre down towards the waterfront;*
 - *maximise visual connections and visual permeability between the harbour and the city centre; and*
 - *reinforce the Quay Street east west connection running from the corner of The Strand and Quay Street to the east and Jellicoe Street in Wynyard Precinct to the west by the alignment of tall buildings”.*
14. The need to manage built form at the interface of Auckland’s waterfront is required to prevent future development from dominating the city-harbour interface. The slope of the recession plane and the height at which development starts to slope back are critical in achieving the control’s purpose. The anticipated height transition is provided in Figure H.8.6.5.1 of the AUP(OP), as below:

Figure H8.6.5.1 Harbour edge height control plane

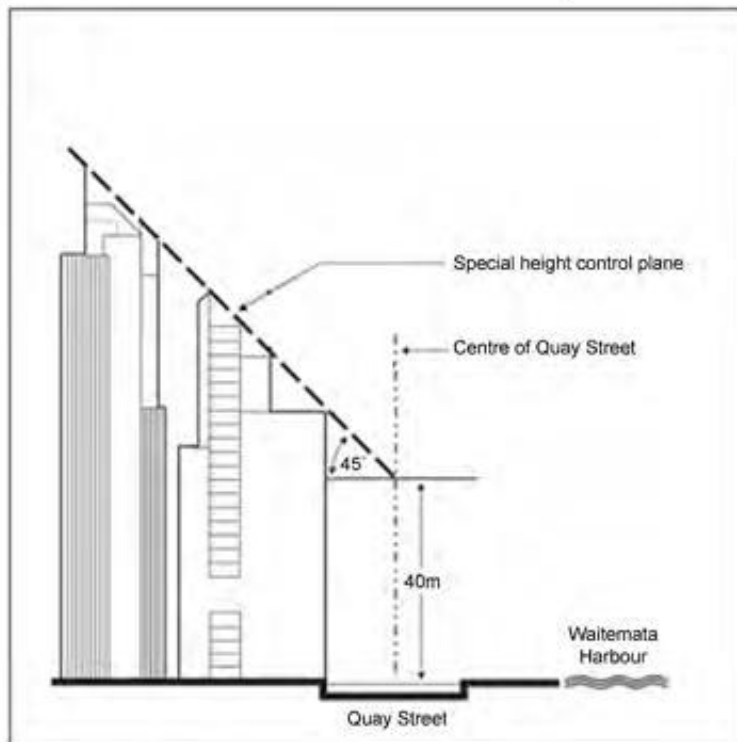


Image 1: AUP:OP Figure H8.6.5.1 Harbour Edge Height Control Plane

15. The slope of the transition in the control is at 45° , which ensures a gradual stepping back of building height from the waterfront, and this is largely the way in which the city centre is currently formed in relation to the waterfront; reinforced by the recent Commercial Bay development, whilst noting that this recession starts at 60m above the centre of Quay Street³.



Image 2: Commercial Bay viewed from Princes Wharf

³ In accordance the HEHCP exception that was in the AUP(OP) at the time of the Commercial Bay consent and prior to Plan Change 78.

16. This gradual 45° transition plane, ensures that tower forms are not overly dominant on the waterfront and that air space is offered above buildings at the point the city centre interacts with Te Waitematā, providing space for this interaction to be experienced, from the waterfront as well as from distant views.



Image 3: City Centre viewed from the western end of the Wynard Crossing Bridge

17. This transition also helps to open up visual connections between the Harbour and the city centre by restricting height within the area to which the HEHCP applies (see image below).

Figure H8.6.5.2 Harbour edge height control co-ordinates

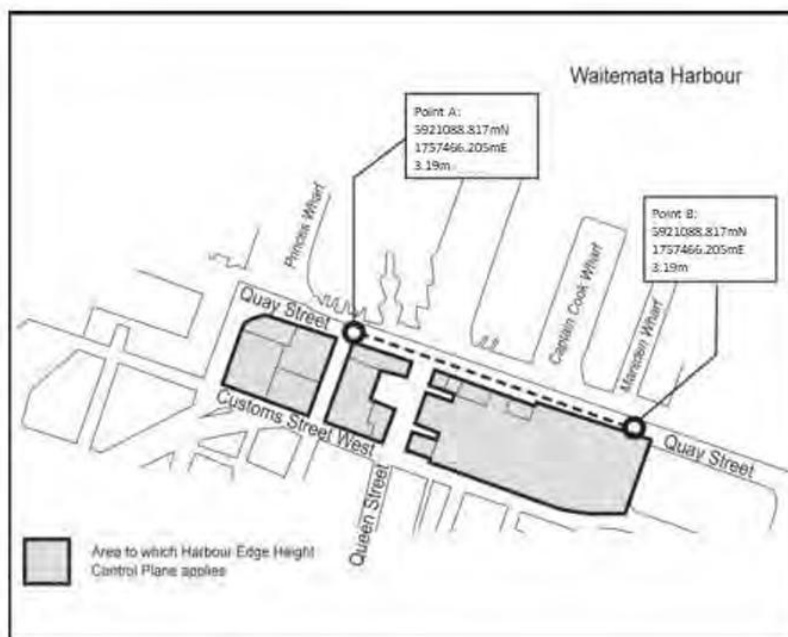


Image 4: AUP:OP Figure H8.6.5.2 Harbour edge height control co-ordinates

18. The stepping back of height ensures that views from city centre buildings to the Harbour are maximised, equivalent to seating in an amphitheatre ensuring headroom above the observers in the rows closer to the stage – where a very tall person sitting in the front rows of a theatre could cause the view of the stage to be lost for those sitting behind.
19. This requirement for stepping back of building form also has the effect of avoiding a wall of towers facing the Harbour. By staggering height back from the waterfront, this ensures that a depth of city centre form and architecture is enabled through the greater visual permeability into the city centre as approaching from the Harbour. The city centre form is not just the expression of architecture at the front, but of all that can be seen. A collection of buildings and tower forms provide visual interest and helps shape a city's identity.
20. At the crux of the HEHCP's purpose is that it provides for an expression of city centre form and visual interaction that is only provided if applied throughout the whole plane area. If a steeper plane were enabled in part of the plane area, this would become the dominant plane. The existing transition would no longer be legible; it would be nullified by the dominant plane.
21. The transition created by the clustering of the Commercial Bay building heights is currently the dominant plane for the transition of building height back from the waterfront for which the rest of the waterfront area is contextualised. If a new transition, such as the one enabled by the proposal, were created the existing transition would become obsolete as the steeper, more dominant transition would exert over the waterfront.
22. Future developments could seek to align with the new plane, potentially minimising views to the Harbour, creating a wall effect along the waterfront and exerting an over-dominance of towers on the waterfront by reducing the air space at the city's interface with Te Waitematā.
23. The HEHCP acknowledges the importance of Te Waitematā as being central to Auckland's identity and natural heritage; it acknowledges the important role that Quay Street [and the waterfront's public spaces] have at this interface – including as a major conduit and point of arrival for visitors to the city; and it acknowledges the contribution to the waterfront's character of the heritage buildings also found at this interface. The positive interaction of these influences at the waterfront's interface are provided for by the breathing space enabled by the HEHCP without the presence of very tall towers looming over. Both the starting point for the HEHCP and its angle of recline are important in terms of managing the level of visual permeability and air space near the waterfront, together with the degree to which built form dominates that key interface.

City Centre form and its relationship to Te Waitematā

24. The form of the city centre is intrinsically connected to Te Waitematā. From the fingers of wharves that stretch into the Harbour, through the Harbour's reclamation, heritage buildings associated with maritime use, and the evolution of high rises and apartments, hotels and the Sky Tower offering Harbour views, the city is not just built on the Harbour – it is dependent on it, and Te Waitematā provides much of the city centre's cultural identity, values and character.
25. The form of the city centre gives reference to Te Waitematā through the street layout – north-south oriented streets in the city centre provide views to the Harbour, whilst there is a general lower rise

built form around the Harbour's edge that is sympathetic to the public realm (Wynyard Quarter, Viaduct Harbour, Te Wānanga) and heritage buildings (including the Ferry Building, old Auckland Harbour Board Workshops and multiple heritage buildings in the Britomart Precinct).

26. When approaching the city centre and from key viewpoints around the waterfront and from surrounding parts of Auckland, the form of the city centre is distinctive and recognisable. The Sky Tower provides a landmark seen from many places and it is surrounded by other high rise buildings. The height of these gradually drop away to Te Waitematā. In views from the north, west and east, this creates an effect of a gradual descent of building heights towards the Harbour edge – transitioning down from the core of the city centre. Air space is created above the buildings at the waterfront's interface, which allows 'breathing space' for the transition between Te Waitematā and the city centre core to occur. In my opinion, the 'breathing space' gives reverence to the Harbour by not dominating its edges with high rise buildings.
27. This transition has, in my view, been successfully managed through recent developments near the waterfront. This includes the Commercial Bay cluster of buildings where the transition is maintained through a lower building height fronting Quay Street and taller building behind it fronting Customs Street, importantly ensuring the angle of transition is 45° and therefore gradual. The PWC Tower's crown tilts back from the Harbour, emphasising and giving effect to the transition. It is noted that this cluster applied (and slightly exceeded) the HEHCP exception, whereby the recline from Quay Street started at 60m above the centreline, rather than 40m⁴.
28. In my opinion, the integration of the built form into the natural qualities of the landscape, including the Harbour, is key to maintaining the harmonious perceptual qualities, and in doing so, retaining the shared associative values towards the city's natural environment. This is currently aided by the transition of height down to the waterfront through the HEHCP.

Cultural values and narrative

29. I have read the Ngāti Whātua Ōrākei letter of support (Appendix 2) and the Haumi Cultural Design Report (Appendix 10). I acknowledge that the proposal is situated on a culturally important site (the reclaimed seabed of Te Waitematā) and that the proposal and its design are considered culturally appropriate to Ngāti Whātua Ōrākei. I am supportive of the proposal's design embracing Māori cultural values. However, it is not clear if the height, bulk and scale of the proposed development are intrinsic to the cultural design or if a similarly appropriate cultural response could also be achieved in a proposal that was compliant with the HEHCP and the general building height standard.

Review of the Isthmus Landscape Assessment (ILA)

30. In a general sense and to give context for further comments in relation to specific viewpoints, I consider the ILA does not give sufficient acknowledgement to the existing transition of building heights down to the waterfront or to the effects that the proposal will create on this transition. The ILA states in many places, including pages 40 - 42, that the proposal will provide for 'a' transition but provides very little evaluation in terms of the effects of this steeper transition relative to 'the' transition that is anticipated by the HEHCP standard contained in the AUP:OP (the planned built form). In simple terms, the ILA appears to be based on a theory that any transition can be provided

⁴ In accordance the HEHCP exception that was in the AUP(OP) at the time of the Commercial Bay consent and prior to Plan Change 78.

without giving due consideration to the effects the steeper transition has on dominance over the waterfront or visual interaction between the city centre and Harbour.

31. The ILA (paragraph 104) states *“...change in itself is not an adverse effect. The city’s skyline has changed considerably over the years and the AUP anticipates such change will continue, including those buildings already consented but not yet built”*. I agree with this statement but it is worth noting that it is the extent of changes proposed that are not anticipated by the AUP:OP and their effects that are of most relevance for assessment. In the context of landscape effects, the proposed changes that are not anticipated by the AUP:OP include the HEHCP infringements. I have considered the effects of these infringements not in isolation but in the context of the whole change the proposal will bring on the cityscape, and how it responds to the relevant objectives and policies of the AUP:OP (included in Appendix A of this memorandum).
32. Paragraph 105 of the ILA states, *“The buildings provide something of a ‘bookend’ form for the city”* and clarifies in footnote that the *“‘bookend’ is not a concept anticipated by the AUP, however it provides a clear description of the how the proposal will sit within the city”*. Rather, the AUP:OP seeks to manage adverse effects associated with building height and form by transitioning building height and development densities down to neighbourhoods adjoining the city centre and to the Harbour edge. The Oxford Languages meaning of transition is “the process or a period of changing from one state or condition to another”. Implied in the meaning of transition – through the use of the words ‘process’, ‘period’ and ‘changing’ is that it is gradual, and not an instantaneous or abrupt change.
33. Rather than transitioning down, I consider that the proposal will create an abrupt and dramatic height drop between the proposed towers and the neighbouring Viaduct Harbour Precinct. This will represent a change to the planned character of the city centre and create over-dominance effects.

Summary review from the broader cityscape in relation to the application’s visual simulation viewpoints

34. A number of adverse landscape effects will be created by the proposal’s addition to the cityscape. The type and extent of effects will be experienced differently depending on the change to the existing view, as summarised below:

Harbour Edge

- a) The proposed towers will replace the existing Harbour edge transition (as anticipated by the AUP:OP and given effect to by the PWC Tower / Deloitte Centre / HSBC Tower) with a new prominence of towers on the Harbour edge. The effects include:
 - i. The creation of a visually prominent landmark tower on the waterfront that is visually incompatible with the existing and planned form of the city centre and does not integrate with the Harbour and wider landscape setting as anticipated by the AUP:OP (Viewpoints 1 - 11 and 13 - 17);

- ii. The contribution to a wall effect of towers along the front row of the waterfront as approaching the city centre from the north (Viewpoints 2 and 8), which reduces the visual permeability between the Harbour and the city; and
- iii. The impact on visual connections from the city centre to the Harbour as a result of this proposal, and as demonstrated by the Sky Tower render (page 48 of the ILA).

Significant natural landforms and landscape features including the Waitematā Harbour

- b) I do not consider the strong verticality of Tower 1 that rises from the Harbour edge gives due reverence to the maunga within and on the Harbour's coastal edges. This verticality, particularly contributed to by the north west corner of Tower 1 in combination with its height and location on the Harbour edge, appears to be oppositional to, or in conflict with, the natural qualities of the maunga and Harbour. This will remove the existing response of city centre form, such as the PWC Tower / Commercial Bay cluster, which transitions or leans back from the Harbour and maunga. In my opinion, this effect is evident in Viewpoints 5, 6, 7, 8, 9, 10, 13, 14, 15 and 16.

Transition to adjoining neighbourhoods

- c) I consider that there will not be an appropriate transition to the adjoining Viaduct Harbour Precinct due to the significant drop in height from the proposed towers. Whilst a relatively substantial height difference is anticipated by the AUP:OP, this is significantly exacerbated by the proposed building heights as registered in Viewpoints 2, 4, 5, 6, 7, 8, 13, 14, 15 and 16.

Adverse dominance

- d) I consider that there will be adverse dominance effects on nearby public streets and public spaces including Federal Street (Viewpoint 1), the corner of Quay Street and Hobson Street (page 68 of the Architecture & Landscape Report), the Viaduct Esplanade (Viewpoint 5) and the corner of Fanshawe and Hobson streets (Viewpoint 4).

Slenderness

- e) I consider that the towers will appear relatively slender in views from the north (Stanley Point) and south (Maungawhau). However, I consider that the combined width of the proposed towers will appear bulky when viewed from vantages to the west (Viewpoints 5, 6, 14 and 15). This effect is contributed to by the similar visual appearance of both towers.
35. In my opinion, these adverse effects are not anticipated by the city centre's existing or planned future form and will not be responsive to Te Waitematā, significant natural landforms and landscape features, and the waterfront setting (Objectives H8.2.(3), H8.2.(8), H8.2.(9), H8.2.(12) and H8.2.(13), and Policies H.8.3.(20), H.8.3.(29), H.8.3.(29A), H.8.3.(30) and H.8.3.(30A)) – refer to objectives and policies in Appendix A.

Waterfront amenity effects

36. The city centre's waterfront is on reclaimed land and wharfs on piles built above the tidal waters of Te Waitematā. It is organised along Quay Street that runs east-west along the waterfront, connecting the Port (and its wharves), Queens Wharf, Princes Wharf, the Viaduct Esplanade, North Wharf and Wynard Quarter. It provides key intersections to north-south connections to the core of the city centre at Te Komititanga, Lower Albert Street and Lower Hobson Street.
37. Throughout the waterfront, and including in the precincts of Britomart, the Viaduct Harbour and Wynard Quarter, as well as on the wharves, and in combination with the HEHCP there is a purposeful plan to transition built form down to a lower height from further back into the core of the city centre. This planned character is responsive to the Harbour and ensures a distinct waterfront amenity (recognising the distinctive character of the Precincts), and is implemented through the evolution of built development, most recently, by the clustering of Commercial Bay.
38. The maritime history of the city is strongly represented through heritage buildings along Quay Street, including the Ferry Building, buildings in the Britomart Precinct fronting Quay Street, and the Harbour Board building. Auckland's maritime history can be discovered in the New Zealand Maritime Museum that is located off Quay Street, opposite the site. The maritime heritage buildings, and Museum, contribute a significant character and amenity to Auckland's waterfront.
39. The built character and amenity of the waterfront is also strongly contributed to by newer and taller buildings along Quay Street, as well as by Quay Street and connected public open spaces. Taller buildings facing the south side of Quay Street, including on either side of Commerce Street, 152 Quay Street, the Deloitte Centre (1 Queen Street) and the HSBC building. The height of these buildings in proximity to the street help to reinforce the key east-west connection whilst not dominating the public spaces. They provide a scale that allows 'breathing space' on the waterfront, whereby the sky / daylight, the Harbour, heritage buildings, vegetation and horizontal public spaces are integrated into a cohesive waterfront amenity that is appreciated by pedestrians, without the presence of very tall tower forms exerting a visual over-dominance. These forms, such as the PWC Tower, are set back further and do not loom over the waterfront.
40. Amenity of the waterfront is enjoyed by city centre residents, hospitality and hotel guests, public transport users, shoppers and tourists, particularly those arriving to the city by cruise ships. The waterfront is unique and the relationship to the Harbour is highly valued by residents and visitors; Te Waitematā strongly contributes to the identity of the city centre as a 'Harbour City'.
41. In my opinion, the scale of the proposed towers will be incompatible with the existing and planned character of the waterfront and will adversely impact on the existing amenity values. The height of the towers will exert a visual and physical over-dominance over the waterfront's streets and public space, including the Viaduct Harbour, Quay Street and Te Wānanga and will not integrate with the scale of heritage buildings that contribute to the distinctive Precinct character and waterfront amenity. The towers will provide a monolithic presence that will detract from the planned lower scale of buildings, comparative to the city centre's core, that are situated along the waterfront.

42. I consider this is contrary to the planned and existing character. Recognising that the reclaimed land of the city centre is part of the coastal environment, in my opinion the proposal also does not align to the national direction set by the New Zealand Coastal Policy Statement (Policy 6.1.9):

set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment.

Appropriateness and the effects of the proposal's HEHCP infringements

43. Whilst I do not disagree that the type of activity (a comprehensive mixed-use development) subject of the proposal is appropriate for the location, I consider that particular features of the proposal's built form and scale, and particularly the exceedance to the HEHCP and general building height standard will result in a tower scale which will create adverse landscape effects that are inappropriate to its wider context in terms of its contribution to the cityscape, relationship to Te Waitematā and the existing and planned character of the waterfront.
44. As noted throughout my review, these changes will discord with the purpose and function of the HEHCP, as the proposal will not:
- *provide a city form which transitions in building height from the core of the city centre down towards the waterfront;*
 - *maximise visual connections and visual permeability between the harbour and the city centre; and*
 - *reinforce the Quay Street east west connection running from the corner of The Strand and Quay Street to the east and Jellicoe Street in Wynyard Precinct to the west by the alignment of tall buildings.*
45. In this regard, I have also turned my mind to the HEHCP assessment criteria (set out below):

(8A) Infringement of the harbour edge height control plane standard:

(a) Height, form, and scale:

- (i) *The extent to which the building (including roof structures) are designed to reinforce the planned built form of the city centre and the waterfront when viewed from:*
 - *within the city centre and main approaches to the city centre by land and water; and*
 - *public spaces which offer comprehensive views.*
- (ii) *The extent to which the part of the building which protrudes through the harbour edge height control plane:*

- *Avoids abrupt or arbitrary truncation of the upper parts of the building or structure.*
- *Is visually compatible with its proximity to the Waitematā Harbour, taking into account:*
 - *Whether the expression of the building provides visual interest and variation;*
 - *Whether the design visually reinforces the building's sense of place on the waterfront; and*
 - *The clustering of building heights to reinforce transitioning to a lower density waterfront setting.*
- *Maintains visual and physical connections and visual permeability to the Waitematā Harbour through the city centre by providing adequate airspace, sunlight, daylight and amenity around towers.*

(b) Amenity effects on the streetscape and adjacent public open spaces along the waterfront:

- (i) The extent to which building bulk above the harbour edge height control plane results in loss of amenity to adjacent public open spaces along the waterfront, including:*
 - *Sunlight admission.*
 - *Shading and dominance at street level and public spaces, in particular Quay St, Queen St, and Customs St.*

(c) Particular constraints:

- (i) Whether there are particular site development characteristics in terms of unusual site size, shape or orientation, or the location and nature of existing buildings which have constrained the form of the development.*

46. In relation to 8A(a)(i), I consider that as approaching the city centre, including from the Harbour (by boat) and the Harbour Bridge, Tāmaki Drive and State Highway 16, as well as from public places that offer comprehensive views (as included in this review), the proposed towers, particularly Tower 1, will have a height and scale that is inappropriate for its waterfront setting and will not be visually compatible with existing and planned character of the city centre.
47. In relation to 8A(a)(ii), I consider that, overall, the extent of infringements to the HEHCP are unresponsive to the waterfront's sense of place. In my opinion, the chamfer on the north west corner of Tower 2 does respond to the Harbour by leaning back and giving it reverence. However, this responsiveness is negated by the extent of infringement and the vertical edge of the north-west corner of Tower 1 that stands upright, providing a verticality in opposition to the Harbour. Additionally, the strong chamfer on Tower 1 faces away from the Harbour such that the appearance of the tower appears to turn its back on it when viewed from western vantages.

48. Further to 8A(a)(ii), the stepping down of heights between Tower 1 and Tower 2 and towards Quay Street will not, in my opinion, provide for an appropriate transition. This step down of height will be abrupt and dramatic, and it will make the planned waterfront transition, that has been given effect to through the evolution of the existing built form in the city centre, obsolete.
49. In relation to 8A(b)(i), I have discussed effects on waterfront amenity above. In summary, I find that the adverse effects on waterfront amenity contributed to by dominance will be inappropriate.
50. In relation to 8A(c)(i), I am not aware of any site development characteristics which constrain the form of development. A number of alternative forms of development appear to be implementable on the site, including development of two towers that do exceed the HEHCP or the general building height standard.

General building height

51. I have also considered the matters of discretion for the infringement to the general building height (H.8.8.2.(6)) as follows:

(6) *infringement of general building height, building in relation to boundary, maximum tower dimension, setback from the street and tower separation in special height area, and building setback from boundaries standards:*

(a) *effects of additional building bulk and scale on neighbouring sites and streets and public open spaces (sunlight and daylight access, dominance, streetscape amenity, visual amenity and landscape character):*

(i) *whether minor height infringements may be appropriate where it would provide an attractive and integrated roof form that also meets the purpose of the standard;*

(ii) *whether height or setback infringements may be appropriate on corner sites to reinforce the prominence of the corner where it meets the relevant standard infringement criteria and makes a positive contribution to the streetscape;*

(b) *consistency with the existing and planned built form and character of the zone/area:*

(i) *where building height or maximum tower dimension, setback from the street and tower separation in special height area, and building setback from boundaries standards is infringed whether the proposal demonstrates that Policies H8.3(29), H8.3(29A), H8.3(30), H8.3(31) and H8.3(38) of the Business – City Centre Zone are met. 46 Auckland Unitary Plan Operative in part H8 Business – City Centre Zone*

(c) *site specific characteristics:*

(i) *whether there are particular site specific characteristics in terms of narrow site size, unusual site size, shape or orientation, or the location and nature*

of existing buildings which have constrained the form of the development proposed;

- (ii) *(ii) where towers are not possible, the extent to which buildings are well-designed and complement the streetscape and skyline;*

52. I consider that there will not be an appropriate transition to the adjoining Viaduct Harbour Precinct due to the significant drop in height from the proposed towers. There will be adverse dominance effects on nearby public streets and public spaces, due to the height and combined bulk of towers.

Sense of place

53. I have also considered the assessment criteria under the 'Contributing to a sense of place' heading (H.8.8.2.(1)(a)) as follows:

- (i) *the extent to which the design of buildings contribute to the local streetscape and sense of place by responding positively to the existing and planned built form and character of the zone and surrounding area and significant natural landforms and landscape features including the Waitematā Harbour;*
- (ii) *the extent to which the silhouette of the building as viewed from areas surrounding the city centre positively contributes to the city centre's skyline while reinforcing the existing and planned built form and character of the city centre;*
- (iia) *the extent to which buildings are designed to create human scale podiums at street level and slender towers above which allow daylight and sunlight into buildings and daylight and sky views to filter down to streets and public places, while respecting the relationship of the city centre with the Waitematā Harbour.*
- (iib) *the extent to which buildings are designed to ensure adequate sunlight and daylight access to streets, public places and nearby sites.*
- (iic) *The extent to which sunlight, daylight and outlook is provided around buildings at all levels above the podium, to enable light to filter to streets and complimenting the relationship between the city centre and its surrounds including the Waitematā Harbour by through site views.*

54. The city centre waterfront's sense of place is intrinsically connected to the relationship it has with Te Waitematā and the significant landforms and landscape features that give shape to and reside in the coastal environment, including maunga, bluffs and headlands.

55. City centre form is currently responsive to this natural context through transitioning heights down to the Harbour edge and adjoining neighbourhoods. In my opinion, the proposal's height, verticality and prominence at the Harbour edge will remove this existing response that aligns to the planned character and insert a built landmark that will discord with the natural and planned character and the derived sense of place on the city centre waterfront.

56. The openness towards the sky (daylight) that gives 'breathing space' and reverence to the Harbour, will be reduced, as will the existing view to the Harbour from St Patrick's Square.

6.0 Recommendation

Conclusion

57. In conclusion, I consider that change is anticipated in the city centre by the AUP:OP (and the City Centre Masterplan) and a comprehensive mixed-use development is appropriate in the site location. However, the proposal and its inclusion of infringements to the HEHCP and the general building height standard will change the form of the city centre in a way that is not anticipated by the AUP:OP. I consider the height and combined bulk of the towers will create dominance and adverse amenity effects in the waterfront setting and will create a city form that will be incongruent with the planned transition down to the Harbour edge and neighbouring Viaduct Harbour Precinct.
58. The proposal, and particularly Tower 1, will create a landmark on the Harbour edge that will be viewed from a very wide range of vantages from which the city centre and its Harbour and landscape context is highly valued. The towers will not appear integrated within this context but exert a prominent verticality that will create adverse dominance effects over the waterfront and reduced visual permeability between the Harbour and city centre. Accordingly, I do not support the proposal.

Landscape design and recommended conditions of consent

59. I have considered the appropriateness of the landscape design treatment, noting that I do not consider the planting will mitigate or reduce any of the citywide effects I have discussed.
60. I broadly consider the landscape design to be appropriate in terms of its layout and plant species, that will imbue an organic character and ecologically appropriate response to the coastal context. I support the recommendations of Mr Demiralp, Principal Urban Designer – Auckland Council, to achieve a better pedestrian environment at the hotel vehicle drop off area on Customs Street West.
61. However, the site and location of planting within the application site, particularly in the Urban Room and on the podiums, present many challenges such as adequate light (in the Urban Room), wind conditions (on podiums and at the Lower Hobson Street entrance to the Urban Room) and available soil (on podiums and in the Urban Room), for plants, including trees, to thrive. As such, I recommend conditions of consent to ensure appropriate landscaping outcomes.
62. For the avoidance of doubt, whilst I am supportive of the implementation of the proposed four Pohutukawa trees located outside of the application site from an amenity perspective, I do not consider this amenity will mitigate the proposal's adverse effects on waterfront amenity, including over-dominance effects, that I have discussed in my memo. I have also not considered the technical constraints or requirements for these trees as they are considered by other Specialists, including arboricultural and transport advisors.

7.0 Proposed Conditions

I have reviewed the Applicant's Proposed Consent Conditions (Appendix 24) and they are generally supported subject to the recommended changes as below to address the challenges to achieve successful landscaping at this site:

Landscape Treatment and Maintenance – Finalised Details

1. Prior to lodgement of Architectural Building Consent a finalised set of Landscape Plans must be submitted to the Council for written certification. The finalised plans must be consistent with the landscape design ~~intent~~ identified in the plans and information referenced at condition 1 and must include:
 - a. detailed landscape plans for streetscape and the Urban Room, terraces and roofs and specifications;
 - b. planting schedule, detailing the specific planting species, the number of plants provided, locations, heights/~~pint bag sizes~~ grade (litre) at time of planting;
 - c. irrigation and drainage details;
 - d. hard landscape plan and specifications, detailing site levels, materiality and colour for paving, furniture and balustrades for ~~the~~ all external spaces including outdoor balcony spaces;
 - e. annotated sections and/or design details with key dimensions to illustrate that adequate widths and depths are provided for amenity planting beds, garden beds / tree pits / raised planters / podiums and roof terraces. The depth and width of planting on raised gardens, terraces and roofs must be of sufficient space to accommodate the proposed type and scale of planting including specimen trees. The design and engineering must include suitable drainage, irrigation and medium provisions.
 - f. Evidence of public consultation regarding landscaping details with Mana Whenua to include motifs of cultural or regional significance and, members of the disabled community.
 - g. a management/maintenance programme, in particular details of:
 - i) maintenance methodology and frequency,
 - ii) allowance for replacement of plants in case plants are severely damaged / die over the first five years of the planting being established; and,
 - iii) contractor responsibilities and ongoing maintenance requirements for the life of the development as part of the body corporate / society or similar mechanism
2. Prior to the development being occupied and operational, the consent holder must implement the landscape design of the streetscape, the urban room and podium roof, which has been certified by the council under condition 1.

8.0 Appendix A: Relevant AUP(OP) Objectives and Policies

H8 Business – City Centre Zone

H.8.2. Objectives

- (2) Development is of a form, scale, and design quality so that centres are reinforced as focal points for the community.*
- (3) Development positively contributes towards planned future form and quality creating a well-functioning urban environment and a sense of place.*
- (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 existing and planned built form and character and waterfront setting.*
- (9) The distinctive built form, identified special character and functions of particular areas within and adjoining the city centre are maintained and enhanced.*
- (12) 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.*
- (13) 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.*

H.8.3. Policies

- (3) Require development to be of a quality and design that positively contributes to:

 - (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.**
- (5) Require large-scale development to be of a design quality that is commensurate with the prominence and visual effects of the development.*
- (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.*

Precincts

- (23) Identify and encourage specific outcomes in areas of the city centre that relate to:*

- (a) a distinctive built character...*

- (24) Encourage comprehensive and integrated development of key development sites or precincts in the city centre.*

City form

- (29) Enable the tallest buildings and the greatest density of development to occur in the core of the city centre.*

(29A) 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.

(30) Manage adverse effects associated with building height and form by:

- (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, form, and design of new buildings to be complementary to existing and planned built form and character of the zone and precincts; and*
- (d) managing the scale, form and design of buildings to:*
 - (i) avoid adverse dominance and/or amenity effects on streets and public open space; and*
 - (ii) encourage well-designed, human scale podiums with slender towers above with adequate separation between towers; or on sites where towers are not possible, encourage well-designed buildings which complement the streetscape and skyline.*

(30A) In identified locations, modify building height and/or density of urban form to provide for qualifying matters.

(31) Ensure adequate sunlight, daylight, and outlook around buildings.

(31A) 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.

(32) Encourage public amenities to be provided within developments, including publicly accessible open space, artworks ~~of art~~ and through site links.

(32A) Require that existing public amenities within developments be retained, including publicly accessible open space, artworks and through site links.

I205 Downtown West Precinct

I205.2. Objectives

- (1) The precinct contains a mix of uses and the form and scale of development is integrated with the core central business district and the waterfront.*
- (2) High quality public open space is provided and pedestrian connectivity from the core central business district to the waterfront and from Britomart to the west is enhanced.*

I205.3. Policies

- (1) Enable and encourage a diverse range of activities within the precinct including residential (including visitor accommodation), commercial, recreational, temporary activities and events.*
- (2) Encourage an integrated network of attractive streets, lanes and pedestrian connections to improve pedestrian permeability and accessibility through the precinct and supports the transport interchange function of the area.*
- (3) Provide for an interconnected network of high quality public open spaces and publicly accessible spaces which vary in form and function in highly accessible locations within the precinct that are activated by uses around their periphery.*

